

Business Papers

2nd Ordinary Council Meeting

Tuesday, 25 July 2017 5.00pm



Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend a 2nd Ordinary Council Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 25 July 2017, commencing at 5.00pm.

BPDOWD

CHIEF EXECUTIVE OFFICER

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/3

CITY OF DARWIN

ONE HUNDRED AND SEVENTEENTH ORDINARY MEETING OF THE TWENTY-FIRST COUNCIL

TUESDAY, 25 JULY 2017

MEMBERS: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chair); Member R K Elix; Member J A Glover; Member G J Haslett; Member R M Knox; Member G A Lambert; Member G Lambrinidis; Member S J Niblock; Member M Palmer; Member R Want de Rowe; Member E L Young.

OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager City Futures, Mr G Rosse; General Manager City Life, Ms A Malgorzewicz; General Manager City Operations, Mr L Cercarelli; General Manager City Performance, Dr D Leeder; Committee Administrator, Mrs P Hart.

Enquiries and/or Apologies: Penny Hart E-mail: p.hart@darwin.nt.gov.au PH: 8930 0670

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ORD07/7

- 1. **ACKNOWLEDGEMENT OF COUNTRY**
- 2. THE LORD'S PRAYER
- 3. **MEETING DECLARED OPEN**
- 4. APOLOGIES AND LEAVE OF ABSENCE Common No. 2695036
- 4.1 **Apologies**
- 4.2 **Leave of Absence Granted**

Nil

- 4.3 **Leave of Absence Requested**
- **ELECTRONIC MEETING ATTENDANCE** 5. Common No. 2221528
- 5.1 **Electronic Meeting Attendance Granted**
- 5.2 **Electronic Meeting Attendance Requested**
- **DECLARATION OF INTEREST OF MEMBERS AND STAFF** 6. Common No. 2752228
- 6.1 **Declaration of Interest by Members**
- 6.2 **Declaration of Interest by Staff**

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ORD07/8

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

7.1 Confirmation of the Previous Ordinary Council Meeting

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 11 July 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

To finalise the 21st City of Darwin Council Committees, the minutes have been submitted to Council for confirmation.

7.2 <u>Confirmation of the Previous Open Community & Cultural Services</u> <u>Committee Meeting</u>

THAT the tabled minutes of the previous Open Community & Cultural Services Committee held on Tuesday, 20 June 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

7.3 <u>Confirmation of the Previous Open Environment & Infrastructure</u> <u>Committee Meeting</u>

THAT the tabled minutes of the previous Open Environment & Infrastructure Committee held on Tuesday, 20 June 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

7.4 <u>Confirmation of the Previous Open Corporate & Economic Development Committee Meeting</u>

THAT the tabled minutes of the previous Open Corporate & Economic Development Committee held on Monday, 22 May 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

7.5 Confirmation of the Previous Open Town Planning Committee Meeting

THAT the tabled minutes of the previous Open Town Planning Committee held on Tuesday, 9 May 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

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- 8. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING/S
- 8.1 Business Arising
- 9. MATTERS OF PUBLIC IMPORTANCE
- 10. DEPUTATIONS AND BRIEFINGS
- 11. PUBLIC QUESTION TIME

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ORD07/10

12. CONFIDENTIAL ITEMS

Common No. 1944604

12.1 Closure to the Public for Confidential Items

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

<u>ltem</u>	<u>Regulation</u>	Reason
C26	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C31.1.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C31.2.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C31.2.2	8(b)	information about the personal circumstances of a resident or ratepayer
C31.2.3	8(d)	information subject to an obligation of confidentiality at law, or in equity
C31.2.4	8(a)	information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, is publicly disclosed, cause prejudice to the individual
C32.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C32.2	8(e)	information provided to the council on condition that it be kept confidential

12.2 <u>Moving Open Items Into Confidential</u>

12.3 Moving Confidential Items Into Open

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/11

13. PETITIONS

14. NOTICE(S) OF MOTION

14.1 Fannie Bay Equestrian Club Lease

Common No. 179115

The Notice of Motion raised by Member R Want de Rowe is **Attachment A**.

Recommendation

- A. THAT Council offer the Fannie Bay Equestrian Club a new 20-year lease commencing 2020.
- B. THAT the new lease includes the development of a grounds maintenance and weed management plan to be developed by the Fannie Bay Equestrian Club.
- C. THAT Council negotiate with the Fannie Bay Equestrian Club on all other aspects of the lease such as but not limited to the possibility of the Fannie Bay Equestrian Club having a community garden on site and the possible assistance in promotion of the community aspects of the Club's presence including open days.
- D. THAT a progress report be brought back to Council in October 2017.

-

ATTACHMENT A



Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801

E darwin@darwin.nt.gov.au

9 08 8930 0300 F 08 8930 0311

18/07/2017

NOTICE OF MOTION

SUBJECT:

Fannie Bay Equestrian Club Lease

REPORT NUMBER: COMMON NO.:

179115

I give notice that at the 2nd Ordinary Council Meeting on 25th July 2017 I will move the following motion:-

- A. THAT Council offer the Fannie Bay Equestrian club a new 20-year lease commencing 2020.
- B. THAT the new lease includes the development of a grounds maintenance and weed management plan to be developed by the Fannie Bay Equestrian Club.
- C. THAT council negotiate with the Fannie Bay Equestrian Club on all other aspects of the lease such as but not limited to the possibility of the Fannie Bay Equestrian club having a community garden on site and the possible assistance in promotion of the community aspects of the Club's presence including open days.
- D. THAT a progress report be brought back to Council in October 2017.

REASON:

The Fannie Bay Equestrian club is a community open to all residents, not just members. It encourages the love of horses and teaches children the importance of hard work and community spirit. Closing the club would be a real detriment to the whole community.

Signed by me at Darwin this 18th day of July 2017

ALDERMAN WANT DE ROWE

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/12

14. NOTICE(S) OF MOTION

14.2 <u>Acknowledgement Seat for Forgotten Australians and Former Child</u> <u>Migrants</u>

Common No. 3487718

The Notice of Motion raised by Member R Want de Rowe is **Attachment B**.

Recommendation

- A. THAT Council agree to install a memorial seat with an acknowledgement plaque for the Forgotten Australians and Former Child Migrants on The Esplanade in a location agreed to between Council, Relationships Australia and the Alliance for Forgotten Australians.
- B. THAT Council accept the \$4,000 contribution towards the installation of the memorial seat from Relationships Australia and the Alliance for Forgotten Australians.

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ATTACHMENT B

GPO Box 84 Darwin NT 0801

08 8930 0300 08 8930 0311

E darwin@darwin.nt.gov.au

18/07/2017

NOTICE OF MOTION

Civic Centre Harry Chan Avenue

Darwin NT 0800

SUBJECT: REPORT NUMBER: COMMON NO.: Acknowledgement Seat for Forgotten Australians and Former Child Migrants

3487718

I give notice that at the 2nd Ordinary Council Meeting on 25th July 2017 I will move the following motion:-

A. THAT council agree to install a memorial seat with an acknowledgment plaque for the Forgotten Australians and former Child Migrants on the esplanade in a location agreed to between Council, Relationships Australia and Alliance for Forgotten Australians

B. THAT Council accept the \$4000 contribution towards the installation of the memorial seat from Relationships Australia and the Alliance for Forgotten Australians.

REASON:

The terms "Forgotten Australian" and "Former Child Migrant" refer to the 500,000 children and child migrants who grew up in orphanages, foster care, children's homes or other institutions during the 20th century. Many of these children suffered neglect and where physically, mentally and sexually abused while in care.

This seat would give local people and visitors affected by institutional care a place for acknowledgement, remembrance and reflection.

Signed by me at Darwin this 18th day of July 2017

ALDERMAN WANT DE ROWE

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING - OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/13

14. **NOTICE(S) OF MOTION**

14.3 CBD Activation - Support for Darwin Pride Festival 2017

The Notice of Motion raised by Member E L Young is **Attachment C**.

Recommendation

- A. THAT Council install a temporary rainbow crossing at the intersection of Smith Street and Knuckey Street prior to the commencement of the Darwin Pride Festival from 22 September to 1 October 2017 and undertake discussion with the Darwin Pride Festival Committee as to the timing and location of the crossing.
- B. THAT Council agree to provide the Darwin Pride Committee with financial assistance of up to \$7,000 for traffic management in support for the inaugural Pride March.



ATTACHMENT C

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au 08 8930 0300 08 8930 0311

18 July 2017

NOTICE OF MOTION

SUBJECT: CBD Activation – Support for Darwin Pride Festival 2017 REPORT NUMBER: COMMON NO.:

I give notice that at the 2nd Ordinary Council Meeting on 25 July I will move the following motion:-

- A. THAT Council install a temporary rainbow crossing at the intersection of Smith and Knuckey Streets prior to the commencement of the Darwin Pride Festival from 22 September to 1 October 2017 and undertake discussions with the Darwin Pride Festival Committee as to the timing and location of the crossing.
- B. THAT Council agree to provide the Darwin Pride Committee with financial assistance of up to \$7,000 for traffic management in support for the inaugural Pride March.

REASON:

The Darwin Pride Festival aims to promote equality and diversity through recognition and a cultural celebration of the LGBTIQ community in Darwin and the Territory. On the 27 June 2017, City of Darwin agreed to the provision of funds for the CBD activation fund for entertainment and events. This fund allows us to achieve some of the City of Darwin aims of revitalising the social, cultural and economic development of the Darwin CBD.

In addition to this, in 2016 Council voted to support marriage equality and led Australia at the National General Assembly of Local Government who supported our marriage equality motion.

This year the Pride Committee have also arranged the first ever Pride March in Darwin which will bring people from all over the Territory to our city centre. The provision of a rainbow crossing for such an important community festival will bring pride to the community, increase activation of the CBD space and increase tourism opportunities for the Territory.

As a not for profit event, the Pride Committee also need financial assistance in helping them cover Traffic Management costs for the event which will cross at the proposed rainbow crossing ending at Civic Park for Pride Fair Day.

Signed by me at Darwin this 18 Day of July 2017

ALDERMAN Emma Young

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ORD07/14

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact the Committee Administrator on (08) 8930 0670.

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15. **COMMITTEE REPORTS**

Nil

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ORD07/15

16.1 OFFICERS REPORTS (ACTION REQUIRED)

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.1.1

REQUEST TO PURCHASE ROAD RESERVE AT 27 LAMBELL TERRACE, LARRAKEYAH

REPORT No.: 17CO0002 MV:If COMMON No.: 3526896 DATE: 25/07/2017

Presenter: Acting Manager Design, Developments & Projects,

James Whyte

Approved: General Manager City Operations, Luccio Cercarelli

PURPOSE

The purpose of this report is to inform Council of an approach by an adjacent land owner to purchase a portion of the Lambell Terrace road reserve, Larrakeyah and to seek direction on how Council wishes to proceed.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

5.5.1 Manage Council's business based on a sustainable financial and asset management strategy

KEY ISSUES

- The owners of Lot 5390 (27) Lambell Terrace, Larrakeyah have approached Council wishing to purchase a 22 square metre portion of the Lambell Terrace road reserve adjacent to their allotment.
- The existing road reserve in question is an odd shape and covers the former access road to the old Darwin Hospital site.
- The City of Darwin and the Northern Territory Government are in discussions regarding the transfer of additional land for use as the Lambell Terrace road reserve.
- The Northern Territory Government has made an announcement to construct a new museum on Lot 6364 (10) Lambell Terrace and are currently out to tender for design.
- It is recommended that City of Darwin do not approve the sale of land at this time until the future use of the road reserve and Lot 6364 (10) Lambell Terrace have been determined.

REPORT NUMBER: 17CO0002 MV:lf

SUBJECT: REQUEST TO PURCHASE ROAD RESERVE AT 27 LAMBELL TERRACE.

LARRAKEYAH

RECOMMENDATIONS

A. THAT Report Number 17CO0002 MV:If entitled Request to Purchase Road Reserve at 27 Lambell Terrace, Larrakeyah, be received and noted.

B. THAT Council not approve the closure and sale of a portion of the Lambell Terrace road reserve, Larrakeyah to the owners of Lot 5390 (27) Lambell Terrace at this time due to the uncertainty of Lot 6364 and Lambell Terrace road reserve as described in Report Number 17CO0002 MV:If entitled Request to Purchase Road Reserve at 27 Lambell Terrace, Larrakeyah.

BACKGROUND

The owners of Lot 5390 (27) Lambell Terrace, Larrakeyah approached Council in June 2017 with the intention of purchasing a section of the Lambell Terrace road reserve adjacent to the property (see Figure 2). The subject portion of road reserve would then be consolidated with Lot 5390, Town of Darwin.



Figure 1 - Locality Plan

Lot 5390 (27) Lambell Terrace currently has an area of 1,350m². The area of road reserve requested is 22m², increasing the overall area of Lot 5390 to 1372m².

REPORT NUMBER: 17CO0002 MV:lf

SUBJECT: REQUEST TO PURCHASE ROAD RESERVE AT 27 LAMBELL TERRACE,

LARRAKEYAH



Figure 2 - Area of Lambell Terrace road reserve to be purchased

Lot 5390 is currently occupied by a single residential dwelling and garage. The garage of Lot 5390 has been designed to act as a building pad for an independent unit. The roof of the garage is approximately level with the road reserve and has been constructed with no setback from the property boundary. The owners are requesting the purchase of this section of road reserve in order to comply with the setback requirements for the proposed independent unit outlined in the Northern Territory Planning Scheme.

The irregular shape and width of the Lambell Terrace road reserve fronting Lots 5390 (27) and 5536 (25) is not in accordance with the City of Darwin's standards.



Figure 3 - Roof of garage at Lot 5390 Lambell Terrace. Steel reinforcement has been installed in preparation for construction. (13/07/2017)

REPORT NUMBER: 17CO0002 MV:If

SUBJECT: REQUEST TO PURCHASE ROAD RESERVE AT 27 LAMBELL TERRACE,

LARRAKEYAH

DISCUSSION

The owners of Lot 5390 (27) Lambell Terrace, Larrakeyah approached Council in June 2017 with the intention of purchasing a section of the Lambell Terrace road reserve adjacent to the property to meet the Northern Territory Planning Scheme setback requirements. The purchase of the road reserve will allow the construction of an independent unit above the properties garage.

Lambell Terrace

The subject portion of the road reserve is an irregular shape and width and does not meet the City of Darwin's current standards. Due to the irregular shape and size of the road reserve, it currently contains only a portion of the Lambell Terrace road carriageway and the southern verge. The remainder of the road and northern verge is located in Lot 6364 (10) Lambell Terrace.

Lambell Terrace does not provide access to individual properties west of the driveway servicing Lot 5390. Therefore the sale of the subject portion of road reserve would not impact the access to any individual allotments. Lambell Terrace provided access to the old Darwin Hospital site (Lot 6364). The construction of an earthen bund and the fencing off of the road at the western boundary of Lot 5390 has made these access ways redundant.

City of Darwin is currently in negotiations with the Northern Territory Government to transfer ownership of a portion of Lot 6364 (10) Lambell Terrace to rationalise the road reserve and provide an adequate turnaround area as this portion of Lambell Terrace is currently a dead end.

Investigations have revealed that this section of road reserve does not contain any known services, i.e. power, water, sewer, gas, telecommunications, stormwater.



Figure 4 – Verge at Lot 5390 (10) Lambell Terrace (13/07/2017)

REPORT NUMBER: 17CO0002 MV:If

SUBJECT: REQUEST TO PURCHASE ROAD RESERVE AT 27 LAMBELL TERRACE,

LARRAKEYAH



Figure 5 - Fenced access to Lot 6364 off Lambell Terrace (13/07/2017)



Figure 6 - Redundant access to Lot 6364 and earthen bund (13/07/2017)

Lot 6364 (10) Lambell Terrace

The Northern Territory Government has released a design tender for Lot 6364 (10) Lambell Terrace with the commitment of building a new museum on this site. As the design tender has only recently been released there is uncertainty over what the final site might look like and what impact this may have on adjoining properties.

REPORT NUMBER: 17CO0002 MV:lf

SUBJECT: REQUEST TO PURCHASE ROAD RESERVE AT 27 LAMBELL TERRACE,

LARRAKEYAH

Council have two (2) options in relation to the sale of land as detailed below:

Option 01 – Sale of Land NOT approved (Recommended)

Due to the lack of certainty over the future use of Lot 6364 (10) Lambell Terrace and the Lambell Terrace road reserve, any sale of land should not be approved until such time as there is greater certainty. A sale of land could impact the future use of the area for the broader community.

In addition to the above, the sale of land would result in a loss of control over the road reserve and would create an irregular property boundary.

Option 02 - Sale of Land approved

The sale of land would allow the owner to construct an independent unit without seeking a setback variation on this frontage. There may be other variations sought for the unit.

In addition to the above, City of Darwin would generate a small income of \$6,000 and would no longer have any ongoing maintenance cost associated with the verge.

Although there is a small income as a result of the sale of land, there is uncertainty around the future use of Lot 6364 (10) Lambell Terrace and it is recommended that Council go with "Option 01 – Sale of Land NOT approved" at this time. Once the designs for Lot 6364 (10) Lambell Terrace have been finalised and the discussions with the Northern Territory Government have been resolved, the applicant could seek to purchase the land.

CONSULTATION PROCESS

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

- Senior Capital Works Coordinator
- Design Team Leader
- Team Leader Development
- Property Officer
- Town Planner

POLICY IMPLICATIONS

City of Darwin Policy No. 010 - Land Acquisition and Disposal (Policy No. 010) provided guidance in relation to the proposed sale of Council land.

As a general rule, Council (as custodian of public assets) would dispose of all property interests in an open market format to ensure due probity of process and optimal financial return (and minimal risk).

REPORT NUMBER: 17CO0002 MV:lf

SUBJECT: REQUEST TO PURCHASE ROAD RESERVE AT 27 LAMBELL TERRACE.

LARRAKEYAH

However, Council may undertake an alternative process for the disposal of land where in Council's opinion, an alternative disposal approach will achieve greater benefits to the ratepayers than could be achieved through a public process and will entertain a direct sale, lease or similar to the exclusion of a public process.

The circumstances which give rise to an alternative process as specified in Policy No. 010 include:

"Where there is only one identifiable purchaser. For example where a site is not large enough for development in its own right and is surrounded by public roads on all sides other than the adjoining owner."

BUDGET AND RESOURCE IMPLICATIONS

The valuer's report (Attachment A) shows the subject portion of the Lambell Terrace road reserve is \$6,000.

All costs associated with any sale of this land including legal costs, road closures etc. would be borne by the proponents.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The closure of road will be done in accordance with Section 187 of the Local Government Act (as in force 1 July 2012).

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.

JAMES WHYTE

ACTING MANAGER DESIGN,

DEVELOPMENTS & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER CITY
OPERATIONS

For enquiries, please contact James Whyte on 8930 0413 or email: j.whyte@darwin.nt.gov.au.

Attachments:

Attachment A: Valuation Report



20 June 2017

General Manager Infrastructure City of Darwin Via Email: <u>L.Cercarelli@darwin.nt.gov.au</u>

Attention: Luccio Cercarelli

Dear Luccio

Re: Request to Purchase Road Reserve 27 Lambell Terrace, Larrakeyah (Lot 5390 Town of Darwin)

MasterPlan has been engaged by the landowners, David and Pam Flint, of the above address to assist in purchasing a triangular portion of road reserve adjacent the property. Landowner authorisation is **attached**. The intention is that the road reserve would be subsequently consolidated with Lot 5390 Town of Darwin. The area of road reserve in question is approximately 22 square metres. A Site Plan is **attached** outlining the area.

Lot 5390 Town of Darwin is developed with a dwelling and a garage. The maximum height of the garage is approximately level with the current road reserve and built with a zero setback to the road reserve. The garage provides a building pad for an independent unit which, due to the existing zero setback, does not comply with the current setback requirements of the NT Planning Scheme. The proposed purchase of the road reserve would result in compliance with the setback requirement.

If City of Darwin has a more preferred alignment which would achieve the purpose of complying with the setback requirements described above, MasterPlan and our client would be amenable to exploring these options.

It is suggested that the road reserve is suitable for purchase as it does not appear to perform a practical purpose or function to City of Darwin, and is unlikely to do so in the future. The following is noted in support:

• The road reserve is irregular in shape and width and is not in accordance with City of Darwin's current road standards;

1509LET03 1



- If Lot 6364 were redeveloped in future the area of road reserve in question would not be required or suitable in its current form to serve that development;
- The road reserve does not provide access to Lot 5390 Town of Darwin or any individual allotments;
- The area of road reserve does not contain any known services (power, water, sewer, gas, telecommunications); and
- The acquisition will result in reduced road reserve maintenance for City of Darwin and an immediate economic benefit to City of Darwin from the sale.

Preliminary discussions have been held with Liam Carroll of City of Darwin who advised this letter should be prepared and directed to you to progress the application. It is understood that for the sale to be supported it will require both your support in your capacity as General Manager Infrastructure and subsequently a supporting resolution from Council. If supported, the Local Government Act road closure process will then need to be followed to facilitate the road closure and that the costs involved are the responsibility of the landowner. A valuation has been obtained by City of Darwin that suggests the current market value of the portion of road reserve is \$6,000. The valuation report is **attached**. The landowners are amenable to the purchase of the road reserve for this value.

We respectfully request favourable consideration from yourself and Council of the request to purchase the 22-square metre portion of road reserve. Please do not hesitate to contact me should you require any clarification or wish to further discuss the contents of this letter.

Yours sincerely,

Jack Priestley MasterPlan NT

1509LET03 2



AUTHORISATION FOR MASTERPLAN NT

We, David and Pamela Flint being the owner/registered proprietors of the property at **27 Lambell Terrace, Larrakeyah (Lot 5390 Town of Darwin)** authorise MasterPlan NT to facilitate the closure and purchase of a portion of the Lambell Terrace road reserve adjacent our property.

Signed:

David Flint

-

Pamela Flint

Date:

16. 6.

Unit 33, 16 Charlton Court Woolner, 0820 P (08) 8942 2600

masterplan.com.au

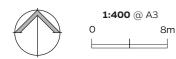
Offices in **NT** | SA | QLD ISO 9001:2015 Certified ABN 30 007 755 277

plan@masterplan.com.au



Site Plan

27 Lambell Terrace Larrakeyah Lot 5390 TOWN OF DARWIN







VALUATION REPORT

Portion of Road Reserve Adjoining Lot 5390 (27) Lambell Terrace Larrakeyah NT 0820



Acting on Instructions from Liam Carroll
Our Reference: 170133

Valuations NT

ABN 41 603 036 844 GPO Box 4489, Darwin NT 0801 08 8981 3885 emma@valuationsnt.com.au



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Appendices

- Search Certificate of Title and Record of Administrative Interests for Lot 5390
- Plan of Portion of Road Reserve to be Sold





1.0 Executive Summary

1.1 Instructions

Client	City of Darwin
Valuation Purpose	Market value assessment toward a potential sale to the adjoining owner.

1.2 Property Details

Property Address	Portion of Road Reserve to be Consolidated with Lot 5390 (27) Lambell Terrace, Larrakeyah NT 0820
Property Description	The subject property comprises a level, triangular shaped portion of road reserve of some $22m^2$ in area that adjoins the north-eastern boundary of Lot 5390, Town of Darwin. The land is currently improved with well-kept lawns and footpath.
Area to be Consolidated	22m²
Zoning	Single Dwelling Residential (SD)

1.3 Conditions and Assumptions

Key Assumptions

 The instructions and subsequent information supplied contain a full disclosure of all information that is relevant

1.4 Background Information

Application to Purchase

The owner of Lot 5390 has lodged an application for the purchase of the subject land for consolidation with Lot 5390 to thereby increase the overall size of Lot 5390 from 1,350m² to 1,372m² which will bring the property into compliance so that it may achieve a permit for the construction of a proposed granny flat on the site.





1.5 Valuation

Market Value:

SIX THOUSAND DOLLARS	\$6,000
Interest Valued	Freehold
Date Issued	10 May 2017
Date of Inspection	8 May 2017
Date of Valuation	8 May 2017
Currency of Valuation	90 days from the date of valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.
Inspecting Valuer	
	Emma Jackson AAPI, MBus (Prop)
	Certified Practising Valuer
	AAPI 64371

Important	This Executive Summary must be read in conjunction with the remainder of this report. The Executive Summary is only a synopsis designed to provide a brief overview and must not be acted upon in isolation to the contents of the valuation report.
Third Party Disclaimer	This report has been prepared for the private and confidential use of our client, City of Darwin. It should not be reproduced in whole or part without the express written authority of Valuations NT Pty Ltd or relied upon by any other party for any purpose and the valuer shall not have any liability to any party who does so. Our warning is registered here, that any party, other than those specifically named in this paragraph should obtain their own valuation before acting in any way in respect of the subject property.
Reliance on Whole Report	This valuation should be read in its entirety, inclusive of any summary and annexures. The valuer and valuation firm does not accept any responsibility where part of this report has been relied upon without reference to the full context of the valuation report.

Licensed Valuer (WA)





2.0 Instructions

Instructions have been received to undertake a valuation of the property as per the details below.

Client	City of Darwin	
Property Address	Portion of Road Reserve adjoining Lot 5390 (27) Lambell Terrace, Larrakeyah NT 0820	
Date of Instructions	2 May 2017	
Valuation Purpose	Market value assessment toward a potential sale to the adjoining owner.	
Specific Instructions	To assess the market value of the land to be sold as per the plan provided.	
Pecuniary Interest	We confirm that the valuer does not have any pecuniary interest that would conflict with the proper valuation of the property.	
Documents Relied Upon	Information we have been provided with and relied upon in undertaking our valuation includes:	
	 Search Certificate of Title and Record of Administrative Interests for Lot 5390 	
	Plan of Portion of Road Reserve to be Consolidated	
Scope of Work	The scope of work undertaken by the valuer in completing the valuation has included:	
	 Review of the information provided and instructions in respect of the subject property; 	
	• Undertake assessment of current market and sales information required to determine an appropriate market value in respect of the subject parcel;	
	Site inspection;	
	 Provide a written report outline outlining the methodology, observations, sales data, assumptions and current market value as assessed. 	
Compliance	Our valuation has been prepared in accordance with the Australian Property Institute Practice Standards and Guidance Notes.	







3.0 Basis of Valuation & Definitions

This valuation has been prepared in accordance with definitions and Valuation Applications of the International Valuation Standards Council (IVSC) and endorsed by the Australian Property Institute.

Market Value	"Market Value is the estimated amount for which an asset should exchange on the Date of Valuation between a willing buyer and a willing seller in an arm's length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and withoutcompulsion".
Highest & Best Use	Market Value is based on the highest and best use of the asset that may not necessarily be the existing use. Highest and Best Use is "The most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value of the property being valued".

4.0 Date of Valuation

Valuation Date	8 May 2017
Date of Inspection	8 May 2017
Currency of Valuation	90 days from the date of valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.





5.0 Location

5.1 Region

The subject property is located in the premium inner residential suburb of Larrakeyah, approximately 2 kilometres north-west of the Darwin general post office by road. Surrounding development comprises predominantly low density housing on traditional size allotments with the exception of the old Darwin Hospital site which lies undeveloped directly across the road from the subject.

Location Map



Image courtesy of Google Earth.





5.2 Specific Location

Specific Location

The subject property is located on the south-western side of Lambell Terrace, directly opposite the old Darwin Hospital site and 1.3 kilometres south-east of the Cullen Bay Marina by road. Access is directly from the south-western side of Lambell Terrace which runs off Smith Street to the north-east.



Google Earth Map

5.3 Easements, Encumbrances & Other Interests

None have been identified as relating to the portion of land to be acquired.

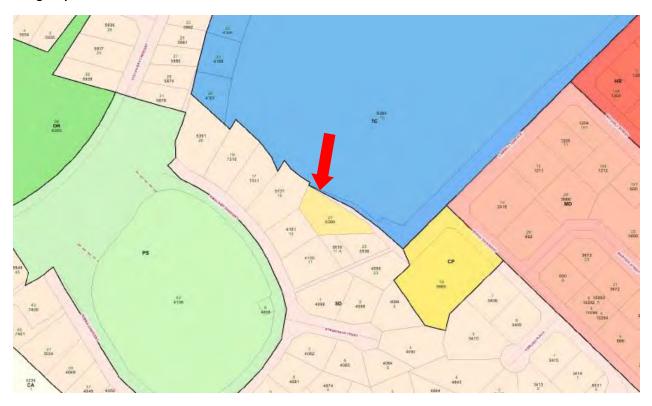




6.0 Planning

Local Government Area	City of Darwin.
Planning Scheme	Northern Territory Planning Scheme 2007
Zoning	Lot 5390 is zoned Single Dwelling Residential (SD) under the Northern Territory Planning Scheme. Once consolidated with Lot 5390, the existing portion of road reserve will also become subject to SD zoning.
Zoning Effect	The primary purpose primary purpose of Zone SD is to provide for low density urban residential development. The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development. Non-residential uses or development should be limited to those which predominantly service the local neighbourhood and do not have any detrimental effect on residential amenity. Minimum Lot Size and Requirements 800 square metres.

Zoning Map



Surrounding zones are Single Dwelling Residential, as depicted in pale pink, Tourist Commercial, as depicted in blue, Public Open Space, as depicted in light green, Organised Recreation, as depicted in dark green, Community Purpose, as depicted in yellow, Multiple Dwelling Residential, as depicted in dark pink and Medium Density Residential, as depicted in red.





7.0 Site

7.1 Site Details

Site Description

The portion of land to be acquired comprises a triangular strip running parallel to the north-eastern boundary of Lot 5390. The City of Darwin has advised that the area to be sold comprises 22m² of land.



Roads and Access	Access to the subject land is from the south-western side of Lambell Terrace which is a bitumen sealed and concrete kerbed roadway.
Source of Site Area	Plan as above.
Area to be Consolidated	22m²

7.2 Services

Services

Mains power, water, sewer, Telstra services, garbage collection and postal delivery.





8.0 Environmental Issues

8.1 Contamination

Environmental Audit	We have not been provided with an environmental audit, nor are we aware of the property being affected by soil contamination. We have not investigated the site beneath the surface or undertaken vegetation or soil sampling.
Contamination Assumption	Our valuation has been based upon the assumption that there are no actual or potential contamination issues affecting the property.

9.0 Description of Land to be Sold

The subject property comprises a triangular shaped portion of road reserve of some 22m² in area, which runs adjacent to the north-eastern boundary of Lot 5390.



View looking north-west



View looking south-east

The owner of Lot 5390 has placed an application to acquire the portion of road reserve so that a granny flat may be approved for construction above an existing shed.



Footings on shed roof for granny flat



View across existing shed roof





10.0 Sales Evidence

We have examined market activity for sales that have transacted from within the streets surrounding Lot 5390 that have been sold for their intrinsic underlying land value. Sales used as a guide in assessing the market value for the property included, but were not limited to, the following:

41 Temira Crescent, Larrakeyah NT 0820

Sold for \$1,700,000 (ex GST) on 19 December 2013. A 1,370m² regular shaped internal allotment of SD zoned land with uninterrupted views over Kahlin Oval. Improvements at the date of sale consist of a substantial 3 bedroom, 2 bathroom elevated dwelling of metal clad construction with a 4th bedroom, rumpus room, 3rd bathroom and laundry built in under, comprising of some 248m² of internal living and 106m² of outdoor living areas. Ancillary improvements include a fenced inground pebble-crete pool, undercroft parking for 4 cars, a paved driveway, landscaped gardens and boundary fencing. Although sold improved, the property was purchased for its underlying land value as no sooner had the sale transferred than the dwelling was demolished and a new one is currently under construction. The sale price equates to an improved land rate of approximately \$1,241/m². Slightly larger allotment with superior outlook and building plate. Dated sale. Stronger market conditions. Considered superior on a rate/m² basis and superior overall.

17 Temira Crescent, Larrakeyah NT 0820

Sold for \$1,100,000 (ex GST) on 1 April 2014. A 930m² regular shaped internal allotment of SD zoned land that rises steeply from the road. Improvements at the date of sale consist of a circa 1975 built, 3 bedroom, 1 bathroom ground level dwelling of rendered brick construction with a front porch under the main roof line. Ancillary improvements include a double garage at street level, established landscaping and boundary fencing. Although sold improved, the property was purchased for its underlying land value as subsequent to settlement, the dwelling was demolished and the land has been cut away and levelled at a significant cost to the new owner. The sale price equates to a land rate of approximately \$1,183/m². Smaller allotment with comparable slope but inferior views. Considered superior on a rate/m² basis but inferior overall.

