



Business Papers

Ordinary Council Meeting

**Tuesday, 11 April 2017
5.00pm**



Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend an Ordinary Council Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 11 April 2017, commencing at 5.00pm.

A handwritten signature in black ink, appearing to read "B P Dowd".

B P DOWD
CHIEF EXECUTIVE OFFICER

CITY OF DARWIN

**ONE HUNDRED AND ELEVENTH ORDINARY MEETING
OF THE TWENTY-FIRST COUNCIL**

TUESDAY, 11 APRIL 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 Corporate Services, Dr D Leeder; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Ms A Malgorzewicz; Executive Manager, Mr M Blackburn; 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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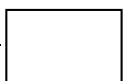
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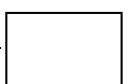
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MEETING**

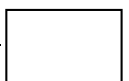
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1. ACKNOWLEDGEMENT OF COUNTRY

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

THAT it be noted Member S J Niblock is an apology due to a Leave of Absence previously granted on 28 March 2017 for the period 6 to 16 April 2017 .

4.3 Leave of Absence Requested

5. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

5.1 Electronic Meeting Attendance Granted

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 16/04/12, the following member(s) was granted permission for Electronic Meeting Attendance at this the One Hundred and Eleventh Ordinary Council Meeting held on Tuesday, 11 April 2017:

- Member S J Niblock

5.2 Electronic Meeting Attendance Requested

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

6.1 Declaration of Interest by Members

6.2 Declaration of Interest by Staff

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, 28 March 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

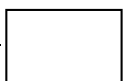
8. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING/S

8.1 Business Arising

9. MATTERS OF PUBLIC IMPORTANCE

10. DEPUTATIONS AND BRIEFINGS

11. PUBLIC QUESTION TIME



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:-

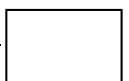
<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C25.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C29.1.1	8(c)(i)	information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person
C29.1.2	8(e)	information provided to the council on condition that it be kept confidential
C29.1.3	8(c)(i)	information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person
C29.1.4	8(c)(i)	information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person
C29.2.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

12.2 Moving Open Items Into Confidential

12.3 Moving Confidential Items Into Open

13. PETITIONS

14. NOTICE(S) OF MOTION



15.1 OFFICERS REPORTS (ACTION REQUIRED)

ENCL: NO	ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM: 15.1.1
PROVISION OF AUDITING SERVICES		
REPORT No.: 17A0047 MC:jg	COMMON No.: 1784009	DATE: 11/04/2017

Presenter: Manager Finance, Miles Craighead

Approved: General Manager Corporate Services, Diana Leeder

PURPOSE

The purpose of this report is to recommend to Council the appointment of an external auditor in respect of its General Purpose Financial Statements (GPFS) for the year ending 30 June 2017.

LINK TO 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

- Council must appoint an auditor in respect of the audit of its GPFS for the year ending 30 June 2017 (which apart from any interim audit is largely carried out after 30 June 2017).
- The Risk Management and Audit Committee (RMAC) has considered this matter and recommends the extension of the current instrument of appointment (see "Background" below).
- After the 2017 election Council will need to appoint new auditors for the GPFS for the year ending 30 June 2018.

RECOMMENDATIONS

- A. THAT Report Number 17A0047 MC:jg entitled Provision of Auditing Services, be received and noted.
- B. THAT the current instrument of appointment of Auditor be extended to the maximum term of five years to cover the audit of the Council's general purpose financial statements for the year ending 30 June 2017.

PAGE: 2
 REPORT NUMBER: 17A0047 MC:jg
 SUBJECT: PROVISION OF AUDITING SERVICES

BACKGROUND

At the Risk Management & Audit Committee meeting held 31 March 2017 the Committee resolved as follows:

DECISION NO.21\5300 (31/03/17)

Provision of Auditing Services

Report No. 17A0003 MC:jg (31/03/17) Common No. 1784009

THAT it be a recommendation to Council:-

- A. THAT Report Number 17A0003 MC:jg entitled Provision of Auditing Services, be received and noted.*
- B. THAT the current instrument of appointment of Auditor be extended to the maximum term of five years to cover the period 1 July 2016 to 30 June 2017.*

DISCUSSION

The current appointment of Merit Partners as Council's Auditors falls short of the maximum period of 5 years. It can be extended for one year to cover the audit of the Council's GPFS for year ending 30 June 2017.

Council will need to consider a new instrument of appointment in respect of its GPFS for the year ending 30 June 2018. This will follow the Council elections.

Whenever new auditors are appointed there is significant additional work for staff and a learning curve for the Audit team to adapt to the Council's environment. Council's Auditors are governed by professional standards and must declare any conflict of interest. An extension is administratively simple and will be less disruptive to productivity at this time while there are other organisational change initiatives.

Merit Partners is a local firm. There are benefits in maintaining and retaining local expertise.

Following the 2017 Local Government Elections August 2017 the newly appointed Council could be presented with competitive options for up to a five year audit appointment commencing with the audit of the Council's GPFS for the year ending 30 June 2018. Although the current Northern Territory legal requirements do not require competitive proposals this has been past practice.

CONSULTATION PROCESS

This matter was considered by the Executive Leadership Team on 27 March 2017, the Risk Management & Audit Committee on 31 March 2017 and is now referred to Ordinary Council Meeting for consideration.

PAGE: 3
 REPORT NUMBER: 17A0047 MC:jg
 SUBJECT: PROVISION OF AUDITING SERVICES

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

- Merit Partners
- Division of Local Government

POLICY IMPLICATIONS

The Risk Management and Audit Committee's terms of reference include "advise the Council about the appointment of external auditors".

BUDGET AND RESOURCE IMPLICATIONS

Fees to be offered for an extension of the audit appointment would be based on 2015/16 agreed fee.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Section 133 of the Local Government Act.

Auditor

- (1) *A council must have an auditor.*
- (2) *The auditor must be:*
 - (a) *the Auditor-General; or*
 - (b) *a registered company auditor or an authorised audit company; or*
 - (c) *a firm whose members include a registered company auditor.*
- (3) *A person is not eligible to be the auditor if the person:*
 - (a) *is a member or a candidate for election as a member of the council; or*
 - (b) *holds any other office or position with the council.*
- (4) *The council must, in the instrument of the auditor's appointment:*
 - (a) *fix the term of appointment (which must not be less than 2 nor more than 5 years); and*
 - (b) *fix the basis of the auditor's remuneration.*
- (5) *The office of auditor becomes vacant if:*
 - (a) *the auditor dies; or*
 - (b) *the auditor resigns by written notice to the CEO; or*
 - (c) *the auditor becomes a candidate for election as a member of the council or accepts some other remunerated office or position with the council; or*

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REPORT NUMBER: 17A0047 MC:jg
SUBJECT: PROVISION OF AUDITING SERVICES

- (d) *the auditor's term of office comes to an end and the auditor is not re-appointed; or*
- (e) *the auditor is removed from office by the council with the Minister's consent.*

The combined effect of the Local Government Accounting Regulations and ministerial guidelines is that competitive quotes are not required. In any case this is not relevant at the moment if the Council chooses to extend the current instrument of appointment for another year.

After the instrument finally lapses it is assumed in accordance with Council's usual practice Council will go through a competitive process (after the elections) even though legally that is not required.

Nothing precludes entering into a new instrument of appointment for another five years with the same auditor if the auditor submits a successful proposal through Council's usual competitive process.

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.

MILES CRAIGHEAD
MANAGER FINANCE

DIANA LEEDER
GENERAL MANAGER
CORPORATE SERVICES

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

ENCL: ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 15.1.2
NO

RISK MANAGEMENT & AUDIT COMMITTEE - APPOINTMENT OF CHAIR

REPORT No.: 17A0048 DL:jg COMMON No.: 415775 DATE: 11/04/2017

Presenter: General Manager Corporate Services, Diana Leeder

Approved: Chief Executive Officer, Brendan Dowd

PURPOSE

The purpose of this report is to seek Council's endorsement for the appointment of Chair for the Risk Management & Audit Committee for the next two years.

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

Nil

RECOMMENDATIONS

- A. THAT Report Number 17A0048 DL:jg entitled Risk Management & Audit Committee - Appointment of Chair, be received and noted.
- B. THAT the efforts of Mr Iain Summers as Chair of the Risk Management & Audit Committee for the past 15 years be noted with appreciation and that the Council convey its thanks to Mr Summers.
- C. THAT Mr Iain Summers be appointed as a community member of the Risk Management & Audit Committee for a further two year period commencing on 30 June 2017.
- D. THAT Mr Iain Summers be appointed to Chair of the Risk Management & Audit Committee for a further two year period commencing on 30 June 2017.

PAGE: 2
 REPORT NUMBER: 17A0048 DL:jpg
 SUBJECT: RISK MANAGEMENT & AUDIT COMMITTEE - APPOINTMENT OF CHAIR

BACKGROUND

At the 2nd Ordinary Council meeting held 22 April 2015, Council resolved as follows:

DECISION NO. 21/3262

Risk Management & Audit Committee – Appointment of Chairman

Report No. 15A0046 DL:mp (22/04/15) Common No. 415775

- A. *THAT Report Number 15A0046 DL:mp entitled Risk Management & Audit Committee – Appointment of Chairman, be received and noted.*
- B. *THAT the efforts of Iain Summers as Chairman of the Risk Management & Audit Committee for the past 13 years be noted with appreciation and that the Council convey its thanks to Mr Summers.*
- C. *THAT Mr Iain Summers be appointed as a community member of the Risk Management & Audit Committee for a further two year period commencing on 30 June 2015.*
- D. *THAT Mr Iain Summers be appointed to Chairman of the Audit Committee for a two year period commencing 30 June 2015.*
- E. *THAT this decision be moved into Open.*

Mr Summers has expressed willingness in being re-appointed to the Committee as Chair.

DISCUSSION

Mr Summers has been an outstanding Chair and Council has been fortunate to secure his services.

The Risk Management & Audit Committee has performed very well over the past 15 years and has been responsible for major improvements to Council's risk management practices and internal control environment.

The risk management and internal audit functions have matured over the years providing Council with sound governance in these areas.

Council has from time to time considered whether it would be appropriate to advertise for expressions of interest in being appointed Chair; but the knowledge and skills Mr Summers brings would be hard to replicate and it is considered preferable to retain him as Chair whilst he is willing and interested in the role.

PAGE: 3
REPORT NUMBER: 17A0048 DL:jg
SUBJECT: RISK MANAGEMENT & AUDIT COMMITTEE - APPOINTMENT OF CHAIR

CONSULTATION PROCESS

In preparing this report Mr Iain Summers was consulted and has advised of his willingness to continue in his role as Chair of the Risk Management & Audit Committee.

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Community committee/board members are remunerated in accordance with the NT Government Board Remuneration C1 daily rate and the cost for Mr Summers and the second independent member Mr Craig Spencer are accommodated within the Risk Audit & Safety budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The Risk Management and Audit Committee is an executive committee of Council, under section 55 of the Local Government Act.

The Local Government Act does not specify the need for Council to appoint the Chair of the Committee. Notwithstanding this, it has been accepted past practice for Council to make the appointment.

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.

DIANA LEEDER
GENERAL MANAGER
CORPORATE SERVICES

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

For enquiries, please contact Diana Leeder on 89300539 or email:
d.leeder@darwin.nt.gov.au.

ENCL: YES	ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM:	15.1.3
3RD QUARTER BUDGET REVIEW - 2016/2017			
REPORT No.:	17A0043 MC:jg	COMMON No.:	2476534
			DATE: 11/04/2017

Presenter: **Manager Finance, Miles Craighead**

Approved: **General Manager Corporate Services, Diana Leeder**

PURPOSE

The purpose of this report is to:

1. Present the 3rd quarter budget review and seek Council's endorsement of recommended amendments to the budget.
2. Provide additional financial information to supplement statutory monthly financial reporting and cost of services.

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

- No change in general funds.
- Projects identified as early carry forwards: Darwin Entertainment Centre (DEC) \$3,500,000, CBD Masterplan \$1,350,000 in line with Council Decision 21\5278, Cavenagh/Bennett Street intersection \$910,623 and Urban policy project \$100,000.