13 Lambell Terrace, Larrakeyah NT 0820

Sold for \$1,150,000 (ex GST) on 15 January 2016. A 1,160m² regular shaped internal allotment of MD zoned land that is generally level with the road. Improvements at the date of sale consist of a circa 1975 built, 4 bedroom, 2 bathroom elevated dwelling of metal clad construction with a front balcony under the main roof line. Ancillary improvements include a fenced inground pebble-crete pool, established landscaping and boundary fencing. Although sold improved, the property was purchased for its underlying land value as subsequent to settlement an application for lodged for subdivision into 3 lots in line with the MD zoning. The sale equates to a land rate of approximately \$991/m². Smaller allotment in comparable location with superior MD zoning. Considered superior on a rate/m² basis but inferior overall.





10.1 Sales Reconciliation

Giving the limited evidence of properties in the surrounding area sold for their intrinsic land value, we have drawn upon that which we consider to be the most relevant for the purposes of this assessment.

Although the sales evidence is limited, having regard to the information provided above, we find it fair and reasonable to apply a rate of \$900/m² to the underling land that relates to Lot 5390 on an 'as is' basis and \$890/m² to the same land on an 'as complete' basis, once consolidated.

11.0 Valuation Considerations

11.1 Highest and Best Use

Highest and best use is defined as the most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible, and which results in the highest value of the property.

The highest and best use of the consolidated parcel is in its current form as a single residential dwelling with an associated granny flat.

11.2 Valuation Methodology

The most appropriate method of valuation in this instance is known as "Before and After Approach". This approach considers the value of the **underlying land** for which the subject is to be consolidated with in its current state to the market and then again after the proposed consolidation.

In order to determine the before and after values of the property, the "Direct Comparison Approach" is used where the parcel the subject is to be consolidated with is compared to sales of other properties which are considered to be somewhat comparable to determine an appropriate rate/m² to be applied to the property.

In assessing the before and after market values the physical characteristics including location, lot size, contour, zoning and views have been taken into consideration.

11.3 Additional Considerations

It is all very well reverse analyzing sales evidence to bring it back to an estimate of the underlying land value but without actual land sales of differing sizes, it is hard to quantify a value differential for parcels of different sizes, especially when the area differential is small. In the case at hand, we are endeavouring to determine if there would be a difference in the market value of a parcel of land of 1,350m² in area if it were offered up for sale as compared to that of a parcel of 1,372m² in area and in short the answer would have to be that there would a modest differential. Having said that, we must consider the definition of market value which as detailed in Section 3, incorporates a willing buyer and a willing seller. In the current situation, we clearly have a willing buyer (at the right price), but not so clearly do we have a willing seller. There has to be some financial consideration that is deemed as acceptable for the City of Darwin to find the transaction to be a fair exchange. We suggest a consideration of between \$5,000 and \$10,000 to be a fair exchange for the transfer of the portion of road reserve as described, plus any costs associated with the process.





12.0 Valuation Calculations

Giving consideration to the aforementioned comments, the following calculations represent our estimate of a fair exchange for the portion of road reserve to be consolidated with Lot 5390 Town of Darwin.

Current market value of the underlying land pertaining to Lot 5390 Town of Darwin 'before consolidation'

1,350 square metres @ $$900/m^2$ = \$1,215,000

Current market value of the underlying land pertaining to Lot 5390 Town of Darwin 'after consolidation'

1,372 square metres @ $\$890/m^2$ = \$1,221,080

Difference in market values between before and after consolidation is \$6,080

Rounded to say \$6,000

13.0 Goods & Services Tax

Treatment of GST	All amounts and values expressed in this report are exclusive of GST unless otherwise specified.
Recommendation	If there is any uncertainty as to the GST treatment on the sale of a property then we recommend you seek further information regarding the nature of any potential transaction and parties involved and confirmation from a qualified accountant in relation to potential GST liability.





14.0 Valuation

We are of the opinion that as at 8 May 2017, the current market value of the portion of road reserve to be consolidated with Lot 5390 (27) Lambell Terrace, Larrakeyah, subject to the comments in this report, is:

SIX THOUSAND DOLLARS

\$6,000

(Exclusive of GST)

Interest Valued	Freehold
Date of Inspection	8 May 2017
Date of Valuation	8 May 2017
Currency of Valuation	90 days from the date of valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.
Inspecting Valuer	
	Emma Jackson
	AAPI, MBus (Prop)
	Certified Practising Valuer
	AAPI 64371
	Licensed Valuer (WA) 44637





15.0 Assumptions, Conditions & Limitations

Additional Information	In the event additional information becomes available this may affect the opinion expressed by the valuer. Nevertheless the valuation is based on information and market evidence reasonably available to the valuer as at the date of the valuation in accordance with usual valuation practices.
Encroachments	The valuation is made on the basis that there are no encroachments (unless otherwise noted) by or upon the property and this should be confirmed by a current survey report and/or advice from a land surveyor. If any encroachments are noted by the survey report the valuer should be consulted to assess any effect on the value stated in this report.
Environmental Disclaimer	This report is not an environmental audit and no advice is given in any way relating to environmental or pollution matters. Any comments given as to environmental or pollution factors in relation to the property are not given in the capacity as an expert. This assessment of value is on basis that the property is free of contamination. In the event the property is found to contain contamination the matter should be referred to this office for comment. Given contamination issues can have an impact on the Market Value of the property, we reserve the right to review and if necessary vary our valuation if any contamination or other environmental hazard is found to exist. Our valuation has been based upon the assumption that there are no actual or potential environmental issues affecting the property.
Full Disclosure Disclaimer	Whilst we have attempted to confirm the veracity of information supplied, the scope of work did not extend to verification of all information supplied or due diligence. Our valuation and report has been prepared on the assumption the instructions and information supplied has been provided in good faith and contains a full disclosure of all information that is relevant. The valuer and valuation firm does not accept any responsibility or liability whatsoever in the event the valuer has been provided with insufficient, false or misleading information.
Geotechnical	We have not sighted a geotechnical engineers' survey of the property. We are not experts in the field of civil or geotechnical engineering and we are therefore unable to comment as to the geotechnical integrity of the ground and soil conditions. It is specifically assumed that there are no adverse geotechnical conditions that compromise the utility of the property for the current or highest and best use. In the event there is found to be adverse ground conditions we recommend the matter be referred to this Company forcomment.
Market Change	This valuation is current as at the Date of Valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property or factors that the Valuer could not have reasonably become aware as at the date of the Report). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of 90 days from the date of issue of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation. We recommend the valuation be reviewed at regular intervals.
Market Evidence Information Availability	In preparing this valuation we have undertaken those investigations reasonably expected of a professional valuer having regard to normal industry practice so as to obtain the most relevant, available, comparable market evidence. Whilst we believe the market evidence information provided to be accurate, not all details can and have been formally verified.





	Common practial
Native Title Assumption	We are not experts in native title or the property rights derived there from and have not been supplied with appropriate expert advice or reports. Therefore, this valuation is made assuming there are no actual or potential native title interests affecting the value or marketability of the property.
Planning Disclaimer	Town planning and zoning information was informally obtained from the relevant local and State Government authorities and is assumed to be correct. This information does not constitute a formal zoning certificate. Should the addressee require formal confirmation of planning issues then we recommend written application be made to the relevant authorities to obtain appropriate current zoning certificates.
Professional Standards	Our valuation has been assessed in accordance with applicable International Valuation Applications and Technical Information Papers of the International Valuation Standards Committee and the Australian Property Institute Practice Standards and Guidance Notes.
Publication of Report	The publication of the valuation or report in whole or any part, or any reference thereto, or the names and professional affiliations of the valuers is prohibited without the prior written approval of the valuer as to the form and context in which it is to appear.
Site Survey Disclaimer	This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property are not given in the capacity as an expert, however, are based on our inspection of the property and review of the Certificate of Title plans. Should the addressee require absolute certainty in relation to the site area, dimensions or possible encroachments we recommend that a surveyor be engaged to provide appropriate advice and a survey of the property if considered necessary. In the event there are any fundamental inconsistencies between any site survey undertaken and site detail adopted in this valuation, the survey should be referred to the valuer for comment on any valuation implications (including amendment of our valuation if considered necessary).

Date Registered: 28/08/2014

Duplicate Certificate as to Title issued? No

SEARCH CERTIFICATE

Lot 5390 Town of Darwin from plan(s) LTO99/61 Area under title is 1350 square metres

Joint Owners:

David Ernest Flint
Pamela Joy Flint
of 27 Lambell Terrace, Larrakeyah NT 0820

Easements:

Sewerage Easement to Power and Water Authority

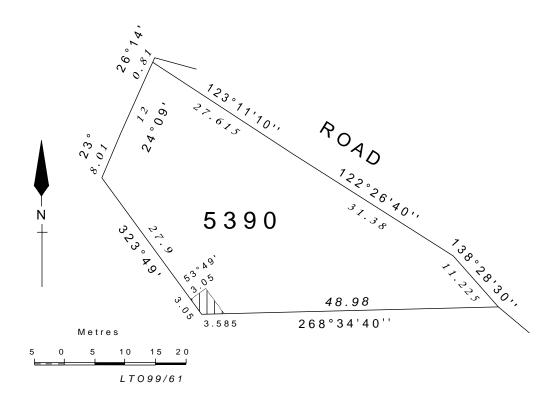
Registered Date N

Dealing Number

Description

Previous title is Volume 780 Folio 717

End of Dealings





Record of Administrative Interests and Information

Record of Administrative Interests and Information

The information contained in this record of Administrative Interests only relates to the below parcel reference.

Parcel Reference: Lot 05390 Town of Darwin plan(s) LTO99/61

(See section 38 of the Land Title Act)

Note: The Record of Administrative Interests and Information is not part of the Land Register and is not guaranteed by the Northern Territory of Australia, and the NT Government accepts no Liability for any omission, misstatement or inaccuracy contained in this statement.

Registrar General

Government Land Register

(none found)

Custodian - Registrar General (+61 8 8999 6252)

Current Title

CUFT 792 156 (order 1)

Tenure Type

ESTATE IN FEE SIMPLE

Tenure Status

Current

Area Under Title

1350 square metres

Owners

David Ernest Flint 27 Lambell Terrace, Larrakeyah NT 0820 Pamela Joy Flint

27 Lambell Terrace, Larrakeyah NT 0820

Sewerage Easement to Power and Water Authority

Scheme Name

(none found)

Scheme Body Corporate Name

(none found)

Reserved Name(s)

(none found)

Unit Entitlements

(none found)

Transfers

(none found)

Tenure Comments

(none found)

Historic Titles

CUFT 780 717 (order 1)

CUFT 634 306 (order 1)

CUFT 631 735 (order 1)

CUFT 545 171 (order 1)

CUFT 086 191 (order 1)

Visit the website http://www.nt.gov.au/justice/bdm/land_title_office/

Custodian - Surveyor General (+61 8 8995 5362)

Address

27 LAMBELL TCE, LARRAKEYAH

Survey Plan

LTO99/061

Survey Status

Approved

Parcel Status

CURRENT

Parcel Area

1350 square metres

Map Reference

Code 200 Scale 2500 Sheet 29.22

Parent Parcels

(none found)

Parcel Comments

COMPRISES LOT 4097 & PART OF CLOSED ROAD (NTG G49 10/12/1982, RP436). BOUNDARY ADJUSTMENT WITH LOT 5731 LTO99/61.

Survey Comments

BOUNDARY ADJUSTMENT BETWEEN LOTS 5390 AND 5731.

Proposed Easements

(none found)

Municipality

DARWIN MUNICIPALITY

Region

DARWIN

Custodian - Valuer General (+61 8 8995 5375)

Owner's Last Known Address

MR D E & MRS P FLINT, GPO BOX 566, DARWIN NT 0801

Parcels in Valuation

Lot 05390 Town of Darwin

Unimproved Capital Value

\$810,000 on 01/07/2014

\$750,000 on 01/07/2011

\$480,000 on 01/07/2008

\$322,000 on 01/07/2005

\$193,000 on 01/07/2002

\$168,000 on 01/07/1999

\$147,000 on 01/07/1996

\$133,000 on 01/07/1993

\$96,500 on 01/01/1991

\$64,500 on 01/01/1988

\$59,000 on 01/01/1985

\$54,500 on 01/01/1982

Valuation Improvements

01/08/1982 Inground pool

01/08/1982 House

Improvement type(P3ST)

Custodian - Property Purchasing (+61 8 8999 6631)

Acquisitions

(none found)

Custodian - Building Advisory Service (+61 8 8999 8965)

Building Control Areas

BBDAR001 - Building Control Area DARWIN BUILDING AREA

Building Permits

Application Number: 4 of 4

Description: Garden equipment store under existing garage

Number of Residental Units:

Australian Bureau of Statistics Type: (none found)

Building Class:

Non-habitable building
Area:

2 square metres

Certification: Non-habitable building - Full Code - *issued on* 31/07/2012

Visit the website http://www.nt.gov.au/building/

Custodian - Town Planning and Development Assessment Services (+61 8 8999 6046)

Planning Scheme Zone

SD (Single Dwelling)

Interim Development Control Orders

(none found)

Planning Notes

(none found)

Planning Applications

File Number

PA2011/0623

Type

Appeal

Date Received

Application Purpose

Section 117 - Appeal by a third party who made a submission in respect of development application

Application Status

Current

Other Affected Parcels

(none found)

Instrument Signed

Instrument Number

Instrument Issued

Not Complete

Instrument Status

File Number

PA2011/0621

Type

Appeal

Date Received

Application Purpose

Section 117 - Appeal by a third party who made a submission in respect of development application

Application Status

Current

Other Affected Parcels

(none found)

Instrument Signed

Instrument Number

Instrument Issued

Not Complete

Instrument Status

File Number

PA2010/1370

Type

Development

Date Received

29/11/2010

Application Purpose

Dependant unit addition (exceeding 50m² in area) to an existing single dwelling with reduced front and side setbacks

Application Status

Refused

Other Affected Parcels

(none found)

Instrument Signed

02/03/2011

Instrument Number

NR11/0002

Instrument Issued

Signed

Instrument Status

Completed

File Number

PAC920240

Type

Appeal

Date Received

15/08/1990

Application Purpose

PAC179 AGAINST DV3891 APPEAL REJECTED ***FILE NO PA92/240***

Application Status

Refused

Other Affected Parcels

(none found)

Instrument Signed

Instrument Number

Instrument Issued

Not Complete

Instrument Status

Completed

File Number

PAC900179

Type

Appeal

Date Received

15/07/1990

Application Purpose

APPEAL AGAINST DV3891 (REJECTION) JASON WILLCOCKS ACTING FOR PROPOSER

Application Status

Refused

Other Affected Parcels

(none found)

Instrument Signed

Instrument Number

Instrument Issued

Not Complete

Instrument Status

Completed

File Number

PA1990/0332

Type

Development

Date Received

21/06/1990

Application Purpose

'DEPENDENT RELATIVE 'ACCOMMODATION APPLICATION BEING HANDLED BY PEDDLE THORP WKM-WILKINS KLEMM & MORRISON

Application Status

Refused

Other Affected Parcels

(none found)

Instrument Signed

17/07/1990

Instrument Number

DV3891

Instrument Issued

Signed

Instrument Status

Completed

Custodian - Power and Water Corporation (1800 245 092)

Meters on Parcel

Power Water - Electricity 3 Power Water - Water 1 For Account balances, contact the Power and Water Corporation.

Custodian - Pool Fencing Unit (+61 8 8924 3641)

Swimming Pool/Spa Status

(none found)

For more information, contact the Pool Fencing Unit (+61 8 8924 3641).

Custodian - Mines and Energy (+61 8 8999 5322)

For information on possible Exploration Licences, contact Mines & Energy or visit the website http://www.nt.gov.au/d/Minerals_Energy/

For information on possible Petroleum Titles, contact Mines & Energy for further details.

Custodian - NT Environment Protection Authority (+61 8 8924 4218)

Results of site contamination assessment

(none found)

For further information contact Environment Protection Authority or visit the website https://ntepa.nt.gov.au/waste-pollution/contaminated-land

Custodian - Heritage Branch (+61 8 8999 5039)

Heritage Listing:

(none found)

For further information on heritage places contact Heritage Branch or visit the website https://nt.gov.au/property/land/heritage-register-search-for-places-or-objects

Other Interests

For Account balances, contact Darwin City Council





Site Plan

27 Lambell Terrace Larrakeyah Lot 5390 TOWN OF DARWIN





ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.1.2

2016/2017 CARRY FORWARDS – 4th QUARTER TO 1st QUARTER

REPORT No.: 17CP0003 COMMON No.: 2311647 DATE: 25 JULY 2017

Presenter: Manager Finance, Miles Craighead

Approved: General Manager City Performance, Diana Leeder

PURPOSE

The purpose of this report is to present fourth quarter interim carry forwards of unspent projects from 2016/17 into 2017/18 to ensure coverage for any urgent matters before Council goes into caretaker mode.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

5.5.1 Manage Council's business based on a sustainable financial and asset management strategy

KEY ISSUES

- This report identifies budget projects approved in 2016/17 that will be expended early in the 2017/18 financial year. The attached proposed carry forwards are subject to adjustment if final accounting results in 2016/17 identify some of the expenditure carried forward being recognised in the previous financial year.
- Further fourth quarter carry forwards will be finalised in conjunction with the 4th Quarter Budget Review to be presented to Council after the election.

REPORT NUMBER:

17CP0003 MC:jg 2016/2017 CARRY FORWARDS – 4^{TH} QUARTER TO 1^{ST} QUARTER SUBJECT:

RECOMMENDATIONS

THAT Report Number 17CP0003 MC:jg entitled 2016/2017 Carry Forwards Α. - 4th Quarter to 1st Quarter, be received and noted.

- THAT pursuant to Section 128 of the Local Government Act Council resolve B. to vary the 2017/18 budget by adopting the carry forward budget variations and associated funding in Report Number 17CP0003 MC:jg entitled 2016/2017 Carry Forwards – 4th Quarter to 1st Quarter, **Attachment A** Operational (\$712,167) and Attachment B capital (\$1,158,757) totalling \$1.870.924.
- C. THAT the amounts for each carry forward listed in Report Number 17CP0003 MC:jg entitled 2016/2017 Carry Forwards - 4th Quarter to 1st Quarter Attachment A and Attachment B be adjusted to reflect the actual funds available in each project once year end results are finalised and any changes reported to Council in September 2017.

BACKGROUND

The Council considers the unexpended budgets to be carried forward each year to ensure the completion of required works and services.

Early carry forwards from 2016/17 into 2017/18 totalling \$15.84M have been adopted in prior quarterly budget reviews.

DISCUSSION

Adopted projects that will be expended in the 2017/18 financial year from 2016/17 budgets and that require immediate Council approval have been identified.

The resultant proposed carry forward list of budget programs totals approximately \$1.871M consisting of \$1,159K capital and \$712k operational.

The carry forward budgets from 2016/17 into 2017/18 listed in this report are funded as follows:

Carry Forward Requests	General Funds	Reserve	Grant	Total
Operational	604,852	0	107,315	712,167
Capital	1,069,216	89,541	0	1,158,757
Total	1,674,068	89,541	107,315	1,870,924

Further final carry forwards will be presented in conjunction with the 2016/17 4th Quarter Budget Review in September 2017.

REPORT NUMBER: 17CP0003 MC:jg

SUBJECT: 2016/2017 CARRY FORWARDS – 4TH QUARTER TO 1ST QUARTER

The proposed carry forward amounts are based on projected expenditure as at 30 June 2017 which is still subject to change based on adjustments for goods and services received prior to 30 June 2017. If actual results exceed projected expenditure than the carry forwards will reduce. Adjustments will be reported in the final carry forwards report to be presented to Council in September 2017.

CONSULTATION PROCESS

This report was considered by the Executive Leadership Team on 10 July 2017 and now referred to the 2nd Ordinary Council Meeting for consideration.

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

• Officers responsible for Budgets.

POLICY IMPLICATIONS

N/A

BUDGET AND RESOURCE IMPLICATIONS

Carry forward budgets totalling approximately \$1,870,924 will be brought forward in the 2017/18 financial year. The actual carry forward amount may change subject to end of year available funds for each program/project.

Full details of the carry forwards and associated funding are provided at **Attachment A** and **Attachment B**.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Adoption of the recommendations in this report will result in Council varying the budget in accordance with Section 128 of the *Local Government Act*.

Section 127 (3) of the Local Government Act prohibits Council from adopting a deficit budget.

ENVIRONMENTAL IMPLICATIONS

Nil

REPORT NUMBER:

17CP0003 MC:jg 2016/2017 CARRY FORWARDS – 4^{TH} QUARTER TO 1^{ST} QUARTER SUBJECT:

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.

MILES CRAIGHEAD **MANAGER FINANCE**

DIANA LEEDER GENERAL MANAGER CITY PERFORMANCE

For enquiries, please contact Miles Craighead on 89300523 or m.craighead@darwin.nt.gov.au.

Attachments:

Attachment A: Operational Carry Forwards from 2016/17 into 2017/18 Attachment B: Capital Carry Forwards from 2016/17 into 2017/18

ATTACHMENT A

			OPERATIONAL CARRY	FORWARDS FROM 2	016/17 TO 2	2017/18 (Q4_	_1)		L			
										F	unding Source	
Ref	Section	Project Names	Description	Master No	Revised Budget	Actual	Unspent/ Available Funds	Committed	Carry Forward Requested	General Funds	Unexp Grant/ Contributions	Total
CEO					ı			,		254,212	-	254,212
1	Organisational Development	Leadership Essentials	The final evaluation of the 16/17 Leadership Essentials Program takes place on the 5th July 2017.	05/410002/300/104	256,509	226,799	29,710	15,739	10,000	10,000		10,000
5	Communications & Marketing	Open Data	Funding to develop Council's Open Data Portal and Program.	from 05/130040/300/105 but move to IT projects 05/431040/300/104	150,000	90,655	59,345	-	50,000	50,000		50,000
6	Governance	2017/18 Strategic Planning	Develop a new strategic plan for the City of Darwin including community consultation.	from 05/120001/300/ But to 05/140040/300/305	670,501	437,256	233,245	1,532	120,000	120,000		120,000
15	Communications & Marketing	Bike Plan Implementation	Agreement between NT Government and City of Darwin for Bike Plan implementation	05/130042/300/104	135,000	44,776	90,224	16,012	74,212	74,212		74,212
City Fu	tures									150,000	-	150,000
TBA	Economic Development & Tourism	CBD Activation Fund	To reflect and implement Council decision from report 17A0064 Attachment A (see also capital carry forwards to make up the total \$500,000)	Various work orders City M/Plan	150,000				150,000	150,000		150,000
City Lif	е									29,071	19,015	48,086
10	Community Engagement	Gardens Oval Lights Consultation	The consultation has been delayed. The final payment of \$19,015 will be made to True North Strategic Communication once the final report is received, which is expected to be August 2017.	05/240000/300/104	159,416	141,437	17,979		19,015	-	19,015	19,015
8	Regulatory Services	Animal Education Project	This was a 2016/17 new project for additional education and advertising around registration periods and audits once the Animal Education officer was appointed.	05/241003/300/303	128,013	60,488	67,525	11,644	29,071	29,071		29,071
City Pe	rformance									116,569	-	116,569
2	Risk ,Audit & Safety	Outstanding internal audit fees	Final internal audit report to be received in 17/18 financial year.	05/454000/300/380	492,878	409,557	83,321	24,675	67,000	67,000		67,000
4	Employee Relations	Leadership Essentials Program	Leadership Essentials Program for August 2017	05/441002/300/104	369,938	281,120	88,818	39,937	49,569	49,569		49,569
City Operations								55,000	88,300	143,300		
11b	Civil Infrastructure	Civic Park maintenance work	Conduct significant maintenance work within Civic Park	05/345003/150/105	13,502,003	12,457,834	1,044,169	306,065	25,000	25,000		25,000
14a	Design, Development & Projects	Wayfinding Signage Strategy	Signage unable to be installed as strategy needs to be finalised in line with City Centre revitalisation works.	05/313001/300/305	57,100	28,800	28,300	28,300	28,300	-	28,300	28,300
13h	Design, Development & Projects	Nightcliff Rd/Progress Drv intersection study	\$60k is NTG grant money. Project is ongoing and is due for completion in August 2017.	05/322001/300/305	95,000	-	95,000	92,273	90,000	30,000	60,000	90,000
Grand	and Total Operational Carry Forwards 712,167 604,852 107,315 712,167											

ATTACHMENT B

			CAPITAL CARRYTORWAR			7				Fu	ınding Sou	rce
Ref	Section	Project Names	Description	Work Order No	Work Order Budget	Actual	Unspent	Committed	Carry Forward Requested	General Funds	Reserve	Total
City Life										170,743	89,531	260,274
16a	Community Development	Christmas Tree	Expression of Interest for the provision of CBD Christmas decorations for 2017 -2019	W35703	20,000	-	20,000	-	20,000	20,000		20,000
16b	Community Development	Memory Wall	Design, fabrication and install a memory wall at Parap Pool	W35704	15,000	-	15,000	-	15,000	15,000	-	15,000
16c	Community Development	Public Art Pilot Platform	The digital panels and poster board infrastructure and EOI	W35678	120,000	5,000	115,000		115,000	115,000	-	115,000
16d	Community Development	Public Art Maintenance	Chime Conservatory Sculpture in China Town. Specialist bell maker will be secured to undertake the work.	n/a - TBA	-		20,743	-	20,743	20,743	-	20,743
16e	Community Development	Parap Pool Public Art Commission	Final contracted payments	W33741	194,000	104,469	89,531		89,531	-	89,531	89,531
City Futu	ires									350,000	_	350,000
	Economic Development & Tourism	CBD Activation Fund	To reflect and implement Council decision from report 17A0064 Attachment A (see also operational carry forwards to make up the total \$500,000)	Various CBD M/Plan	350,000				350,000	350,000		350,000
	ormance		1		333,533			l	333,533	35,433	-	35,433
12	Financial Management	General Ledger Project	50% of milestones are yet to be completed before payment. Project timeline will carry into 17/18 FY.	W34349	81,970	46,537	35,433	58,016	35,433	35,433		35,433
City Ope	rations									513,040	-	513,040
13a	Design, Development & Projects	Installation of wayfinding signage	Signage unable to be installed as strategy needs to be finalised in line with the city revitalisation works	W34223	15,000	_	15,000		15,000	15,000		15,000
13b	Design, Development & Projects	Dick Ward Drive path renewal - Stage 1	Works are due to commence and be completed early in the 2017/18 financial year.	W34220	132,656	6,629	126,027	43,170	126,027	126,027		126,027
13c	Design, Development & Projects	Ross Smith Avenue crash hotspots	Review of findings is required prior to finalisation of drawings (to be completed 2017/18).	W34236	60,000	27,990	32,010	5,199	32,010	32,010		32,010
13d	Design, Development & Projects	Progress Drive/Dick Ward Drive crash hotspot	Project is ongoing and is due for completion in July 2017. Anticipated invoice to 30 June is \$12000	W34237	20,000	8,500	11,500	11,000	11,500	11,500		11,500
13e	Design, Development & Projects	Installation of bike racks 15/16	Bike racks are in stock and require continued installation and will occur in the first three months of 2017/18	W33304	90,000	42,872	47,128	1,655	47,128	47,128		47,128
13f	Design, Development & Projects	CBD Traffic Signals Improvement Review	Project under review Carry forward of unallocated funds. Additional funds to be added on	W35027	40,050	150	39,900	-	39,900	39,900		39,900
14b	Design, Development & Projects	Road resurfacing & reconstruction - Bennett/Cavenagh St reseal component	completion of remaining 16/17 program. To be used for resurfacing component of Bennett/Cavenagh project - reseal component.	n/a - TBA	-	-	101,475		101,475	101,475		101,475
11a	Civil Infrastructure	Malabar Court reconstruction works	Works to start late June and expected to take two weeks	n/a - TBA			45,000	-	45,000	45,000		45,000
11c	Civil Infrastructure	Design and construct concrete pipe for storm water near Atkins Road	Design and construct 90m of 450 concrete pipe for storm water as per scope of works letter near Atkins Road. Work will begin late June and go over roughly 3-4 weeks	n/a - TBA			95,000	-	95,000	95,000		95,000
	otal Capital Carry Forwards						, , , ,		1,158,747	1,069,216	89,531	1,158,747

CAPITAL CARRY FORWARDS FROM 2016/17 TO 2017/18 (Q4_1)

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.1.3

TREE MANAGEMENT AUDIT - LEASE PROPERTIES - JUNE 2017 UPDATE

REPORT No.: 17CO0001 NK:tz COMMON No.: 2809737 DATE: 25/07/2017

Presenter: Acting Manager Infrastructure Maintenance, Nik Kleine

Approved: General Manager City Operations, Luccio Cercarelli

PURPOSE

The purpose of this report is to inform Council of progress to date on tree management audits on leased properties owned by Council.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

5.5.1 Manage Council's business based on a sustainable financial and asset management strategy

KEY ISSUES

- The Northern Territory Coroner has recommended that all trees on Council owned land be inspected twice per year.
- A second round of tree assessments on leased properties has been completed.
- Council's existing tree assessment procedure has been further developed to ensure it addresses appropriate factors.
- Council has engaged independent expertise to assist with developing robust procedures for assessing trees.
- The procedures for assessing trees on Council owned land have been updated with further work to be completed.
- The updated procedures for assessing trees on Council owned land will provide ability to extend the number of trees assessed, but it is not possible to include all trees due to available resources and the high number of trees.
- A total of 24 properties owned by Council but leased to third parties have been identified for a minimum of twice yearly inspections.

REPORT NUMBER: 17CO0001 NK:tz

SUBJECT: TREE MANAGEMENT AUDIT - LEASE PROPERTIES - JUNE 2017

UPDATE

RECOMMENDATIONS

A. THAT Report Number 17CO0001 KS:tz entitled Tree Management Audit - Lease Properties – June 2017 Update, be received and noted.

B. THAT a further report be prepared for Council's consideration on alternatives to the Coroner's Recommendation No 90. "That there be a compulsory inspection of all trees on property owned by the City of Darwin at least every six(6) months", taking into consideration independent expert and legal advice, existing practices, feasibility and practicality of implementation of tree audits and tree management plans and processes.

BACKGROUND

Following the release of the Coroner's report in 2016 regarding a fatality from a falling branch, Council was required to take action to increase the management of trees within leased properties. Report Number 16A0063 LC:je (17/05/16) was presented to Council on 17 May 2015. The recommendations from that report are as follows:

DECISION No.21\4394 (17/05/16)

<u>Implementation of Coroner's Recommendations – Inquest into Death of Mr William Brown</u>

Report No. 16A0063 LC:je (17/05/16) Common No. 2809737

- A. THAT Report Number 16A0063 LC:je entitled Implementation of Coroner's Recommendations Inquest into Death of Mr William Brown be received and noted.
- B. THAT Council immediately adopt the Coroner's recommendations that:
 - i. That the City of Darwin conduct an audit of all current leases and ensure inclusion within their terms for:
 - the compulsory inspection of all trees on such property/ies at least every six (6) months;
 - such compulsory inspections to be conducted by a qualified arborist;
 - specific provision as to who bears responsibility for the costs of such inspections and/or any works recommended to be carried out as a result of the same.
 - ii. That the City of Darwin ensure all future leases include within their terms:
 - the compulsory inspection of all trees on such property/ies at least every six (6) months;
 - such compulsory inspections to be conducted by a qualified arborist;

specific provision as to who bears responsibility for the costs of such inspections and/or any works

REPORT NUMBER: 17CO0001 NK:tz

SUBJECT: TREE MANAGEMENT AUDIT - LEASE PROPERTIES - JUNE 2017

UPDATE

recommended to be carried out as a result of the same.

C. THAT a further report be brought back to Council detailing the outcomes and recommendations from a review of Council's systems, policies and procedures in relation to the inspection of trees generally within Council owned and controlled land.

- D. THAT Council create a new cash backed reserve to be named "Tree Risk Management" for the purpose of undertaking tree inspections and follow up work relating to the 2016 Coroner's recommendations.
- E. THAT pursuant to Section 128 of the Local Government Act Council amend the 2015/2016 budget by transferring \$12,000 from the Disaster Contingency Reserve and \$88,000 from the Sale of Land Reserve to the tree risk management reserve.
- F. THAT the 2016/2017 draft budget contains an amount of \$400,000 to be allocated to the tree risk management reserve.