PAGE: 2
 REPORT NUMBER: 17A0043 MC:jg
 SUBJECT: 3RD QUARTER BUDGET REVIEW - 2016/2017

RECOMMENDATIONS

- A. THAT Report Number 17A0043 MC:jg entitled 3rd Quarter Budget Review - 2016/2017, be received and noted.
- B. THAT pursuant to Section 128 of the Local Government Act Council amend the budget 2016/2017 as detailed in report 17A0043 MC:jg entitled 3rd Quarter Budget Review - 2016/2017 and contained in **Attachments A-E** with Municipal Budget Summary implications as per **Attachment A**:
- a) "Operating Result (Income Statement)", decrease of \$956,000 (debit), this results in less "Funds from operations" of \$956,000. (**Attachment A Notes 1 – 2**).
 - b) "Purchases of assets", decrease by \$5,978,000 (credit). (**Attachment E**).
 - c) "Loans raised", decrease of \$1,764,000 (debit) as DEC loan raising carried into 2017/18 financial year.
 - d) "Transfers from specific reserves" decreases by \$3,258,000 (debit) (**Attachment D**).
 - e) The sum of the above (a-c) variations to the existing adopted budget result in nil affect to the General Funds (**Attachment A – Bottom Line**).

BACKGROUND

Each quarter Council considers any variations required to the original budget. Where significant and urgent budget variations are necessary these may be the subject of a separate more timely report and are then also included in the following quarterly budget review to ensure Council can be advised in relation to its overall projected results.

At the 2nd Ordinary Council meeting held 28 February 2017 Council resolved as follows:

Decision No. 21\5210

2nd Quarter Budget Review

Report No. 17A0014 MC:jg (20/02/17) Common No. 2476534

- A. THAT Report Number 17A0014 MC:jg entitled 2nd Quarter Budget Review - 2016/2017, be received and noted.

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 REPORT NUMBER: 17A0043 MC:jg
 SUBJECT: 3RD QUARTER BUDGET REVIEW - 2016/2017

B. *THAT pursuant to Section 128 of the Local Government Act Council amend the budget 2016/2017 as detailed in report 17A0014 MC:jg entitled 2nd Quarter Budget Review - 2016/2017 and contained in **Attachments A-E** with Municipal Budget Summary implications as per **Attachment A**:*

a) *“Operating Result (Income Statement)”, decrease of \$411,000 (debit), this results in less “Funds from operations” of \$411,000.*

(Attachment A Notes 1 – 2).

b) *“Purchases of assets”, decrease by \$9,475,000 (credit). **(Attachment E).***

c) *“Transfers from specific reserves” decreases by \$9,064,000 (debit) **(Attachment D).***

*The sum of the above (a-c) variations to the existing adopted budget result in nil affect to the General Funds **(Attachment A – Bottom Line).***

DISCUSSION

Income Statement

Variations (greater than \$100k) that reduced the Income Statement include:

- \$750k capital grant income reduction for Cavenagh/Bennett Street; grant will not be received until 2017/18 in line with when majority of expenditure will occur. The income and capital expenditure (\$911k) have been transferred to the Carry Forward Reserve and Unspent Grants Reserve to be reinstated in 2017/18.
- \$195k increased Pathways maintenance program transferred from Capital Walkways program.

A variation in the 4th Quarter Review is anticipated to recalculate the interest projections on interest earning reserve funds due to revised forecast closing balances and calculation methodology. This will most likely result in a decrease in the General Funds share.

Overall the net decrease in funds from operations is \$956k.

Purchases of Assets

Capital expenditure decreases by \$5.98M; with the majority relating to recognition of early carry forwards transferred to appropriate reserves.

Capital early carry forwards at 3rd Quarter are:

- \$3.5M DEC airconditioning project – the variation also requires the de-recognition of ‘Loan Raising’ of \$1.764M. Capital expenditure and Loan Raising will be reinstated in 2017/18 as part of the Carry Forward Budget process.
- \$1.35M CBD Master plan projects.
- \$911k Cavenagh/Bennett Street intersection majority of expenditure to be delivered in 2017/18.

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 REPORT NUMBER: 17A0043 MC:jg
 SUBJECT: 3RD QUARTER BUDGET REVIEW - 2016/2017

Other variations on capital expenditure are:

Decreases

- \$195k transferred from Walkway capital projects to operational Pathway maintenance.
- \$35k transferred from LATM capital projects to operational Design section for Nightcliff/Progress modelling and concept designs.
- \$20k Mitchell Street parking machines project transferred back to On and Off Street Reserve.

Increases

- \$33k upgrade of Lee Point Rd installation of remaining street lights (funded from Developer Contributions Reserve).

CONSULTATION PROCESS

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

- Responsible Officers in relation to requests for budget variations.

POLICY IMPLICATIONS

This report is in accordance with existing policies and does not propose any policy changes.

BUDGET AND RESOURCE IMPLICATIONS

This is a very high level summary only and should be read in conjunction with the detailed notes provided in the attachments. Variations proposed are presented in the attached financial reports with notes underneath.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There is no formal NT legal requirement for quarterly budget reviews.

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.

There are no concerns and the budget is considered to be fully funded and in compliance with the Act.

ENVIRONMENTAL IMPLICATIONS

Nil

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REPORT NUMBER: 17A0043 MC:jg
SUBJECT: 3RD QUARTER BUDGET REVIEW - 2016/2017

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
CORPORATE SERVICES

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

Attachments:

- Attachment A:** Municipal Budget Summary
- Attachment B:** Statement of Costs Services
- Attachment C:** Statement of Financial Position
- Attachment D:** Statement of Cash & Investments (Reserves)
- Attachment E:** Statement of Capital Expenditure

<u>Municipal Budget Summary</u> for the period ended 31 March 2017	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
Operational and Capital Income	111,433	106,536	-662	105,874	92,703	88%	1
Expenses	-102,034	-103,399	-294	-103,693	-75,623	73%	2
Operating Result (Income Statement)	9,399	3,136	-956	2,180	17,080		
Adjust non cash items:							
Add back depreciation	22,397	22,397	-	22,397	17,622	79%	
Other non cash items	-	-	-	-	193		
Funds from operations	31,796	25,533	-956	24,577	34,895		
Sale of assets	904	904	-	904	486	54%	
Purchases of assets	-41,501	-47,252	5,978	-41,274	-18,806	46%	3
Funds from investing	-40,597	-46,348	5,978	-40,370	-18,320		
Loans raised	1,764	1,764	-1,764	-	-	0%	4
Loans repaid	-258	-258	-	-258	-110	43%	
Funds from financing	1,506	1,506	-1,764	-258	-110		
Transfers from (-to) specific reserves	7,295	18,986	-3,258	15,728	12,679		5
Net increase (-decrease) in General Funds	-	-323	-	-323	29,144		6

Notes on recommended variations:

1. Income Net Decrease \$662K

Increases: \$88K

- \$71k Pool income: \$30k Parap pool as pool remained opened longer than anticipated, \$30k Nightcliff and \$11k Casuarina pools
- Variations under the \$20k reportable threshold total \$17k.

Decreases: \$750K

- \$750k Cavenagh St & Bennett St intersection grant to be received in 17/18 financial year, budgets transferred to carry forward reserve to be reinstated in 17/18.

2. Expenses - Net Increase \$294K

Increases: \$418K

- \$195k Pathways increased maintenance works - transferred from capital budget Walkway upgrades.
- \$90k Parap pool expense due to pool remaining open longer than anticipated - partially offset by increased pool income (\$71k).
- \$76k Increase expense for credit card facilities installed on parking machines - transfer from On & Off Street Parking Reserve.
- \$35k Additional funds required to complete the Nightcliff/Progress modelling and concept designs transferred from capital budget LATM projects
- Variations under the \$20k reportable threshold total \$22k.

Decreases: \$124K

- \$100k Urban policy project transferred to carry forward reserve to be utilised in 17/18 due to project unlikely to proceed this financial year.
- Variations under the \$20k reportable threshold total \$24k.

3. Purchases of Assets - Net Decrease \$5.978M

Increases: \$33K

- \$33k Upgrade of Lee Point Road - installation of remaining street lights. Transfer from Developer Contributions Reserve

Decreases: \$6.01M

- \$3.5M DEC Airconditioning Project - funds transferred to Carry Forward Reserve and external loan reversed to be reinstated in 17/18 budgets financial year.
- \$1.35M deferring 2016/17 Masterplan projects as per Council Decision 21\5278.
- \$911k Cavenagh/Bennet St Intersection - majority of expenditure to be delivered in 17/18 financial year. Transfer to Carry Forward Reserve and Unspent Grants Reserve to be reinstated in 17/18 budgets.
- \$195k Walkways Upgrades transfer budget to operational Pathways maintenance budget.
- \$35k LATM project - transfer to operational budget for Nightcliff/Progress modelling and concept designs
- \$20k Mitchell St parking machines project commencing at later date - transfer back to On & Off Street Parking Reserve

4. Loans Raised

- \$1.764M DEC Airconditioning Project - external loan reversed to be reinstated in 17/18 financial year.

5. Reserve Transfers

- Net increase in transfers as detailed in Attachment D.

6. Net increase/(-decrease) in General Funds

This is the net sum of all fund flows after reserve transfers and results in a "balanced budget" (\$0). There is no increase or decrease in General Funds in 3rd Quarter Budget Review (decrease of \$323K is from the 2015/16 surplus funds as per the 1st Quarter Budget Review 2016-17).

Costs of Services

for the period ended 31 March 2017

	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
<u>Chief Executive Officer</u>							
Income							Attachment B-1
Office of the Chief Executive	-	3	-	3	3	100%	
Climate Change	50	50	-	50	51	102%	
Strategy & Outcomes	15	15	-	15	-	0%	
Total income	65	68	-	68	54	80%	
Expense							
Office of the Chief Executive	768	781	-	781	595	76%	
Climate Change	546	549	-	549	428	78%	
Communications & Engagement	839	1,003	-5	998	557	56%	
Governance	1,531	1,531	-	1,531	929	61%	
Organisational Development	302	302	-45	257	161	63%	1
Strategy & Outcomes	361	385	5	390	259	66%	
Total expense	4,347	4,550	-45	4,505	2,929	65%	
Net surplus (-cost)	-4,282	-4,482	45	-4,437	-2,875	65%	

Note on recommended variations:

1. Transfer to Employee Relations for Leadership Essentials training program.

Costs of Services for the period ended 31 March 2017	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
<u>Community & Cultural</u>							
Income						Attachment B-2	
Community Engagement	-	38	-	38	38	100%	
Customer Services	102	102	15	117	74	63%	
Darwin Safer City	150	150	-	150	150	100%	
Family & Children	170	174	-	174	142	82%	
Libraries	1,519	1,533	2	1,535	1,524	99%	
Major Community Events	100	102	-	102	2	2%	
Recreation & Leisure	504	506	71	577	454	79%	1
Sister Cities	-	3	-	3	3	100%	
Youth Projects	2	12	-	12	13	107%	
Total income	2,548	2,621	88	2,709	2,400	89%	
Expense							
General Manager Community	536	536	-50	486	365	75%	2
Community Development	923	923	-	923	556	60%	
Community Engagement	-	159	-	159	94	59%	
Customer Services	605	605	15	620	506	82%	
Darwin Entertainment Centre	902	902	-19	883	742	84%	
Darwin Safer City	692	803	-	803	519	65%	
Family & Children	365	369	-	369	239	65%	
Libraries	3,674	3,688	2	3,690	2,598	70%	
Major Community Events	525	537	50	587	577	98%	2
Recreation & Leisure	1,580	1,603	90	1,693	1,192	70%	3

Costs of Services

for the period ended 31 March 2017

	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
Sister Cities	168	180	-	180	107	59%	
Youth Projects	495	505	-	505	332	66%	
Total expense	10,468	10,812	88	10,899	7,828	72%	
Net surplus (-cost)	-7,920	-8,191	0	-8,191	-5,428	66%	

Notes on recommended variations:

1. Additional pool income for Parap (\$30k) as pool remained open longer than anticipated, Nightcliff Pool (\$30k) and Casuarina Pool (\$11k).
2. Transfer budget from GM projects account for Bombing of Darwin 75th anniversary commemorative events ; higher level of attendee VIP's and dignitaries incurred additional expenses (includes extra VIP marquee areas, enhanced security and traffic co-ordination and additional AV equipment).
3. Parap Pool additional expenditure due to pool remaining open longer than anticipated (partially funded from additional income note 1) .

Costs of Services for the period ended 31 March 2017	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
<u>Corporate Services</u>							Attachment B-3
Income							
General Manager Corporate	6	6	-	6	2	30%	
Employee Relations	105	105	-	105	86	82%	
Finance Management	490	490	-	490	351	72%	
Information Technology	53	53	-	53	56	106%	
On & Off Street Parking	5,122	5,122	-	5,122	3,991	78%	
Property Management	1,497	1,506	-	1,506	1,237	82%	
Regulatory & Animal Management	3,309	3,268	-	3,268	2,249	69%	
Total income	10,581	10,549	-	10,549	7,972	76%	
Expense							
General Manager Corporate	662	662	-	662	457	69%	
Business Services	290	290	-	290	230	79%	
Contract Administration	161	161	-	161	121	75%	
Employee Overheads (net)	117	117	-	117	543	463%	
Employee Relations	1,590	1,590	45	1,635	1,095	67%	1
Finance Management	2,914	2,940	-	2,940	2,088	71%	
Information Technology	2,736	2,736	-	2,736	1,975	72%	
On & Off Street Parking	5,170	5,170	76	5,246	3,901	74%	2
Property Management	165	183	-	183	137	75%	
Records & Information Management	668	744	-	744	496	67%	
Regulatory & Animal Management	4,546	4,602	-	4,602	3,327	72%	

Costs of Services

for the period ended 31 March 2017

	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
Risk Management	1,191	1,240	-	1,240	1,011	82%	
Total expense	20,211	20,435	121	20,556	15,381	75%	
Net surplus (-cost)	-9,630	-9,886	-121	-10,007	-7,409	74%	

Notes on recommended variations:

1. Transfer from Organisational Development for Leadership Essentials training program.
2. Increase in expense for credit card charges as a result of facilities installed in parking machines. Funded from On & Off Street Parking Reserve.

Costs of Services

for the period ended 31 March 2017

	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	

Infrastructure

Attachment B-4

Income

Building Services	1	1	-	1	0	13%	
Design, Planning & Projects	-	3	-	3	8	246%	
Fleet Management	73	73	-	73	41	56%	
Parks & Reserves	192	192	-	192	171	89%	
Roads Maintenance	1,778	1,752	-	1,752	1,314	75%	
Development	486	486	-	486	265	55%	
Waste Management	20,148	20,148	-	20,148	16,427	82%	
Total income	22,677	22,655	-	22,655	18,226	80%	

Expense

General Manager Infrastructure	592	517	-	517	375	73%	
Asset Management	437	492	-	492	257	52%	
Design, Planning & Projects	1,826	2,224	-65	2,159	1,469	68%	1
Operations	1,058	1,033	-	1,033	836	81%	
Building Services	4,235	4,235	-	4,235	2,972	70%	
Fleet Management (net of internal charges/hire) *	-1,736	-1,736	-	-1,736	-1,329	77%	
Mosquito Control	137	137	-	137	42	31%	
Parks & Reserves	15,476	15,645	-	15,645	11,475	73%	
Pathways	919	919	195	1,114	1,365	123%	2
Roads Maintenance	6,595	6,669	-	6,669	3,655	55%	
Stormwater Drainage	639	639	-	639	465	73%	
Street Cleaning	3,263	3,263	-	3,263	2,193	67%	
Development	453	453	-	453	230	51%	

Costs of Services

for the period ended 31 March 2017

	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
Waste Management	16,323	16,323	-	16,323	12,013	74%	
Total expense	50,218	50,813	130	50,943	36,019	71%	
Net surplus (-cost)	-27,541	-28,158	-130	-28,288	-17,793	63%	

Notes on recommended variations:

1. Transfer out Urban Policy budget \$100k to Carry Forward Reserve due to project unlikely to proceed this financial year. Additional funds required for Nightcliff/Progress modelling and concept designs \$35k - funded from transfer from capital program LATM budget
2. Pathways additional funds required for increased maintenance works , transfer from capital Walkways budget.

Costs of Services

for the period ended 31 March 2017

	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						75%	
General Income							Attachment B-5
General Revenues (rates, interest, Federal Asstce)	64,998	64,952	-	64,952	63,917	98%	
Grants & Contributions and Other Income for Capital Purposes	10,564	5,693	-750	4,943	278	6%	1
Total income	75,562	70,645	-750	69,895	64,196	92%	
Expense							
Corporate overheads charged to other accounts	-5,607	-5,607	-	-5,607	-4,205	75%	
Depreciation	22,397	22,397	-	22,397	17,622	79%	
Loss on sale assets	-	-	-	-	193	1000%	
Total expense	16,790	16,790	-	16,790	13,610	81%	
Net surplus (-cost)	58,771	53,854	-750	53,104	50,586		
Net surplus (-cost) All Services	9,399	3,136	-956	2,181	17,080		

(NB This is the same result as the Income and expenses section of the Municipal Plan Summary Income Statement Section.)

Notes on recommended variations:

- 1. Decrease:** Cavenagh and Bennet St intersection grant budget \$750k, funds to be received and expended in 17/18 - transferred to Carry Forward Reserve (capital income and offsetting expenditure to be reinstated in 17/18).

2015-16 Actual \$'000	Statement of Financial Position as at 31 March 2017	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	Notes
	ASSETS						
	Current Assets						
12,022	Cash at Bank & Investments - unrestricted	8,137	11,698	0	11,698	33,042	
33,101	Cash at Bank & Investments - legally restricted	27,913	29,796	128	29,924	31,298	1
32,638	Cash at Bank & Investments - internally restricted	7,977	16,958	3,130	20,088	21,763	2
7,249	Receivables**	7,409	7,249		7,249	8,645	
131	Inventories	150	131		131	126	
211	Assets held for sale	0	211		211		
85,352		51,586	66,043	3,258	69,301	94,874	
	Non-Current Assets						
1,106,436	Infrastructure, Property, Plant and Equipment	1,183,770	1,130,387	-5,978	1,124,409	1,107,153	3
1,106,436		1,183,770	1,130,387	-5,978	1,124,409	1,107,153	
1,191,788	TOTAL ASSETS	1,235,356	1,196,431	-2,720	1,193,711	1,202,027	
	LIABILITIES						
	Current Liabilities						
11,444	Trade & Other Payables	8,014	11,444		11,444	4,766	
226	Borrowings	385	385		385	226	
6,909	Provisions & Other Liabilities	6,766	6,909		6,909	6,857	
18,579		15,165	18,738	-	18,738	11,849	
	Non-Current Liabilities						
3,287	Borrowings	4,634	4,634	-1,764	2,870	3,177	4
500	Provisions	676	500		500	500	
3,787		5,310	5,134	-1,764	3,370	3,677	
22,366	TOTAL LIABILITIES	20,475	23,872	-1,764	22,108	15,525	
1,169,422	NET ASSETS	1,214,881	1,172,558	-956	1,171,602	1,186,502	
	EQUITY						
771,670	Asset Revaluation Reserve	823,978	771,670		771,670	771,670	
397,752	Retained Surplus & Reserves	390,903	400,888	-956	399,932	414,832	5
1,169,422	TOTAL EQUITY	1,214,881	1,172,558	-956	1,171,602	1,186,502	
	Notes on recommended variations:						
	1. The increase in legally restricted funds is as detailed in Attachment D, Statement of Cash & Investments.						
	2. The increase in internally restricted funds is as detailed in Attachment D, Statement of Cash & Investments.						
	3. The decrease in capital expenditure is as detailed in Attachment E, Statement of Capital.						
	4. The decrease in borrowings is as detailed in Attachment E, Statement of Capital.						
	5. The decrease in Retained Surplus & Reserve is the net affect of recommended variations on net income as per Attachment A.						
	** Note: Actuals will come in line with projected result as year progresses as rates are struck at the beginning of the year.						

Statement of Cash & Investments as at 31 March 2017	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	Notes
Unrestricted	8,137	11,698	-	11,698	33,042	
Legally restricted						
CBD Carparking Shortfall - Developer Cont.	12,248	12,277	-	12,277	12,187	
CBD Carparking Shortfall - Rate Levy	11,826	11,753	-	11,753	11,663	
DEC Air Conditioning Replacement	432	432	-	432	432	
Developer Contributions	839	1,307	-33	1,274	1,731	1
Highway/Commercial Carparking Shortfall	19	17	-	17	48	
Market Site Development	335	335	-	335	324	
Other Carparking Shortfall	85	83	-	83	349	
Unspent Grants	-	1,574	161	1,735	1,574	2
Waste Management Reserve	2,129	2,018	-	2,018	2,991	
Total legally restricted	27,913	29,796	128	29,924	31,298	
Internally restricted						
Asset Replacement & Refurbishment *	-	3,586	-	3,586	6,259	3
Carry Forward	-	467	3,186	3,653	467	4
Darwin General Cemetery	-	-	-	-	7	
DEC Asset Replacement/Refurbishment	133	133	-	133	133	
Disaster Contingency	1,001	1,035	-	1,035	1,035	
Election Expense	345	346	-	346	346	
Environmental	247	326	-	326	647	
IT Strategy	-	-	-	-	436	
Nightcliff Community Hall	26	26	-	26	24	
Off & On Street Carparking **	1,050	5,796	-56	5,740	5,430	5
Plant Replacement	1,082	1,308	-	1,308	2,717	
Public Art	181	291	-	291	381	
Street Lighting Reserve	3,412	3,312	-	3,312	3,412	

Statement of Cash & Investments
as at 31 March 2017

	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	Notes
Watering	-	-	-	-	137	
Tree Risk Management Reserve	500	331	-	331	331	
Total internally restricted	7,977	16,958	3,130	20,088	21,763	
Total Cash & Investments	44,027	58,452	3,258	61,710	86,103	

Notes on recommended variations:

- 1. Developer Contributions Transfer Out** -\$33k Upgrade of Lee Point Road - installation of remaining street lights.
- 2. Unspent Grants Transfer In** - Cavenagh/Bennett St grant funds actually received and unspent to be spent in 17/18 financial year.
- 3. Asset Replacement & Refurbishment Transfer Out** - CBD Masterplan Cooling Weather Protection original budget funded from ARR - transfer to Carry Forward reserve (nil ARR budget effect - in and out).
- 4. Carry Forwards Transfer In** - projects to be spent in 17/18: DEC airconditioning \$1.736 revenue funded portion, \$1.35M Masterplan works, \$100k Urban Policy. Additional transfers in that net to zero but allow for reinstatement in 17/18: DEC loan \$1.764 (total carry forward \$3.5M) and Cavenagh/Bennet capital grant yet to be received in 17/18 \$750k (total carry forward \$911k).
- 5. On & Off Street Transfer Out** - \$76k credit card facility expense on machines. **Transfer In** - \$20k Mitchell St parking meters as project commencing at a later date .