The Coroner's report made a recommendation that all trees on Council leased land be inspected and assessed twice per annum. In addition, further recommendations were made in relation to all trees on Council owned land.

This report updates provides an update to Council on Tree Management Audits on Council properties.

DISCUSSION

Audit Procedures

Council has a tree inspection system in place for both leased properties and other identified sites. A software system (NEMUS) is being implemented to improve the inspection, reporting and management of trees, within the control of the City of Darwin.

The services of Mr Bill Sullivan (a consulting arborist with 20 years' experience in Arboriculture in Northern Australia and considered a leading professional in the field) has been engaged by City of Darwin. Mr Sullivan was called as an expert witness in the Coronial inquest into the death of William Brown and has been assisting staff in the development of the NEMUS system and reviewing current tree inspection processes, in response to the Coroner's findings.

Council has continued to review tree risk assessment procedures for trees on Council owned land. This work is nearing completion with a draft Tree Management Procedures (TMP) document currently under review.

The TMP defines methods for scheduling and assessing trees on Council owned land, outlining qualification levels for arborists undertaking assessments, identifying

REPORT NUMBER: 17CO0001 NK:tz

SUBJECT: TREE MANAGEMENT AUDIT - LEASE PROPERTIES - JUNE 2017

UPDATE

suitable tree species in public spaces, and ensuring diversity within the Urban Forest.

It has been identified at this stage that assessing all trees on all Council owned land is not feasible, due to the restrictions of available resources and the significant number of trees on Council land. However, sites have been identified for quarterly and six monthly inspections, including readily used public areas, and all leased properties.

Independent expert and legal advice has been sought regarding the Coroner's recommendation for the inspection of all trees on Council owned property on a six monthly basis. Legal and expert arboreal advice received is that;

- It is impractical, most likely ineffective and may even be counterproductive to inspect every tree for risk twice per annum, due to the sheer number of trees within the municipality. This is particularly so in respect of the large number of trees that are within locations where the risk of a failure causing harm to property or persons is low or even negligible.
- That Council examine its current inspection processes to determine whether it is effective and whether it can, within the restrictions afforded by available resources, be improved.

From this advice it is recommended that an approach aligned with sound Tree Risk Management practice and practicality of implementation within resources available is adopted.

Specific tasks and programmes to manage trees, completed over the past six (6) months include:

- 1. Existing Quarterly Tree Assessments on potential high risk areas have continued.
- 2. Updated procedures in accordance with the draft TMP are currently being developed. The TMP has a range of assessments levels relative to seasonal requirements and outcomes of initial assessments. Where concerns are identified on individual trees, these are escalated for additional assessment.
- 3. All Council owned leased properties have had a second tree risk assessment completed in accordance with the Coroner's recommendation.
- 4. Works arising from the most recent assessments are being prioritised and programmed.
- 5. Development and set up of a dedicated Arboreal Asset Management system, NEMUS, is now in its final stages with an implementation date set for October 2017, to coincide with Council's quarterly tree inspection program.
- 6. A draft Tree Management Plan is under review by staff.

Council has completed tree risk assessments on a number of locations throughout the municipality on a quarterly basis since 2008. Following the Coroner's report in 2016, all council owned property that is leased has been placed on a bi-annual

REPORT NUMBER: 17CO0001 NK:tz

SUBJECT: TREE MANAGEMENT AUDIT - LEASE PROPERTIES - JUNE 2017

UPDATE

assessment, completed by Council. A summary of quarterly and six monthly assessment locations is as follows (noting that some leased properties are inspected quarterly rather than six-monthly):

Quarterly assessments

Approximately 61 locations have continued to have assessments undertaken each quarter including:

- Child Care centres
- Streets surrounding schools
- Weekend market areas
- Darwin General Cemetery
- Smith Street Mall and Raintree Park
- Fun Bus locations
- Various locations with high traffic volumes and large mature trees

Six Monthly Assessments

Approximately 16 locations, including:

- Council's swimming pools
- Cullen Bay
- Mindil Beach/Casino leased portions
- Commercial leased areas
- Community Gardens

All identified works have been programmed and will be undertaken as part of tree management operations.

A further report will be presented to Council providing confirmation on Arboreal assessment procedures and schedules, following the Tree Management Plan being finalised.

CONSULTATION PROCESS

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

- Team Leader Urban Forest Management Team
- A/Team Coordinator Parks and Reserves

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

- Sully Pty. Ltd. (Mr Bill Sullivan's consultancy company)
- Paul Maher (solicitor)

REPORT NUMBER: 17CO0001 NK:tz

SUBJECT: TREE MANAGEMENT AUDIT - LEASE PROPERTIES - JUNE 2017

UPDATE

POLICY IMPLICATIONS

All work undertaken on trees is done so in accordance with City of Darwin Policy No.050 - Trees on Verges – Conservation.

BUDGET AND RESOURCE IMPLICATIONS

The 2017/18 Municipal Plan identifies an operational budget of \$16million for the management of Parks and Reserves, all work undertaken through the existing quarterly tree inspection process, including those which are also leased properties, is funded from operational budgets.

A Tree Risk Management reserve was established to manage the increased resource requirement arising from the Coroner's recommendation No 92.1 "the compulsory inspection of all trees on such property/ies at least every six (6) months" in relation to leased properties. This fund has a remaining balance of approximately \$240,000 at the time of writing this report.

The cost of assessments and follow up pruning or tree removal work to leased properties, to date is \$234,790.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

All trees have a risk of failure. As trees increase in size, mass and maturity, the risk of failure increases.

This program is designed to protect the public from foreseeable risks, and so reduce the prospect of damages claims being made against Council.

ENVIRONMENTAL IMPLICATIONS

Trees provide great environmental benefits to the Darwin community. All trees are assessed for maintenance or removal with the best long term outcome for the community, including safety and environmental benefits.

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.

NIK KLEINE ACTING MANAGER INFRASTRUCTURE MAINTENANCE

LUCCIO CERCARELLI
GENERAL MANAGER
CITY OPERATIONS

For enquiries, please contact Luccio Cercarelli on 8930 0580 or email: l.cercarelli@darwin.nt.gov.au.

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.1.4

COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATION – THE PINT CLUB

REPORT No.: 17CL0004 EB:kl COMMON No.: 3572667 DATE: 25/07/2017

Presenter: Darwin Safer City Coordinator, Eloise Bugg

Approved: Acting General Manager City Life, Karen Conway

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Liquor Licence Applications.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

1.4 Improved relations with all levels of government and significant stakeholders **Key Strategies**

1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- Council has been advised of one liquor licence application for comment.
- This report details City of Darwin Officers' recommended responses to the Northern Territory Government for the licence applications.
- Council has endorsed its *Safer Vibrant Darwin Plan 2016-2019*, which outlines strategic directions and actions that contribute to a safer, more vibrant community. Recommendations within this report align with the framework.

RECOMMENDATIONS

- A. THAT Report Number 17CL0004 EB:kl entitled Council Response To Liquor Licence Application The Pint Club, be received and noted.
- B. THAT Council endorse the letter to the Director-General of Licensing at **Attachment A** to Report Number 17CL0004 EB:kl entitled Council Responses To Liquor Licence Application The Pint Club, noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act to the application from Pint Club Inc.

REPORT NUMBER: 17CL0004 EB:kl

SUBJECT: COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATION – THE PINT

CLUB

BACKGROUND

PREVIOUS DECISIONS

DECISION NO.21\5529 (27/06/17)

NT Alcohol Policies and Legislation Review

Report No. 17C0045 KH:es (27/06/17) Common No. 3562620

B. THAT Council endorse the City of Darwin response submission to the Northern Territory (NT) Government Review of Alcohol Policies and Legislation at **Attachment A** as amended to suggest some stronger responses to licensing, takeaway licenses, closing hours, provision of support facilities, review of dry area legislation enforcement, impact on residents and other administrative matters to report Number 17C0045 KH:es entitled NT Alcohol Policies and Legislation Review.

DECISION NO. 20\2776 (11/05/10)

<u>Status of Council's Objection to an Application for a Variation of the Liquor</u> Licence Conditions for Hot Rock Restaurant and Bar

Report No. 10C0065 AF:kl (05/05/09) Common No. 1723985

B. THAT Council proceeds to object to all new applications in the municipality for extensions of late night trading hours after 2.00am

Considerations under the Liquor Act

Licensing NT has advised City of Darwin that the following sections of the Liquor Act are relevant to this application:

Under section 32A(5) of the Liquor Act, "If the application relates to premises within the area of a shire council or a regional council, the Director-General must, as soon as reasonably practicable, inform the CEO of the council that the application has been made."

Grounds For Objection Under Section 47F(2) Of The Liquor Act
Pursuant to Section 47F(2) of the Liquor Act, an objection may only be made on the
grounds that the grant of the licence may or will adversely affect:

- (a) The amenity of the neighbourhood where the premises the subject of the application are or will be located; or
- (b) Health, education, public safety or social conditions in the community.

REPORT NUMBER: 17CL0004 EB:kl

SUBJECT: COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATION – THE PINT

CLUB

Under Section 32A(2) of the Liquor Act, where the Director-General deems that the notice of publication is not required Section 47F does not apply. The Director-General may seek advice from stakeholders, but an objection under Section 47F(2) is not available as the application is not required to be published.

DISCUSSION

Liquor Licence Applications that City of Darwin Officers cannot identify any reason that would be grounds for objection under Section 47F(2) of the Liquor Act.

City of Darwin received one liquor licence application that Council Officers cannot identify any reason that would be grounds for objection. Response to this application is provided in **Attachments A** to this report. The application is as follows:

Applicant: Pint Club Inc. trading as 'The Pint Club' (165 Abala Road, Mararra)

The Pint Club have made an application for a Permanent Variation to their Liquor Licence to extend their current trading hours and bring them into line with other hotels and clubs already located within the Darwin Northern Suburbs. The proposed Permanent Variation to the current Liquor Licence extends the hours as follows:

	Current Hours	Proposed Hours
Thursday	10:00am - 23:30pm	10:00am - 02:00am
Friday	10:00am - 02:00am	No change
Saturday	10:00am - 02:00am	No change
Sunday	10:00am - 22:00pm	10:00am - 12:00am
Monday	10:00am - 23:30pm	10:00am - 12:00am
Tuesday	10:00am - 23:30pm	10:00am - 12:00am
Wednesday	10:00am - 23:30pm	10:00am - 12:00am

No Council owned or controlled land is affected by the proposal. Adjacent residential areas are unlikely to be negatively affected by the proposal due to the low proximity of homes to the venue. The Pint Club is not requesting an extension to trading hours beyond 2:00am.

Council Officers recommend that Council support this variation.

CONSULTATION PROCESS

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

Manager Community Development

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

Principal Liquor, Gaming & Racing Licensing Officer, Licensing NT

REPORT NUMBER: 17CL0004 EB:kl

SUBJECT: COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATION – THE PINT

CLUB

POLICY IMPLICATIONS

Council has endorsed the 'Safer Vibrant Darwin Plan 2016-2019'. This Plan provides Council a framework to work towards a safer, healthier and more inclusive community. Underpinning the Plan is a focus on reducing the harms associated with excessive alcohol consumption and abuse. Council advocates for supply reduction, demand reduction and harm minimisation to meet the objectives of the Safer Vibrant Darwin Plan.

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Risk, legal and legislative implications, if applicable, are noted in individual letter responses.

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.

ELLY BUGG

DARWIN SAFER CITY PROGRAM

COORDINATOR

KAREN CONWAY
ACTING GENERAL
MANAGER CITY LIFE

For enquiries, please contact Anna Malgorzewicz on 89300633 or email: a.malgorzewicz@darwin.nt.gov.au.

Attachments:

Attachment A: Draft letter to the Director-General noting Council has not identified

any reason that would be grounds for objection under Section

47F(2) of the Liquor Act for the application from Pint Club Inc.



Civic Centre Harry Chan Avenue

GPO Box 84 Darwin NT 0801 Darwin NT 0800 **E** darwin@darwin.nt.gov.au **F** 08 8930 0311

P 08 8930 0300

26 July 2017

Please quote: 3572667 AM:kl

Director-General Gambling and Licensing Services **GPO BOX 1154 DARWIN NT 0800**

Dear Director-General

PERMANENT VARIATION TO LIQUOR LICENCE - PINT CLUB INC

At the 2nd Ordinary Council meeting on 25 July 2017, Council considered the above liquor licence application.

Council wishes to advise it has not identified any reason that would be grounds for objection under Section 47(2) of the Liquor Act for the application for the Permanent Variation to Liquor Licence by the Pint Club.

Yours sincerely

ANNA MALGORZEWICZ **GENERAL MANAGER CITY LIFE**

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.1.5

CAR PARKING ALONG GARDENS ROAD - COMMUNITY CONSULTATION OUTCOMES

Presenter: Acting Manager Design, Development & Projects,

James Whyte

Approved: General Manager City Operations, Luccio Cercarelli

PURPOSE

The purpose of this report is to provide Council with the outcomes of the community consultation regarding on-street car parking along Gardens Road, The Gardens, and to seek its endorsement to undertake a further assessment of the preferred option.

LINK TO STRATEGIC PLAN

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

Goal

2 Vibrant, Flexible and Tropical Lifestyle

Outcome

2.1 Improved access and connectivity

Key Strategies

2.1.4 Provide parking facilities to meet community needs

KEY ISSUES

- Council resolved to undertake community consultation on four car parking options along Gardens Road, The Gardens, between Gilruth Avenue and Chin Quan Road.
- Informal kerbside parking is currently allowed along the eastern side and prohibited along the western side of Gardens Road, between Gilruth Avenue and Chin Quan Road.
- When public events are held at the Botanic Gardens, Mindil Beach and Gardens Sports Ovals, they can attract large numbers of visitors and car parking in and around these facilities is in high demand.
- There are concerns about informal parking over shared paths limiting access to pedestrians, cyclists and people with limited mobility.
- For major public events, consideration will be given to closing Gardens Road to all vehicular traffic should the need arise. Therefore the parking considerations are most relevant for small to medium events.

REPORT NUMBER: 17TS0061 DL:tz

SUBJECT: CAR PARKING ALONG GARDENS ROAD - COMMUNITY

CONSULTATION OUTCOMES

 With the largest group of respondents (46%) preferring Option 3: Formalise bays on both sides, it is recommended that Council endorse Option 3 and progress to detailed design taking into consideration concerns raised by stakeholders and the improvements to the connectivity and accessibility of the car parks by pedestrians.

RECOMMENDATIONS

- A. THAT Report Number 17TS0061 DL:tz entitled Car Parking along Gardens Road Community Consultation Outcomes, be received and noted.
- B. THAT Council adopt 'Option 3: Formalise bays on both sides' as outlined in Report Number 17TS0061 DL:tz entitled Car Parking along Gardens Road Community Consultation Outcomes, investigating the inclusion of some minor civil works to provide improved pedestrian connectivity (which will involve additional costs).
- C. THAT Council write to all of the respondents to the community consultation, thanking them for their submissions and advising them of the actions to be undertaken as a result of the consultation.

BACKGROUND

At the Ordinary Council Meeting of 28 February 2017, Council resolved as follows:

DECISION NO.21\5206 (28/02/17)

<u>Car Parking Along Gardens Road, The Gardens, Between Gilruth Avenue</u> and Chin Quan Road

Report No. 17TS0006 DL:If (21/02/17) Common No. 3444217

- A. THAT Report Number 17TS0006 DL:If entitled Car Parking Along Gardens Road, The Gardens, Between Gilruth Avenue and Chin Quan Road, be received and noted.
- B. THAT Council undertake Level 2 community consultation on the car parking options presented in Report Number 17TS0006 DL:If entitled Car Parking Along Gardens Road, The Gardens, Between Gilruth Avenue and Chin Quan Road.
- C. THAT a further report be presented to Council on the outcomes of the community consultation for car parking options.

Gardens Road is an important transport link to and from Darwin's Central Business District and is bounded by two major public facilities: the George Brown Botanic Gardens to the east and Gardens Sports Ovals to the west. Both of these locations

REPORT NUMBER: 17TS0061 DL:tz

SUBJECT: CAR PARKING ALONG GARDENS ROAD - COMMUNITY

CONSULTATION OUTCOMES

attract large numbers of visitors and at times (during events in the vicinity), there is pressure on the existing car parking facilities in the area.

Gardens Road has a posted speed limit of 60 km/h and an average traffic volume of 3,600 vehicles per day.

There have been two accidents recorded along Gardens Road between Gilruth Avenue and Chin Quan Road in the past five years.

There is concern over vehicles parking on the shared paths along Gardens Road, between Gilruth Avenue and Chin Quan Road.

DISCUSSION

Parking is currently prohibited at all times (in the form of a yellow no-parking line) along the western side of Gardens Road (Gardens Sports Ovals side). Informal kerbside parking is currently allowed along the eastern (Botanic Gardens) side of the road.

A review was undertaken of on-street parking opportunities along Gardens Road between Gilruth Avenue and Chin Quan Road and four options for managing parking along this section of road were identified and endorsed by Council for the purposes of community consultation. These options were:

Option 1: Change yellow line to signage – Leave the road as is, with the removal of the existing yellow line and addition of signage along the western side to reinforce no parking at normal times - with the signage being hidden (i.e. bagged) to allow informal parking on that side during major events.

Option 2: Formalise bays on one side – Formalise on-street parking on the eastern side of Gardens Road (Botanical Gardens). This would result in approximately 30 formalised parking spaces.

Option 3: Formalise bays on both sides – Formalise on-street parking on both sides of the road. This would result in a total of approximately 90 formalised parking spaces.

Option 4: No change - Leave the road as is.

A community consultation was delivered to gauge the views of key stakeholders and the general community on the proposed options.

REPORT NUMBER: 17TS0061 DL:tz

SUBJECT: CAR PARKING ALONG GARDENS ROAD - COMMUNITY

CONSULTATION OUTCOMES

Option 3 – Formalise Bays on Both Sides was preferred by more respondents than any of the other options, refer Table 1 below. Full details and analysis of the community consultation report is provided at **Attachment A**.

Table 1

Answer Choices	Responses % & Number		
Option 1 – Change yellow line to signage	5.97%	4	
Option 2 – Formalise bays on one side	26.87%	18	
Option 3 – Formalise bays on both sides	46.27%	31	
Option 4 – No Change	13.43%	9	
Other	7.46%	5	
Total		67	

It has also been identified that additional civil works may be required to adequately cater for pedestrians, providing better connectivity between the footpaths and improved accessibility for all users. The additional civil works would increase the cost of the works and have been identified within the budget section of the report.

AFLNT has identified in the response that they have a preference for Option 3 provided screening was provided along the length of the chain mesh fence along Gardens Road. AFLNT has been advised that screening is not being considered with Option 3.

It is recommended that Council endorse Option 3 and progress detailed design taking into consideration the concerns raised by stakeholders and the minor civil works required to provide better connectivity and accessibility.

CONSULTATION PROCESS

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

- Communications and Engagement Officer
- Senior Community Engagement Officer
- Executive Manager
- Community Inclusion Coordinator

POLICY IMPLICATIONS

Community consultation was undertaken in accordance with City of Darwin Policy No. 25 – Community Engagement.

REPORT NUMBER: 17TS0061 DL:tz

SUBJECT: CAR PARKING ALONG GARDENS ROAD - COMMUNITY

CONSULTATION OUTCOMES

BUDGET AND RESOURCE IMPLICATIONS

The estimated cost of the signage in **Option 1: Change yellow line to signage** is \$2,000.

The estimated cost to formalise parking along Gardens Road between Gilruth Avenue and Chin Quan Road (**Option 2: Formalise bays on one side**) is \$4,500, plus an additional cost of \$11,500 for shared path connections.

The estimated cost to formalise parking along both sides of Gardens Road between Gilruth Avenue and Chin Quan Road (**Option 3: Formalise bays on both sides**) is \$10,000, plus an additional cost of \$22,500 for shared path and disability access connections on the Botanic Gardens side.

There are no costs associated with **Option 4: No change**.

There is sufficient funding within Council's 2017/2018 Local Area Traffic Management budget to undertake the works described in this report.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Providing formalised on-street parking may minimise the potential safety risks for pedestrians and motorist created by informal parking on shared paths.

Introducing further parking along Gardens Road may increase the risk of potential conflict between vehicles/cyclists travelling along this road and those leaving or entering the new parking area during major events.

Formalising and introducing further parking along Gardens Road would likely reduce traffic speeds along Gardens Road during periods of high use of the parking areas.

Council is responsible for ensuring the safety of its road network for all road users.

ENVIRONMENTAL IMPLICATIONS

Council undertakes road design to provide a safe and efficient road environment for all road users.

REPORT NUMBER: 17TS0061 DL:tz

SUBJECT: CAR PARKING ALONG GARDENS ROAD - COMMUNITY

CONSULTATION 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.

JAMES WHYTE

<u>ACTING MANAGER DESIGN,</u>

<u>DEVELOPMENT & PROJECTS</u>

LUCCIO CERCARELLI GENERAL MANAGER CITY OPERATIONS

For enquiries, please contact James Whyte on 8930 0413 or email: j.whyte@darwin.nt.gov.au.

Attachments:

Attachment A: Community Consultation Report

ATTACHMENT A



July 2017

Community Consultation Report Level 2 Consult

Gardens Road Parking

CONTENTS

- Community Consultation Report
- Appendix i Materials and Methods used for Consultation
- Appendix ii Survey Results in full

Community Consultation Report

1. BACKGROUND

Council has identified that while there are no major problems with the current parking along Gardens Road, there continues to be access issues caused by vehicles parking over shared paths at times.

Currently informal parking is allowed on the Botanic Gardens side (east). Parking is prohibited on the Gardens Oval (west) side as indicated by a yellow line. The yellow line was installed in 2012 following a request from AFLNT. (see the notes on historical background, below)

When public events are held, parking spaces are in high demand. At these times there is often illegal parking along the yellow lines, on verges etc. There has also been a long term practice of vehicles parking across the paths in order for spectators to watch football games from outside the venue.

This consultation report is the result of a decision from Report 17TS0006 that went to Council in February 2017.

Report to Council 17TS0006 Car Parking Along Gardens Road, The Gardens, between Gilruth Avenue and Chin Quan Road.

Decision No.21\5206 Council undertake a Level 2 consultation followed by a further report to council.

The historical background to this issue:

- Request from AFLNT in October 2011 to "have the yellow line repainted and the No Standing signs put back up". AFLNT claimed that spectators were parking there and drinking alcohol and abusing the umpires.
- Council repainted this yellow line prior to March 2012
- At this time (2012) Council rangers spoke to people on site informing them that parking was not allowed along the yellow line.
- There has continued to be ad hoc parking throughout this area and illegal parking along the yellow line.
- The issue of car parking along Gardens Road was raised in General Business at Council Meeting 13 December 2016.
 - The discussion was around vehicles parking over the paths.
 - Decision No.21\5109. THAT a report be prepared to consider allowing and formalising car parking along Gardens Road between Gilruth Avenue and Chin Quan Road.

 February 2017 – Report to Council 17TS0006 Car Parking Along Gardens Road, The Gardens, between Gilruth Avenue and Chin Quan Road. Decision No.21\5206 Council undertake a Level 2 consultation followed by a further report to council

2. OBJECTIVES

The objectives of this consultation program are:

- To inform the community that the reasons for the review of on-street parking along Gardens Road are that:
 - some people (especially those with limited mobility) are experiencing access issues because of cars parking across shared paths.
 - events in the area create pressure on parking
- To seek the views of the community on the four parking options proposed by Council.
- To inform a decision on what on-street parking arrangements Council should implement.

3. APPROACH

The consultation is consistent with the City of Darwin's Community Consultation Policy025. It is a Community Wide Level 2 plan designed to provide the community and stakeholders with information about the options available, seek their views, and provide feedback on how public input influenced the outcome. The consultation period commenced on the 5 June and closed on the 7 July 2017.

4. STAKEHOLDERS

Stakeholder	Interest	Engagement
General public		
Visitors to the area	Access to parking spaces	Information flyers placed on vehicles in area.
	Access to shared paths	Media – Facebook Post, COD website, NT news, radio
	Safety when in the area	Digital – email distribution list,
	Scenic shaded area	
		Appendix I (below)
Visitors to the area with	Path and area access issues for	Email with attached information
limited mobility	people with limited mobility	flyer and link to website/survey.
(City of Darwin Disability		
Advisory Committee)		Attended Disability Advisory
		Committee meeting
Neighbours		
Nearby residents	Access to shared paths	Letterbox drop of Information

Covering approx. 400		Flyer
metres from the area	Access to streets & properties	1.76.
	during events	
	Safety when in the area	
	Scenic shaded area	
Darwin Botanic Gardens	Visitor access to parking for	Emailed with information
(Director)	GBBG visitors	followed by meeting onsite at
		GBBG.
	Visitor access to shared paths	
	for GBBG visitors	
	Visitor sofativity on in the area	
	Visitor safety when in the area	
	George Brown Darwin Botanic	
	Gardens Draft Visitor	
	Experience Development Plan	
Darwin Amphitheatre,	p and a discount in the second	Emailed individually to suggest
Darwin Festival		meeting and included
		Information Flyer
Darwin Entertainment		Emailed individually to suggest
Centre		meeting and included
		Information Flyer
Eva's Cafe	Visitor access to parking for	Emailed individually to suggest
	Café/GBBG visitors	meeting and included
		Information Flyer.
	Visitor access to shared paths	
	for Café/GBBG visitors	Phone discussion with owner
	Visitor sofato coban in the case	
	Visitor safety when in the area	
Gardens Park Golf Links	General access to parking	Emailed individually to suggest
Gardens Fark Gon Links	spaces & shared paths	meeting and included
	(although onsite parking is	Information Flyer
	sufficient for their patrons)	ormation riye.
	and the same of th	Follow up meeting on-site
	Event road closures and	, ,
	access to golf links.	
	_	
	Safety when in the area	
Mindil Beach Sunset	Visitor access to parking for	Emailed individually to suggest
Market Association	market visitors	meeting and included
		Information Flyer.
Sporting Bodies		
AFL NT	Minimise spectators parking	Emailed individually to suggest
	on verge (alongside yellow	meeting and included
	line) to watch games	Information Flyer

	Visitor access to parking	Follow up meeting on-site
Cricket NT	Visitor access to parking	Emailed individually to suggest meeting and included Information Flyer
		Phone discussion (meeting not required)
Football Federation NT		Phone & emailed individually to suggest meeting and included Information Flyer
Softball NT		Emailed individually to suggest meeting and included Information Flyer Phone discussion (meeting not
		required)
Waratahs Softball Club (WSC)		Emailed individually to suggest meeting and included Information Flyer
		Phone discussion (meeting not required)
Sporting Clubs		
Waratahs Football Club	Minimise spectators parking on verge (alongside yellow line) to watch games	Emailed individually to suggest meeting and included Information Flyer
	Visitor access to parking	Phone discussion (meeting not required)
Waratah Cricket Club		Emailed individually to suggest meeting and included Information Flyer
		Phone discussion (meeting not required)
Banks Football Club		Phoned / Emailed individually to suggest meeting and included Information Flyer
Port Darwin Football Club (soccer)		Emailed individually to suggest meeting and included Information Flyer
		Phone discussion (meeting not required)
Government		
NTG Northern Territory	Increased road closures for	Emailed individually to suggest

Police, Fire and Emergency Services	major events in the area	meeting and included Information Flyer
	Safety when in the area	Follow up meeting COD
NTG Department of Tourism and Culture	Minimal impact (events through NT Major Events)	Phone discussion (meeting not required)
NTG Dept of Transport	NTG buses do not currently use Gardens Road	Emailed individually to suggest meeting and included Information Flyer
	Bus parking bays may be required for events	Phone discussion
NTG NT Major Events	Major events such as Bass in the Grass require road closure	Emailed individually to suggest meeting and included Information Flyer Phone discussion
City of Darwin Staff		Email with attached information flyer and link to website/survey.
City of Darwin Alderman		Email with attached information flyer and link to website/survey.

5. METHODS AND MATERIALS

Information was made available to the community via:

- Information flyer (to local residents, visitors to the area, general)
- City of Darwin website
- Survey
- Social media
- E-Newsletter
- NT News stories through City of Darwin one page advertorial
- Discussion on I local radio through Lord Mayor segments

Copies of the methods and materials are provided in Appendix I below.

6. CONSULTATION RESULTS

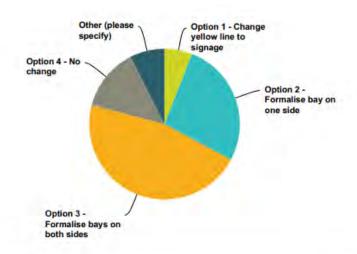
There were 67 survey responses received. There were 16 phone and face to face meetings with the nine key responses summarised here.

A full copy of the survey responses is included in **Appendix II** at the end of this report.

SURVEY RESULTS SUMMARY

The survey results show that 60% of the respondents visit this area and 35% are local residents. 38% walk on the footpaths along Gardens Road and 20% cycle along these paths. 8% use prams or mobility devices along the footpaths. 24% park along Gardens Road or nearby.

The largest group, 46% of respondents, preferred *Option 3: Formalise bays on both sides on Gardens Road.* 27% chose *Option 2: Formalise bays on one side (GBBG)* with the option to cover 'No Parking' signs during events. 13% chose *Option 4: No Change* to current parking arrangements and 6% wanted the basic change of Option 1: *Change yellow line to 'No Parking' signage* that could be covered during events.



Answer Choices	Responses	
Option 1 - Change yellow line to signage	5.97%	- A
Option 2 - Formalise bay on one side	26.87%	18
Option 3 - Formalise bays on both sides	46.27%	31
Option 4 - No change	13.43%	9
Other (please specify)	7.46%	5
otal		67

39% of respondents have experienced issues with accessing the footpaths along Gardens Road once (9%) or more (30%).

Comments received include:

On the options:

Bays on both sides offer the best opportunity to maximise car parking during Mindil markets and other events. The adhoc parking arrangements do not maximise space. The road should also be 40km/h during events, which will slow down traffic and account for parking manoeuvres

I prefer option 3 because this are provides a significant quantity of car parking that should be available for the majority of time, and erecting no standing signs makes this impossible, when the issue is for a minority of time. I do not believe the signs will be bagged most of the time.

Formalising the spots totally makes most sense. Banning parking seems over top, and the suggestion to perhaps cover signage during major events is plain silly - gives the organisers another thing to think about, and leaves plenty of room for misinterpretation.

I think formalised parking on one side is better with signage so those who get in first know they just park on street. Parking on the other side would make the street too narrow for good visibility when you already have lots of pedestrians crossing from Mindil, esp at night.

There needs to be more off street parking options. There is a huge open area between Gardens Rd and Channel nine that could be developed into a carpark that is only opened when there are events on. This would stop people parking on the yellow line next to Gardens Oval (if it's dangerous to park there why would be allowed to some times but not others?) The carpark could be opened only for events and perhaps the open drain next to the footpath could be covered over to make a larger and safer path for pedestrians, prams, wheelchairs etc to get to the Gardens safely and comfortably. The carpark could be kept closed after major events to avoid anti social behaviour.

More buses, car parks & disabled access:

We don't need more car parks in the immediate area of the Gardens; we need to encourage people to use alternate means or to park in the large parking area that is set up for Mindil Markets. It isn't very far to walk.

You need to add another car parking area maybe top end near light cars already cars park there on big events. Not good shutting off gardens rd traffic was a night mare tonight cars were parked on the footpath on the main rd. About time you made the area across from the footy oval a car park it is no more walking in mud in the wet season

More priority parking for the elderly and disabled

More buses needed for events to this area

More car parking required in the area

I am not sure adding car parks to the road is the answer either. Perhaps better utilising the Mindil Beach car park is better with better pedestrian access.

Accessing the access parks inside the botanical gardens gate is a real problem during large events. Those directing traffic are not aware of parks and or often unwilling to assist those that need close parking. Of the informal parking on event days should be dedicated to accessible parking.

Look to more parking among the trees beside the golf course. Perhaps a highrise car park could be built in Salonika Street to assist in this area with primary use being for city workers that then catch a shuttle bus.

Parking on Gardens Road during major events should be reserved for parents with prams, disabled parking etc.

Build an off road car park

Promote parking along chin quan road

Trees

It is such a pretty drive, please don't change it. Why not encourage people to park at Mindil

Darwin does not have enough trees and by electing for option 1 (preference is really option 4) this minimises the impact on trees and on this wonderful green corridor in our area. At least option 2 provides extra parking in the case of events and can be controlled.