<u>Statement of Capital Expenditure</u>	Full Original	Full Amended	Recommended	Projected	YTD	YTD v	
<u>for the period ended 31 March 2017</u>						Projected	
<u>Master Account</u>	Budget	Budget	Variations	Result	Actual	Result	Notes
	\$'000	\$'000	\$'000	\$'000	\$'000	%	
02 Community & Cultural Services Department							
05/221060 Swimming Pools Capital Projects Expenditure	12,310	11,117	-	11,117	2,067	19%	
05/221061 Community Projects Capital Expenditure	177	386	-	386	121	31%	
05/223060 Recreation Capital Projects	100	304	-	304	298	98%	
05/223065 Sports Facilities - Capital Projects	-	150	-	150	-	0%	
05/332089 Darwin Entertainment Centre Capital Projects	4,288	4,757	-3,500	1,257	357	28%	1
02 Community & Cultural Services Department Total	16,875	16,715	-3,500	13,215	2,843	22%	
03 Infrastructure							
05/311060 Infrastructure Capital Projects	1,000	4,947	-2,261	2,687	719	27%	2
05/322062 Minor Capital Works Program	142	142	-	142	135	95%	
05/322063 Streetscape Development & Upgrade	400	243	-	243	189	78%	
05/322066 Roads to Recovery Capital Projects Expenditure	-	211	-	211	5	3%	
05/322067 LATM Capital Projects Expenditure	251	206	-35	171	15	9%	3
05/322068 Cyclepath Capital Projects	561	344	-	344	68	20%	
05/322069 Black Spot Program	-	532	-	532	217	41%	
05/322070 Lee Point Road Upgrade	-	-	33	33	17	51%	4
05/331061 Footpaths Capital Projects	840	801	-	801	598	75%	
05/331062 Disability Access Capital Projects (W/O ONLY)	54	122	-	122	68	56%	
05/331064 Driveway Capital Projects	235	235	-	235	144	61%	
05/331065 Road Reseal & Rehabilitation Capital Projects	1,934	1,584	-	1,584	466	29%	
05/331066 Streetlighting Capital Projects	115	176	-	176	74	42%	
05/331067 Parks Lighting Capital Projects	359	605	-	605	206	34%	
05/331068 Kerbing Capital Projects	30	30	-	30	33	110%	
05/331069 Traffic Signals Capital Projects	92	118	-	118	59	50%	
05/332060 Building Maintenance Capital Projects	1,032	1,444	-	1,444	685	47%	
05/332063 Signage & Memorial Capital Projects	27	27	-	27	5	19%	
05/332082 Investment Properties Capital Refurbish (W/O ONLY)	-	212	-	212	38	18%	

Statement of Capital Expenditure	Full Original	Full Amended	Recommended	Projected	YTD	YTD v Projected	
for the period ended 31 March 2017	Budget	Budget	Variations	Result	Actual	Result	
Master Account	\$'000	\$'000	\$'000	\$'000	\$'000	%	Notes
05/332083 Toilet Block Capital Projects	-	379	-	379	306	81%	
05/332086 Open Spaces Capital Refurbishment Costs (W/O ONLY)	853	1,477	-	1,477	394	27%	
05/333062 Shoal Bay Upgrade Works	9,828	7,055	-	7,055	6,009	85%	
05/334060 Stormwater Drainage Capital Projects	1,000	1,370	-	1,370	1,057	77%	
05/334065 Walkway Capital Projects	162	251	-195	56	29	52%	5
05/334068 Mosquito Control Capital Projects	127	225	-	225	-	0%	
05/335060 Fleet Management Capital Projects	2,624	3,849	-	3,849	2,213	58%	
05/341061 Fencing Capital Projects	148	148	-	148	148	100%	
05/341062 Parks & Reserves Revitalisation Capital Projects	1,087	1,377	-	1,377	1,124	82%	
05/341063 Parks Infrastructure Capital Projects	139	196	-	196	110	56%	
05/341064 Parks & Reserves General Capital Projects	100	35	-	35	35	100%	
05/341065 Parks Landscaping & Irrigation Capital Projects	407	423	-	423	196	46%	
03 Infrastructure Total	23,546	28,764	-2,458	26,306	15,362	58%	
04 Corporate Services Department							
05/421061 Finance Capital Expenditure	-	82	-	82	38	46%	
05/431060 IT Capital Projects	755	803	-	803	68	9%	
05/432060 Records Capital Expenditure	-	26	-	26	1	4%	

Statement of Capital Expenditure	Full Original	Full Amended	Recommended	Projected	YTD	YTD v Projected	
for the period ended 31 March 2017	Budget	Budget	Variations	Result	Actual	Result	Notes
Master Account	\$'000	\$'000	\$'000	\$'000	\$'000	%	
05/453065 Off Street Parking Capital Projects	325	397	-20	377	29	8%	6
05/456060 On Street Parking Capital Projects	-	466	-	466	466	100%	
04 Corporate Services Department Total	1,080	1,773	-20	1,753	601	34%	
Total	41,501	47,252	-5,978	41,274	18,806	46%	

Notes on recommended variations:

1. DEC Airconditioning project majority of expenditure to be delivered in the 17/18 financial year. Transfer to Carry Forward reserve and remove external loan funding ; to be reinstated in 17/18.
2. CBD Master Plan projects transfer to Carry Forward Reserve \$1.35M. Cavenagh and Bennet St intersection majority of expenditure will be delivered in the 17/18 financial year transfer to Carry Forward Reserve \$911k.
3. Transfer funds to Design operational budget for Nightcliff/Progress modelling and concept designs.
4. Lee Point Rd upgrade installation of remaining street lights - funded from Developer Contributions Reserve.
5. Transfer funds to Pathway maintenance budget .
6. Mitchell St parking machines project transferred back to On & Off Street Reserve as project commencing at a later date.

ENCL: ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 15.1.4
 YES

2017/2018 ELECTED MEMBERS ALLOWANCES

REPORT No.: 17TC0020 MB:rn COMMON No.: 1555141 DATE: 11/04/2017

Presenter: Executive Manager, Mark Blackburn

Approved: Chief Executive Officer, Brendan Dowd

PURPOSE

The purpose of this report is to seek Council's endorsement of the 2017/18 Elected Member Allowances for inclusion in the 2017/18 Municipal 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

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

- Elected Member Allowances are set in accordance with Part 7.1, Section 71 of the Local Government Act.
- It is recommended that Council adopts the allowances as shown in **Attachment A** as per the Ministerial Guidelines effective 1 July 2017.

RECOMMENDATIONS

- A THAT Report Number 17TC0020 MB:rn entitled 2017/2018 Elected Member Allowances, be received and noted.
- B THAT Council adopt the Elected Member Allowances in **Attachment A** to Report Number 17TC0020 MB:rn entitled 2017/2018 Elected Member Allowances.
- C THAT the Extra Meeting Allowance for 2017/2018, be set at \$180.42 per meeting.

PAGE: 2
REPORT NUMBER: 17TC0020 MB:rn
SUBJECT: 2017/2018 ELECTED MEMBERS ALLOWANCES

BACKGROUND

Part 7.1, Section 71 of the Local Government Act is shown below:

Allowances

- (1) A member of a council is entitled to be paid an allowance by the council.
- (2) The allowance for a member of a council is to be at a rate fixed by the council (subject to any guidelines that the Minister may make) for the relevant financial year.
- (2A) A member of a local authority is to be paid an allowance by the council to the extent that any guidelines that the Minister may make and that apply in the relevant financial year permit such an allowance to be paid.
- (2B) The allowance for a member of a local authority is to be fixed by the council in accordance with any guidelines that the Minister may make and that apply in the relevant financial year.
- (3) Allowances for each financial year are to be fixed as part of the council's budget for the relevant financial year.
- (4) Differential allowances may be fixed for:
 - (a) the principal member; and
 - (b) the deputy principal member; and
 - (c) the Chair of a local authority; and
 - (d) other members of the council or local authority.
- (5) Allowances are to be paid as determined by the council or by the guidelines but are not to be paid in advance.

DISCUSSION

It has been a general practice of City of Darwin to adopt the Elected Members Allowances in accordance with the Guidelines as set annually by the Minister. The Guidelines issued by the Minister for the 2017/18 year were the same as the 2016/17 financial year.

The framework for the Elected Members' allowances and expenses is outlined in City of Darwin Policy 017 - Elected Member Allowances and Expenses.

It is recommended that Council adopt the Elected Members Allowances in **Attachment A** as published by the Minister.

PAGE: 3
REPORT NUMBER: 17TC0020 MB:rn
SUBJECT: 2017/2018 ELECTED MEMBERS ALLOWANCES

CONSULTATION PROCESS

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

- General Manager Corporate Services

POLICY IMPLICATIONS

This report is presented in accordance with City of Darwin Policy No.017 – Elected Members Allowances and Expenses

BUDGET AND RESOURCE IMPLICATIONS

Once adopted by Council, the Elected Members Allowances will be included in the 2017/18 Municipal Plan

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Elected Members Allowances come under Part 7.1, Section 71 of the Local Government Act.

ENVIRONMENTAL IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

MARK BLACKBURN
EXECUTIVE MANAGER

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

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

Attachments:

Attachment A: Maximum Council Member Allowances

(8) Maximum Council Member Allowances

Amounts applicable 1 July 2017

Note: A council must resolve allowances for the financial year when it adopts the budget for the financial year (section 71(3)). A council must adopt its budget on or before 31 July (section 128(1)). The amounts in these tables indicate the maximum level at which allowances may be set. Councils can resolve to pay less than the maximums. A council needs to consider allowances in the overall context of its budget. Once a council has resolved the level of allowances for a financial year they cannot be changed by amendment (section 128(2)).

Ordinary Council Member

Council Members other than Principal Member and the Deputy Principal Member				
	Category 1:	Category 2:	Category 3:	Category 4:
	Darwin	Alice Springs Palmerston	Katherine Litchfield Barkly Central Desert East Arnhem MacDonnell Roper Gulf Tiwi Islands Victoria Daly West Arnhem West Daly	Belyuen Coomalie Wagait
Base Allowance	\$21,918.53	\$15,343.80	\$13,151.83	\$4,383.95
Electoral Allowance	\$8,019.95	\$5,614.79	\$4,812.67	\$1,604.22
Professional Development Allowance	\$3,653.68	\$3,653.68	\$3,653.68	\$3,653.68
Max Extra Meeting Allowance	\$14,612.35	\$10,229.59	\$8,767.88	\$2,923.41
Total Claimable	\$48,204.51	\$34,841.86	\$30,386.06	\$12,565.26

Acting Principal Member

	Category 1:	Category 2:	Category 3:	Category 4:
	Darwin	Alice Springs Palmerston	Katherine Litchfield Barkly Central Desert East Arnhem MacDonnell Roper Gulf Tiwi Islands Victoria Daly West Arnhem West Daly	Belyuen Coomalie Wagait
Daily Rate	\$421.67	\$296.82	\$254.42	\$84.80
Maximum Claimable (90 days)	\$37,950.30	\$26,713.80	\$22,897.80	\$7,632.00

Deputy Principal Member

	Category 1:	Category 2:	Category 3:	Category 4:
	Darwin	Alice Springs Palmerston	Katherine Litchfield Barkly Central Desert East Arnhem MacDonnell Roper Gulf Tiwi Islands Victoria Daly West Arnhem West Daly	Belyuen Coomalie Wagait
Base Allowance	\$45,065.53	\$31,546.25	\$27,039.81	\$9,014.07
Electoral Allowance	\$8,019.95	\$5,614.79	\$4,812.67	\$1,604.22
Professional Development Allowance	\$3,653.68	\$3,653.68	\$3,653.68	\$3,653.68
Total claimable	\$56,739.16	\$40,814.72	\$35,506.16	\$14,271.97

Principal Member

	Category 1:	Category 2:	Category 3:	Category 4:
	Darwin	Alice Springs Palmerston	Katherine Litchfield Barkly Central Desert East Arnhem MacDonnell Roper Gulf Tiwi Islands Victoria Daly West Arnhem West Daly	Belyuen Coomalie Wagait
Base Allowance	\$121,874.05	\$85,312.54	\$73,125.37	\$24,375.52
Electoral Allowance	\$32,077.45	\$22,454.45	\$19,247.18	\$6,415.73
Professional Development Allowance	\$3,653.68	\$3,653.68	\$3,653.68	\$3,653.68
Total claimable	\$157,605.18	\$111,420.67	\$96,026.23	\$34,444.93

ENCL: YES	ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM:	15.1.5
NIGHTCLIFF/RAPID CREEK ACTIVE TRAVEL PROJECT - NIGHTCLIFF SCHOOLS COMMUNITY REQUEST			
REPORT No.:	17TS0039 NK:tz	COMMON No.:	3503314
			DATE: 11/04/2017

Presenter: Manager Capital Works, Nik Kleine

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to inform Council of a request to engage in the Nightcliff/Rapid Creek Active Travel Project being driven by schools and parents of students from the Nightcliff and Rapid Creek area.

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

2.1.3 Manage the road network to meet community needs

KEY ISSUES

- City of Darwin has been approached by the Principals of the Nightcliff Schools Community seeking support for the Nightcliff/Rapid Creek Active Travel Project.
- The project aims to change behaviour and promote safe and active transport methods for students of the four schools.
- Previous work by the Northern Territory Government and the City of Darwin has been undertaken in the Nightcliff and Rapid Creek Education Precinct.

PAGE: 2
 REPORT NUMBER: 17TS0039 NK:tz
 SUBJECT: NIGHTCLIFF/RAPID CREEK ACTIVE TRAVEL PROJECT - NIGHTCLIFF
 SCHOOLS COMMUNITY REQUEST

RECOMMENDATIONS

- A. THAT Report Number 17TS0039 NK:tz entitled Nightcliff/Rapid Creek Active Travel Project - Nightcliff Schools Community Request, be received and noted.
- B. THAT Council note the Nightcliff Schools Community intend to undertake the Nightcliff/Rapid Creek Active Travel Project and that a request for further information including terms of reference, timeframes and the engagement process will be made.
- C. THAT Council note that no further work will occur regarding the Nightcliff and Rapid Creek Education Precinct Road Safety Assessment until the outcomes of Nightcliff Road/Progress Drive/Bagot Road/Trower Road intersections study and the Nightcliff Schools Community Active Travel Project are known.

BACKGROUND

City of Darwin received a request from the Principals of the Nightcliff Schools Community (Nightcliff Primary School, Nightcliff Middle School, St Paul's Catholic Primary School and the Essington School Darwin) to meet with the Chief Executive Officer and key Council staff to discuss a project they are driving called "Nightcliff/Rapid Creek Active Travel". This is provided as **Attachment A** to this report.

A study by the Northern Territory Government, project managed by City of Darwin (The Nightcliff and Rapid Creek Education Precinct Road Safety Assessment) has occurred with a draft report being finalised. The primary objective of the study was to identify current and likely future road safety issues around schools and childcare centres within the Nightcliff and Rapid Creek area and to develop an action plan to reduce identified risks to all road users.

Council has proactively undertaken a number of traffic management projects to improve road safety in the area in the last few years. These include:

- Ryland Road Intersection Black Spot Projects.
- Relocation of Pedestrian Refuge along Ryland Rd, adjacent to Nightcliff Middle School.
- Upgrading of Nightcliff Rd shared path.

In addition to the above mentioned works and as a result of the study, City of Darwin received grant funding to undertake an engineering study to explore options for the upgrading of the Nightcliff Road/Progress Drive/Bagot Road/Trower Road intersection. The study is an action recommended in the Nightcliff and Rapid Creek Education Precinct Road Safety Assessment. The outcomes of this study will be subject to a separate report to Council and community engagement process.

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REPORT NUMBER: 17TS0039 NK:tz
SUBJECT: NIGHTCLIFF/RAPID CREEK ACTIVE TRAVEL PROJECT - NIGHTCLIFF SCHOOLS COMMUNITY REQUEST

In 2016 Council also endorsed a 12 month trial for the placement of stickers on Council footpaths to delineate routes for children to walk to school, with the objective of increasing walking. This trial is currently underway.

This report is provided to inform Council of the Nightcliff Schools Community Active Travel Project, as Council is a stakeholder.

DISCUSSION

The Nightcliff Schools Community has approached City of Darwin seeking support for their Nightcliff/Rapid Creek Active Travel Project. The project is being driven by the school community from Nightcliff Primary School, Nightcliff Middle School, St Paul's Catholic Primary School and the Essington School Darwin.

The key outcome for the project is to promote safe and active transport methods for students of the four schools. The following benefits have been identified as outcomes of the project:

- Safe routes to school.
- Reduced traffic and parking congestion around schools.
- Health benefits of increased exercise.
- A sense of community.

The group has previously met with the Member for Nightcliff: Natasha Fyles MLA and the Lord Mayor Katrina Fong Lim.

Advice received in the letter is that the group of schools is setting up a Steering Committee for the project is to be formed with a planning workshop to discuss aims, objectives and governance for the project.

Two representatives of the group met with the City of Darwin Chief Executive Officer and staff on Wednesday 15 March 2017 to provide an overview of their project.

The Steering Committee intends to draw upon the previous study undertaken by the Northern Territory Government and Council within the Nightcliff and Rapid Creek precinct to inform their project.

The project involves Council assets and may result in requests to Council for expenditure to occur on its assets. It is premature to determine possible implications, but given the context of the project it is considered highly likely that requests for funding on projects will be made to Council. Council would need to consider any requests for funding for the project when they are made in context of normal budgeting and program considerations.

Council staff will engage with the Steering Committee as per normal Council practices relating to community based projects and as a stakeholder.

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REPORT NUMBER: 17TS0039 NK:tz
SUBJECT: NIGHTCLIFF/RAPID CREEK ACTIVE TRAVEL PROJECT - NIGHTCLIFF
SCHOOLS COMMUNITY REQUEST

Consideration will need to be given on how Council will manage expectation or concerns from the community or the schools community, as it relates to areas under its control and potential future project request outcomes.

CONSULTATION PROCESS

Council will engage as a stakeholder in the process. Given the early stage of this project Council is unclear as to the Nightcliff/Rapid Creek Schools Community intended community engagement strategy for the project.

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

- Manager Design, Planning and Projects
- Senior Community Engagement Officer

Outcomes arising from the Nightcliff/Rapid Creek Active Travel Project that have an impact on assets managed by the City of Darwin may require a level of re-engagement with the community, should Council consider their implementation.

POLICY IMPLICATIONS

Participation as a stakeholder in the Nightcliff/Rapid Creek Active Travel project identifies with the objectives of City of Darwin Policy No. 008 Community Participation, Access and Inclusion and City of Darwin Policy No. 025 - Community Consultation. Further information on these policies can be found at www.darwin.nt.gov.au/council/council-policies

As outcomes from the Nightcliff/Rapid Creek Active Travel Project are not tangible at this time, policy implications as a result of outcomes from the project will be assessed in future update reports to Council.

BUDGET AND RESOURCE IMPLICATIONS

No financial contribution is being sought for the project at this time. There will be costs associated with Council staff time. When engagement with Council occurs this will be funded as part of normal operating staff resources.

Given the nature of the project, it is reasonable to assume that outcomes may affect Council assets and result in a request for expenditure by Council that are not currently programmed. The correspondence from the school community also indicates this. However staff are unable to advise on impact at this time of the project.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There is a risk that the community may perceive this project and the outcomes arising from it as having been already endorsed by Council.

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REPORT NUMBER: 17TS0039 NK:tz
SUBJECT: NIGHTCLIFF/RAPID CREEK ACTIVE TRAVEL PROJECT - NIGHTCLIFF
SCHOOLS COMMUNITY REQUEST

The outcomes from the project are not tangible at this time and as such, risk, legal and legislative implications cannot be reasonably assessed.

ENVIRONMENTAL IMPLICATIONS

The School Community Group have advised that they represent more than 2000 children. The use of alternative travel modes can have both environmental and health benefits for the community.

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
MANAGER CAPITAL WORKS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Nik Kleine on 8930 0586 or email:
n.kleine@darwin.nt.gov.au.

Attachments:

Attachment A: Letter to Council from the Principals of the Nightcliff Schools
Community

ATTACHMENT A



31 January 2017

Mr Brendan Dowd,
CEO City of Darwin
CIVIC CENTRE
Harry Chan Avenue
GPO Box 84 Darwin NT 0801

Dear Brendan,

Creating a walkable and rideable community

We are writing to you as the principals of the Nightcliff schools community to request a meeting with you and key Council staff in early February.

We would like to outline and seek your support for our Nightcliff/Rapid Creek Active Travel Project, which is being driven by schools and parents of Nightcliff Primary School, Nightcliff Middle School, St Paul's Catholic Primary School and The Essington School Darwin.

Our aim is to change behaviour and get more children walking and riding to school. The benefits for our school community of more than 2000 children would include:

- safe routes to school
- reduced traffic and parking congestion
- health benefits from children getting more exercise
- a stronger sense of community
- flow-on benefits for the elderly, disabled, childcare and general residents travelling to after school activities, visiting friends, accessing services and getting healthy exercise.

In early December, we held a meeting with a group of Principals and parents, coordinated by the Chair of Nightcliff Primary School Council Simon Niblock. We have since met with the Member for Nightcliff Natasha Fyles and the Lord Mayor Katrina Fong Lim.

This meeting received enthusiastic support from the school community and heard that safety concerns are the main reason that many children are driven to school rather than being allowed to walk and cycle. There were many stories of children on bicycles being involved in collisions with cars or near misses.

The project is at a very early stage and before taking it further, we would like to brief you on our plans and listen to your advice.

We intend to draw on the work of previous traffic plans but also focus on community-led behaviour change, including several initiatives implemented by schools in 2016. We also realise that our plans involve council assets and we need to work closely with the City of Darwin, as well as manage expectations and any cost implications for Council.

We are setting up a Steering Committee and Principals and parents and will hold a planning workshop with this committee in early February to discuss aims, objectives and governance.

We would appreciate the chance to meet with you beforehand. If you could contact Anthony Hockey at Anthony.Hockey@nt.catholic.edu.au or on mob 0448 058 130 at your earliest convenience we'd be most grateful.

Yours sincerely,

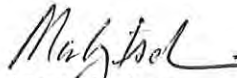
Signed



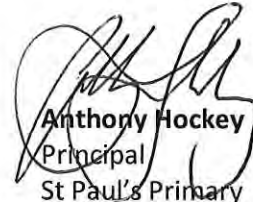
David Cannon
Principal
The Essington School
School



Graham Chadwick
Principal
Nightcliff Primary
School



Marty Isaksen
Principal
Nightcliff Middle
School



Anthony Hockey
Principal
St Paul's Primary
School

ENCL: ORDINARY COUNCIL MEETING/OPEN **AGENDA ITEM:** 15.1.6
YES

MP012 ESPLANADE PARADE IMPLEMENTATION PLAN CONSIDERATION

REPORT No.: 17TS0035 NK:tz **COMMON No.:** 2661536 **DATE:** 11/04/2017

Presenter: Manager Capital Works, Nik Kleine

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to provide Council with information regarding consultation, design, costs and staging options for MP012 Esplanade 'Parade Path' and to seek Council direction on the future of this 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

2.1 Improved access and connectivity

Key Strategies

2.1.1 Improve the pathway and cycle networks and encourage cycling and walking

KEY ISSUES

- There is currently a network of paths running through Bicentennial Park, most of which are adjacent to the harbour edge.
- Installation of a 3.5 metre wide parade pathway would improve accessibility into Bicentennial Park from the existing Esplanade car parks.
- Consideration has been given to underutilised open space areas along the proposed pathway which can be treated through the provision of new trees during pathway installation.
- An independent estimate of probable cost of the pathway, if constructed in four stages, has been provided at \$1 million.
- Cost estimates have been provided for additional treatments to pathway 'access nodes' and pathway style which can be viewed as optional.
- Extensive community engagement is to be undertaken should Council decide to progress the MP012 Esplanade 'Parade Path'.

PAGE: 2
 REPORT NUMBER: 17TS0035 NK:tz
 SUBJECT: MP012 ESPLANADE PARADE IMPLEMENTATION PLAN
 CONSIDERATION

RECOMMENDATIONS

- A. THAT Report Number 17TS0035 NK:tz entitled MP012 Esplanade Parade Implementation Plan Consideration, be received and noted.
- B. THAT Council defer progression of Darwin City Centre Master Plan MP012 Esplanade 'Parade Path' with the project to be reconsidered in future years and that the funds allocated to the project be transferred to the asset refurbishment reserve.

OR

- B. THAT Council undertake a community consultation based on information within Report Number 17TS0035 NK:tz, entitled MP012 Esplanade Parade Implementation Plan Consideration with the purpose of determining:
- i. Level of support from the community for parade path construction;
 - ii. Preferred position of the parade path;
 - iii. Preference of parade path style;
 - iv. Staging options.

BACKGROUND

Council endorsed the Darwin City Centre Master Plan on 26 May 2015.

At the 1st Ordinary Council Meeting on 15 August 2016, Council resolved as follows:

DECISION NO.21\4989 (15/11/16)

Esplanade Cycle Lane

Common No. 2661536

- A. *THAT Council endorse the removal of the on-road cycle lane along the Esplanade and that the on-street parking be reinstated adjacent to the kerb as a result of the review undertaken, to improve the safety of users at conflict points between cyclists and road users and ensuring no loss of car parking with the exception of 1 bay on each side of Knuckey Street intersection.*
- B. *THAT Council support in principle CBD Master Plan project MP012 "Esplanade Parade" incorporating both Pedestrian and Bicycle traffic and that a report be prepared on the logistics of an implementation plan that includes consideration of:*
- i. extensive stakeholder engagement*
 - ii. design*
 - iii. possible staging*
 - iv. estimated costs*

by March 2017.