Don't cut down any trees because the trees are cool and even though some people are to lazy to walk don't cut down the trees

Reducing speed

Consider a variable speed sign (like Rapid Creek markets - 40/70 used for busy times.

Reduce speed during events to 40kph or 20kph

Safety

I believe it will be dangerous if parking bays are installed as it is an s bend and reverse parking is not easy to do and it will create accidents.

Keep yellow line on Oval side with formal bays on Botanic Gardens side. There should be parking on only one side as it is very difficult to pass other cars when there is parking on both sides. It is also dangerous with pedestrians dashing across the road from the Oval side

Other

You don't police the area as it is, so why are you proposing to change when everyone knows you will do nothing about

Enforce illegal parking. I've never had a problem parking there but am frustrated but illegal parkers when I do the right thing. Biggest offenders are 4WDs that park (and damage) footpaths and verges.

Don't take road space for parks, ensure road is widened. Ideas like this should be undertaken Darwin wide. Parking is terrible in CBD.

Signs prior to Chin Quan indicating not to park on bike/path track

MEETINGS, DISCUSSIONS, EMAILS WITH STAKEHOLDERS SUMMARY

There was a range of opinions from the key stakeholders. Several preferred the 'do nothing' option, or to have formalised parking with the addition of bollards for safety and prevention of parking on the verge. The need for improved path access on the Botanic Garden side was also raised.

Northern Territory Police, Fire and Emergency Services

(Two NT Police representatives attended meeting)

 Road closures for events in this area are likely to be more frequent in the current global climate of attacks in public places

- Bollards on the paths would prevent parking across paths as well as improving public safety (in the event of vehicle attack)
- Representative 1 expressed concern that in his opinion road is not wide enough for marked parking bays on both sides and that he would not like to see this option unless road was widened and bollards put in place. Safety concern about people walking out between parked cars.
- Representative 1 opinion that if Council is limited to only changing signs and line markings then his preference would be to leave the road as it is.
- Representative 2 preferred the option of formalised parking on one or both sides of the street because of the traffic calming affect although he would also like to see bollards going in as part of this change.

AFLNT

(Two representatives from AFLNT attended meeting)

- Neither of the two representatives had major issues with any of the options presented.
- Their concerns regarding the ad hoc parking on the verge (across shared paths) of some people during football games are that:
 - People are not paying which is unfair to paying spectators
 - Drinking alcohol can cause problems and police have had to attend at times
 - Vehicles parked this way have to reverse out onto road which causes safety concerns
- Both considered additional parking in the area to be a desirable outcome.
- Neither felt that volume of traffic in this area was of concern
- Advised that they felt that the yellow line 'partially works' in that it does stop some, but not all, from parking here. They suggest it doesn't work as it is not policed.
- Both have a preference for Council to screen the fence line with shrubs to visually block the area and then to have marked parking bays to allow for extra formal parking.
- Option for formalised bays on both sides of the street combined with screening of the oval fence line is their preferred option. (Suggested that formalised bays on the Oval side may reduce parking over the paths.)
- Suggestion made that installing bollards would prevent parking on the footpaths.
- AFLNT have been advised (19/7/2017) that Council will <u>not</u> consider screening of the Gardens Oval fence line at this stage.

George Brown Botanic Gardens

- Slight preference for 'do nothing' option 4. Also thinks that option 1 to cover the 'no parking' signs during events to allow parking (with no formalised bays) is also a good option.
- Issue with parking on GBBG side because the path diverges from the kerb and people eg. Parents with prams, end up walking along the road or having to walk through trees & garden beds.

- There is a plan to create additional parking on site at GBBG in the George Brown Darwin Botanic Gardens Draft Visitor Experience Development Plan
- Comments that some events are leaving the GBBG and that big events have road closures

Dept of Infrastructure, Planning and Logistics, NTG

- Currently buses rarely use Gardens Road and there are no plans to increase usage.
- Large special events (eg Bass in the Grass) will need space to stop a few buses on the Gardens side

Gardens Park Golf Links

- Preference to leave parking as it is
- Lighting needs improving in the area
- Currently Golf links car park gets used for visitors to events in the area
- Would like better traffic management around road closures especially in relation to Golf Links

Cricket NT

- No major concerns
- Potential issues if proposed lighting of Gardens Oval affects numbers using oval in busy periods
- One issue cricket balls regularly fly over fence and can hit parked cars

Waratahs Football Club

- Considers parking along the yellow line to be dangerous as the road is too narrow.
- Would like Council to address the 'fence issue'. That is, they would like Council to cover the fence with opaque screening so that spectators cannot 'park and watch'
- As far as major events are concerned, this is not a big issue for them as their season finishes prior to dry season main events

City of Darwin Work Zone Traffic Officer

 Concerns for public safety during events if parking on both sides were formalised (regarding speed and width of the road along the bends with parallel reverse parking)

Disability Advisory Committee – City of Darwin

- Would like to see improved access along paths but they are more concerned with bigger issues for people with limited mobility:
 - Not enough disabled parks especially during busy events.
 - During road closures vehicles with disabled drivers / passengers have at times been denied access to parks

7. CONCLUSION

This report provides the feedback from the community consultation about on-street parking along Gardens Road, The Gardens.

It should be noted that this section of road gets closed for major events and in the current climate it is likely that there will be an increase in road closures. (Therefore this parking review is most relevant for small to medium events and is less relevant for major events when the area will be closed.)

When presented with four options, respondents' most preferred option was to have formalised bays on both sides of Gardens Road. (46% of survey respondents) The next preference was for formalised bays on one side, along the Botanic Gardens (27%).

The benefits of formalised parking on both sides are considered to be:

- decreased likelihood of parking across footpaths
- increased parking spaces,
- traffic calming due to some congestion

There have been several concerns raised with this option:

- safety concern around the difficulty of reverse parking on bends in the road,
- safety concerns around people stepping out between parked cars at busy events
- speed limit along this road

Installation of bollards has been suggested by several key stakeholders (NT Police, AFLNT) as an important element to improve public safety and to reduce parking on footpaths.

The second preference was for formalised bays on one side of the street only. (The option provided by Council was for this to be on the Botanic Gardens side.) One drawback with this option is that it may not reduce the incidence of parking across the shared paths on the Gardens Oval side, unless additional measures were considered, such as bollards.

From the feedback received, Council should also consider improving access to the footpaths along the Botanic Gardens side if formalised bays are installed on that side.

If formalised bays are put in on one or both sides then disabled parking bays should also be considered.

Further investigation is recommended because although the largest group of respondents preferred *Option 3*, there were concerns raised by stakeholders including the Northern Territory Police, Fire and Rescue Services.

To reiterate, consideration should be given to the following:

 Installation of bollards to prevent vehicles from parking over the verge to improve public safety in key areas.

- Variable speed limits for busy times
- Improving the accessibility of the path on the Botanic Gardens side. Changing the path so that it can be accessed from the on-street parks could involve removal of one or more frangipani trees from this area.
- Disabled parking bays to be included if formalised bays are created

Therefore the recommendation of this Community Consultation report is for Council to undertake further investigation into *Option 3: Formalise parking on both sides of Gardens Road.*

Appendix I

Methods and Materials for Consultation

- Information flyer (to local residents, visitors to the area, general)
- Information flyer distribution map
- City of Darwin website
- Social media
- eNewsletter
- NT News stories through CoD one page advertorial
- Discussion on local radio through Lord Mayor segments
- Survey Questions

Information flyer distribution map









Events around the Botanic Gardens create pressure on parking along Gardens Road. Current informal parking in this area is causing some issues. City of Darwin is looking to improve the on-street parking and is considering several options.

We want your feedback. Tell us which option you prefer and why.

What are the Issues?

- Current informal (ad hoc) parking creates safety and access issues particularly for people with reduced mobility.
 - some vehicles are parking on shared paths creating issues for path users
 - there is disorderly parking which can reduce the number of parks
 - some vehicles are parking illegally on the yellow line on the Gardens Oval side of the road
- Area attracts large number of visitors for major events creating pressure on existing parking.

What are the parking options? (see images over the page)

OPTION 1: Change yellow line to signage

Remove yellow line on Oval side and replace it with 'No Parking' signs. For major events these signs could be covered allowing informal parking when needed.

OPTION 2: Formalise bays - one side

Formalise parking by creating parking bays (approx 30 bays) on the Botanic Gardens side near Gilruth Avenue. (Parking in bays would be free of charge.)

Remove yellow line on Oval side and replace it with 'No Parking' signs' For major events these signs could be covered allowing informal parking when needed.

OPTION 3: Formalise bays - both sides

Formalise parking by creating parking bays (approx 90 bays) on both sides of Gardens Road. (Parking in bays would be free of charge.)

OPTION 4: No change

Leave the on-street parking as it is. Yellow line on Oval side and informal parking on Botanic Gardens side.

For more information on these options and to take the survey go to **darwin.nt.gov.au/haveyoursay**

or contact Council's Communication and Engagement Officer on 8930 0194



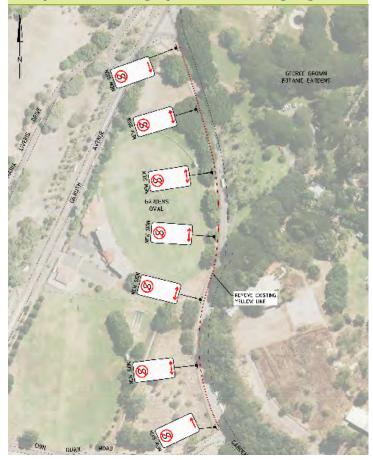




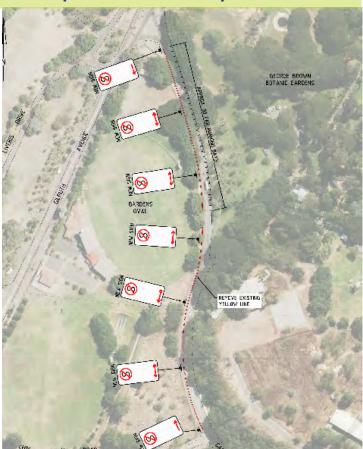




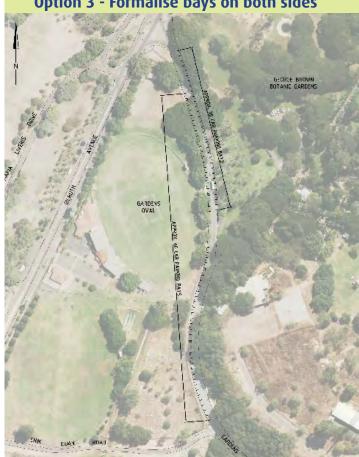
Option 1 - Change yellow line to signage



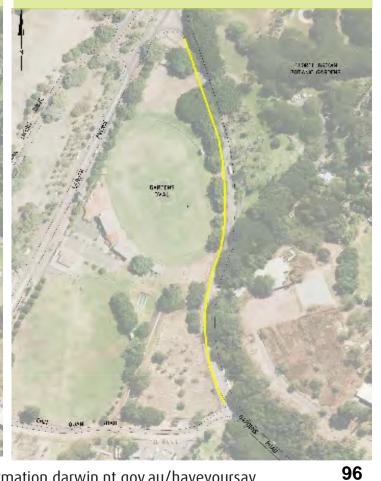
Option 2 - Formalise bays on one side



Option 3 - Formalise bays on both sides



Option 4 - No Change



City of Darwin Webpage



https://www.darwin.nt.gov.au/council/have-your-say/recent-consultations/gardens-road-parking#accordion-0-0

E-newsletter story



City of Darwin Facebook post



NT News - City of Darwin Advertorial



Radio discussion through Lord Mayor segment

Woolf recalls her interview with Lord Mayor of Darwin Katrin...



MIX 104.9, Darwin hosted by Katie Woolf 2 mins 54 secs - ID: X00070705131

13 Jun 2017 10:07 AM



Woolf recalls her interview with Lord Mayor of Darwin Katrina Fong Lim on the consultation process taking place on Gardens Road regarding parking. She adds that AFLNT and Cricket NT have called for consultation on lighting for a proposed new light sporting facility to the oval. She reads out a

statement from AFLNT CEO Michael Solomon on the need for a solution to grow sport in the NT. She adds that NT Cricket CEO Troy Watson has also called for more room for sporting events.



Gardens Road Pai	king
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Gardens Road Parking Survey

Events around the Botanic Gardens create pressure on parking along Gardens Road. Current informal parking in this area is causing some issues. Current informal (ad hoc) parking creates safety and access issues particularly for people with reduced mobility.

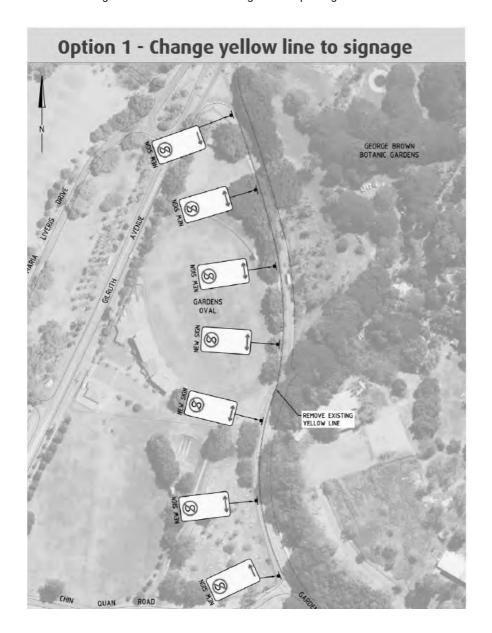
City of Darwin is looking to improve the on-street parking and is considering several options.

We want your feedback. Please read the fact sheet or information on the webpage and tell us which option you prefer and why.

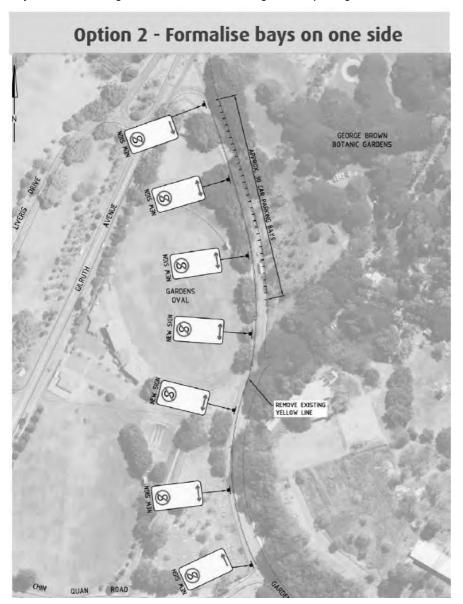
1. Which best describes you? (one or more)						
I am a local resident (within 1km)						
I park in this area along,	or near, Garden	s Road				
I visit this area						
I walk on the footpaths a	long Gardens R	oad				
I use a pram, wheelchair	or other mobility	y device on the footpa	ths along Gardens Ro	ad		
I cycle on the footpaths a	along Gardens R	toad				
Other (please specify)						
2. How often do you parl	k, or consider	parking, in the vi	cinity of Gardens I	Road to attend:		
			Sometimes (a few	Rarely (0-1 times a		
	Weekly	Monthly	times a year)	year)	Never	
Major events such as concerts and festivals						
Sporting events at Gardens Oval						
George Brown Botanical Gardens						
Mindil Market						
Other						
If you marked other, 'other' ple	ease specify					

Scroll through the four options before answering the next questions.

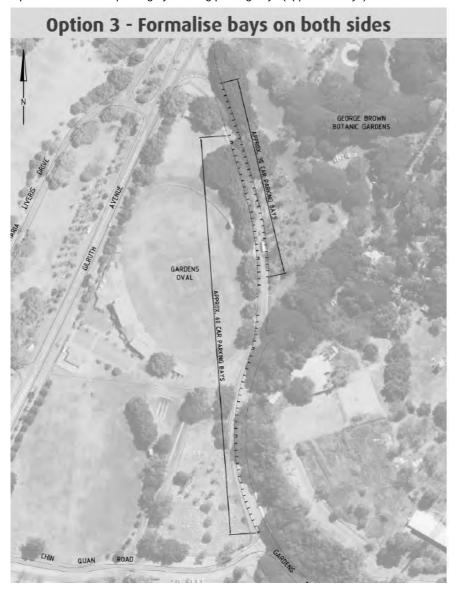
Option 1 - Remove the yellow line on the oval side and replace it with 'no parking' signs. For major events these signs could be covered allowing informal parking when needed.



Option 2 - Formalise parking by creating parking bays (approx 30 bays) on the Botanic Gardens side near Gilruth Avenue. Remove yellow line on the oval side and replace it with 'No Parking' signs. For big major events these signs could be covered allowing informal parking when needed.



Option 3 - Formalise parking by creating parking bays (approx 90 bays) on both sides of Gardens Road.



Option 4 - Leave the on-street parking as it is. Yellow line on oval side and informal parking on Botanic Gardens side.



3.	Which of the	four	parking	arrangement	options t	to vou	prefer?

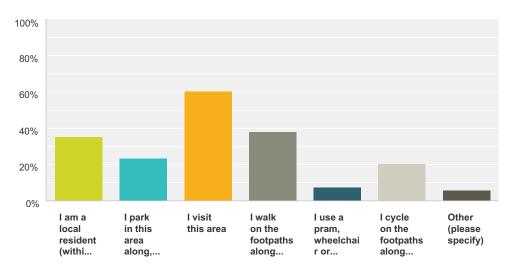
- Option 1 Change yellow line to signage
- Option 2 Formalise bay on one side
- Option 3 Formalise bays on both sides
- Option 4 No change
- Other (please specify)

4. Have you experienced any issues with accessing the paths on eit	her side of this section of Gardens Road?
○ No	
Yes, once	
Yes, more than once	
If yes, please describe your issue	
E. Do you have any comments to add?	
5. Do you have any comments to add?	
6. If you would like to be kept informed about this consultation pleas	e provide your email.
7. If you would like to be sent information about future Council const	ultations please provide your email.

Thank you for taking the time to give us your feedback!

Q1 Which best describes you? (one or more)

Answered: 68 Skipped: -1

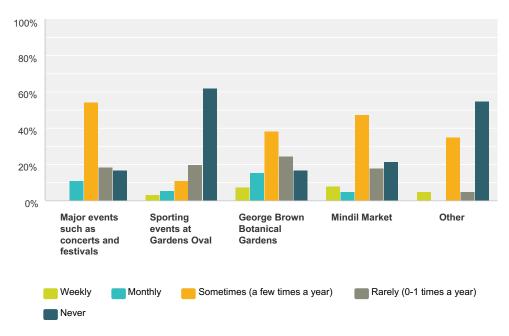


swer Choices	Responses	
I am a local resident (within 1km)	35.29%	24
I park in this area along, or near, Gardens Road	23.53%	16
I visit this area	60.29%	41
I walk on the footpaths along Gardens Road	38.24%	26
I use a pram, wheelchair or other mobility device on the footpaths along Gardens Road	7.35%	5
I cycle on the footpaths along Gardens Road	20.59%	14
Other (please specify)	5.88%	4
al Respondents: 68		

#	Other (please specify)	Date
1	I drive through along this road on a regular basis	6/13/2017 3:51 PM
2	I have young children.	6/13/2017 3:15 PM
3	I work nearby	6/13/2017 11:34 AM
4	I work in this area	6/8/2017 2:33 PM

Q2 How often do you park, or consider parking, in the vicinity of Gardens Road to attend:

Answered: 68 Skipped: -1

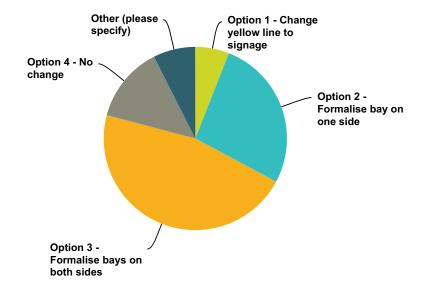


	Weekly	Monthly	Sometimes (a few times a year)	Rarely (0-1 times a year)	Never	Total Respondents
Major events such as concerts and	0.00%	10.94%	54.69%	18.75%	17.19%	
festivals	0	7	35	12	11	6
Sporting events at Gardens Oval	3.64%	5.45%	10.91%	20.00%	61.82%	
	2	3	6	11	34	
George Brown Botanical Gardens	7.69%	15.38%	38.46%	24.62%	16.92%	
	5	10	25	16	11	
Mindil Market	8.20%	4.92%	47.54%	18.03%	21.31%	
	5	3	29	11	13	
Other	5.00%	0.00%	35.00%	5.00%	55.00%	
	1	0	7	1	11	

#	If you marked other, 'other' please specify	Date
1	exercise in the vicinity	6/13/2017 12:43 PM
2	I never plan to park on Gardens Rd. For major events I go to either the Geranium St entrance and hope for street parking there, or go to the Mindil Beach car park. Parking on Gardens Road during major events should be reserved for parents with prams, disabled parking etc.be reserved for	6/11/2017 7:51 PM

Q3 Which of the four parking arrangement options to you prefer?

Answered: 67 Skipped: 0

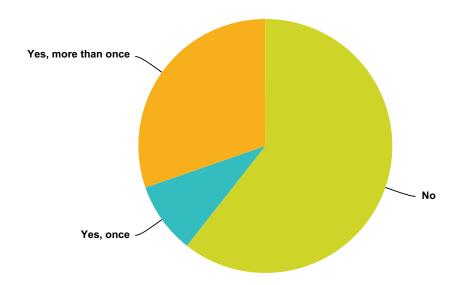


Answer Choices	Responses	
Option 1 - Change yellow line to signage	5.97%	4
Option 2 - Formalise bay on one side	26.87%	18
Option 3 - Formalise bays on both sides	46.27%	31
Option 4 - No change	13.43%	9
Other (please specify)	7.46%	5
Total		67

#	Other (please specify)	Date
1	Keep yellow line on Oval side with formal bays on Botanic Gardens side. There should be parking on only one side as it is very difficult to pass other cars when there is parking on both sides. It is also dangerous with pedestrians dashing across the road from the Oval side.	6/22/2017 5:04 PM
2	Enforce illegal parking. I've never had a problem parking there but am frustrated but illegal parkers when I do the right thing. Biggest offenders are 4WDs that park (and damage) footpaths and verges.	6/13/2017 5:27 PM
3	promote parking along chin quan road	6/13/2017 12:43 PM
4	Build an off road car park	6/13/2017 12:01 PM
5	There needs to be more off street parking options. There is a huge open area between Gardens Rd and Channel nine that could be developed into a carpark that is only opened when there are events on. This would stop people parking on the yellow line next to Gardens Oval (if it's dangerous to park there why would be allowed to some times but not others?) The carpark could be opened only for events and perhaps the open drain next to the footpath could be covered over to make a larger and safer path for pedestrians, prams, wheelchairs etc to get to the Gardens safely and comfortably. The carpark could be kept closed after major events to avoid anti social behaviour.	6/10/2017 10:27 AM

Q4 Have you experienced any issues with accessing the paths on either side of this section of Gardens Road?

Answered: 66 Skipped: 1



Answer Choices	Responses	
No	60.61%	40
Yes, once	9.09%	6
Yes, more than once	30.30%	20
Total		66

#	If yes, please describe your issue	Date
1	during festivals/converts/Mindle market nights the road is often congested and it appears (4wds in particular) park wherever they wish	7/8/2017 4:51 PM
2	Cars parked on the grass and footpath on the road near the golf course. This is where i park if i am not walking. It gets a bit hectic if people are trying to go against the traffic, but you can't legislate for stupidity. If you could make it that if you park on the left (ie golf course side) all must go left, and go past the golf couse to get out, and if you park on the right, all must keep going right (ie continue up towards the city) that may address some of the messy traffic jams that occur.	7/1/2017 12:48 PM
3	The main issue is that the way the pedestrian lane has been marked can force people onto the rough edge of the path - that is, on the Golf Links side of the road.	6/22/2017 5:04 PM
4	Have had to squeeze past vehicles on the path, but it doesn't really bother me	6/17/2017 3:22 PM
5	Opposite the Botanical gardens entrance the footpath narrows, and when cars park on the verge, access is impeeded. Further, there is no footpath on the eastern side of the road from the botanical gardens driveway for about 10m until the footpath commences.	6/16/2017 3:34 PM
6	The problems are not so much in the areas being considered but the area on the SW side of Gardens Rd on the city side of Chin Quan Rd where cars constantly park across the bike/foot path. There needs to be a physical barrier to keep cars off that path.	6/16/2017 2:54 PM
7	Occasionally. Why reduce parking spaces unnecessarily? Disabled motorists can park in designated spaces within the gardens if visiting there and ditto at the markets. If you really must, on the days when heavily used, reduce the speed to 50kph but don't muck it up please!	6/14/2017 5:28 PM

Gardens Road Parking

8	cars parked haphazardly with no consideration to other drivers or pedestrians.	6/14/2017 11:01 AM
9	Cars parking on the Oval side, setting up chairs to watch the AFL for free instead of entering the ground	6/14/2017 6:09 AM
10	Never had a problem finding a park but difficulty getting back to the gardens with a pram because of vehicles blocking paths (Parked illegally)	6/13/2017 5:27 PM
11	Vehicles blocking the footpath and view of oncoming vehicles	6/13/2017 4:27 PM
12	When crossing the road sometimes there are no gaps big enough from the cars to get onto the footpath (if you have a pram or stroller). There are also no defined path crossings (as in easy access up the gutter) for people with mobility issues.	6/13/2017 3:15 PM
13	When walking along the road unthinking motorists park to get a close a possible since they are too lazy to walk.	6/13/2017 2:09 PM
14	the footpath near the botanical gardens ends, forces you to weave around cars close to the entrance.	6/13/2017 12:43 PM
15	There was so much traffic	6/13/2017 10:16 AM
16	When parking occurs on the oval side, there are always vehicles half on the kerb, or more, restricting access	6/13/2017 9:36 AM
17	pedestrian access blocked to get to Botanic Gardens, forced to walk on road	6/11/2017 7:51 PM
18	Often, cars park anywhere the like currently formalised bays will help this, it is not a major traffic road other than access and parking during big events, so the congestion due to parking manouvres will be acceptable.	6/8/2017 6:31 PM
19	Particularly on bike/path coming down hill towards Chin Quancars park all over the path blocking the bikes and path f ropedestrians and with prams forcing people into or across road	6/8/2017 2:33 PM

Q5 Do you have any comments to add?

Answered: 32 Skipped: 35

#	Responses	Date
1	I believe further accessible parking is required. As is the consideration of road closures limiting access during events.	7/13/2017 10:39 AM
2	I think we require more local busses for big events, and not just at the botanic gardens but waterfront, esplanade, nightcliff/rapid creek markets etc. I know many people from out of town that recently attended the NRL game at Mararra and V8's that utilised and enjoyed the public bus option	7/8/2017 4:51 PM
3	events like the DSO that attract the elderly, they should be able to have priority parking or have drop off available to them upon presentation of a seniors card.	7/5/2017 1:26 PM
1	At the Italian festival a police lock up van which had mounted the kerb to park in the garden bed on the gardens side became bogged - this is exactly why we think there needs to be some rationalisation and increased legal parking options in the area.	7/4/2017 7:41 AM
5	I am pleased you are thinking about this issue. Thank you.	7/1/2017 12:48 PM
6	You need to add another car parking area maybe top end near light cars already cars park there on big events. Not good shutting off gardens rd traffic was a night mare tonight cars were parked on the footpath on the main rd. About time you made the area across from the footy oval a car park it is no more walking in mud in the wet season	6/24/2017 9:59 PM
7	There should be no change as these stress are hardly blocked besides major events and even then the road is usually closed and people can walk along the road.	6/23/2017 2:27 PM
8	In general the line marking on Gardens Road is very poor and when wet very hard to see and many motorists seem to drive too fast there. The speed limit should be 50 between the Gilruth Avenue lights and the Cavanagh Street lights.	6/22/2017 5:04 PM
9	Bays on both sides offer the best opportunity to maximise car parking during Mindil markets and other events. The ad-hoc parking arrangements do not maximise space. The road should also be 40km/h during events (say, an hour either side of sunset for Mindil), which will slow down traffic and account for parking manoeuvres.	6/19/2017 7:55 PM
10	Shared path beside cemetery is in poor condition	6/19/2017 4:47 PM
11	I prefer option 3 because this are provides a significant quantity of car parking that should be available for the majority of time, and erecting no standing signs makes this impossible, when the issue is for a minority of time. I do not believe that the signs will be bagged most of the time. The website also has the worng pictures for option 3, but the flyer is correct.	6/16/2017 3:34 PM
12	We don't need more car parks in the immediate area of the Gardens; we need to encourage people to use alternate means or to park in the large parking area that is set up for Mindil Markets. It isn't very far to walk.	6/16/2017 2:54 PM
13	Be sensible in deciding.	6/14/2017 5:28 PM
14	It is such a pretty drive, please don't change it. Why not encourage people to park at Mindel.	6/14/2017 2:45 PM
15	you don't police the area as it is, so why are you proposing to change when everyone knows you will do nothing about it	6/14/2017 6:09 AM
16	The few events that create parking issues are mainly limited to the dry season. The cost of any of the possible new options would seem wasteful. Assistance from Council officers/police to provide an orderly support for events. Cost could covered from a levy on event tickets.	6/13/2017 8:41 PM
17	Thanks for looking at this:)	6/13/2017 5:27 PM
18	No	6/13/2017 3:51 PM
19	I am not sure adding car parks to the road is the answer either. Perhaps better utilising the Mindle Beach car park is better with better pedestrian access.	6/13/2017 3:15 PM
20	Formalising the spots totally makes most sense. Banning parking seems over top, and the suggestion to perhaps cover signage during major events is plain silly - gives the organisers another thing to think about, and leaves plenty of room for misinterpretation.	6/13/2017 2:14 PM
21	Darwin does not have enough trees and by electing for option 1 (preference is really option 4) this minimises the impact on trees and on this wonderful green corridor in our area. At least option 2 provides extra parking in the case of events and can be controlled.	6/13/2017 2:09 PM

22	Perhaps parking issues should have been planned 20 years ago. Consider a variable speed sign (like Rapid Creek markets - 40/70) used for busy times. Look to more parking among the trees beside the golf course. Perhaps a high-rise car park could be built in Salonika Street to assist in this area with primary use being for city workers that then catch a shuttle bus.	6/13/2017 1:49 PM
23	Don't take road space for parks, ensure road is widened. Ideas like this should be undertaken Darwin wide. Parking is terrible in CBD.	6/13/2017 12:14 PM
24	Considering the events happening frequently at the premise, more parking bays should be provided to avoid parking at casino carpark and cause inconvenience to the patrons and employees of casino.	6/13/2017 11:34 AM
25	NO	6/13/2017 10:15 AM
26	Don't cut down any trees because the trees are cool and even though some people are to lazy to walk don't cut down the trees	6/13/2017 10:14 AM
27	N/A	6/13/2017 9:56 AM
28	I believe it will be dangerous if parking bays are installed as it is an s bend and reverse parking is not easy to do and it will create accidents.	6/13/2017 9:43 AM
29	Reduce speed during events to 40kph or 20kph	6/13/2017 9:32 AM
30	i think formalised parking on one side is better with signage so those who get in first know they just park on street. Parking on the other side would make the street too narrow for good visibility when you already have lots of pedestrians crossing from Mindil, esp at night.	6/11/2017 7:51 PM
31	Accessing the access parks inside the botanical gardens gate is a real problem during large events. Those directing traffic are not aware of parks and or often unwilling to assist those that need close parking. Of the informal parking on event days should be dedicated to accessible parking.	6/8/2017 9:37 PM
32	Signs prior to Chin Quan indicating not to park on bike/path track	6/8/2017 2:33 PM

ENCL: 2ND ORDINARY COUNCIL MEETING /OPEN AGENDA ITEM: 16.1.6

TREE PLANTING IN CAR PARK AREAS

REPORT No.: 16TS0089 BS:hd COMMON No.: 3032207 DATE: 25/07/2017

Presenter: Manager Technical Services, Nadine Nilon

Approved: General Manager City Operations, Luccio Cercarelli

PURPOSE

The purpose of this report is to provide Council information on any requirements relating to tree planting in car parking areas on private land and within City of Darwin road reserve.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

- 1.4 Improved relations with all levels of government and significant stakeholders **Key Strategies**
- 1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- The Northern Territory Planning Scheme (the Scheme) provides broad criteria in regard to landscaping requirements, however does not provide specific requirements in regard to the planting of shade trees within private on-site car parking areas.
- The current City of Darwin Policy No. 003 Car Parking General, which is under review, provides requirements for tree planting within car parking constructed (with Council approval) by private Developers on Council road reserves.
- Council does not have the power to impose requirements for the shading of parking areas within developments on private land.
- It is recommended that Council write to the Minister for Infrastructure, Planning and Logistics requesting that Clause 6.12 Landscaping of the Scheme be reviewed, to consider including performance criteria to guide minimum landscaping and shading requirements within car parking areas within private developments.