PAGE: 3
 REPORT NUMBER: 17TS0035 NK:tz
 SUBJECT: MP012 ESPLANADE PARADE IMPLEMENTATION PLAN
 CONSIDERATION

At the 2nd Ordinary Council Meeting on 28 March 2017, Council resolved as follows:

DECISION NO.21\5278 (28/03/17)

Darwin City Centre Master Plan and 2016/2017 Projects Update

Report No. 17TS0034 NK:tz (28/03/17) Common No. 2116605

- A. *THAT Report Number 17TS0034 NK:tz entitled Darwin City Centre Master Plan and 2016/2017 Projects Update, be received and noted.*
- B. *THAT Council endorse the allocation of \$1 million to the following Master Plan Projects as identified in Report Number 17TS0034 NK:tz entitled Darwin City Centre Master Plan and 2016/2017 Projects Update:*
- *MP012 Esplanade Parade Path \$500,000.*
 - *MP033 Harriet Place Revitalisation \$100,000.*
 - *MP044 Cooling Weather Protection (Cavenagh Street/Bennett Street Intersection Upgrade) \$400,000.*
- C. *THAT Council endorse placing on hold projects MP013 Smith Street Upgrade, MP036 Smith/Bennett Street Intersection, MP044 Cooling Weather Protection and MP046 Urban Forest Project while opportunities relating to City Deal are explored as identified in Report Number 17TS0034 NK:tz entitled Darwin City Centre Master Plan and 2016/2017 Projects Update.*
- D. *That Council reallocate \$1.35 million from the Master Plan Projects on hold for consideration of projects associated with a Darwin City Deal as part of the 2016/17 third quarter budget variation process.*

DISCUSSION

Project MP012 is a project identified within the Master Plan as desirable not critical. The Master Plan describes the park as an opportunity to create a path along the edge of the Esplanade to increase activation of the park.

The concepts identified and described within the Master Plan are preliminary and in the early stages of development, evaluation and testing in terms of feasibility and delivery.

The Council requested a report be prepared on the Esplanade Parade Path project to consider design, costs, staging and stakeholder engagement.

In considering the information within this report direction is being sought as to whether Council wishes to proceed with this project at this time and if so how.

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 REPORT NUMBER: 17TS0035 NK:tz
 SUBJECT: MP012 ESPLANADE PARADE IMPLEMENTATION PLAN
 CONSIDERATION

Bicentennial Park has a number of existing shared paths running through it, most of which hug the harbour edge of the park and are lit.

No analysis has been undertaken on preferred travel paths or the number and types of path users of existing or future path network, therefore it is difficult to determine the economic and social costs and benefits.

Two options have been developed in order to assist with developing costs, designs and staging plans.

The conceptual locations presented within this report focus on improving access and connectivity through Bicentennial Park. Advice from an independent landscape architect ensured that due consideration was given to the following influencing elements;

- Accessibility of parade path to occupants of cars parking on the Esplanade;
- Locating the path appropriately to avoid unnecessary demolition costs;
- Minimising interference to existing green space and established trees;
- Utilising and tying into existing pathway corridors where possible; and
- Provision of additional trees and benches to activate the open space.

An engineering survey was undertaken so that the estimated costs associated with the concepts could be determined.

The preferred pathway location option for Council's consideration is shown in **Attachment A** and is described as follows.

Option 'A' – Preferred

This option is represented in **Attachment A** 'Staging Plan – Option A'.

Option 'A' most comprehensively addresses the influencing elements mentioned above in determining a location. Notably, this path alignment also considers existing infrastructure both above and under the ground. Underground services including water, gas and electricity run immediately adjacent to the southernmost Esplanade car parks for the majority of Bicentennial Park.

Some demolition is required as a consequence of Option 'A'. The table below indicates the items requiring removal and also the proposed new inclusions to offset the demolition and invigorate the area;

Description of Item	Number Demolished	Number Replaced
Carpentaria Palm	30	0
Tree	3	47
Bench Seat	4	18
Trellised Bench Seat with Shade	8	0

As can be seen in **Attachment A**, stages 1, 2, 3A and 4 show the pathway primarily remaining adjacent to the Esplanade car park kerb. Deviation from the car park kerb

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 REPORT NUMBER: 17TS0035 NK:tz
 SUBJECT: MP012 ESPLANADE PARADE IMPLEMENTATION PLAN
 CONSIDERATION

in these stages only occurs where existing mature trees would otherwise require removal.

A more significant deviation from the car park kerb can be seen in stage 3B of Option 'A'. At this location, the new path is offset from the kerb and located in the same position as the existing path.

Option 'B' – Adjacent to Esplanade Kerb

This option is more closely aligned with the MP012 project as presented in the Darwin City Centre Master Plan. Aside from this fact, there are several complexities introduced into the scope through pursuing Option 'B'.

Construction of a path adjacent to the kerb for the length of the Esplanade would require the removal of 28 mature trees, most of which contribute to the provision of shade to car parks along the Esplanade. By comparison, Option 'A' requires the removal of 3 mature trees.

A service corridor runs for a majority of the length of the Esplanade adjacent to the car park kerb, beneath the location of the path in Option 'B'. Although, consequences of this positioning have not yet been comprehensively investigated, there would undoubtedly be costs involved in the requirement to complete extensive underground service location and possible relocation.

Pathway Style Preference

Two alternative pathway style options which would improve the aesthetic appearance of the path have been addressed below; the use of these style options should be considered as aesthetic treatments not public art.

Exposed aggregate/coloured concrete finish; these treatments are often referred to as decorative concrete finishes. Whilst these styles would add interesting texture/colour to the appearance of the park, it must be understood that both of these options have a higher upfront cost and will result in greater ongoing maintenance costs.

Mosaic or tiled/paved finish over concrete; this style would also potentially result in a more desirable visual appearance, improving textures and colours in the park. Any such treatment to the path would require specialist input and increase the overall cost of the path.

Furthermore, the above estimate excludes improvement of the existing park entry 'nodes', where people move between the pathway and the Esplanade car parks or roadway. Upgrading the nodes is not essential to success of the project. However, node upgrades are highlighted as an element which improves area activation. There are five nodes along the length of the proposed pathway. It has been estimated that the upgrade of each node will cost approximately **\$40,000** pending finalisation of detailed node design.

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 REPORT NUMBER: 17TS0035 NK:tz
 SUBJECT: MP012 ESPLANADE PARADE IMPLEMENTATION PLAN
 CONSIDERATION

These nodes also present an opportunity for public art installations, consideration of these opportunities has not been included in this report and would be the subject of funding from a separate program.

Costs

The table below provides an estimate of probable costs for the construction of Option 'A'.

Path Type	Cost
Plain Grey Concrete	\$1 million
Exposed Aggregate/Coloured Concrete	\$1.172 million
Mosaic or Tiled/Paved Finish	\$1.62 million

Costs associated with lighting of the path have not been determined at this stage. The requirements and costs associated with lighting of the path are dependent on the location chosen. Probable costs associated with pathway lighting are estimated at \$12,000 per light pole.

Staging of Works

Regardless of the path location, staging of the construction of the path is the recommended approach; this will ensure that a majority of Bicentennial Park remains available for safe use by the community away from construction activities.

The table below details the proposed stages of construction.

Path Stage	Description
Stage 1	Bicentennial Park Play Space (Adjacent to)
Stage 2	Play Space – Peel St
Stage 3	Peel St – Knuckey St Daly St – Play Space
Stage 4	Knuckey St – Herbert St

Consultation

It is recommended that an engagement process is undertaken to gauge the level of community support should the path proceed. The process will need to be broad and not limited to affected stakeholders so that the process is well informed.

The engagement process with the community will identify the following objectives:

- Determine community support for the project,
- Preferred location for the path,
- Style of the proposed pathway, and
- Potential options for staging.

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 REPORT NUMBER: 17TS0035 NK:tz
 SUBJECT: MP012 ESPLANADE PARADE IMPLEMENTATION PLAN
 CONSIDERATION

Consultation methods for this project will be varied and may include options such as social media, surveys, E-newsletters, door knocking and letters to residents and other stakeholders.

Summary

Should Council wish to progress this project, Option 'A' identified above is the preferred option with reference to position within Bicentennial Park.

In line with MP012 Esplanade 'Parade Path' as outlined in the Darwin City Centre Master Plan, it is recommended that the adopted path style be decorative concrete, tiles/pavers or a combined solution.

A staged approach for construction is the preferred option; however, it is recommended that regardless of construction methodology, staged or otherwise, the consultation for the all stages of the project is completed concurrently.

CONSULTATION PROCESS

It is recommended that an engagement process is undertaken to gauge the level of community support should the path proceed.

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

- Senior Project Officer Capital Works
- Senior Community Engagement Officer
- Manager Infrastructure Maintenance

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

- Clouston Associates Landscape Architects

POLICY IMPLICATIONS

Procurement for the project has been undertaken in accordance with City of Darwin Policy Number 070 Purchasing Policy.

BUDGET AND RESOURCE IMPLICATIONS

The funding allocated to the Esplanade Parade Path is \$500,000 for stage 1.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Extensive community engagement was undertaken in the development of the Master Plan. There is a risk that should Council proceed with the Esplanade Parade project without first identifying the communities support for the project that it will attract negative comment.

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REPORT NUMBER: 17TS0035 NK:tz
SUBJECT: MP012 ESPLANADE PARADE IMPLEMENTATION PLAN
CONSIDERATION

In causing disruption to normal operations of Bicentennial Park, Council risks negative feedback from the general community and organisers of special events. Adequate planning ahead of each stage of works is essential to ensure that stakeholders are aware of construction activities and event clashes are avoided.

ENVIRONMENTAL IMPLICATIONS

The delivery of all sections of this pathway will integrate with the existing environment and natural features of Bicentennial Park. Ongoing consultation, both internal and external, will be undertaken to ensure that any existing sensitivities are managed appropriately.

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.

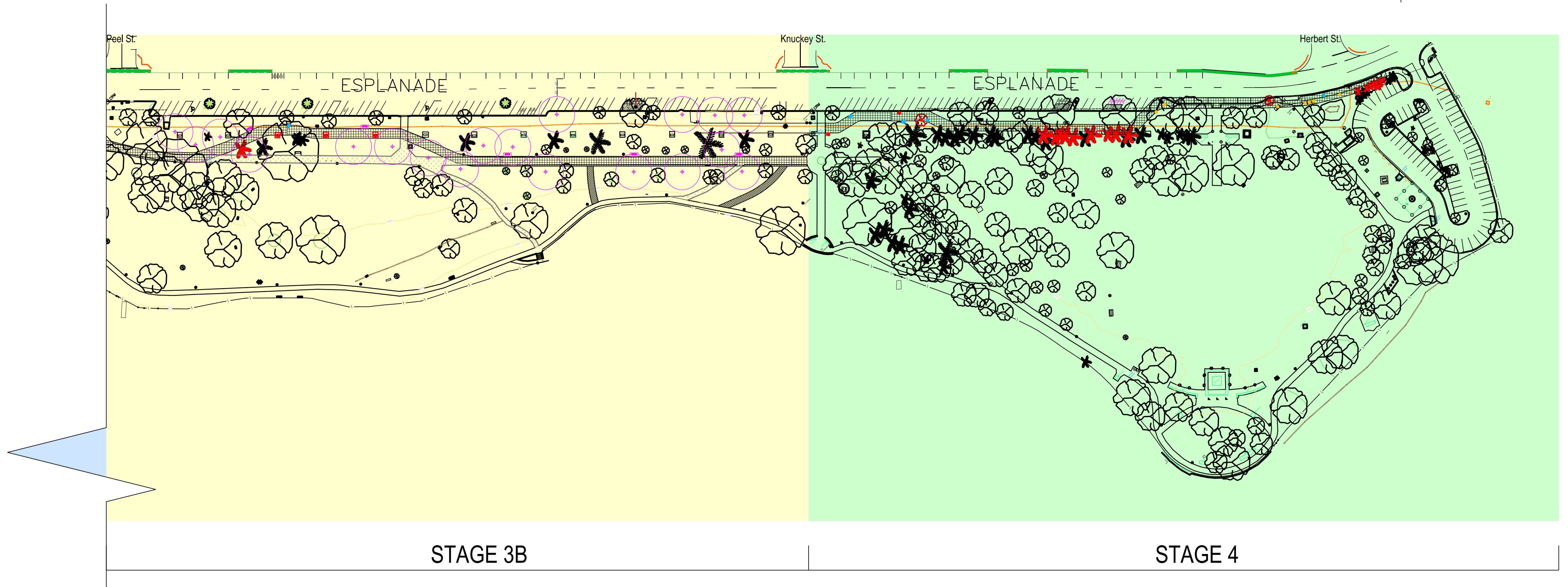
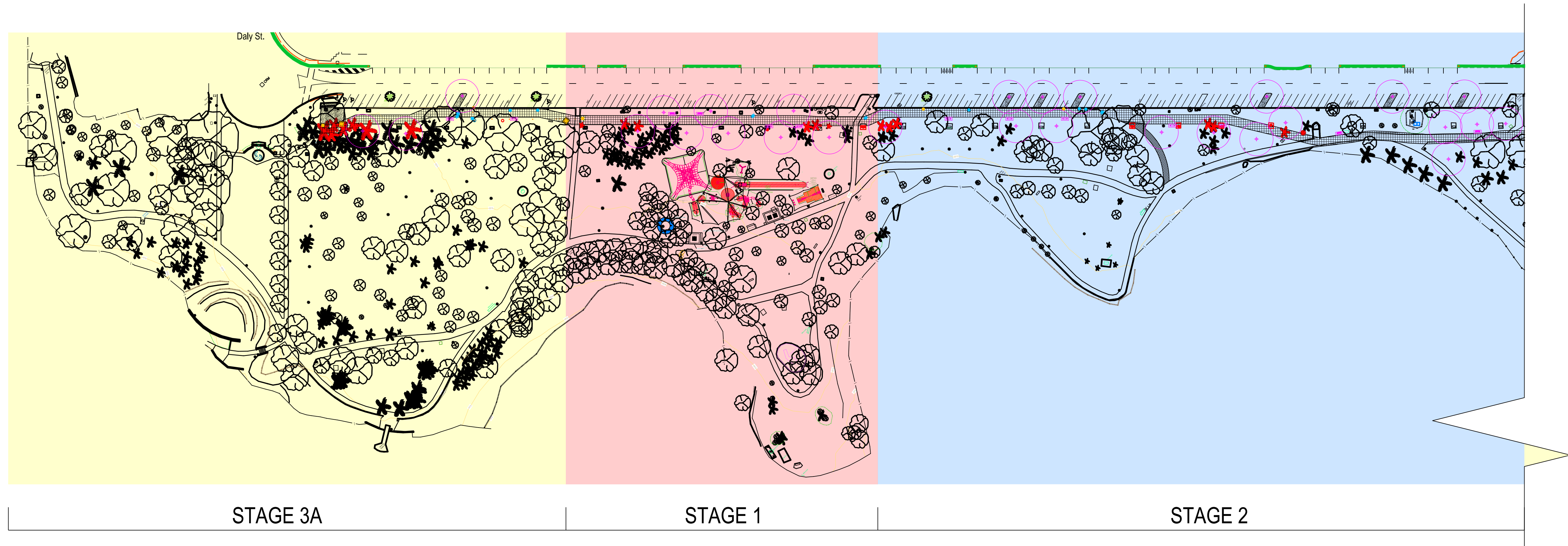
NIK KLEINE
MANAGER CAPITAL WORKS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Nik Kleine on 8930 0586 or email:
n.kleine@darwin.nt.gov.au.

Attachments:

Attachment A: Staging Plan – Option ‘A’



Note:
This document is Preliminary unless Validated.

ISSUE	STATUS	DATE	REVIEW	VERIFY	VALIDATE
A	FOR REVIEW	21/03/17	HS	TC	

CLIENT
CITY OF DARWIN

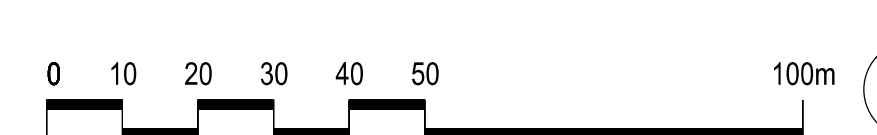
LEAD CONSULTANT
CLOUSTON associates
LANDSCAPE ARCHITECTS

LEVEL 1, 1 BRIGGS STREET
DARWIN NT 0801
EMAIL darwin@clouston.com.au
TELEPHONE (08) 8941 2450



PROJECT THE ESPLANADE, DARWIN NT
BICENTENNIAL PARK WALKWAY

DRAWING TITLE
STAGES PLAN



CLIENT CITY OF DARWIN	DRAWN HS	SCALE 1:1000@A1
DRAWING NUMBER D17-0007 LA01	ISSUE A	

ENCL: 2ND ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 15.1.7
 YES

COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION – SPICE GARDEN

REPORT No.: 17C0025 TM:kl COMMON No.: 3505842 DATE: 11/04/17

Presenter: Manager Darwin Safer City Program, Tracey McNee

Approved: General Manager Community & Cultural Services,
 Anna Malgorzewicz

PURPOSE

The purpose of this report is to present to Council for consideration, a response to a New Liquor Licence Application.

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

5.4 Effective leadership and advocacy

Key Strategies

5.4.1 Exhibit leadership on community issues

KEY ISSUES

- Council has received a new Liquor Licence Application for comment.
- The application has been made by Spice Garden NT Pty Ltd for the Restaurant known as Spice Garden.
- Director-General Licensing NT has established a new Guideline under Section 125A of the Liquor Act. The new Guideline relates to ‘Public Hearings to Be Held in Certain Circumstances’.
- This report details City of Darwin’s Officers’ recommended response to the Northern Territory Government for the above new Liquor Licence application.
- Council has endorsed its ‘Safer Vibrant Darwin Plan 2016-2019’, which outlines strategic direction and action that contribute to a safer, more vibrant community. Recommendations within this report align with this framework.

PAGE: 2
 REPORT NUMBER: 17C0025 TM:kl
 SUBJECT: COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION –
 SPICE GARDEN

RECOMMENDATIONS

- A. THAT Report Number 17C0025 TM:kl entitled Council Response to New Liquor Licence Application – Spice Garden, be received and noted.
- B. THAT Council endorse the letter to the Director-General of Licensing at **Attachment A** to report Number 17C0025 TM:kl entitled Council Response to New Liquor Licence Application – Spice Garden, noting Council objects to the conditions contained within the New Liquor Licence Application from Spice Garden NT Pty Ltd.

BACKGROUND

City of Darwin has received a New Liquor Licence application for comment.

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.

City of Darwin Officers’ have been advised that the Director-General Licensing NT has established a new Guideline under Section 125A of the Liquor Act. The new Guideline (**Attachment B**) relates to ‘Public Hearings to Be Held in Certain Circumstances’. The guideline stipulates:

- Public hearings will now be held as part of the inquiry or investigation process required under the Act when determining certain liquor licence matters.
- A public hearing will be conducted where a valid objection to an application has been lodged with the Director-General under Section 47F of the Act relating to the following types of applications;
 - For the grant of a liquor licence under Section 26 of the Act;
 - For a variation of conditions of an existing liquor licence;
 - For substitution of premises; and

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 REPORT NUMBER: 17C0025 TM:kl
 SUBJECT: COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION –
 SPICE GARDEN

- For approval to make material alteration to licence premises.
 - A public hearing will also be conducted where the Director-General has accepted a complaint made against a licensee.
 - A public hearing will also be conducted where application has been received to declare a restricted area or the Director-General proposes to make a declaration of a restricted area.
 - Any organisation or person can attend a hearing, either to speak to a submission, object to a submission or to observe the proceedings.

Council will be represented at any future hearings through the General Manager Community and Cultural Services. All statements at future hearings will be informed by Council's recommendation and conditions relating to licence applications.

DISCUSSION

Spice Garden NT Pty Ltd has made application for a New Liquor Licence for the premises to be called Spice Garden, located at 2 Pavonia Way, Nightcliff.

The business proposed to be conducted will be a restaurant where persons may consume alcohol without the requirement of purchasing a meal. The primary method for the sale of alcohol will be table service however consumption of alcohol without a meal via bar service would also be available. Snack foods will be available at all times.

Alcohol will be available for consumption on premises, seven days a week, 10:00 hours to 23:59 hours, including Good Friday and Christmas Day. The applicant's Plan of Operation places a strong emphasis on the provision of alcohol and identifies their pursuit of a licence that merge the conditions of a restaurant and an 'Authority – On Licence' that will allow for alcohol to be served during all hours of operation including with breakfast, lunch and dinner.

The applicant has advised that the potential to consume alcohol without the requirement of a meal will not be advertised or promoted. The use of the word 'Bar' will not be used in any signage or advertising.

The premises will close no later than one and a half hours after the kitchen closes. Entertainment through live music will be available on occasions in the garden to the rear of the premises. This entertainment will be limited to light acoustics. Breakfast will be available 07:00 hours to 11:00 hours.

No request for take away sale of alcohol has been made.

The proposed conditions for the sale of liquor would allow the business to operate as a small bar styled venue within the Nightcliff Shopping Village, which is situated within a suburban residential neighbourhood. There are existing issues relating to anti-social and criminal activity within the Nightcliff Shopping Village. Concerns exist that a bar located in a residential setting that could serve alcohol from 10:00 hours

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SUBJECT: COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION –
SPICE GARDEN

until 23:59 hours 365 days a year, without the requirement of a meal, could impact adversely on the amenity of the surrounding neighbourhood.

Council has endorsed the Safer Vibrant Darwin Plan, which outlines its intent to contribute to a safer, more vibrant community. Council Officers recommend that Council objects to the Liquor Licence condition that alcohol not be served ancillary to a meal.

CONSULTATION PROCESS

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

- Senior Licensing Officer -NT Licensing.
- Officer In Charge- NT Police Metropolitan Social Order and Engagement Unit, Nightcliff.

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

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

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REPORT NUMBER: 17C0025 TM:kl
SUBJECT: COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION –
SPICE GARDEN

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.

TRACEY MCNEE
MANAGER DARWIN SAFER CITY
PROGRAM

ANNA MALGORZEWICZ
GENERAL MANAGER
COMMUNITY & CULTURAL
SERVICES

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 that Council objects to the granting of a Liquor Licence where alcohol is not served ancillary to a meal.
- Attachment B:** Director-General of Licensing Guideline

12 April 2017

Please quote: 3505842 AM:kl

Director-General
Gambling and Licensing Services
GPO BOX 1154
DARWIN NT 0801

Dear Director-General

COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION - SPICE GARDEN

At the 2nd Ordinary Council meeting on 11 April 2017, Council considered the above liquor licence application.

Council has endorsed the Safer Vibrant Darwin Plan, which outlines its intention to contribute to a safer, more vibrant community. Concerns exist that a bar located in a residential setting that could serve alcohol from 10:00 hours until 23:59 hours, without the requirement of a meal, could impact on the health, public safety and social conditions of the community. Council has noted and responded to complaints, for some time, concerning public intoxication, property and violent crime in the surrounding area.

Council therefore objects under section 47F(2) of the Liquor Act to the Liquor Licence condition requested by Spice Garden NT Pty Ltd that alcohol not be served ancillary to a meal.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER
COMMUNITY & CULTURAL SERVICES

Director-General of Licensing

Guideline

Public Hearings To Be Held In Certain Circumstances

1. Introduction

Section 125A of the *Liquor Act* (the Act) provides for the Director-General of Licensing (the Director-General) to make guidelines in relation to the operation and administration of the Act.

This guideline provides advice on when the Director-General may determine to conduct public hearings in relation to certain liquor licensing matters and who will have standing to be heard at those hearings.

2. Public Hearings

Public hearings will be held as part of the inquiry or investigation process required under the Act when determining certain liquor licensing matters. Public hearings will provide interested parties in relation to those liquor licensing matters with the opportunity to expand on written submissions or objections, or to discuss inquiry issues with the Director-General in a public forum.