REPORT NUMBER: 16TS0089 BS:hd

SUBJECT: TREE PLANTING IN CAR PARK AREAS

RECOMMENDATIONS

A. THAT Report Number 16TS0089 BS:hd entitled Tree Planting in Car Park Areas be received and noted.

B. THAT Council write to the Northern Territory Government Minister for Infrastructure, Planning and Logistics, requesting that Clause 6.12 Landscaping of the Northern Territory Planning Scheme be reviewed to consider including minimum requirements for tree planting or artificial shading for car parking areas within private developments.

BACKGROUND

At the Town Planning Committee Meeting on 2 June 2015, Council resolved as follows:

DECISION NO.21\3387 (02/06/15)

Strategic Planning Issues - June 2015

Report No. 15TS0081 NS:dj (02/06/15) Common No. 2481144

THAT a report be prepared for Council considering the requirements relating to tree planting in car park areas with a view to increasing the amount of shaded land area, and improving public amenity and air purification taking into account the requirements of Planning Scheme in relation to shading parking areas.

This report is in response to the above mentioned Council decision and provides information relating to requirements for tree planting and shading within car parking areas in private developments, for new car parks within City of Darwin road reserves, and off-street public car parks.

DISCUSSION

Shading of car parks can occur either through artificial shade (that is constructed), or through tree planting.

There are a number of benefits associated with trees being included within private developments sites and/or on public land to provide shade. These include reducing temperature, improving air quality, and aesthetics.

However, when considering the planting of trees a number of factors need to be considered. These include tree suitability (root growth, etc), loss of car parks, establishment and maintenance, and impacts on sightlines.

Artificial shade structures are also able to be considered as an alternative measure to reduce direct heat on vehicles and users of the area, however this presents complexities within the road reserve in relation to ownership and liability. An example of artificial shade occurring within Darwin is the structure adjacent Raffles

REPORT NUMBER: 16TS0089 BS:hd

SUBJECT: TREE PLANTING IN CAR PARK AREAS

Plaza (Buffalo Court, Darwin City) that has been installed for shading and solar panels.

Council does not have control over any requirement for shade (artificial or trees) within private property. However, Council does have the ability to require shading in car parks that are within its road reserves and on its land.

Current Requirements

Council Policy - On Street Carparks

When developers or landowners apply to Council to construct on-street car parking bays adjacent their property, within City of Darwin road reserve, the City of Darwin Policy No. 003 - Car Parking – General, applies.

The current requirement relating to landscaping is that 'Large areas of parking will be broken with traffic islands and suitably landscaped. As a general rule, a traffic island will be required approximately every 20 parking bays.', and 'The parking area will be suitably landscaped to the approval of the General Manager Infrastructure and all vegetation will be maintained by the property owner.'

In practice, Council officers have required trees to be planted within island areas, and adjacent the parking where possible, at least once every 5-10 bays, depending on the site.

This policy is currently under review and is the subject of a separate report to Council. This review will include a requirement for tree planting to be incorporated in any approved on road parking to the satisfaction of Council. Guidelines will support this with detail around the number, spacing and type of trees that will be assessed.

From time to time, the City of Darwin constructs tree pits within on-street car parking bays. There are no set requirements for the rate of tree planting in these areas and the rate employed is dependent on factors such as proximity to car parking demand, building awnings and underground services.

Council Owned Off-Street Car Parks

There are currently no standards regarding the provision of trees within existing City of Darwin owned off-street car parks. However, given that some of these existing car parks are very highly utilised and sites for potential redevelopment (e.g. Cavenagh Street Car Park), retrospectively introducing shade trees into these facilities could be a physical impediment to any future development of these sites.

It is considered that retrospectively installing shade trees into off-street car parks not nominated for future development is an option Council may seek to pursue.

REPORT NUMBER: 16TS0089 BS:hd

SUBJECT: TREE PLANTING IN CAR PARK AREAS

NT Planning Scheme

The clauses described below are from the Northern Territory Planning Scheme which is a Northern Territory Government document administered by the Development Consent Authority. In general, the Scheme provides broad qualitative criteria in regard to landscaping requirements, however does not provide specific requirements in regard to the planting of shade trees within private on-site car parking areas.

Clause 6.5.3 (Parking Layout) of the Scheme outlines criteria to ensure that a
"car parking area is appropriately designed, constructed and maintained for its
intended purpose. A car parking area is to be not less than 3 metres from a
road, and the area between the car parking area and the road is to be
landscaped with species designed to lessen the visual impact of the car
parking area."

Clause 6.12 Landscaping:

- The purpose of this clause is to ensure that landscaping on a site complements and enhances the streetscape, is attractive, water efficient and contributes to a safe environment.
- Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
- Landscaping should be designed so that:
 - (a) planting is focussed on the area within the street frontage setbacks and communal open space areas and uncovered car parking areas;
 - (b) it maximises efficient use of water and is appropriate to the local climate;
 - it takes into account the existing streetscape, or any landscape strategy in relation to the area;
 - (d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;
 - (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year
 - (f) the layout and choice of plants permits surveillance of public and communal areas; and
 - (g) it facilitates on-site infiltration of stormwater run-off.
- The quality and extent of the landscaping consented to should be maintained for the life of the development.

Clause 6.12

REPORT NUMBER: 16TS0089 BS:hd

SUBJECT: TREE PLANTING IN CAR PARK AREAS

 Clause 8.2 considers Commercial and other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T. The clause includes that landscaping is to be provided "to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking."

 Clause 9.1 refers to industrial uses and requires all street frontages, except access driveways or footpaths, to be landscaped to a minimum depth of 3 metres, then refers to Clause 6.12 Landscaping (detailed above) for landscaping information. The Development Consent Authority (DCA) can reduce or waiver this requirement, at its discretion.

Other Planning Schemes or Jurisdictions

Research of Planning Schemes outside of the Northern Territory revealed that the majority of these schemes have requirements for landscaping within the front setback of developments and land being used solely for car parks (average 15% of the site), with trees placed along the edge of internal pedestrian paths. A few schemes were identified in which existing trees on a site are required to be included within a development application, with details on how the proposed development would deal with the trees within the site.

In considering other Councils, it needs to be acknowledged that, unlike the City of Darwin, these Councils are the responsible authority for implementing the Town Planning Scheme.

The Cairns Plan 2016 (QLD) requires a "hardy tropical tree" and "spreading ground cover" species to be provided within a two metre setback from a road frontage. In addition, shade trees are to be provided within car parks; however no specific quantum criteria are provided, apart from having 10% of the site landscaped.

The City of Cockburn Planning Scheme (WA) requires trees to be planted within onsite car parks of new developments. Clause 5.9 of the City of Cockburn Town Planning Scheme No. 3 requires:

"5.9.2 Landscaping

- e). There shall be not less than one (1) shade tree planted for every 50 square metres of the total landscaped area provided on the lot and within the street verge.
- f). There shall be not less than one (1) shade tree planted in the car parking area for every 10 car parking spaces provided on the lot.
- g). The landscaping is to be confined to the area of the lot between the building or the use of the land and the boundaries of the lot adjoining the public road reserve, or other public reserve, unless the local government agrees otherwise in any special circumstance."

REPORT NUMBER: 16TS0089 BS:hd

SUBJECT: TREE PLANTING IN CAR PARK AREAS

Brisbane City Council's *Landscaping Code: Car Parking* provides the following requirements:

- Adequate shading must be provided in all car parking areas with landscaping;
 and
- A minimum requirement of one tree per six car parking spaces.

Conclusions

The tree planting rates included in the current City of Darwin Policy No. 003 - Car Parking – General, can be applied to tree planting in all public car parks. If developers request on-street car parking, then the standard requirements would be in place. In the review of the Policy, the guideline associated with any revised City of Darwin Policy No. 003 - Car Parking – General will include more detailed requirements for shading.

There are no specific requirements within the Northern Territory Planning Scheme for the provision of trees within car parking areas on private property. Other planning schemes do have these provisions.

It is recommended that Council write to the Minister for Infrastructure, Planning and Logistics, requesting that Clause 6.12 Landscaping of the Northern Territory Planning Scheme be reviewed, to consider including minimum requirements for tree planting or artificial shading for car parking areas within private developments.

CONSULTATION PROCESS

This report was considered by the Executive Leadership Team on 17 July 2017 and is now referred to the 2nd Ordinary Council Meeting for consideration.

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

- Senior Technical Officer
- Manager Design, Developments and Projects
- Manager City Planning
- Town Planner
- Planning Officer
- Team Leader Development

POLICY IMPLICATIONS

The current City of Darwin Policy No. 003 - Car Parking – General contains requirements for the provision of tree planting within car parks provided by developers/land owners on adjacent City of Darwin road reserve and subject to the review of this Policy. These requirements could be provided in an associated guideline document.

REPORT NUMBER: 16TS0089 BS:hd

SUBJECT: TREE PLANTING IN CAR PARK AREAS

BUDGET AND RESOURCE IMPLICATIONS

The cost of planting trees within City of Darwin on-street car parking bays is site specific. Costs for the installation of a single tree pit can range from \$20,000 to \$80,000 due to factors such as the location of infrastructure and services and access to irrigation. There are also ongoing costs associated with maintaining the trees.

There may be a loss of parking income associated with trees planted within paid parking bays, dependent on the rates charged in the on or off-road facility.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The Scheme is administered by the Northern Territory Government and an amendment to the Scheme is required for any changes.

There is a risk that developers would not support the inclusion of compulsory requirements for tree planting or artificial shade within their developments for the reasons outlined in this report.

All trees within City of Darwin land have maintenance schedules to reduce risks to people or property.

Planting shade trees in existing off-street car parks with a likelihood of redevelopment could be a physical impediment to any future development of these sites and future removal of such trees could lead to negative public reaction.

ENVIRONMENTAL IMPLICATIONS

There are environmental benefits associated with incorporating trees into car parking areas. These include improved shading, cooling, beautification, reduction in air pollution, improved wildlife habitat and the overall enhancement of the urban environment.

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.

NADINE NILON
MANAGER TECHNICAL SERVICES

LUCCIO CERCARELLI GENERAL MANAGER CITY OPERATIONS

For enquiries, please contact Cindy Robson on 8930 0528 or email: c.robson@darwin.nt.gov.au.

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.1.7

INDEPENDENT COMMISSIONER AGAINST CORRUPTION

Presenter: Executive Manager, Melissa Reiter

Approved: Chief Executive Officer, Brendan Dowd

PURPOSE

The purpose of this report is to brief Council on the proposed Independent Commissioner Against Corruption (ICAC) for the Northern Territory and provide a response by Council in support of the introduction of the Legislation for consideration.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.1 Demonstrate good corporate practice and ethical behaviour

KEY ISSUES

- The Northern Territory intends to replace the *Public Interest Disclosure Act* with legislation that establishes an Independent Commissioner against Corruption.
- Council is recommended to support this change in legislation and undertake to revise Council policy to adopt the terms of the legislation, once enacted.
- The draft legislation is called A Bill for an Act to establish an Independent Commissioner against Corruption (the Draft ICAC Bill).
- The intent of the legislation is to provide for the protection of whistle-blowers.

REPORT NUMBER: 17CE0002 MR:ph

SUBJECT: INDEPENDENT COMMISSIONER AGAINST CORRUPTION

RECOMMENDATIONS

A. THAT Report Number 17CE0002 MR:ph entitled Independent Commissioner Against Corruption, be received and noted.

- B. THAT Council endorse the correspondence at **Attachment A** to Report Number 17CE0002 MR:ph entitled Independent Commissioner Against Corruption, in support of the legislation and undertaking to revise Council Policy accordingly.
- C. THAT Council receive and note **Attachments B, C, D and E** to Report Number 17CE0002 MR:ph entitled Independent Commissioner Against Corruption, as supporting information about the introduction of an Independent Commissioner Against Corruption.

BACKGROUND

At the 2nd Ordinary Council Meeting in July 2014, Council adopted a new Public Interest Disclosure Policy.

The Public Interest Disclosure Act 2008 came into effect on 31 July 2009. That Act provides for the investigation of allegations of improper conduct by public officers and/or public bodies, and protection from retribution to persons who make disclosures. That Act makes disclosure of the identity of a whistle-blower and undertaking action detrimental to a whistle-blower, a criminal offence.

At the time of the enactment of *Public Interest Disclosure Act*, guidelines were issued to advise government agencies on how to implement the Act and, resultantly, Council developed a Public Interest Disclosure Policy and reviewed its Complaints Handling and Review of Decisions Policy.

DISCUSSION

The Northern Territory has legislation that provides for the investigation of allegations of improper conduct by public officers and/or public bodies and protection provisions for retribution to persons who make these disclosures. This legislation is the *Public Interest Disclosure Act* and Council submitted positively to this legislation at the time of its introduction and oversaw the development of Council policy adopting the terms of this legislation.

The Northern Territory Government has developed draft legislation called A Bill for an Act to establish an Independent Commissioner Against Corruption (the Draft ICAC Bill), which is intended to provide for the protection of whistle-blowers. The Draft ICAC Bill will repeal (or replace) the *Public Interest Disclosure Act*.

The Draft ICAC Bill is currently being consulted across the Territory and, to this end, Council is able to provide a written submission in support of the draft legislation and this feedback is due by 26 July 2017.

REPORT NUMBER: 17CE0002 MR:ph

SUBJECT: INDEPENDENT COMMISSIONER AGAINST CORRUPTION

The purpose of the Draft ICAC Bill is to establish a specialist investigator with a focus on government corruption. ICAC will investigate certain kinds of criminal offences that relate to government corruption, but also can investigate serious breaches of public trust that are not technically offences. In addition to the kinds of powers Police have, the ICAC has powers to enter government premises without warrants, and to compel any person to attend and give evidence. The ICAC will also administer a whistle-blower protection scheme, which will allow it to protect important sources of information.

For Council's consideration, ICAC will be tasked to primarily investigate the conduct of public officers and public bodies to address whether those entrusted with government power and resources are using that power and those resources appropriately. Government Departments, local councils, statutory authorities, Territory politicians, and judges can all be investigated by the ICAC.

The ICAC replaces the Commissioner for Public Interest Disclosures, and the Draft ICAC Bill repeals the *Public Interest Disclosure Act*. The ICAC has more substantial powers and a broader responsibility than the Commissioner for Public Interest Disclosures. The ICAC does not replace any other existing law enforcement or integrity body.

This report is intended to brief Council and to provide feedback in accordance with the consultation process on the Draft ICAC Bill that will affect change to Council policy by replacing the *Public Interest Disclosure Act*, but does not replace existing Council complaint and grievance processes.

CONSULTATION PROCESS

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

Executive Manager

POLICY IMPLICATIONS

This report was considered in relation to City of Darwin Policy No. 076 - Public Interest Disclosure Policy. Once legislated, Council policies will need to be reviewed to ensure they accord with the ICAC legislation.

BUDGET AND RESOURCE IMPLICATIONS

There are no expected budget implications arising from this report.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Council is currently bound by the *Public Interest Disclosure Act* and has a current policy framework to reflect these statutory requirements. A review of relevant policies will need to be undertaken once the ICAC legislation commences.

REPORT NUMBER: 17CE0002 MR:ph

SUBJECT: INDEPENDENT COMMISSIONER AGAINST CORRUPTION

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.

MELISSA REITER EXECUTIVE MANAGER

BRENDAN DOWD CHIEF EXECUTIVE OFFICER

For enquiries, please contact Melissa Reiter on 89300516 or email: m.reiter@darwin.nt.gov.au.

Attachments:

Attachment A: Outgoing letter - Policy Section, Department of Attorney-General

and Justice

Attachment B: Independent Commissioner against Corruption Bill 2017-

Consultation Draft

Attachment C: Explanatory notes for draft consultation

Attachment D: Independent Commissioner against Corruption Frequently asked

questions

Attachment E: Independent Commissioner against Corruption - HR Implications

for Public Bodies

Attachments B - E submitted electronically on the City of Darwin website:

https://www.darwin.nt.gov.au/council/council-committees/agendas-minutes/2nd-ordinary-council-meeting-41



Civic Centre Harry Chan Avenue

GPO Box 84 Darwin NT 0801 P 08 8930 0300 Darwin NT 0800 **E** darwin@darwin.nt.gov.au **F** 08 8930 0311

26 July 2017

Please quote: 1723187 MR:ph

Policy Section Department of Attorney-General and Justice

via Email: policy.agd@nt.gov.au

Independent Commissioner Against Corruption

City of Darwin supports the introduction of legislation to establish an Independent Commission Against Corruption for the Northern Territory.

City of Darwin's current policy framework recognises the *Public Interest Disclosure* Act and, accordingly, Council will undertake to revise its framework for compliance purposes to meet the requirements of the proposed Act to Establish an Independent Commissioner Against Corruption, to provide for the protection of whistle-blowers, to repeal the Public Interest Disclosure Act, and for related purposes.

If you have any further queries please contact Melissa Reiter on (08) 8930 0516 or m.reiter@darwin.nt.gov.au.

Yours sincerely

BRENDAN DOWD CHIEF EXECUTIVE OFFICER Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact the Committee Administrator on (08) 8930 0670.

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/16

16.2 OFFICERS REPORTS (RECEIVE & NOTE)

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.2.1

MONTHLY FINANCIAL REPORT - JUNE 2017

REPORT No.: 17CP0006 MC:jg COMMON No.: 2476534 DATE: 25/07/2017

Presenter: Manager Finance, Miles Craighead

Approved: General Manager City Performance, Diana Leeder

PURPOSE

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ending 30 June 2017 in accordance with the Local Government (Accounting) Regulations.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

5.5.1 Manage Council's business based on a sustainable financial and asset management strategy

KEY ISSUES

- The monthly report meets Council's statutory requirements.
- The quarterly budget reviews provide additional accountability information to supplement the monthly financial reports.
- Expenditures to date are indicative of savings (assuming service levels met/assets maintained) and carry forwards at year end.
- Year end and audit adjustments will affect final results.
- There are no overall concerns with Council's financial position.

RECOMMENDATIONS

THAT Report Number 17CP0006 MC:jg entitled Monthly Financial Report - June 2017, be received and noted.

REPORT NUMBER: 17CP0006 MC:jg

SUBJECT: MONTHLY FINANCIAL REPORT - JUNE 2017

BACKGROUND

Council has endorsed the format of the Monthly Financial Report. It is in compliance with the Local Government Accounting Regulations in respect of monthly financial reporting.

DISCUSSION

The following statements are included at **Attachment A.**

Overall Income Statement

All sources of Council's income (revenue) and all operating expenses. Processing of End of Financial Year adjustments is not yet completed and will impact on reported results.

Municipal Plan Summary

The Municipal Plan Summary follows a similar format to the statement of cash flows, but is based on working capital rather than cash. The actual transfers to and from cash backed reserves are now considered to be up to date. Further transfers to reserves may be proposed following 4th Quarter Budget Review and/or optimising transfers as a result of final year end preparation of GPFS and audit. Elected Members can refer to the quarterly budget reviews for more detailed information on reserves.

Investments Report

Details all cash and investments held by institution and provide information on interest rate returns, maturities and policy compliance.

Accounts Receivable Report

Details rate receipt collection, outstanding general debtors and performance on rates recovery compared to the previous year. The report includes additional information on infringement debtors, rates arrears, rates struck and rates outstanding (bar chart).

CONSULTATION PROCESS

Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

There are no overall concerns in relation to the original budget and Council's financial position.

Currently expenditure for materials and services is 94%, employee costs 96% and capital expenditure is 73% of the revised budget with 100% of the year elapsed. This

REPORT NUMBER: 17CP0006 MC:jg

SUBJECT: MONTHLY FINANCIAL REPORT - JUNE 2017

is indicative of possible savings (assuming service levels met/assets maintained) and/or carry-overs into 2017/18 financial year. Year end and audit adjustments will tend to reduce the budget remaining. Requests for variations are being addressed in the 4th quarter budget review now and will be reported back to the Council following the election..

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The information that is provided is considered to more than achieve statutory compliance as set out below:

Part 8 of the Local Government (Accounting) Regulations require that a monthly financial report is presented to Council.

Regulation 18 states:-

- 1. The CEO must, in each month, lay before a meeting of the council a report, in a form approved by the council, setting out:
 - a) The actual income and expenditure of the council for the period from the commencement of the financial year to the end of the previous month; and
 - b) The forecast income and expenditure for the whole of the financial year
- 2. The report must include:
 - a) Details of all cash and investments held by the council (including money held in trust); and
 - b) A statement on the debts owed to the council including the aggregate amount owed under each category with a general indication of the age of the debts; and
 - c) Other information required by the Council.
- 3. If a council does not hold a meeting in a particular month, the report is to be laid before the council committee performing the council's financial functions for the particular month.

It should be noted that monthly financial reports are not independently audited, but are subject to internal control and review processes.

ENVIRONMENTAL IMPLICATIONS

Nil

REPORT NUMBER: 17CP0006 MC:jg

SUBJECT: MONTHLY FINANCIAL REPORT - JUNE 2017

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.

MILES CRAIGHEAD MANAGER FINANCE

DIANA LEEDER GENERAL MANAGER CITY PERFORMANCE

For enquiries, please contact Miles Craighead on 89300523 or email: m.craighead@darwin.nt.gov.au.

Attachments:

Attachment A: Monthly Financial Report – June 2017

Income Statement For the Period Ended 30/06/2017



		2016/17			
	Full Original	Full Amended	YTD	YTD v FAB	
	Budget \$'000	Budget \$'000	Actual \$'000	%	
% of year elapsed				100%	
Income from Continuing Operations					Comment
Rates & Annual Charges	67,235	67,235	67,428	100%	No issues
User Charges, Fees & Other	25,623	25,697	23,866	93%	Possible less revenue
Interest & Investment Revenue	2,656	2,656	2,688	101%	Issue (G Fund)
Grants & Contributions - Operating	5,355	5,343	9,919	186%	Will exceed budget
Total Income from Continuing Operations	100,868	100,931	103,901	103%	
Less Expenses from Continuing Operations					
Employee Costs	31,727	31,925	30,743	96%	No issues
Borrowing Costs	229	229	227	99%	No issues
Materials and Services	47,680	49,142	46,335	94%	Underspent YTD
Depreciation and Amortisation	22,397	22,397	21,827	97%	Will exceed budget
Total Expenses from Continuing Operations	102,034	103,693	99,132	96%	
Operating Result - Continuing Operations	(1,166)	(2,763)	4,769		
Grants & Contributions - Capital	10,564	4,943	3,155	64%	No issues
Income (Loss) from Asset Disposal	-	-	(222)	-1000%	Not budgeted
Net Operating Result For the Year	9,398	2,180	7,702		

Income Statement

Explanation of Columns: "Full Original Budget" and "Full Amended Budget" are full year. YTD Actual is year to date. YTD v FAB is the % of actuals achieved against the full year original budget.

Outlines income and operating expenses. Excludes capital expenditure and instead recognises depreciation expense. The net operating surplus or deficit for the reporting period is a measure of Council's financial performance. This figure is determined by deducting total operating expenses including depreciation from total operating revenue.

Operating income: Rates are recognised at the beginning of the year hence 100% achieved. Whilst interest overall is meeting target the Gen Fund interest is expected to be less. Operational grant income is exceeding target YTD with receipt of \$2.0 M for Streetlighting maintenance not included in the budget. Also a \$1.8 M of FAA Road Grants and Gen Purpose Grant for 1 & 2nd Qtr 2017/2018 has been received in June 2017. Fees and Other Revenue are below target. Infringements, development and waste income targets are unlikely to be met.

Operating expenses:

Overall expenditure is on target to meet budget. Employee Costs are below target due to staff vacancies and timing of leave entitlements. This is off-set by an increase in temporary labour/contractor costs. Borrowing costs is on track: 1st and 2nd repayments of external loan have now occured. Materials and Services are expected to yield savings overall, indicative savings from Cityworks & Parks & Reserve Sections. Depreciation and Amortisation: June depreciation is not yet posted. It is anticipated that actual depreciation will exceed original budget as the budget did not allow for factors such as the revaluation of buildings at 30/6/16. This will be addressed in the 4th quarter budget review. This will not affect Council budgeted cash flow/working capital position.

Capital income: \$2.2 m out of \$4.48 m Commonwealth grant assured for Parap Pool have been invoiced. Contributed asset re: Salonika Street Upgrade for \$430k has been received as Developer Contribution Income. \$124k Developer Contribution has been received from Dixon Grop for Berrimah Business Park - Stage 1 & 2 received for Mosquito Program Grant of \$81 k has been received. Ryland Road (Black Spot project) grant income, Shamrock grant income, car parking contributions and Safer Streets Programme Milestone grant fundings have been received.

Loss on Asset Disposal:: \$134k loss relates to fleet sales plus two writeoffs. \$37k loss due to disposal of walkways/driveways resurfacing and \$51k loss due to disposal of other assets. Noting no issue for cash/fund flows.



Municipal Plan Summary For the Period Ended 30/06/2017

	Full Original Budget \$'000	2016/17 Full Amended Budget \$'000	YTD Actual \$'000	YTD v FAB
% of year elapsed				100%
Funds From Operating Activities				
Net Operating Result From Above	9,398	2,180	7,702	
Add back depreciation (not cash)	22,397	22,397	21,827	
Add back Loss on Asset Disposal (non cash)		-	222	
Net Funds Provided (or used in) Operating Activities	31,795	24,577	29,321	
Funds From Investing activities				
Sale of Infrastructure, Property, Plant & Equipment	904	904	899	99%
Purchase of Infrastructure, Property, Plant & Equipment	(41,500)	(41,274)	(30,065)	73%
Net Funds Provided (or used in) Investing Activities	(40,596)	(40,370)	(29,166)	
Funds From Financing Activities				
Proceeds from borrowings & advances	1,764	-	-	0%
Repayment of borrowings & advances	(258)	(258)	(226)	88%
Net Funds Provided (or used in) Financing Activities	1,506	(258)	(226)	
Net Increase (-Decrease) in Funds Before Transfers	(7,295)	(16,051) -	72	
Transfers from (-to) Reserves	7,295	15,728	8,535	
Net Increase (-Decrease) in Funds After Transfers		(323)	8,464	

Municipal Plan Summary

Outlines Councils entire budget in accordance with the published municipal plan. It shows the effect on General Funds (original budget - break even/nil). It groups items into operating, investing and financing and has a very close relationship to cash flows, which is why it is presented in the same international format. It eliminates the depreciation calculation and discloses totals for asset sales and purchases as well as loan raising and repayments. Finally it discloses the transfers to & from cash backed reserves.

Net funds provided by operating activities: Processing of End of Financial Year adjustments not yet completed and will affect the Net Funds provided.

Sale of Plant & Equipment: Target achieved due to disposal of used vehicles.

Purchase of Infrastructure, property etc. This is 73% spent compared to 100% of year elapsed. Is indicative of carry forward for any incomplete projects into 2017/18.

Transfers from (-to) reserves. This discloses the transfers to & from cash backed reserves. The amounts transferred from reserves to carryforward are less than budgeted. Final adjustments, carryforwards, savings and the like will be accounted for in the 4th Quarter Budget Review.

 $\textbf{Manager Finance:} \ \ \text{There are no overall concerns in relation to the budgets.}$



As at 30 June, 2017 Council's short term cash position was as follows:

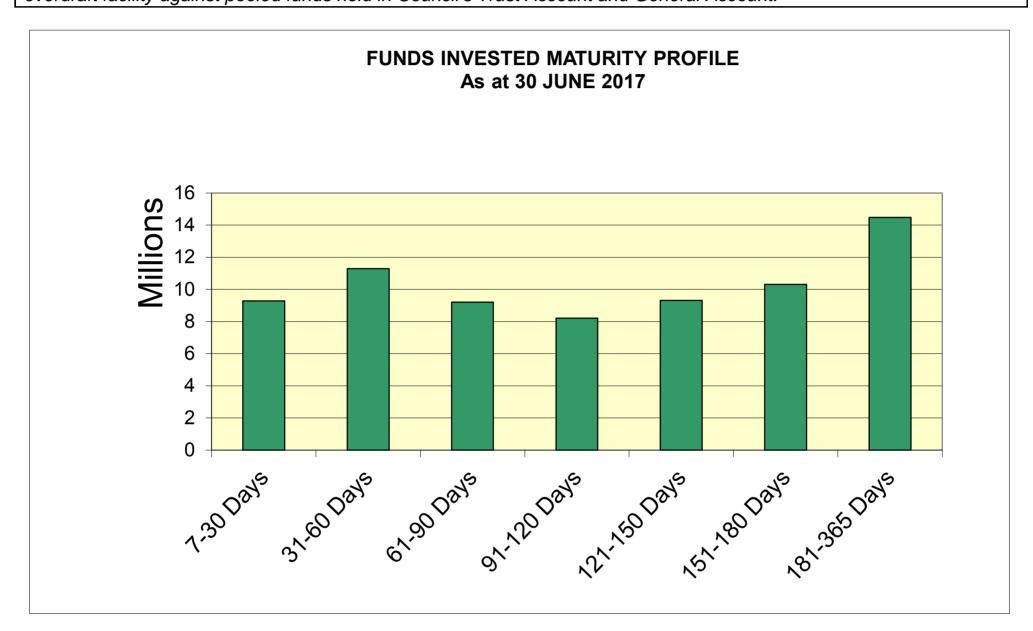
1. General Fund

 Cash at Bank
 \$ 3,047,976

 Short Term Investments
 \$ 70,813,731

 Total Funds
 \$ 73,861,707

Council has an arrangement with its financial institution the Commonwealth Bank of Australia to offset Council's overdraft facility against pooled funds held in Council's Trust Account and General Account.



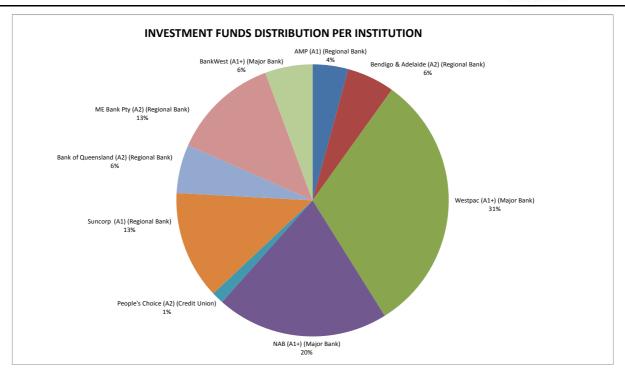
2. Trust Account

 Cash at Bank
 \$592,852.40

 Total Funds
 \$592,852.40

INVESTMENTS REPORT TO COUNCIL AS AT 30 JUNE 2017





Investment Policy Limits

Policy Max.	Actual Portfolio	Counterparty	Policy Min.	Policy Max.	Actual Portfo
100%	58%	Major Banks	15%	100%	54%
45%	17%	Regional Banks	0%	45%	45%
25%	25%		00/	4E9/	1%
10%	0%	Credit Unions/Building Societies/ Other ADI's	0 %	45%	1 70
	100%	Total			100%
	% Over Total				
Policy Max.	Investment	Term to Maturity	Policy Min.	Policy Max.	Actual Portfo
40%	20%	< 1 Year	30%	100%	100%
		1 1 0d.	00 /0	10070	
40%	31%	> 1 Year	0%	50%	0%
40% 30%					
	31%	> 1 Year	0%	50%	0%
30%	31% 4%	> 1 Year > 3 Years	0% 0%	50% 30%	0% 0%
	100% 45% 25% 10%	100% 58% 45% 17% 25% 25% 10% 0% 100% 100% Policy Max.	100% 58% Major Banks Regional Banks Regional Banks Credit Unions/Building Societies/ Other ADI's 100% Total Policy Max. Work Total Investment Term to Maturity T	100% 58% Major Banks 15% 15% 45% 17% 25% 25% 10% 0% Credit Unions/Building Societies/ Other ADI's 0% Total Policy Max. Investment Term to Maturity Policy Min.	100% 58% Major Banks 15% 100% 45% 17% 25% 25% 25% 10% Total

Total 100%

10%

10% 10%

Bendigo and Adelaide Bank Ltd (A2) (BBB+) ME Bank (A2) (BBB) People's Choice Credit Union (A2) (BBB)

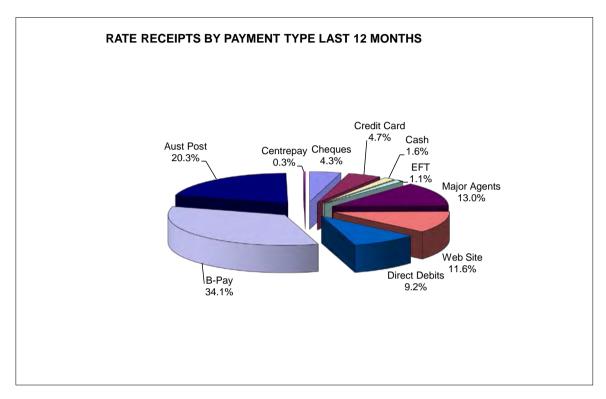
Note: Grandfathering applies to ME Bank (A2) (BBB), it has become ineligible as a result of a change of investment policy. Please refer to Investment Policy # 024. page 6. Downgrades & "Grandfathering"

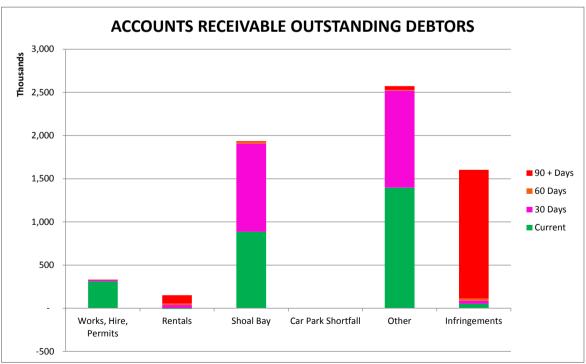
6%

		INVE	STM		O COUNC	CIL AS AT 30 JUNE 2	2017 DAI	WIN	1	34
CREDIT RATING	COUNTERPARTY	INV TYPE		AMOUNT	INTEREST RATE	MATURITY DATE	DAYS TO MATURITY	WEIGHTED AVERAGE RATE	INSTITUTION TOTALS	%
(ST) (LT)										
	Major Banks Total @	Invested	\$	36,600,126.74	51.69%	of portfolio				
(A1+) (AA-)	National Bank of Australia	TD	\$	1,020,018.09	2.70%	July 4, 2017	4	0.000388915 \$	14,488,228.16	20.46%
(A1+) (AA-) (A1+) (AA-)	National Bank of Australia National Bank of Australia	TD TD	\$ \$	1,020,018.09 1,000,000.00	2.76% 2.77%	July 25, 2017 August 1, 2017	25 32	0.000397557 0.000391167		
(A1+) (AA-)	National Bank of Australia	TD	\$	1,049,614.66	2.69%	August 22, 2017	53	0.000398717		
(A1+) (AA-) (A1+) (AA-)	National Bank of Australia National Bank of Australia	TD TD	\$	1,020,808.22 1,018,733.16	2.72% 2.62%	August 22, 2017 September 12, 2017	53 74	0.000392099 0.000376916		
(A1+) (AA-)	National Bank of Australia	TD	\$	1,000,000.00	2.60%	October 17, 2017	109	0.000376916		
(A1+) (AA-) (A1+) (AA-)	National Bank of Australia National Bank of Australia	TD TD	\$	1,034,485.07 1,034,485.07	2.61% 2.61%	November 14, 2017 November 14, 2017	137 137	0.000381283 0.000381283		
(A1+) (AA-)	National Bank of Australia	TD	\$	1,111,197.94	2.60%	November 28, 2017	151	0.000361263		
(A1+) (AA-)	National Bank of Australia	TD	\$	1,000,000.00	2.61%	December 12, 2017	165	0.000368573		
(A1+) (AA-) (A1+) (AA-)	National Bank of Australia National Bank of Australia	TD TD	\$ \$	1,070,134.13 1,089,503.86	2.49% 2.50%	January 30, 2018 February 6, 2018	214 221	0.000376288 0.000384637		
(A1+) (AA-)	National Bank of Australia	TD	\$	1,019,229.87	2.53%	February 6, 2018	221	0.000364146		
(A1+) (AA-)	Westpac	TD	\$	1,000,000.00	2.70%	July 11, 2017	11	0.000381282 \$	22,111,898.58	31.23%
(A1+) (AA-)	Westpac	TD	\$	1,000,000.00	2.70%	July 18, 2017	18	0.000381282	22,111,000.00	01.2070
(A1+) (AA-) (A1+) (AA-)	Westpac Westpac	TD TD	\$	1,000,000.00 1,000,000.00	2.70% 2.70%	July 18, 2017 August 1, 2017	18 32	0.000381282 0.000381282		
(A1+) (AA-) (A1+) (AA-)	Westpac	TD	\$	1,000,000.00	2.73%	August 15, 2017	46	0.000381282		
(A1+) (AA-)	Westpac	TD	\$	1,000,000.00	2.73%	August 15, 2017	46	0.000385518		
(A1+) (AA-) (A1+) (AA-)	Westpac Westpac	TD TD	\$ \$	1,016,684.93 1,000,000.00	2.77% 2.76%	August 29, 2017 August 29, 2017	60 60	0.000397694 0.000389755		
(A1+) (AA-)	Westpac	TD	\$	1,000,000.00	2.76%	August 29, 2017	60	0.000389755		
(A1+) (AA-) (A1+) (AA-)	Westpac Westpac	TD TD	\$	1,000,000.00 1,000,000.00	2.77% 2.76%	September 5, 2017 September 5, 2017	67 67	0.000391167 0.000389755		
(A1+) (AA-) (A1+) (AA-)	Westpac	TD TD	\$	1,000,000.00 1,018,986.30	2.77% 2.73%	September 12, 2017 September 26, 2017	74 88	0.000391167 0.000392838		
(A1+) (AA-)	Westpac Westpac	TD	\$	1,019,619.18	2.80%	October 10, 2017	102	0.000403161		
(A1+) (AA-) (A1+) (AA-)	Westpac Westpac	TD TD	\$	1,000,000.00 1,000,000.00	2.80% 2.74%	October 10, 2017 December 12, 2017	102 165	0.000395404 0.000386931		
(A1+) (AA-)	Westpac	TD	\$	1,000,000.00	2.67%	January 16, 2018	200	0.000377046		
(A1+) (AA-) (A1+) (AA-)	Westpac Westpac	TD TD	\$	1,037,372.55 1,019,235.62	2.67% 2.65%	January 23, 2018 January 23, 2018	207 207	0.000391137 0.000381420		
(A1+) (AA-) (A1+) (AA-)	Westpac Westpac	TD TD	\$	1,000,000.00	2.65% 2.65%	January 30, 2018 January 30, 2018	214 214	0.000374221 0.000374221		
(A1+) (AA-)	Westpac	TD	\$ \$	1,000,000.00	2.55%	February 13, 2018	228	0.000374221		
	Regional Banks Total @	Invested	\$	33,193,150.77	46.87%	of portfolio				
(A1) (A)	AMP Bank Limited	TD	\$	1,000,000.00	2.75%	December 5, 2017	158	0.000388343 \$	3,000,000.00	4.24%
(A1) (A) (A1) (A)	AMP Bank Limited AMP Bank Limited	TD TD	\$	1,000,000.00	2.75%	December 5, 2017 January 2, 2018	158 186	0.000388343 0.000388343	0,000,000.00	1.2170
										5.054
(A1+) (AA-) (A1+) (AA-)	Bankwest Bankwest	TD TD	\$ \$	1,000,000.00 1,000,000.00	2.60% 2.60%	November 28, 2017 January 2, 2018	151 186	0.000367160 \$ 0.000367160	4,000,000.00	5.65%
(A1+) (AA-)	Bankwest	TD	\$	1,000,000.00	2.55%	January 9, 2018	193	0.000360100		
(A1+) (AA-)	Bankwest	TD	\$	1,000,000.00	2.55%	January 9, 2018	193	0.000360100		
(A2) (BBB+)	Bendigo Adelaide Bank	TD	\$	1,000,000.00	2.75%	July 25, 2017	25	0.000388343 \$	4,000,000.00	5.65%
(A2) (BBB+) (A2) (BBB+)	Bendigo Adelaide Bank	TD TD	\$ \$	1,000,000.00	2.75% 2.75%	July 25, 2017	25 39	0.000388343 0.000388343		
(A2) (BBB+)	Bendigo Adelaide Bank Bendigo Adelaide Bank	TD	э \$	1,000,000.00 1,000,000.00	2.75%	August 8, 2017 August 8, 2017	39	0.000388343		
(04) (0)	Ourse and Material United	TD	•	1 010 070 07	0.050/	0-1-117 0017	100	0.000381060 \$	0.400.050.00	40.050/
(A1) (A+) (A1) (A+)	Suncorp-Metway Limited Suncorp-Metway Limited	TD TD	\$ \$	1,018,273.97 1,017,593.97	2.65% 2.65%	October 17, 2017 November 7, 2017	109 130	0.000381060 \$	9,102,258.98	12.85%
(A1) (A+)	Suncorp-Metway Limited	TD	\$	1,036,914.32	2.60%	November 7, 2017	130	0.000380714		
(A1) (A+) (A1) (A+)	Suncorp-Metway Limited Suncorp-Metway Limited	TD TD	\$ \$	1,014,738.36 1,000,000.00	2.60% 2.60%	November 21, 2017 November 21, 2017	144 144	0.000372572 0.000367160		
(A1) (A+)	Suncorp-Metway Limited Suncorp-Metway Limited	TD	\$	1,014,738.36	2.60%	November 28, 2017	151	0.000377100		
(A1) (A+)	Suncorp-Metway Limited	TD	\$	1,000,000.00	2.60%	December 19, 2017	172	0.000367160		
(A1) (A+) (A1) (A+)	Suncorp-Metway Limited Suncorp-Metway Limited	TD TD	\$ \$	1,000,000.00 1,000,000.00	2.60% 2.60%	December 19, 2017 December 19, 2017	172 172	0.000367160 0.000367160		
(A2) (BBB+) (A2) (BBB+)	Bank of Queensland Limited Bank of Queensland Limited	TD TD	\$ \$	1,054,564.67 1,018,163.56	2.68% 2.62%	July 4, 2017 September 26, 2017	4 88	0.000399108 \$ 0.000376705	4,090,891.79	5.78%
(A2) (BBB+)	Bank of Queensland Limited	TD	\$	1,018,163.56	2.62%	October 24, 2017	116	0.000376705		
(A2) (BBB+)	Bank of Queensland Limited	TD	\$	1,000,000.00	2.63%	January 16, 2018	200	0.000371397		
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.77%	September 19, 2017	81	0.000391167 \$	9,000,000.00	12.71%
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.77%	September 26, 2017	88	0.000391167		,
(A2) (BBB) (A2) (BBB)	ME Bank ME Bank	TD TD	\$ \$	1,000,000.00 1,000,000.00	2.80% 2.74%	September 19, 2017 October 31, 2017	81 123	0.000395404 0.000386931		
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.74%	October 31, 2017	123	0.000386931		
(A2) (BBB) (A2) (BBB)	ME Bank ME Bank	TD TD	\$ \$	1,000,000.00	2.74% 2.73%	October 31, 2017 October 3, 2017	123 95	0.000386931 0.000385518		
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.70%	October 3, 2017	95	0.000381282		
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.68%	October 24, 2017	116	0.000378458		
(AO) (DDD)	Credit Societies Total @			1,020,453.42	1.44%	of portfolio		0.00000000	1 000 450 40	1 440/
(A2) (BBB)	People's Choice Credit Union / Australian Central Credit Union	TD	\$	1,020,453.42	2.70%	July 11, 2017	11	0.000389081 \$		1.44%
TOTAL FUNI	DS INVESTED		\$	70,813,731	100.00%	Average Days to Maturity	113	2.68% Weighted Average	1.71% BBSW 90 Day Rate	100.00%
GENERAL B	ANK FUNDS AS OF 30/6/2017		\$	3,047,976		Type of Investment		Amount	% Portfolio	
TOTAL ALL			\$	73,861,707		Term Deposit Bank Bills		\$ 70,813,730.93 \$ -	96%	
	t Investment Earnings		\$	2,355,496		Negotiable Certificate of	Deposit	\$ -	40/	
_	<u> </u>		•			CBA At Call			4%	
rear to Date	Investment Earnings		ф	2,214,404		<u> </u>		\$ 73,861,706.98	100%	

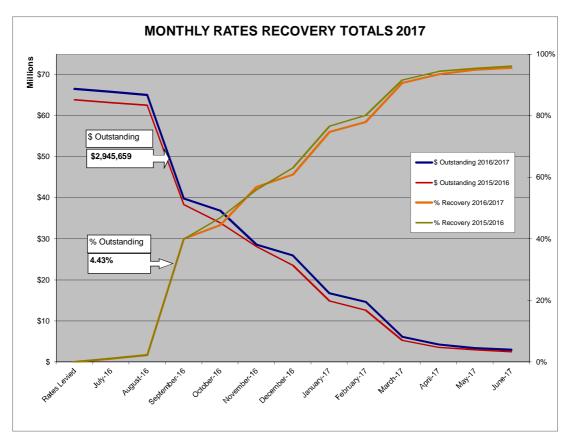


FINANCE DEPARTMENT SERVICE LEVEL REPORT TO COUNCIL FOR THE MONTH OF JUNE 2017

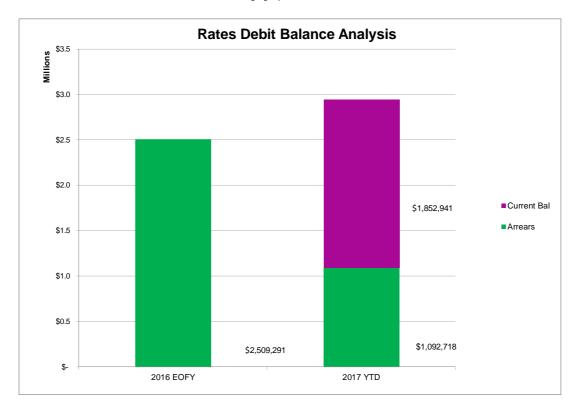




Pursuant to Local Government (Accounting) Regulations Sec 18(2)(b) the chart labelled "Accounts Receivable Outstanding Debtors" represents sundry debts owed to Council on an "aged" basis.



The chart labelled "Monthly Rates Recovery Totals" represents the amount currently outstanding in Rates to Council, rates are either due or overdue and no further "ageing" is possible.



ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.2.2

PARAP POOL REDEVELOPMENT UPDATE JULY 2017

REPORT No.: 17CL0002 AM:kl COMMON No.: 2918032 DATE: 25/07/2017

Presenter: Acting General Manager City Life, Karen Conway

Approved: Chief Executive Officer, Brendan Dowd

PURPOSE

The purpose of this report is to provide Council with a progress report on the Parap Pool Redevelopment Project.

LINK TO STRATEGIC PLAN

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

Goal

2 Vibrant, Flexible and Tropical Lifestyle

Outcome

2.3 Increased sport, recreation and leisure experiences

Key Strategies

2.3.2 Position Darwin as a host centre for local, national and international sport and other events

KEY ISSUES

- Monthly progress reports are provided to Council on this key capital project.
- Significant progress has been achieved since the last report to Council.
- Construction progress on the Parap site has reached 53% completion.
- The public art commission is progressing and artist professional development programs are being delivered to local artists.

RECOMMENDATIONS

THAT Report Number 17CL0002 AM:kl entitled Parap Pool Redevelopment Update July 2017, be received and noted.

REPORT NUMBER: 17CL0002 AM:kl

SUBJECT: PARAP POOL REDEVELOPMENT UPDATE JULY 2017

BACKGROUND

PREVIOUS DECISIONS

DECISION NO.21\5535 (27/06/17)

Parap Pool Redevelopment Progress Update Report June 2017

Report No. 17C0050 MG:kl (27/06/17) Common No. 2918032

THAT Report Number 17C0050 MG:kl entitled Parap Pool Redevelopment Progress Update Report June 2017, be received and noted.

DECISION NO. 21\4787 (07/09/16)

Parap Pool Redevelopment - Award of Tender Contract

Report No. 16TS0152 NK:jg (07/09/16) Common No. 2918032

- A. THAT Council approve the reduction of project elements as detailed in **Attachment B** of Report Number 16TS0152 NK:jg entitled Parap Pool Redevelopment Award of Tender Contract.
- B. THAT Council meet the additional funds required for the Parap Pool redevelopment by allocation of \$223,000 from the anticipated end of year surplus funds and reallocation of \$780,000 from the 2016/2017 Capital Works program as detailed in Report Number 16TS0152 NK:jg entitled Parap Pool Redevelopment Award of Tender Contract.
- C. THAT Council endorse a contingency amount of \$1,400,000 (as detailed in Report Number 16TS0152 NK:jg entitled Parap Pool Redevelopment Award of Tender Contract and that the options for funding this be considered as part of the quarterly budget review process.
- D. THAT Council, pursuant to Section 32(2)(d) of the Local Government Act 2008, hereby delegates to the Chief Executive Officer, the power to finalise and enter into a contract for the redevelopment of the Parap Pool with Sunbuild Pty Ltd as described in report Number 16TS0152 NK:jd entitled Parap Pool Redevelopment Award of Tender Contract.
- E. THAT Council approach the Northern Territory Government to assist with additional funding for the community elements and contingency.
- F. THAT the decision be moved into Open after the contract has been awarded.

REPORT NUMBER: 17CL0002 AM:kl

SUBJECT: PARAP POOL REDEVELOPMENT UPDATE JULY 2017

DECISION NO. 21\4351 (26/04/16)

<u> Parap Pool Redevelopment – Progress Report</u>

Report No. 16C0043 AM:kl (26/04/16) Common No. 2918032

B. THAT Council, pursuant to Section 32 (2) of the Local Government Act hereby delegates to the Chief Executive Officer power to finalise the funding agreement between the City of Darwin and the Northern Territory Government regarding the Parap Pool Redevelopment.

DECISION NO. 21\4069 (09/02/16)

Parap Pool Redevelopment - Master Plan

Report No. 16TS0030 LC:jw (09/02/16) Common No. 2918032

- B. THAT Council endorse the Parap Pool Redevelopment Master Plan Stage 1, being **Attachment B** to Report Number 16TS0030 LC:jw entitled Parap Pool Redevelopment Master Plan, and notes that the design and lodgement of a Development Application is proceeding.
- C. THAT Council note that the new amenities facility and the following community elements are estimated to cost \$5 million;
 - a. Children's water play area (wet activity)
 - b. Children's playground (dry activity area)
 - c. Shaded facilities to prepare and share food (community space)
 - d. Aquatic activity for children and youth (leisure water)
 - e. Outdoor shaded area for community and group exercise
- D. THAT Council not proceed with the new amenities facility and community elements unless the Northern Territory Government commits to substantially funding these components of the project.

DISCUSSION

Council's existing contract for the management of its three swimming pools concludes on 31 December 2017. Tender documentation for the new Pool Management Contract is currently being prepared with the tender expected to be issued in July 2017.

Construction has progressed through the half way mark and remains on track for an accelerated completion during the remaining seasonally dry months of 2017. Finished surfaces have begun to be delivered this month and will continue into August and September displaying the final product to any persons viewing the site.

REPORT NUMBER: 17CL0002 AM:kl

SUBJECT: PARAP POOL REDEVELOPMENT UPDATE JULY 2017

Progress in July to key elements of the project includes:

• 50m pool – tiling commenced; 15% complete;

- 25m pool tiling commenced; 75% complete;
- 50m & 25m concourse concrete pool surrounds 20% complete;
- Building A administration, amenities; roofing and internal fitout 30% complete;
- Building B pump and plant room; blockwork 80% complete;
- Building C first aid/storage room; cladding 80% complete;
- Building D swimming club room; steel framework 100% complete;
- Building E competition control room; steel framework 100% complete;

This month has seen a pronounced shift in project phase from civil/structural to finishing and fitout works. All the major foundations and structural work is approaching completion with most of the trades on site currently working on cladding, tiling, internal fitouts and detailed finished concrete works.

Dry season conditions continue to favour on-time completion of tiling and concreting works. The contractor has increased the labour resources on site as several workfronts are now available simultaneously within the projects individual buildings.

Upcoming works in the month ahead will focus on the completion of detailed concrete around the pool concourse, fitout works within the buildings and preparation for landscaping. With the increased number of personnel currently on site, resource management and logistics must be closely supervised to ensure quality and safety on site continues to achieve a high standard. The management of dust generated by activities on site and high winds is ongoing. The contractor is liaising directly with effected residents.

Public Art

Fabrication has commenced on the glass panels for the entrance sculpture, the frame for the sculpture has been completed. The concrete footings for the sculpture are planned to be installed in August to allow for curing time before the slab is poured. Installation of the sculpture is scheduled for the end of October.

As previously reported the project architect has completed artist consultation regarding façade imagery and is now working through the manufacturing and construction process with the fabrication team and contractor.

City of Darwin has implemented a professional development program for local artists in conjunction with the commissioned artist, Jill Chism. Following a masterclass on Saturday 3 June, twelve emerging artists participated in the 'Pitch Your Tent' project in Civic Park on Friday 7 July 2017. This project was featured at the opening night of the Darwin Fringe Festival with over 300 people in attendance.

REPORT NUMBER: 17CL0002 AM:kl

SUBJECT: PARAP POOL REDEVELOPMENT UPDATE JULY 2017

The professional development program also includes a continuing public art mentorship with the Darwin artist Andy Ewing and a further master class for mid-career artists. The concluding master class will be conducted on 16 September 2017 to invited participants identified by the Arts and Cultural Development Advisory Committee.

CONSULTATION PROCESS

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

- General Manager Infrastructure
- Manager, Recreation, Events and Customer Service
- Manager, Capital Works
- Senior Project Officer Capital Works
- Coordinator Arts & Cultural Development

POLICY IMPLICATIONS

City of Darwin Policy No. 046 – Recreation and Healthy Lifestyle, provides a framework for the design, development and management of facilities that support pursuits to encourage healthy lifestyles and community connectedness.

BUDGET AND RESOURCE IMPLICATIONS

INCOME		BUDGET	
CW Grant	\$ 4,480,000	Design & Supervision	\$ 960,000
CoD Matched	\$ 4,480,000	Construction	\$14,000,000
NTG	\$ 5,000,000	Approved Variations	\$ 237,500
2016/17 Capital Budget	\$ 780,000		
2016 EOY Surplus	\$ 223,000		
TOTAL	\$14,963,000	TOTAL	\$15,197,500

EXPENDITURE TO DATE	COST TO COMPLETE
\$8,562,500	\$6,635,000

^{*}All amounts are GST Exclusive

At its September 2016 meeting, Council also endorsed a contingency amount of \$1,400,000 (as detailed in Report Number 16TS0152 NK:jg entitled Parap Pool Redevelopment - Award of Tender Contract) and that the options for funding this be considered as part of the quarterly budget review process.

Project cost variations assessed and approved at \$237,500 (as detailed in Report Number 17C0050 MG:kl entitled Parap Pool Redevelopment Progress Update Report June 2017) have for the first time been included in the table above.

REPORT NUMBER: 17CL0002 AM:kl

SUBJECT: PARAP POOL REDEVELOPMENT UPDATE JULY 2017

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are a number of risks regarding the project including:

- Budget constraints;
- Timeframe for completion; and
- Community expectations.

Risks and mitigation measures are continually monitored and reviewed as the project proceeds. Decision making points for the project have been identified to ensure critical milestones are presented to Council in a timely manner for resolution in order to comply with the conditions of the Australian Government funding agreement. A further milestone report is scheduled for completion at the end of the month.

ENVIRONMENTAL IMPLICATIONS

The design for the redevelopment will take into consideration environmental measures, subject to budget availability. This will include measures for temperature control of the two water tanks, solar power, energy, water efficient devices and pool shade. These measures will assist in modifying environmental conditions for the comfort of all users and forms part of FINA compliance requirements.

The Master Plan features the retention of the established Beauty Leaf trees and sensitive landscaping throughout both the internal and external areas of the facility.

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.

KAREN CONWAY
ACTING GENERAL
MANAGER CITY LIFE

BRENDAN DOWD CHIEF EXECUTIVE OFFICER

For enquiries, please contact Anna Malgorzewicz on 8930 0633 or email: a.malgorzewicz@darwin.nt.gov.au.

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.2.3

LUDMILLA FLOOD MITIGATION UPDATE

REPORT No.: 17TS0062 NN:km COMMON No.: 1485703 DATE: 25/07/2017

Presenter: Manager Technical Services, Nadine Nilon

Approved: General Manager City Operations, Luccio Cercarelli

PURPOSE

The purpose of this report is to provide Council with a summary of the activities relating to Dwyer Park as part of the NTG Ludmilla Flood Mitigation Project.

LINK TO STRATEGIC PLAN

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

Goal

2 Vibrant, Flexible and Tropical Lifestyle

Outcome

2.4 Economic growth supported

Key Strategies

2.4.1 Deliver, advocate for, and partner in infrastructure and services that support Darwin's economic growth

KEY ISSUES

- The Ludmilla Creek Flood Mitigation project is a Northern Territory Government (NTG) project, one of the recommendations from the Flood Mitigation Advisory Committee in 2015.
- Dwyer Park is within the catchment area of Ludmilla Creek.
- The project within Dwyer Park involved creating a detention basin through a bund wall within the park that holds and diverts stormwater through to the Winnellie /Tiger Brennan Drive outfall.
- The works are designed to mitigate the risk of flooding on private property, ensuring safety and protection of public and private infrastructure.
- The treatment required to achieve the desired outcome resulted in the need for significant infrastructure works within the open space.

RECOMMENDATIONS

THAT Report Number 17TS0062 NN:km entitled Ludmilla Flood Mitigation Update, be received and noted.

REPORT NUMBER: 17TS0062 NN:km

SUBJECT: LUDMILLA FLOOD MITIGATION UPDATE

BACKGROUND

At the 2nd Ordinary Council Meeting of 30 May 2107, Council resolved as follows:

DECISION NO.21/5451 (30/05/17)

Flood Mitigation Works in Dwyer Park

Common No. 3536703

THAT a report be provided to Council regarding the flood mitigation works in Dwyer Park, The Narrows.

A presentation was made to Council by NTG on the Draft Flood Mitigation Report in June 2015, and Council endorsed a letter in response to the report.

DECISION NO.21\3412 (16/06/15)

Darwin Region Draft Flood Mitigation Report

Report No. 15TS0093 DL:jg (16/06/15) Common No. 1485703

- A. THAT Report Number 15TS0093 DL:jg entitled Darwin Region Draft Flood Mitigation Report, be received and noted.
- B. THAT Council endorse the submission in response to the Darwin Region Draft Flood Mitigation Report provided at **Attachment B**, as amended to reflect what Council is seeking with regard to trunk drainage and to include a reference to other areas not addressed by the current study, to Report Number 15TS0093 DL:jg entitled Darwin Region Draft Flood Mitigation Report.

This report summarises the works that have occurred in relation to Dwyer Park as part of the Ludmilla Flood Mitigation Project.

DISCUSSION

In late 2014, \$50 million was announced by the Northern Territory Government to go towards flood mitigation in the Darwin and Katherine region. Ludmilla Creek catchment was identified as an area for investigation.

A Darwin Flood Mitigation Advisory Committee was established in early 2015, of which \$25 million was allocated for works that they identified as being required.

Members of the Darwin Flood Advisory Committee are as follows:

- Peter Styles, Member for Sanderson (Chair)
- James Dunlevie (Rapid Creek)
- Tim Moore (Rapid Creek)
- Frank May (Palmerston)
- Bob White (The Narrows)

REPORT NUMBER: 17TS0062 NN:km

SUBJECT: LUDMILLA FLOOD MITIGATION UPDATE

Phil Breslin (Howard Springs)

- Insurance Council of Australia
- Greg Bicknell, Chamber of Commerce
- Peter McLinden, LGANT representative

The Committee released the report for public comment in May 2015 and it was finalised in July 2015. Further details, including the report, can be found here: https://dlpe.nt.gov.au/ data/assets/pdf_file/0007/268414/darwin-flood-mitigation-report.pdf

There were two recommendations made by the Committee relating to the Ludmilla Creek catchment:

Recommendation 7 - The Northern Territory Government and the Department of Defence develop a joint stormwater management plan for the Ludmilla Creek Catchment and implement appropriate mitigation measures including the construction of storm water detention basins on land owned by the Commonwealth and the Territory.

Recommendation 8 - Mitigation works for the Ludmilla catchment to the estimated value of \$7.5 million to be funded from the Flood Mitigation Fund in accordance with the Works Plan – Ludmilla Creek Catchment.

The recommendation relevant to Dwyer Park is recommendation 8.

The report provides the following in terms of risk to safety and property:

RISK TO SAFETY AND PROPERTY

There are a number of properties that experience flooding on a regular basis each wet season at the Bagot Road low point. These properties recently experienced flooding up to 1 metre during heavy rainfall on the morning of Saturday 28 February 2015. Lot 3619 is situated in the primary storm surge zone and subject to flooding as a result of the storm surge tides flowing up Ludmilla Creek. Bagot Road also floods during heavy rainfall events.

Properties on Wilmot Street and Narrows Road are also prone to flooding each wet season. On the 28 February rainfall event, these properties were contaminated with sewerage outfall from toilets, waste drains and sink drains. The Department of Education advised it had flood level debris at Ludmilla School approximately 400-600 mm deep on the outside walls, and 100-150 mm deep on the inside of up to 18 rooms, on the same event. Winnellie Shopping Centre also experienced flooding through the entry and into individual tenancies of approximately 100 mm.

	The Narrows/Ludmilla lots within extent of inundation for 1% AEP	
Lots	31	
Damage ¹ \$	\$1,640,000	

¹ Damage Estimate for a 1 in 100 event. This is not an annual average damage estimate which would also take into account probabilities of 1 in 5, 1 in 10, 1 in 20 and 1 in 50 events.

Figure 1 - Darwin Flood Mitigation Report, page 21

REPORT NUMBER: 17TS0062 NN:km

SUBJECT: LUDMILLA FLOOD MITIGATION UPDATE

The NTG then investigated the catchment further and discussed a range of measures to assist in the mitigation of flooding within the catchment. This included a range of measures that were largely on NTG land and Defence land. However, there were some measures within Council land and road reserve, being the detention Basin in Dwyer Park and upgrading the drain it discharged to along Reichardt Road to Winnellie.

The design of the works were carried out by Consultants engaged by NTG, and were undertaken in consultation with Council. This included technical signoff before works commenced.

The Dwyer Park detention design included:

- Construction of a berm approximately 1.5m high.
 - o This was required to be easily maintained by Council.
 - o CPTED principles had to be followed.
 - o A path crosses the berm (rather than going around).
 - Tree loss was inevitable (25 in total), however trees of significance were retained (three total).
- Improved swale to inlet.
 - Construction required minor regrading.
 - o Improved, safer headwall with grate structure.
 - o One tree was removed for the swale.
- New irrigation.
 - Old irrigation was removed with new irrigation going in that covers the majority of the park area.
- Playground.
 - Playground was due for an upgrade and shade structure.
 - o Old playground was removed.
 - New playground is being constructed at a level that isn't going to get inundated in a minor storm and is also accessible from the pathway.
 - NTG is contributing funds for the new playground.
 - o Council is funding what would have been allowed for with the programmed works. This results in an overall improved playground.
 - o Council is project managing the playground construction.

There were a total of 26 trees lost to enable this project to occur. Unfortunately, due to the installation of the berm and the regrading of the area, these trees could not be retained. There were some trees that were assessed as being of significance and were able to be retained through minor alterations that didn't affect the design intent of the detention basin.

New trees will be planted following the completion of the works by the NTG contractor. This will be funded by NTG and will be project managed by Council to ensure that the tree selection, placement and maintenance are to Council's standards.

The works are nearing completion with irrigation and playground works occurring now. The works are anticipated to be completed by the end of August 2017.

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SUBJECT: LUDMILLA FLOOD MITIGATION UPDATE

CONSULTATION PROCESS

The Northern Territory Government has been managing this project and has undertaken public consultation.

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

The project is being funded by the Northern Territory Government. The playground works are within Council's funded programs.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

This project was funded and managed by the Northern Territory Government. Risk assessments of the design have been completed.

ENVIRONMENTAL IMPLICATIONS

The construction of the detention basin berm resulted in the loss of 26 trees. These trees will be replaced at the completion of the civil works.

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.

NADINE NILON
MANAGER TECHNICAL
SERVICES

LUCCIO CERCARELLI GENERAL MANAGER CITY OPERATIONS

For enquiries, please contact Nadine Nilon on 8930 0417 or email: n.nilon@darwin.nt.gov.au.

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.2.4

SHOAL BAY LEACHATE DISPOSAL SYSTEM - UPDATE

REPORT No.: 17CO0008 NN:tz COMMON No.: 2702156 DATE: 25/07/2017

Presenter: Manager Technical Services, Nadine Nilon

Approved: General Manager City Operations, Luccio Cercarelli

PURPOSE

The purpose of this report is to provide an update on the progress of the Shoal Bay Leachate treatment system pilot project.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.3 Understand and manage Council's risk exposure

KEY ISSUES

- A leachate (landfill waste water) treatment system is required for Shoal Bay Waste Management Facility to treat current stored and future leachate.
- Two leachate storage basins with a 30 million litre capacity have been constructed to store leachate and these are currently 85% full.
- The Water and Carbon Group has been contracted to undertake a pilot of their leachate disposal system on site, to ensure the system meets the required treatment objectives and risks are mitigated prior to a full-scale system being implemented.
- Construction of the pilot project commenced on Tuesday 13 June 2017 and 50% of the Construction Phase is now complete.
- The Commissioning Phase is aimed to commence in mid-August 2017, with the Operations Phase commencing in September and continuing through to March 2018.

REPORT NUMBER: 17CO0008 NN:tz

SUBJECT: SHOAL BAY LEACHATE DISPOSAL SYSTEM - UPDATE

RECOMMENDATIONS

THAT Report Number 17CO0008 NN:tz entitled Shoal Bay Leachate Disposal System - Update, be received and noted.

BACKGROUND

Council has identified that a new leachate treatment system with a large capacity is required to dispose of both the existing and future leachate volumes over the life of the landfill. A system to treat and manage leachate is current practice across a number of landfill sites in Australia and is in line with expectations from the Northern Territory Environment Protection Authority (NT EPA), in order to continue functioning as a sustainable and environmentally conscious site.

It is estimated that up to 100 megalitres of leachate is stored within the current cells and requires removal. In addition it is estimated that 10 to 30 megalitres of new leachate is generated every year from normal operations and rainfall. The main contaminant of the leachate is ammonia.

A staged procurement process was undertaken to ensure that the process and contractor selected was appropriate for Darwin's environment and the Shoal Bay landfill leachate.

The Water and Carbon Group was selected as the contractor for the leachate treatment system. A pilot project for the system was also determined as being required to ensure the final system is designed in the most cost effective way and can achieve the desired outcomes.

DISCUSSION

Construction of the pilot project commenced on site at Shoal Bay Waste Management Facility on Tuesday 13 June 2017. The project is on schedule with construction works estimated to be complete by mid-August 2017, which will be followed by the Commissioning Phase. The Operations Phase is estimated to commence early September 2017.

Tasks that have been undertaken so far include:

- Preliminary site works, with surveys and equipment delivery
- Earthworks
- Site office installation
- Site shed construction
- Placement of process tanks and tubs

Remaining tasks to be undertaken include:

- Installation of pipework, pumps and tanks
- Electrical, plumbing and drainage works

REPORT NUMBER: 17CO0008 NN:tz

SUBJECT: SHOAL BAY LEACHATE DISPOSAL SYSTEM - UPDATE

• Irrigation works (ongoing)

When the pilot project is commissioned, the system will enable detailed assessments and bench-scale trials to refine the performance and reduce costs of the full system. Some on-site progress images have been included below:



Image 1: Construction of the site shed which will house the process tanks



Image 2: Overview of the site footprint including the office, shed and wetland tubs

REPORT NUMBER: 17CO0008 NN:tz

SUBJECT: SHOAL BAY LEACHATE DISPOSAL SYSTEM - UPDATE



Image 3: Constructed wetland tubs

CONSULTATION PROCESS

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

- Project Officer Capital Works
- Waste Management Coordinator

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

The Water and Carbon Group

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

The construction and operation of the pilot project is within the approved 2017/2018 budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are risks associated with the treatment process that may result in failure or underperformance during the nominated operations period. To minimise these risks, operational targets were negotiated into the contract. The benefit of running a pilot system will allow a number of these risks to be actualised in order to minimise the

REPORT NUMBER: 17CO0008 NN:tz

SUBJECT: SHOAL BAY LEACHATE DISPOSAL SYSTEM - UPDATE

likelihood during full-scale implementation. If the pilot project was deemed unsuccessful and the full scale system wasn't implemented, Council would need to reconsider its way forward and a new tender process would occur. If required, this would be a shorter process as Council now has a greater understanding of the options available.

ENVIRONMENTAL IMPLICATIONS

The leachate treatment system is designed to meet and improve environmental outcomes of the site now and into the foreseeable future.

Council are working alongside the Northern Territory Environmental Protection Authority (NTEPA) through the construction and operation of the pilot project to ensure adequate consultation prior to submission of an environmental approval to construct the full-scale system.

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.

NADINE NILON
MANAGER TECHNICAL
SERVICES

LUCCIO CERCARELLI GENERAL MANAGER CITY OPERATIONS

For enquiries, please contact Emma Lewis on 8930 0529 or email: e.lewis@darwin.nt.gov.au.

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/17

17. TOWN PLANNING REPORT/LETTERS

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 17.1

COUNCIL RESPONSES TO PLANNING APPLICATIONS - JULY 2017

REPORT No.: 17CF0002 DB:hd COMMON No.: 2547669 DATE: 25/07/2017

Presenter: Manager City Planning, Cindy Robson

Approved: General Manager City Futures, Gerard Rosse

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Planning Applications exhibited between 1 July and 14 July 2017.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

- 1.4 Improved relations with all levels of government and significant stakeholders **Key Strategies**
- 1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- A summary of City of Darwin responses to the Development Consent Authority for Development Applications exhibited between 1 July and 14 July 2017 is provided.
- A comparison of Council responses for Planning-related Development Applications and the Development Consent Authority outcomes is included.

REPORT NUMBER: 17CF0002 DB:hd

SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - JULY 2017

RECOMMENDATIONS

A. THAT Report Number 17CF0002 DB:hd entitled Council Responses to Planning Applications - July 2017, be received and noted.

- B. THAT Council endorse the responses to the Development Consent Authority within **Attachments A** and **B** to Report Number 17CF0002 DB:hd entitled Council Responses to Planning Applications- July 2017.
- C. THAT the cross-reference table of the Development Consent Authority outcomes at **Attachment C** to Report Number 17CF0002 DB:hd entitled Council Responses to Planning Applications - July 2017, be received and noted.

BACKGROUND

City of Darwin responded to 4 Development Applications exhibited between 1 July and 14 July 2017.

DISCUSSION

Development Applications

Of the 4 Development Applications City of Darwin officers recommend supporting all applications either subject to normal or specific conditions.

Development Applications supported, subject to normal Council conditions

The table below describes the Development Applications that are supported by City of Darwin officers, subject to Council's normal Development Permit conditions in regard to issues including, but not necessarily limited to, waste collection, access and stormwater drainage.

Responses to these Development Applications are provided as **Attachment A** to this report.

Property Address	Description of Development Proposal
Lot 6052 - Hundred of Bagot	Unit title schemes subdivision to create 8 units and common property
21 Mel Road, Berrimah	(Storage units)

REPORT NUMBER: 17CF0002 DB:hd

SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - JULY 2017

Property Address	Description of Development Proposal
Lot 1770 - Town of Sanderson 85 Curlew Circuit, Wulagi	Carport addition to an existing single dwelling with reduced front and side setbacks
	(Required minimum front setback 4.5m, proposed 1m and required side setback of 1.5m, proposed 300mm)

Development Applications supported subject to specific matters being adequately resolved:

The table below describes the Development Applications that are supported by City of Darwin officers subject to the following specific matters being adequately resolved.

Responses to these Development Applications are provided as **Attachment B** to this report.

Property Address	Description of Development Proposal	Specific Matters
Lot 2084 - Town	3x1 and 3x2 bedroom	Provision of landscaping plan for
of Darwin	multiple dwellings in a two storey building	road reserve.
29 Eden Street,		Either reduction in residential
Stuart Park		density or increased provision of car parking.
Lot 2040 -	Addition to an Existing	Provision of a schematic
Town of Nightcliff	Single Dwelling with a reduced front setback	landscaping plan demonstrating existing and proposed vegetation
24 Wellington		within the site.
Parade, Alawa	(required 4m, proposed	
	3.7m)	

Cross Reference Table

A comparison of Council letter responses and the Development Consent Authority outcomes for the hearing held on Friday 7 July 2017 is provided in **Attachment C**.

CONSULTATION PROCESS

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

- Manager City Planning
- Town Planner
- Administration Officer Planning

REPORT NUMBER: 17CF0002 DB:hd

SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - JULY 2017

POLICY IMPLICATIONS

Relevant Council policies are noted in individual letter responses.

BUDGET AND RESOURCE IMPLICATIONS

Budget implications may arise from individual development applications, including payment in lieu of car parking, payment of various contribution plans, and long term upgrading of infrastructure and services as a result of accumulative development.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Risks, legal and legislative implications, if applicable, are noted in individual letter responses.

ENVIRONMENTAL IMPLICATIONS

Environmental implications, if applicable, are noted in individual letter responses.

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.

CINDY ROBSON MANAGER CITY PLANNING

GERARD ROSSE
GENERAL MANAGER CITY FUTURES

For enquiries, please contact David Burrow on 8930 0412 or email: d.burrow@darwin.nt.gov.au.

Attachments:

Attachment A: Letters of support, subject to normal Council conditions, for

Development Applications not yet considered by the Development

Consent Authority

Attachment B: Letters of conditional support to Development Applications not yet

considered by the Development Consent Authority.

Attachment C: Cross reference table of City of Darwin responses and the

Development Consent Authority outcomes.

TTACHMENT A



Civic Centre Harry Chan Avenue GPO Box 84 Darwin NT 0801

Darwin NT 0800 E darwin@darwin.nt.gov.au F 08 8930 0311

P 08 8930 0300

7 July 2017

Please quote: 3563200 CR:hd Your reference: PA2017/0297

Mr Tony Brennan Acting Manager Urban Planning Department of Infrastructure, Planning & Logistics **GPO Box 1680** DARWIN NT 0801

Dear Mr Brennan

Parcel Description: Lot 6052 - Hundred of Bagot

21 Mel Road, Berrimah

Proposed Development: Unit title schemes subdivision to create 8 units

and common property

Thank you for the Development Application referred to this office 22 June 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

No issues are raised for this Development Application in relation to matters that fall within the responsibility of City of Darwin.

In considering this application, the Development Consent Authority is requested to take into account any implications of the Disability Discrimination Act (Cth) or the Anti-Discrimination Act (NT) with regard to access for the disabled.

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

Yours faithfully

CINDY ROBSON

MANAGER CITY PLANNING



Civic Centre Harry Chan Avenue GPO Box 84 Darwin NT 0801 Darwin NT 0800

E darwin@darwin.nt.gov.au

P 08 8930 0300 F 08 8930 0311

13 July 2017

Please quote: 3567843 DB:hd Your reference: PA2017/0303

Mr Tony Brennan Acting Manager Urban Planning Department of Infrastructure, Planning & Logistics **GPO Box 1680** DARWIN NT 0801

Dear Mr Brennan

Parcel Description: Lot 1770 - Town of Sanderson

85 Curlew Circuit, Wulagi

Proposed Development: Carport addition to an existing single dwelling

with reduced front and side setbacks

Thank you for the Development Application referred to this office 29 June 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

City of Darwin does not object to the granting of a Development Permit.

City of Darwin requests that should a Development Permit be issued, that the following be provided as a condition precedent:

- A dilapidation report covering infrastructure within the road reserve to the satisfaction and at no cost to City of Darwin.
- b). City of Darwin requests that the Authority require a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to City of Darwin's stormwater drainage system. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to City of Darwin's drainage network.
 - The plan shall include details of site levels and City of Darwin's 1). stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to City of Darwin's system.

2). City of Darwin requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into City of Darwin's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

Should this application be approved, the following conditions pursuant to the *Planning Act* and City of Darwin's responsibilities under the *Local Government Act* are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction
 of City of Darwin. No fence or tree exceeding 0.6 metres in height shall be
 planted in front of the sight line.
- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.
- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.

In considering this application, the Development Consent Authority is requested to take into account any implications of the *Disability Discrimination Act* (Cth) or the *Anti-Discrimination Act* (NT) with regard to access for the disabled.

If you require any further discussion in relation to this application, please feel free to contact me on 8930 0412.

Yours faithfully

DAVID BURROW

ACTING MANAGER CITY PLANNING



ATTACHMENT B¹⁶²

Civic Centre Harry Chan Avenue Darwin NT 0800

E darwin@darwin.nt.gov.au

P 08 8930 0300 F 08 8930 0311

7 July 2017

Please quote: 3562689 DB:hd Your reference: PA2017/0270

Mr Tony Brennan
Acting Manager Urban Planning
Department of Infrastructure, Planning & Logistics
GPO Box 1680
DARWIN NT 0801

Dear Mr Brennan

Parcel Description: Lot 2084 - Town of Darwin

29 Eden Street, Stuart Park

Proposed Development: 3 x 1 and 3 x 2 bedroom multiple dwellings in a 2

storey building

Thank you for the Development Application referred to this office 22 June 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

- i). City of Darwin does not object to the granting of a Development Permit subject to the following concerns being addressed:
 - a). It is noted that two existing trees are located directly adjacent the subject land within the road verge. City of Darwin considers the landscaping within the road verge to be essential in ensuring that the proposed development is compatible with the locality, pursuant to sub clause 3(c) Clause 6.12 of the Northern Territory Planning Scheme (NTPS).

Subsequently, City of Darwin requires the applicant to provide a landscaping plan of the road reserve in accordance with Council's policies demonstrating that the two existing trees are maintained or suitably replaced, subject to approval from City of Darwin.

Council's policies can be found on the City of Darwin website; https://www.darwin.nt.gov.au/council/about-council/publications-and-forms.

b). Table A to Clauses 7.1.1 of the NTPS specifies the maximum residential density as one dwelling per 300 square metres. The allotment has a total area of 1110 square metres which allows for a maximum of 3.7 dwellings on the allotment.

It is noted that the provision of four dwellings within this allotment would be consistent with the adjoining allotment to the east. However, the six dwellings proposed within this Development Application are a significant variance to Table A to Clause 7.1.1.

City of Darwin supports a variety of housing types within its municipality to better provide for the needs of the community. It is noted that the applicant has provided six disabled car parking spaces inferring that the accommodation could cater to those with reduced mobility.

In addition, Table to Clauses 6.5.1 of the NTPS specifies the minimum number of car parking spaces required for this use as two per dwelling. The proposal provides a total of nine car parking spaces for six dwellings resulting in a shortfall of three car parking spaces.

City of Darwin may support the proposed development if either residential density is decreased to better accord with Table A to Clause 7.1.1 or the provision of car parking is increased to better accord with Table to Clause 6.5.1 of the NTPS.

- ii). City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:
 - a). A dilapidation report covering infrastructure within the road reserve to the satisfaction and at no cost to City of Darwin.
 - b). The crossover and driveway shall meet City of Darwin requirements.
 - c). Landscape Plan
 City of Darwin requests a landscape plan identifying any existing
 and proposed vegetation for the area between the allotment
 boundary and the kerb.
 - d). Stormwater City of Darwin requests that the Authority require a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to City of Darwin's stormwater drainage system. The applicant's plans fail to demonstrate how on-site

system. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to City of Darwin's drainage network.

.../3

- The plan shall include details of site levels and City of Darwin's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to City of Darwin's system.
- 2). City of Darwin requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into City of Darwin's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

e). Waste

City of Darwin requests that the Authority require a Waste Management Plan demonstrating waste disposal, storage and removal in accordance with City of Darwin's Waste Management Policy 054.

The applicant's plans fail to demonstrate adequate waste management, this includes:

- any access gates to the bin enclosure not being locked,
- there shall be no step between the bin enclosure and the collection area to allow for ease of access,
- the bin enclosure shall include a hose and wash down area with a drain connected to City of Darwin's stormwater system, and
- an unimpeded concrete access path to the bin enclosure from the development.

A copy of City of Darwin's Waste Management Policy 054 may be viewed on City of Darwin's website or by contacting City of Darwin.

f). Site Construction

City of Darwin requests that an Environmental and Construction Management Plan (ECMP) be required.

The ECMP should specifically address the following:

- waste management,
- traffic control,
- haulage routes,
- storm water drainage,
- use of City of Darwin land, and
- how this land will be managed during the construction phase;

to the satisfaction of City of Darwin.

Note: Sediment control measures are to be established and maintained, to prevent silt and sediment escaping the site or producing erosion.

.../4

Building rubbish or debris must not be placed, or be permitted to be placed, on any adjoining public reserve, footway, road or private land, without first obtaining a works approval from City of Darwin.

iii). Should the above issues be adequately addressed, City of Darwin offers the following comments:

<u>City of Darwin comments on issues for which it is the sole responsible authority,</u> under the Local Government Act and associated By-Laws:-

a). Street Trees, Verge Plantings and Footpaths

The proposal requires plantings, new concrete footpaths and other works within City of Darwin verges, along Eden Street. Verge plantings, footpaths and all other works are required to be upgraded in accordance with City of Darwin policies and are subject to a separate approval from City of Darwin. City of Darwin requests that the applicant first seek all required approvals from City of Darwin for any proposed works within the road reserve.

b). Building Identification

In accordance with City of Darwin By-Laws, prior to occupation, the applicant shall ensure that a building number is displayed in a position clearly visible from the street. The number must be visible against the background on which it is placed, to the satisfaction and at no cost to City of Darwin.

City of Darwin comments in relation to the Planning Act, the Northern Territory Planning Scheme and Land Use Objectives:-

a). City of Darwin requests that the Authority require a monetary contribution is paid to City of Darwin in accordance with its Stormwater Contribution Plan to upgrade stormwater infrastructure as a result of this development. The site falls within the Developer Contributions Plan for Stormwater Drainage – Stuart Park CP 2014/2 SWD – Policy Area B. The applicant will be required to pay City of Darwin a contribution towards stormwater drainage works in accordance with the above plan.

Should this application be approved, the following conditions pursuant to the *Planning Act* and City of Darwin's responsibilities under the *Local Government Act* are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

 All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.

.../5

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of City of Darwin.
- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided, stormwater shall be collected and discharged into City of Darwin's drainage network, and reinstatement works carried out, all of which is to be provided at the applicant's expense and to the requirements and satisfaction of City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5 metres from the face of the kerb line of the adjoining public road.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- Pursuant to clause 6.5.2 of the Northern Territory Planning Scheme and s.70(5) of the *Planning Act* a monetary contribution shall be paid to City of Darwin for any determined parking shortfall.
- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.

In considering this application, the Development Consent Authority is requested to take into account any implications of the *Disability Discrimination Act* (Cth) or the *Anti-Discrimination Act* (NT) with regard to access for the disabled.

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

Yours faithfully

CINDY ROBSON

MANAGER CITY PLANNING



Civic Centre Harry Chan Avenue GPO Box 84 Darwin NT 0801 P 08 8930 0300 Darwin NT 0800

E darwin@darwin.nt.gov.au

F 08 8930 0311

13 July 2017

Please quote: 3568745 DB:hd Your reference: PA2017/0296

Mr Tony Brennan Acting Manager Urban Planning Department of Infrastructure, Planning & Logistics **GPO Box 1680** DARWIN NT 0801

Dear Mr Brennan

Parcel Description: Lot 2040 - Town of Nightcliff

24 Wellington Parade, Alawa

Proposed Development: Addition to an existing single dwelling with a

reduced front setback

Thank you for the Development Application referred to this office 30 June 2017, concerning the above. It is noted that this Development Application is similar to the previously approved Development Application PA2017/0087, with an additional decrease in setback of approximately 330 millimetres. Subsequently, the following response will be similar to that provided by Council's response to Development Application PA2017/0087.

This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

- i). City of Darwin does not object to the granting of a Development Permit, provided a condition, to the satisfaction of the Consent Authority, requiring a schematic landscaping plan demonstrating existing and proposed vegetation within the site, forms part of the Development Permit. The applicant's plans fail to demonstrate details regarding quantity, placement or location of any vegetation on-site or within Council's road reserve.
- Should the above issues be adequately addressed, City of Darwin ii). offers the following comments:

City of Darwin comments on issues for which it is the sole responsible authority, under the Local Government Act and associated By-Laws:-

- a). City of Darwin requests that the Authority require a schematic plan demonstrating that stormwater run-off is capable of being discharged across the lot surface to the main drainage system or to an approved alternate connection. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged to City of Darwin's drainage network.
 - City of Darwin stormwater discharge guidelines do not allow concentrated discharge of stormwater from a single dwelling lot to adjoining properties or the road reserve. All stormwater is to be piped or dispersed via sheet flow to the road reserve.

b). Street Trees, Verge Plantings and Footpaths

A previous site visit has confirmed considerable landscaping to the City of Darwin verge adjacent the subject site. City of Darwin requests that the applicant obtain approvals from City of Darwin for any further works within the road reserve.

Upon recent inspection of the property on 10 July 2017 it was noted that vegetation had been removed within Council's road reserve without obtaining any permit to do so. It is an offence for a person, without a permit, in a public place to interfere with or damage a tree, plant, garden or grass strip, pursuant to City of Darwin By-laws.

c). Protection of Street Trees

All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of City of Darwin.

Upon recent inspection of the property on 10 July 2017 it was noted that vegetation had been removed within Council's road reserve without obtaining any permit to do so. It is an offence for a person, without a permit, in a public place to interfere with or damage a tree, plant, garden or grass strip, pursuant to City of Darwin By-laws.

Should this application be approved, the following conditions pursuant to the *Planning Act* and City of Darwin's responsibilities under the *Local Government Act* are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

 Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.

- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.
- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.

In considering this application, the Development Consent Authority is requested to take into account any implications of the *Disability Discrimination Act* (Cth) or the *Anti-Discrimination Act* (NT) with regard to access for the disabled.

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

Yours faithfully

DAVID BURROW

ACTING MANAGER CITY PLANNING

CROSS REFERENCE SHEET – Meeting – Friday 7 July 2017

ATTACHMENT C¹⁷¹

Note: City of Darwin requested precedent conditions have been included in each Development Permit.

DCA ITEM NUMBER & SUBJECT DESCRIPTION	SUMMARY OF ISSUES	DEVELOPMENT CONSENT AUTHORITY RESPONSE
ITEM 1 PA2017/0220 Lot 9731 (105) Rocklands Drive, Tiwi Town of Nightcliff	Alterations and additions to an existing hospital (Alan Walker Cancer Care Centre) City of Darwin raised no issues in relation to this Development Application	the application and issued a Development Permit
DCA ITEM NUMBER & SUBJECT DESCRIPTION	SUMMARY OF ISSUES	DEVELOPMENT CONSENT AUTHORITY RESPONSE
ITEM 2 PA2017/0063 Lot 1211 (13) Lambell Terrace, Larrakeyah Town of Darwin	3 single dwellings in 3 single storey buildings City of Darwin strongly objected to the granting of a Development Permit for the following reasons: Reduced front setback Reduced private open space Lack of detail in the Landscaping Plan Limited information in regard to adequate sightlines for pedestrians, cyclists and vehicles in regard to the proposed crossovers.	 Relevant Conditions Precedent: A landscape plan must be submitted to and approved by the consent authority including a planting schedule A traffic engineers' assessment report detailing

DCA ITEM NUMBER & SUBJECT DESCRIPTION	SUMMARY OF ISSUES	DEVELOPMENT CONSENT AUTHORITY RESPONSE
ITEM 3 PA2017/0572 Lot 7820 (4) Blake Street, The Gardens Town of Darwin	Reconsideration of: 24 x 1, 54 x 2, 37 x 3 bedroom multiple dwellings, a caretakers residence and ground level commercial tenancies in a seven storey building (comprising two towers) plus one level of basement car parking City of Darwin strongly objected to the granting of a Development Permit due to the following reasons: Residential setbacks Private Open Space Traffic Impact Assessment On-street car parking	The Development Consent Authority issued a Notice of Determination

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 17.2

ANNUAL ADJUSTMENT TO CENTRAL BUSINESS ZONE CAR PARKING CONTRIBUTION

REPORT No.: 17CF0006 DB:hd COMMON No.: 428253 DATE: 25/07/2017

Presenter: Manager City Planning, Cindy Robson

Approved: General Manager City Futures, Gerard Rosse

PURPOSE

The purpose of this report is to seek Council endorsement of the annual adjustment to the financial contribution required for any car parking shortfall in accordance with the Car Parking Contribution Plan Central Business Zone (the Plan).

LINK TO STRATEGIC PLAN

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

Goal

2 Vibrant, Flexible and Tropical Lifestyle

Outcome

2.1 Improved access and connectivity

Key Strategies

2.1.4 Provide parking facilities to meet community needs

KEY ISSUES

- Under Section 5.2 Adjustment of Contributions of the Plan, Council may make annual adjustment to the contribution rate;
- The contribution rate applicable from 1 July 2017 will decrease from \$24,105 per shortfall bay to \$23,262 per shortfall bay (GST inclusive).

RECOMMENDATIONS

- A. THAT Report Number 17CF0006 DB:hd entitled Annual Adjustment to Central Business Zone Car Parking Contribution, be received and noted.
- B. THAT Council approve the adjustment of the financial contribution rate per shortfall bay in the Car Parking Contribution Plan Central Business Zone (May 2007) from \$24,105 per shortfall bay to \$23,262 per shortfall bay (GST inclusive) to apply from 1 July 2017, in accordance with Section 5.2 Adjustment of Contributions of the Plan.

REPORT NUMBER: 17CF0006 DB:hd

SUBJECT: ANNUAL ADJUSTMENT TO CENTRAL BUSINESS ZONE CAR PARKING

CONTRIBUTION

BACKGROUND

The Plan was adopted by Council and Gazetted on 15 August 2007.

The financial contribution for a car parking shortfall within the CBD of Darwin can be adjusted annually. Council has, in the past, chosen to adjust the rate annually to reflect increasing costs in the provision of parking.

The annual adjustments are calculated as per the discussion bellow. In this instance the adjustment will show a decrease in costs primarily due to a registered decrease in Darwin Central Business Zone land value over the 12 months prior to the adjustment date.

DISCUSSION

Section 5.2 Adjustment of Contributions of the Plan reads as follows:

"For the purposes of the formula in paragraph 5.1 "CC" will be adjusted annually on the 1st of July each year ("the Adjustment Date") in accordance with the following formula:

 $CC = CC1 \times [1.0 + [(Z/100 + L/100)/2)]$

Where:

CC is the adjusted contribution rate payable as and from the Adjustment Date.

CC1 is the contribution rate payable immediately prior to the Adjustment Date.

Z = the percentage increase in construction cost in Darwin over the 12 months immediately prior to the Adjustment Date (as determined by a suitably qualified local Quantity Surveyor); and

L = the percentage increase/decrease in Darwin Central Business Zone land value over the 12 months immediately prior to the Adjustment Date (as determined by the Valuer General)."

* Note: The term contribution rate (CC) as provided in the Plan refers to the estimated cost to construct a single multi-storey car parking bay in the Darwin Central Business Zone.

The actual contribution per shortfall bay payable by Developers is CC/2 (refer to Section 5.1 Formula for Calculating Contribution of the Plan, assuming SFB or CB equal 1.0).

REPORT NUMBER: 17CF0006 DB:hd

SUBJECT: ANNUAL ADJUSTMENT TO CENTRAL BUSINESS ZONE CAR PARKING

CONTRIBUTION

In accordance with the Plan, the percentage increase for construction cost over the 12 months prior to 1 July 2017 was obtained through the services of a suitably qualified local Quantity Surveyor (Rider Levett Bucknall). The figure obtained was 0.5%. A copy of the advice is included as **Attachment A** of this report.

The percentage decrease in fringe Darwin Central Business Zone land value (as determined by the Valuer – General) over the 12 months prior to 1 July 2017 was -7.5%. A copy of the advice received is included as **Attachment B** of this report.

** Note: The term *fringe CBD* is used widely within Council's Parking Strategy for Darwin Central Business District. Consequently it is deemed appropriate to base the land value increases on fringe Central Business Zone areas which are likely the areas in which Council would acquire land to construct future car parking facilities.

With consideration to the above figures the adjusted contribution rate from 1 July 2017 in accordance with the Plan would be:

$$CC = $48,210 \times [1.0 + [(0.5/100 + (-7.5)/100)/2)]$$
$$= $46,523$$

Consequently, the financial contribution payable per car parking shortfall bay would be:

```
CC/2 = $23,262 \text{ per bay.}
```

The Development Consent Authority and Property Council of Australia Northern Terrtory Division will be informed in writing of the adjusted Central Business Zone Parking Contribution Rate.

A notice of the adjusted contribution rate will also be gazetted and the change advertised in the NT News and on City of Darwin's website. The adjusted contribution rate will be applicable from 1 July 2017.

CONSULTATION PROCESS

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

- Office of the Valuer-General (Northern Territory)
- Rider Levett Bucknall

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Refer to the Discussion section of this report.

REPORT NUMBER: 17CF0006 DB:hd

SUBJECT: ANNUAL ADJUSTMENT TO CENTRAL BUSINESS ZONE CAR PARKING

CONTRIBUTION

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The Car Parking Contribution Plan Central Business Zone has been in place from the date of Gazettal on 15 August 2007.

Section 5.2 Adjustment of Contributions of the Plan allows for annual adjustments of the Contribution Rate on the 1st of July each year in accordance with a formula based on percentage increase/decrease in fringe Central Business Zone land value and percentage increase in construction cost of the 12 months immediately prior to the adjustment date.

ENVIRONMENTAL IMPLICATIONS

Not assessed.

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.

CINDY ROBSON MANAGER CITY PLANNING

GERARD ROSSE GENERAL MANAGER CITY FUTURES

For enquiries, please contact David Burrow on 8930 0412 or email: d.burrow@darwin.nt.gov.au.

Attachments:

Attachment A: Advice on percentage increase in construction cost from 1 July

2016 to 30 June 2017 - Rider Levett Bucknall.

Attachment B: Advice on percentage increase/decrease in fringe Darwin Central

Business Zone land values from 1 July 2016 to 30 June 2017 -

Office of the Valuer-General (Northern Territory).

Rider Levett Bucknail NT Pty Ltd ABN 52 009 634 128 Level 4, 62 Cavenagh Street Darwin NT 0800

GPO Box 3423, Darwin NT 0801

Tel: +61 8 8941 2262

Fax: +61 8 8941 2572 Email: darwin@au rib.com

Australia

RLB | Rider Levett Bucknall

M: 0427 727 619

E: paul.lassemillante@au.rlb.com

J11578

22 June 2017

City of Darwin Harry Chan Avenue DARWIN NT 0800

ATTENTION: MR DROSSO LELEKIS

Dear Drosso,

Darwin Construction Prices

Please be advised that we expect construction prices in Darwin to have increased by a an estimated negligible 0.5% over the period 1 July 2016 and 30 June 2017. There have been incidences of lower prices due to market pressures by contractors targeting some particular projects but we need to discount these and look at the underlying price movements which we estimate as advised.

Trusting this satisfies your current requirements, please feel free to contact us should you have any gueries or require any further information.

Yours sincerely.

Paul Lassemillante

Director

PERCENTAGE GROWTH IN DARWIN FRINGE CENTRAL BUSINESS ZONE LAND VALUE 1 JULY 2016 – 30 JUNE 2017

With respect of the request for a single % value movement in the fringe CBD land values we note that there is a distinct lack of land sales in the area over this period with only 7 Shepherd Street selling in the 'fringe' area in the past 12 months and this was closer to the base date than the review date. There are also no paired sales to provide a definitive reduction over this period. Accordingly, we have had to rely on broader market indicators.

Given that much of the growth in land values within the CBD over the past 5-10 years has been underpinned by the residential sector and specifically the development of high rise apartment complexes, we have had strong regard to this sector which has shown strong value deterioration over the past 12 months.

According to CoreLogic's Home Value Index tables, Darwin (greater region) unit prices dropped 13% year on year as opposed to a more modest reduction of 8% for all houses and units. While these statistics relate to the whole of Darwin (local government area) we note that there is a high concentration of residential unit developments and development sites (many with approval for residential developments) in the fringe CBD.

Furthermore, the Property Council of Australia's Office Market Report showed Darwin's office vacancy rates had risen 1.8% to an unprecedented high of 22.5% in the year to January 2017. It is noted that the hardest hit was the 'A' grade space which could be expected in core CBD, however all office grades are reportedly above 15%. Darwin's office vacancy rates are the highest in Australia.

In the absence of any compelling sales, all economic indicators support a strong reduction in values across both core and fringe CBD. Some data suggests value reductions are increasing. Overall we consider a reduction in the order of 5% to 10% would apply to land values in the fringe CBD area and recommend adopting a midpoint of 7.5% reduction.

We trust this meets your current requirements however should you have any queries please contact us.

Kind regards

Richard Langshaw Valuer-General Land Services Division Department of Infrastructure, Planning and Logistics Northern Territory Government ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 17.3

ALTERATIONS AND ADDITIONS TO AN EXISTING RESTAURANT PA2017/0326 - LOT 5775 (152) ALEC FONG LIM DRIVE, EAST POINT

REPORT No.: 17CF0005 DB:hd COMMON No.: 3573146 DATE: 25/07/2017

Presenter: Manager City Planning, Cindy Robson

Approved: General Manager City Futures, Gerard Rosse

PURPOSE

The purpose of this report is to refer to Council for endorsement of the response, Pursuant to Section 48 of the *Planning Act*, the following development application: Lot 5775 (152) Alec Fong Lim Drive, East Point PA2017/0326.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

- 1.4 Improved relations with all levels of government and significant stakeholders **Key Strategies**
- 1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- The Development Application proposes alterations and additions to an existing restaurant, herein referred to as Pee Wee's at the Point.
- The subject land is located within East Point Reserve and within the historic site referred to as Pee Wee Camp.
- A portion of the subject land is located within the Primary and Secondary Storm Surge Areas.
- The proposal will increase its requirements for car parking by an additional 10 car parking spaces. The proposal will require 52 car parking spaces in total and currently provides 25 car parking spaces within the subject site.
- The proponent argues that parking spaces within 250 metres of the subject land, within road reserve also under Council's ownership will be utilised for the use.

REPORT NUMBER: 17CF0005 DB:hd

SUBJECT: ALTERATIONS AND ADDITIONS TO AN EXISTING RESTAURANT

PA2017/0326 - LOT 5775 (152) ALEC FONG LIM DRIVE, EAST POINT

RECOMMENDATIONS

A. THAT Report Number 17CF0005 DB:hd entitled Alterations and Additions to an Existing Restaurant PA2017/0326 - Lot 5775 (152) Alec Fong Lim Drive, East Point be received and noted.

B. THAT Council endorse the submission, dated 21 July 2017, to the Development Assessment Services within **Attachment A** to Report Number 17CF0005 DB:hd entitled Alterations and Additions to an Existing Restaurant PA2017/0326 - Lot 5775 (152) Alec Fong Lim Drive, East Point.

BACKGROUND

The subject site is identified as the leased portion of allotment 5775 Alec Fong Lim Drive, East Point. The allotment is referred to as East Point Reserve and the proposed development will occur as alterations and additions to a restaurant referred to as Pee Wee's at the Point.

East Point Reserve is wholly owned by City of Darwin and is popular for its recreational activities, biodiversity, heritage and unique sea views. East Point Reserve was previously used for military activities and contains a number of structures of historic value. Development Permit DP96/0453 to create one lot for lease over 12 years was issued on 21 August 1996. Development Permit DP96/0511 for a restaurant was issued on 4 September 1996. The lease has been consistently extended to date and will require renewal on 31 August 2017.

Pee Wee's at the Point is located within the leased portion of East Point Reserve on the southern side of Alec Fong Lim Drive with exclusive views of Fannie Bay. Pee Wee's at the Point is named after the Pee Wee Camp developed on the site during WWII to accommodate construction workers employed by the Public Works Council working on the gun turrets at East Point. The restaurant is nestled above the cliffs next to the structure referred to as Sidney Williams Hut.

City of Darwin consented to the applicants request to apply for a Development Application within the lease area on 30 June 2017. The following restoration was intended with the lodgement on site; "Council at this stage reserves the right as landowner to vary, amend or restrict any application for development within Lot 5775 Town of Darwin."

DISCUSSION

Proposal

The Development Application documents can be found within **Attachment B**. The proposed development involves:

 An entry structure to provide cover for the existing paved path. The paved path is at the entrance to Pee Wees at the Point connecting the restaurant to the

REPORT NUMBER: 17CF0005 DB:hd

SUBJECT: ALTERATIONS AND ADDITIONS TO AN EXISTING RESTAURANT

PA2017/0326 - LOT 5775 (152) ALEC FONG LIM DRIVE, EAST POINT

main car park and runs past the Sidney Williams Hut. The entry structure will be approximately 30 metres long, 5 metres wide and a maximum of 5 metres above ground level in the form of 5 skillion rooves;

- Expansion to the bar area (internal works);
- Expansion to existing restaurant area and verandah, requiring the removal of the existing deck, steps and associated structures to be replaced by the larger structure; and
- Landscaping in order to provide terracing, paving and stage platform, next to existing heritage slab, to be used in conjunction with the grassed areas for outdoor functions.

The proposed development will increase the total floor area of Pee Wee's at the Point from 712 square metres to 868 square metres with an overall increase of 156 square metres in built form. The applicant has noted that the expansion of the built form will reduce the area currently provided for outdoor functions to improve the functionality of the space as a whole.

<u>Assessment</u>

The Development Application is identified as alterations and additions to an existing restaurant for the purposes of this assessment. The subject land is located wholly within the Public Open Space (PS) Zone. Subsequently, the Development Application is considered to be a discretionary item requiring assessment against Clauses 6.1, 6.5.1 and 6.6 of the Northern Territory Planning Scheme (NTPS). Other aspects to consider are the proposals interface with heritage and the lands susceptibility to flooding and storm surge, Clause 6.14 of the NTPS.

Height (Clause.1)

Both the proposed and existing structures exhibit no portion higher than 8.5 metres above ground level, pursuant to Clause 6.1 of the NTPS.

Car parking (Clause 6.5.1)

The subject site contains a minimum of 22 car parking spaces available for patrons with additional capacity for a minimum of 3 car parking spaces available for staff.

The applicant has noted that the proposed development will increase the requirement for car parking from 42 car parking spaces to 52 car parking spaces. Subsequently, the proposed on-site shortfall will be approximately 26 car parking spaces. The applicant notes that there are 15 car parking spaces directly adjoining the subject land within Council's road reserve and an additional 20 car parking spaces are located within 250 metres of the subject land. In addition, there is existing provisions for bicycle parking as the subject land is located on a prominent cycling path.

It is also worth noting that in the original Endorsed Plans under Development Permit DP96/0511 (Attachment C) identified 22 car parking spaces for patrons within the

17CF0005 DB:hd REPORT NUMBER:

ALTERATIONS AND ADDITIONS TO AN EXISTING RESTAURANT SUBJECT:

PA2017/0326 - LOT 5775 (152) ALEC FONG LIM DRIVE, EAST POINT

subject land and one car parking space for the caretaker. In addition, the endorsed plan required the provision of a minimum of 15 car parking spaces on Alec Fong Lim Drive (as per existing) and delineates eight 'possible additional future parking' spaces to the west of the subject land's egress to Alec Fong Lim Drive.



Image 1 - Car parking spaces



Image 2 - Additional car parking spaces

REPORT NUMBER: 17CF0005 DB:hd

SUBJECT: ALTERATIONS AND ADDITIONS TO AN EXISTING RESTAURANT

PA2017/0326 - LOT 5775 (152) ALEC FONG LIM DRIVE, EAST POINT

The previous Minister for Lands and Planning provided a letter to the Development Consent Authority requesting that a reduction in the car parking requirements be considered under clause 6.5.2(d) of the NTPS, citing that "the proposed development relates to a declared heritage place, and the Minister responsible for the administration of the *Heritage Act* supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place." All car parking facilities both on-site and within the road reserve are maintained by City of Darwin. Subsequently, additional car parking facilities are not considered necessary at this time.

<u>Heritage</u>

The applicant was granted permission to carry out work within 'Pee Wee Camp' by the Minister for Lands and Planning after taking into account the advice of the Heritage Council considering that "the proposed work would not have an undue impact on the heritage significance of Pee Wee Camp."

Land subject to flooding as storm surge

The applicant has identified that the Development Application proposes to build the verandah extension within the Secondary Storm Surge Area (SSSA) however, building works (with the exception of landscaping within the function area) will not be affected by the Primary Storm Surge Area (PSSA).



Image 3 - Storm surge areas

REPORT NUMBER: 17CF0005 DB:hd

SUBJECT: ALTERATIONS AND ADDITIONS TO AN EXISTING RESTAURANT

PA2017/0326 - LOT 5775 (152) ALEC FONG LIM DRIVE, EAST POINT

Subclause 6 of Clause 6.14 of the NTPS considers development within the PSSA should be limited to open space, recreation and non-essential public facilities. Subclause 7 of Clause 6.14 of the NTPS considers that "development within the SSSA should be confined to those uses permitted in the PSSA as well as ... commercial land uses." The proposal is not considered to contain any habitable rooms, pursuant to Clause 3.0 Definitions of the NTPS or use fill to achieve floor levels. Subsequently, the Development Application is not considered to incur an undue risk of storm surge.

Summary

The proposed development is for alterations and additions to an existing restaurant within a leased portion of allotment 5775 Alec Fong Lim Drive, East Point. The proposal is considered to reasonably complement the historic nature of the Pee Wee Camp Heritage Site and adequately addresses the risk of storm surge. The car parking requirements are not met within the subject land, however, with the existence of on-street car parking and due to the complimentary nature of the existing use the car parking is considered to be adequate.

CONSULTATION PROCESS

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

- Acting Manager City Planning
- Team Leader Development
- Contract Officer

POLICY IMPLICATIONS

Relevant Council policies are noted within the response.

BUDGET AND RESOURCE IMPLICATIONS

Monetary contributions could be requested as part of the shortfall in car parking.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are unlikely to be any legal implications as City of Darwin is providing its response pursuant to Section 48 of the *Planning Act*.

ENVIRONMENTAL IMPLICATIONS

Environmental impacts can be managed through conditions on any development permit.

REPORT NUMBER: 17CF0005 DB:hd

SUBJECT: ALTERATIONS AND ADDITIONS TO AN EXISTING RESTAURANT

PA2017/0326 - LOT 5775 (152) ALEC FONG LIM DRIVE, EAST POINT

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.

CINDY ROBSON MANAGER CITY PLANNING

GERARD ROSSE
GENERAL MANAGER CITY FUTURES

For enquiries, please contact David Burrow on 8930 0412 or email: d.burrow@darwin.nt.gov.au.

Attachments:

Attachment A: City of Darwin, Letter of Response to Development Assessment

Services, dated 21 July 2017

Attachment B: Development Application, Lot 5775 (152) Alec Fong Lim Drive,

East Point PA2017/0326

Attachment C: Endorsed Plans under Development Permit DP96/0511

Attachments B and C submitted electronically on the City of Darwin website: https://www.darwin.nt.gov.au/council/council-committees/agendas-minutes/2nd-ordinary-council-meeting-41



ATTACHMENT A

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

21 July 2017

Please quote: 3573146 DB:hd Your reference: PA2017/0326

Mr Tony Brennan
Acting Manager Urban Planning
Department of Infrastructure, Planning & Logistics
GPO Box 1680
DARWIN NT 0801

Dear Mr Brennan

Parcel Description: Lot 5775 - Town of Darwin

152 Alec Fong Lim Drive, East Point

Proposed Development: Alterations and additions to an existing

restaurant

Thank you for the Development Application referred to this office 6 July 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

- i). City of Darwin supports the granting of a Development Permit.
- ii). City of Darwin requests that should a Development Permit be issued, that the following be provided as a condition precedent:
 - a). A dilapidation report covering any infrastructure within the existing car parking area and crossover to the satisfaction and at no cost to City of Darwin.
 - b). City of Darwin requests that an Environmental and Construction Management Plan (ECMP) be required.

The ECMP should specifically address the following:

- waste management,
- traffic control,
- haulage routes,
- storm water drainage,
- use of City of Darwin land, and
- how this land will be managed during the construction phase;

to the satisfaction of City of Darwin.

Note: Sediment control measures are to be established and maintained, to prevent silt and sediment escaping the site or producing erosion.

Building rubbish or debris must not be placed, or be permitted to be placed, on any adjoining public reserve, footway, road or private land, without first obtaining a works approval from City of Darwin.

iii). Should the above issues be adequately addressed, City of Darwin offers the following comments:

City of Darwin comments on issues for which it is the sole responsible authority, under the Local Government Act and associated By-Laws:-

a). Protection of Street Trees

All trees shall be protected at all times during construction. Any tree which is damaged or removed during construction shall be replaced, to the satisfaction of City of Darwin.

A Tree Protection Zone (TPZ) shall be constructed for all existing trees to be retained within the development, in accordance with Australian Standards - AS 4970-2009 Protection of Trees on Development Sites.

Copies of AS 4970-2009 Protection of Trees on Development Sites can be obtained from the Australian Standards web site.

City of Darwin comments in relation to the *Planning Act*, the Northern Territory Planning Scheme and Land Use Objectives:-

Should this application be approved, the following conditions pursuant to the *Planning Act* and City of Darwin's responsibilities under the *Local Government Act* are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of City of Darwin.
- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided,

.../3

stormwater shall be collected and discharged into City of Darwin's drainage network, and reinstatement works carried out, all of which is to be provided at the applicant's expense and to the requirements and satisfaction of City of Darwin.

- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.
- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.
- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.

In considering this application, the Development Consent Authority is requested to take into account any implications of the *Disability Discrimination Act* (Cth) or the *Anti-Discrimination Act* (NT) with regard to access for the disabled.

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

Yours faithfully

CINDY ROBSON
MANAGER CITY PLANNING

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 17.4

SIGNAGE APPLICATION – TS CONSTRUCTIONS NT -LOT 6425 (41) JESSOP STREET, BERRIMAH

REPORT No.: 17CF0004 DB:hd COMMON No.: 3574157 DATE: 25/07/2017

Presenter: Manager City Planning, Cindy Robson

Approved: General Manager City Futures, Gerard Rosse

PURPOSE

The purpose of this report is for Council to consider an application for one illuminated free-standing sign for TS Constructions NT at Lot 6425 (41) Jessop Street, Berrimah.

LINK TO STRATEGIC PLAN

The issues addressed in this report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

- 1.4 Improved relations with all levels of government and significant stakeholders **Key Strategies**
- 1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- TS Constructions NT has submitted an application for an illuminated freestanding sign.
- It is recommended that Council consider and approve this application and a sign permit be issued.
- The proposed illuminated free-standing business advertising sign exceeds the maximum height requirement of 3 metres above ground level (5 metres proposed) and as such, the application is considered as a discretionary sign under the City of Darwin Outdoor Advertising Signs Code (Signs Code) and therefore requires Council approval.
- The sign would be considered complying if it was located within a Commercial Zone or Industrial Zone rather than the Specific Use Zone to which it relates.
- The advertising sign is located within private property on the allotment boundary.

REPORT NUMBER: 17CF0004 DB:hd

SUBJECT: SIGNAGE APPLICATION - TS CONSTRUCTIONS NT, LOT 6425 (41)

JESSOP STREET, BERRIMAH

RECOMMENDATIONS

A. THAT Report Number 17CF0004 DB:hd entitled Signage Application - TS Constructions NT, Lot 6425 (41) Jessop Street, Berrimah be received and noted.

B. THAT Council approve the application from TS Constructions NT for an illuminated free standing sign located within Lot 6425 (41) Jessop Street, Berrimah, and that a Sign Permit be issued in accordance with the requirements of the Outdoor Signs Code as the advertising signs for TS Constructions NT complies with the intent and purpose of the Signs Code.

BACKGROUND

The application for an illuminated free-standing sign was sent to City of Darwin on 7 July 2017. The proposed signage was considered to require assessment due its height exceeding 3 metres above ground level (5 metres proposed).

DISCUSSION

Applicant	TS Construction NT	
Type of Advertising (inc. temp/perm/illuminated)	Illuminated	✓
Type of Sign (Business/Election/Promotion etc.)	Business advertising	✓
Type of Structure (Free Standing/ Fascia/ Wall/ Projecting etc.)	Free standing	✓

Business Sign Details

Business advertising within the Specific Use Zone is permitted to one sign with a total advertising area of $2m^2$ and a maximum height of 3 metres above ground level, without the need to obtain a Council Sign Permit. This proposal is for 1 business advertising sign totalling $2m^2$, in the Specific Zone (SD31).

The application complies with the size of 2m², however, exceeds the minimum height of 3 metres above ground level by 2 metres, resulting in Council approval being required.

Sign Type	Advertising Type	Width (m)	Height (m)	Area (m)	Illuminated	Sign No. on plan	
Free-standing	Business	2m	5m	2m ²	Yes	1	*
Location of Sig	gn		Northern	allotmer	nt boundary	•	✓
Existing Signa	ge		N/A				

Complies - ✓ Discretionary, requires Council Approval - ♥

REPORT NUMBER: 17CF0004 DB:hd

SUBJECT: SIGNAGE APPLICATION - TS CONSTRUCTIONS NT, LOT 6425 (41)

JESSOP STREET, BERRIMAH

Location



Image 1 - Location of sign

The subject land is referred to as Lot 6425 (41) Jessop Street, Berrimah. The subject land is located wholly within the Specific Use Zone SD 31. Development Permit DP17/0031 was issued on 22 February 2017 for showroom sales, office and warehouse in a 2 storey building. The locality is often referred to as Berrimah Business Park with a number of business advertising signs of a similar height and scale as that which is proposed.

<u>Assessment</u>

TS Constructions NT is now seeking Council's consent to install an illuminated freestanding sign along the northern allotment boundary of Lot 6425 (41) Jessop Street, Berrimah.

REPORT NUMBER: 17CF0004 DB:hd

SUBJECT: SIGNAGE APPLICATION - TS CONSTRUCTIONS NT, LOT 6425 (41)

JESSOP STREET, BERRIMAH

The proposed advertising signage concept is provided at **Attachment A.**

Within Zone SD31 (Specific Use), the Darwin City Council Outdoor Signs Code allows for one business advertising sign to a maximum size of $2m^2$ and maximum height of 3 metres above ground level within private property without the requirement to apply to City of Darwin for a signs permit. As the proposed signage will be 5 metres in height Council is required to consider and make a determination on the submitted sign application.

It is noted that the proposed development would complying within a commercial or industrial zone and that a number of businesses within the locality display signage of a similar height and scale as that which is proposed.

Conclusion

It is recommended that Council approve this sign application as the advertising sign is in proportion to the size and form of the building, and is consistent with the character of signage within the locality.

CONSULTATION PROCESS

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

- Manager City Planning
- Planning Officer

POLICY IMPLICATIONS

The proposed advertising sign exceeds the complying controls detailed within the Signs Code, resulting in the application being discretionary under the City of Darwin Policy No.042 - Outdoor Advertising Signs Code and as such, this sign application requires Council consent.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget and resource implications expected for the City of Darwin resulting from this application.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Sections 183 and 185 of the Local Government Act provide the City of Darwin with the power and control to manage reserves and roads within the Darwin Municipality and as such, Council as land owner has the right to approve or refuse any advertising sign proposed to be placed on or over the road reserve for any reason.

Council may place conditions within any Sign Permit issued, particularly regarding the illumination of advertising signs adjacent residential premises.

REPORT NUMBER: 17CF0004 DB:hd

SUBJECT: SIGNAGE APPLICATION - TS CONSTRUCTIONS NT, LOT 6425 (41)

JESSOP STREET, BERRIMAH

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications expected for the City of Darwin resulting from this application.

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.

CINDY ROBSON MANAGER CITY PLANNING

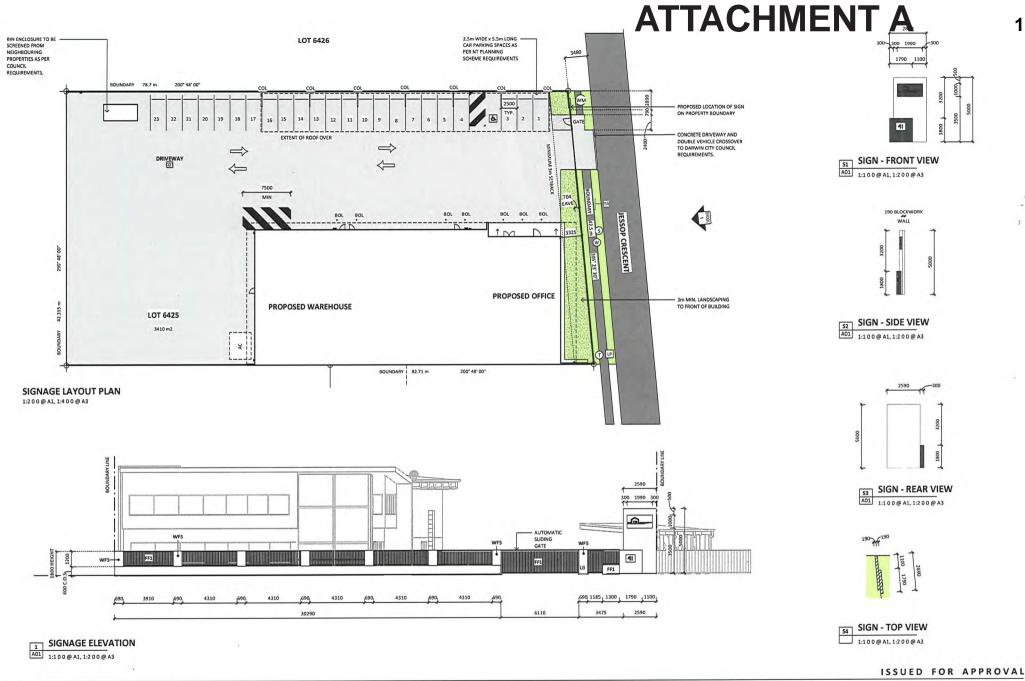
GERARD ROSSE GENERAL MANAGER CITY FUTURES

For enquiries, please contact David Burrow on 8930 0412 or email: d.burrow@darwin.nt.gov.au.

Attachments:

Attachment A: Sign Application - TS Constructions NT, Lot 6425 (41) Jessop

Street, Berrimah



PROPOSED OFFICE / WAREHOUSE

LOT 6425 JESSOP CRESCENT, BERRIMAH, NT

CONSTRUCTIONS NT

15	SSUE A

SIGNAGE DETAILS

Date

JULY 2017

^{5he©}SK001 194 Sent: Friday, 7 July 2017 7:53 AM

Subject: Signage Permit Application - Lot 6425 Jessop Crescent, Berrimah

Good Morning David,

As you suggested we are going to apply for a permit to install the sign I submitted. We will only be having the one business advertising sign on there, I have amended the plans and added the other required documentation for the application. Please see attached;

- 1. Application form
- 2. Drawings illustrating sign proposal

The owner would like to have a single light illuminating the sign and there is currently no other signage on the site. The sign is proposed to be a freestanding blockwork wall, rendered and paint finish on the property boundary.

I will be away for a month, if you can please liaise with (project manager from TS Constructions) regarding this permit and just cc me in that would be great.

Kind Regards,

Lucia

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact the Committee Administrator on (08) 8930 0670.

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/18

18. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

18.1 <u>Unconfirmed Risk Management & Audit Committee Meeting Minutes - 7 July 2017</u>
(07/07/17)

The minutes and executive summary are **Attachment A**.

ATTACHMENT A

Open Executive Summary Risk Management & Audit Committee Meeting 7 July 2017

The Risk Management & Audit Committee (RMAC) meeting was held on Friday 7 July 2017. Apologies were received from Member R M Haslett and the Chief Executive Officer, Mr Brendan Dowd. The Right Worshipful, Lord Mayor, Katrina Fong Lim, attended the meeting as an observer.

General Manager City Operations, Mr Luccio Cercarelli and Manager Technical Services, Ms Nadine Nilon were in attendance to provide a presentation to the Committee around the asset management plans, an outstanding issue from the Asset Management Audit. The work being undertaken includes using leading edge programs/technology such as the NAMS.PLUS3 developed templates and modelling, consistent with the International Infrastructure Maintenance Manual (IIMM) and the Australia Infrastructure Financial Management Guidelines. This is supported through the use of other programs including ArcGIS and AssetFinda.

The Committee was appreciative of the presentation and satisfied that the remaining items from the Asset Management Audit are heading in the right direction, whilst acknowledging that the project will be work in progress for some time.

The Committee considered the progress of the Internal Audit Plan. Team Leader Risk Audit & Safety, Mr Tony Simons was in attendance to address any questions. There was discussion around some issues, including risks around cash handling and procurement procedures.

The Committee also considered the Status of the Risk Management Framework report. It was resolved that further reports be provided to the Committee at the October 2017 meeting outlining the status of the Strategic Risk Assessment and the Operational Risk Assessment, along with an update on the implementation of the integrated risk and CSA software.

There was some discussion regarding the Quarterly Performance Report and the format that it is now provided. The Committee resolved that Council be encouraged to regularly enquire into how performance is being managed.

The Outstanding Audit Issues Register was received and noted.

Mr Iain Summers
Chair
City of Darwin Risk Management & Audit Committee

RMAC07/1

Risk Management & Audit Committee Meeting – Friday, 7 July 2017

CITY OF DARWIN

RISK MANAGEMENT & AUDIT COMMITTEE MEETING

FRIDAY, 7 JULY 2017

MINUTES OF THE RISK MANAGEMENT & AUDIT COMMITTEE HELD IN MEETING ROOM 1, CIVIC CENTRE, HARRY CHAN AVENUE ON FRIDAY, 7 JULY 2017 COMMENCING AT 9.00 AM.

PRESENT: Mr Iain Summers (Chair); Member M Palmer; Mr Craig Spencer.

OFFICERS: General Manager City Performance, Dr Diana Leeder; Team

Coordinator Risk Audit & Safety, Mr Tony Simons; Finance Manager, Mr Miles Craighead; Executive Assistant City Performance, Ms Julie

Gordon.

APOLOGY: Member G J Haslett, Chief Executive Officer, Mr Brendan Dowd

GUESTS: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, General

Manager City Operations, Mr Luccio Cercarelli, Manager Technical

Services, Ms Nadine Nilon

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RMAC07/2

Risk Management & Audit Committee Meeting - Friday, 7 July 2017

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RMAC07/3

Risk Management & Audit Committee Meeting - Friday, 7 July 2017

1. MEETING DECLARED OPEN

The Chairman declared the meeting open at 9.02 a.m.

2. APOLOGIES AND LEAVE OF ABSENCE Common No. 2695036

2.1 Apologies

(Spencer/Palmer)

THAT the apology from Member G J Haslett, be received.

DECISION NO.21\5550 (07/07/17)

2.2 <u>Leave of Absence Granted</u>

Nil

3. ELECTRONIC MEETING ATTENDANCE Common No. 2221528

3.1 Electronic Meeting Attendance Granted

Nil

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

4.1 Declaration of Interest by Members

Nil

4.2 <u>Declaration of Interest by Staff</u>

Nil

RMAC07/4

Risk Management & Audit Committee Meeting - Friday, 7 July 2017

5. CONFIDENTIAL ITEMS

Common No. 1944604

5.1 <u>Closure to the Public for Confidential Items</u>

(Palmer/Spencer)

COMMITTEE'S DECISION

THAT pursuant to Section 65(2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the following Items:-

<u>ltem</u>	<u>Regulation</u>	Reason
17.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

DECISION NO.21\5551 (07/07/17)

5.2 Moving Open Items Into Confidential

Nil

5.3 Moving Confidential Items Into Open

Nil

6. WITHDRAWAL OF ITEMS FOR DISCUSSION

(Palmer/Spencer)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the Risk Management & Audit Committee Meeting held on Friday, 7 July 2017 be received and considered individually.

DECISION NO.21\5552 (07/07/17)

RMAC07/5

Risk Management & Audit Committee Meeting – Friday, 7 July 2017

7. CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS RISK MANAGEMENT & AUDIT COMMITTEE MEETING

(Spencer/Palmer)

COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous Risk Management & Audit Committee Meeting held on Friday, 31 March 2017, tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\5553 (07/07/17)

- 8. BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS RISK MANAGEMENT & AUDIT COMMITTEE MEETING
- 8.1 <u>Business Arising</u>

Matters were transferred as required to the Outstanding Audit Issues register.

9. DEPUTATIONS AND BRIEFINGS

Nil

RMAC07/6

Risk Management & Audit Committee Meeting – Friday, 7 July 2017

10. **OFFICERS REPORTS**

10.1 **Progress of the Internal Audit Plan**

Report No. 17A0062 (07/07/17) Common No. 1536877

(Spencer/Palmer)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 17A0062 TS:jg entitled Audit Report on Internal Audit Program, be received and noted.
- B. THAT after discussion with management representatives, the Risk Management & Audit Committee endorsed the 2017/18 Internal Audit Plan.
- C. THAT the Contractor Management Issue No. 148 be removed from the Outstanding Audit Issues Register.

DECISION NO.21\5554 (07/07/17)

ACTION: EA CITY PERFORMANCE

10.2 Status of the Risk Management Framework

Report No. 17CP0002 (07/07/17) Common No. 2363571

(Spencer/Palmer)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

- THAT Report Number 17CP0002 TS:jg entitled Status of the Risk Management A. Framework, be received and noted.
- THAT a further report on progress of the implementation of the integrated risk B. and CSA software be presented to the October 2017 Risk Management & Audit Committee meeting.
- THAT a further report on the status of the Strategic Risk Assessment and C. Operational Risk Assessment be presented to the October 2017 Risk Management & Audit Committee meeting.

DECISION NO.21\5555 (07/07/17)

> ACTION: TEAM LEADER RISK AUDIT & SAFETY

RMAC07/7

Risk Management & Audit Committee Meeting - Friday, 7 July 2017

10.3 Outstanding Audit Issue No. 145 – Asset Management Audit Report No. 17CO0003 (07/07/17) Common No. 1713107

(Palmer/Spencer)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 17CO0003 NN:If entitled Outstanding Audit Issue No. 145 Asset Management Audit, be received and noted.
- B. THAT Outstanding Audit Issue No. 145 Asset Management Audit, of the Outstanding Audit Issues Register, be amended to reflect **Attachment A**, to Report Number 17CO0003 NN:If entitled Outstanding Audit Issue No. 145 Asset Management Audit, but with a further amendment to include in Asset Management Plans a list of the management positions responsible for specific aspects of the Plans.

DECISION NO.21\5556

(07/07/17)

ACTION: MANAGER, TECHNICAL SERVICES NOTE: GM CITY OPERATIONS

10.4 Example Quarterly Performance Report – Municipal Planning Report No. 17TC0028 (07/07/17) Common No. 1230662

(Palmer/Spencer)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 17TC0028 VG:ph entitled Example Quarterly Performance Report Municipal Plan, be received and noted.
- B. THAT Council be encouraged to regularly enquire into how performance information is being measured

DECISION NO.21\5557 (07/07/17)

NOTE: MANAGER STRATEGY

& OUTCOMES

RMAC07/8

Risk Management & Audit Committee Meeting – Friday, 7 July 2017

11.	INFORMAT	'ION	ITEMS
11.		IUI	

11.1 Outstanding Audit Issues Register

07/07/17 Common No. 422690

(Palmer/Spencer)

COMMITTEE'S DECISION

THAT the Outstanding Audit Issues Register be received and noted.

DECISION NO.21\5558

(07/07/17)

12. GENERAL BUSINESS

Nil

13. CLOSURE OF MEETING

The Open Section of the meeting closed at 11.00 am.

IAIN SUMMERS (CHAIR) - OPEN RISK MANAGEMENT & AUDIT COMMITTEE MEETING - FRIDAY, 7 JULY 2017

Confirmed On: Friday, 27 October 2017

Chairman:

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact the Committee Administrator on (08) 8930 0670.

ONE HUNDRED AND SEVENTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 25 JULY 2017 PAGE

ORD07/19

19. REPORTS OF REPRESENTATIVES

- 20. QUESTIONS BY MEMBERS
- 21. GENERAL BUSINESS
- 22. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING Common No. 2695130

THAT the next Ordinary Meeting of Council be held on Tuesday, 15 August 2017, at 5:00pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

23. CLOSURE OF MEETING TO THE PUBLIC Common No. 2695131

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.

24. ADJOURNMENT OF MEETING AND MEDIA LIAISON