Any organisation or person can attend a hearing, either to speak to a submission or objection, or to simply observe the proceedings.

2.1. When to be held

The Director-General will hold a hearing that is open to the public, in relation to certain liquor licensing matters listed below. The manner in which the hearing will be conducted will be determined by the Director-General.

2.1.1. Certain Applications

A public hearing will be conducted where a valid objection to an application has been lodged with the Director-General under section 47F of the Act in relation to the following applications:

- applications for the grant of a licence under section 26;
- applications for variation of the conditions of a licence, notice of which the Director-General requires to be published under section 32A(2), including:
 - permanent variation conditions that relate to the trading hours of the licence;
 - restrictions on the type and quantity of liquor products that can be sold;
 - the type of authority under which the licence operates which substantially changes the original business model for which the licence was granted; and
 - any other applications the Director-General considers it to be in the public interest to give notice;

- applications for the substitution of other premises for the premises specified in a licence under section 46A; and
- applications for approval to make a material alteration to licensed premises, notice of which is required to be published under section 119(3) including:
 - increases to the area used for the sale of liquor or the sale and consumption of liquor; and
 - any other applications the Director-General considers it to be in the public interest to give notice.

2.1.1.1. Standing to Appear (Certain Applications)

The following persons, organisations and/or groups will have standing to appear at a hearing in relation to certain applications:

- the applicant;
- persons, organisations or groups who have lodged a valid objection in accordance with section 47F, including:
 - persons residing or working in the neighbourhood where the premises the subject of the application are or will be located;
 - persons holding an estate in fee simple in land, or a lease over land, in the neighbourhood where the premises the subject of the application are or will be located;
 - members or employees of the Police Force acting in that capacity;
 - members or employees of the Fire and Rescue Service within the meaning of the *Fire and Emergency Act* acting in that capacity;
 - an Agency or public authority that performs functions relating to public amenities, including health, education and public safety;
 - a community-based organisation or group (for example, a local action group or a charity); and
- any other person that the Director-General requests by written notice under section 120ZE to give specified information.

2.1.2. Complaints

A public hearing will be conducted where the Director-General has accepted a complaint made against a licensee.

2.1.2.1. Standing to Appear (Complaints)

The following persons will have standing to appear at a hearing in relation to a complaint against a licensee:

- the licensee;
- an employee of the licensee;
- the complainant; and
- any other person that the Director-General requests by written notice under section 120ZE to give specified information.

2.1.3. General and Public Restricted Areas

A public hearing will be conducted where an application for a specified area of land to be declared a restricted area has been lodged with the Director-General under section 76 or where the Director-General has on the Director-General's own initiative proposed the making of a declaration of a restricted area under section 76AA.

2.1.3.1. Standing to Appear (General Restricted Area)

The following persons, organisations and/or groups will have standing to appear at a hearing in relation to the declaration of a general restricted area:

- relevant licensees as defined under section 78(5);
- persons who reside in the relevant area;
- the local government council; and
- any other person that the Director-General requests by written notice under section 120ZE to give specified information.

2.1.3.1. Standing to Appear (Public Restricted Area)

The following persons, organisations and/or groups will have standing to appear at a hearing in relation to the declaration of a public restricted area:

- any individual or body that makes a submission about the application or proposal under section 86C(5);
- individuals who live or work, or propose to live or work, in the area;
- bodies that have, or propose to have an address in the area;
- the local government council;
- the Police Force, an Agency and any other authorities established by a law of the Territory;
- anyone else the Director-General considers to have an interest in the area; and
- any other person that the Director-General requests by written notice under section 120ZE to give specified information.

3. Media

Members of the media may attend hearings.

Audio and/or video recording of the proceedings by media representatives will not be permitted.



Cindy Bravos
Director-General of Licensing

3 February 2017

ENCL: YES	ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM: 15.1.8
COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION – BROWN’S MART THEATRE		
REPORT No.: 17C0024 TM:kl	COMMON No.: 3503778	DATE: 11/04/17

Presenter: Manager Darwin Safer City Program, Tracey McNee

**Approved: General Manager Community & Cultural Services,
Anna Malgorzewicz**

PURPOSE

The purpose of this report is to present to Council for consideration, a response to a New Liquor Licence Application.

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

5.4 Effective leadership and advocacy

Key Strategies

5.4.1 Exhibit leadership on community issues

KEY ISSUES

- Council has received a new Liquor Licence Application for comment.
- The application has been made by Brown’s Mart Arts Ltd for the Brown’s Mart Theatre.
- This report details City of Darwin’s Officers’ recommended response to the Northern Territory Government for the above new Liquor Licence application.

RECOMMENDATIONS

- A. THAT Report Number 17C0024 TM:kl entitled Council Response to New Liquor Licence Application – Brown’s Mart Theatre, be received and noted.
- B. THAT Council endorse the letter to the Director-General of Licensing at **Attachment A** to report Number 17C0024 TM:kl entitled Council Response to New Liquor Licence Application – Brown’s Mart Theatre, noting Council has not identified any reason that would be grounds for objections under Section 47F(2) of the Liquor Act to the application from Brown’s Mart Arts Ltd.

PAGE: 2
 REPORT NUMBER: 17C0024 TM:kl
 SUBJECT: COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION –
 BROWN'S MART THEATRE

BACKGROUND

City of Darwin has received a New Liquor Licence application for comment.

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.

City of Darwin Officers' have been advised that the Director-General Licensing NT has established a new Guideline under Section 125A of the Liquor Act. The new Guideline relates to 'Public Hearings to Be Held in Certain Circumstances'. The guideline stipulates:

- Public hearings will now be held as part of the inquiry or investigation process required under the Act when determining certain liquor licence matters.
- A public hearing will be conducted where a valid objection to an application has been lodged with the Director-General under Section 47F of the Act relating to the following types of applications;
 - For the grant of a liquor licence under Section 26 of the Act;
 - For a variation of conditions of an existing liquor licence;
 - For substitution of premises; and
 - For approval to make material alteration to licence premises.
- A public hearing will also be conducted where the Director-General has accepted a complaint made against a licensee.
- A public hearing will also be conducted where application has been received to declare a restricted area or the Director-General proposes to make a declaration of a restricted area.
- Any organisation or person can attend a hearing, either to speak to a submission, object to a submission or to observe the proceedings.

PAGE: 3
REPORT NUMBER: 17C0024 TM:kl
SUBJECT: COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION –
BROWN'S MART THEATRE

DISCUSSION

Brown's Mart Art Ltd has made application for a New Liquor Licence for the premises known as Brown's Mart Theatre, a community based organisation, located at 12 Smith Street, Darwin.

The business will continue to operate as a theatre and live music venue. Liquor will be sold for consumption on premises seven days a week between the hours of 12:00 hours to 01:00 hours (the following day) excluding Good Friday and Christmas Day.

Special conditions sought by the applicant include:

- Liquor to be sold from the main bar located in the Courtyard and from a maximum of 3 mobile bars located throughout the Brown's Mart Site.
- No more than 4 cans or bottles of liquor will be sold to one person at a time.
- After 22:00 hours, Crowd Controllers are to be employed according to industry standards.

The applicant has requested the use of mobile bars throughout the Brown's Mart precinct to allow for better traffic management of crowds at larger events. The use of mobile bars also allows for intermittent events in different locations of the precinct.

Prior to this application for a New Liquor Licence, Licensing NT advice that Brown's Mart Arts Ltd operated a Continuing Special Liquor Licence. This category of licence is usually granted to workplace social clubs, sporting groups and non-profit associations. Licensing NT has determined that Brown's Mart Theatre no longer meet this category and has requested that Brown's Mart Theatre apply for a New Liquor licence.

Brown's Mart Theatre has been influential to the live performance scene in Darwin since the 1970s and has provided reputable service delivery. Brown's Mart Theatre has a responsible and comprehensive 'Bar Operations: Drug and Alcohol Policy' that demonstrates its commitment to ensuring the safety of its patrons and the surrounding neighbourhood. No request for takeaway sales has been made.

In reviewing this application, Council Officers did not identify any grounds for objection under section 47F(2) of the Liquor Act.

CONSULTATION PROCESS

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

- Senior Licensing Officer – Licensing NT

PAGE: 4
 REPORT NUMBER: 17C0024 TM:kl
 SUBJECT: COUNCIL RESPONSE TO NEW LIQUOR LICENCE APPLICATION –
 BROWN'S MART THEATRE

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

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

TRACEY MCNEE
MANAGER DARWIN SAFER CITY
PROGRAM

ANNA MALGORZEWICZ
GENERAL MANAGER
COMMUNITY & CULTURAL
SERVICES

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

12 April 2017

Please quote: 3503778 AM:kl

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

Dear Director-General

NEW LIQUOR LICENCE APPLICATION – BROWN'S MART THEATRE

At the 2nd Ordinary Council meeting on 11 April 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 a new Liquor Licence for Brown's Mart Theatre.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER

COMMUNITY & CULTURAL SERVICES

15.2 OFFICERS REPORTS (RECEIVE & NOTE)

ENCL: ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 15.2.1
 YES

MONTHLY FINANCIAL REPORT - MARCH 2017

REPORT No.: 17A0041 MC:jg COMMON No.: 2476534 DATE: 11/04/2017

Presenter: Manager Finance, Miles Craighead

Approved: General Manager Corporate Services, Diana Leeder

PURPOSE

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 31 March 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 of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal

5 Effective and Responsible Governance

Outcome

5.5 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 will provide additional accountability information to supplement the monthly financial reports.
- There are no overall concerns with Council's financial position

RECOMMENDATIONS

THAT Report Number 17A0041 MC:jg entitled Monthly Financial Report - March 2017, be received and noted.

PAGE: 2
REPORT NUMBER: 17A0041 MC:jg
SUBJECT: MONTHLY FINANCIAL REPORT - MARCH 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.

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. 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

Nil

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.

PAGE: 3
 REPORT NUMBER: 17A0041 MC:jg
 SUBJECT: MONTHLY FINANCIAL REPORT - MARCH 2017

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

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
CORPORATE SERVICES

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

Attachments:

Attachment A: Monthly Financial Report – March 2017

Income Statement
For the Period Ended 31/03/2017



	<u>2016/17</u>				
	Full Original Budget \$'000	Full Amended Budget \$'000	YTD Actual \$'000	YTD v FAB %	
% of year elapsed				75%	
Income from Continuing Operations					Comment
Rates & Annual Charges	67,235	67,235	67,429	100%	No issues
User Charges, Fees & Other	25,623	25,611	18,896	74%	Possible less revenue
Interest & Investment Revenue	2,656	2,656	1,987	75%	Issues
Grants & Contributions - Operating	5,355	5,341	4,305	81%	No issues
Total Income from Continuing Operations	100,868	100,843	92,617	92%	
Less Expenses from Continuing Operations					
Employee Costs	31,727	31,750	23,161	73%	No issues
Borrowing Costs	229	229	172	75%	No issues
Materials and Services	47,680	49,023	34,667	71%	Underspent YTD
Depreciation and Amortisation	22,397	22,397	17,622	79%	Will exceed budget
Total Expenses from Continuing Operations	102,034	103,400	75,622	73%	
Operating Result - Continuing Operations	(1,166)	(2,557)	16,994		
Grants & Contributions - Capital	10,564	5,693	278	5%	No issues
Income (Loss) from Asset Disposal	-	-	(193)	-1000%	Not budgeted
Net Operating Result For the Year	9,398	3,136	17,080		

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 Federal Assistance early release of 1st & 2nd qtr grant monies; in addition receipt of Library grant, Funbus & Faces in Spaces grant monies in full. User Charges, Fees and Other Revenue is slightly below target. Infringements income is expected to be \$250K less due to increased compliance and reduced staff numbers. 3rd Quarter Budget Variation have been requested.

Operating expenses: Overall expenditure on target.

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: 1st repayment of external loan has now occurred and is on track. Materials and Services are below target due to ytd budget not yet fully spent for the following subsections: Road Maintenance, Asset Management, Climate Change & Environment, Traffic Studies & Strategic Town Planning Projects. Depreciation and Amortisation: 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 3rd quarter budget review. This will not affect Council budgeted cash flow/working capital position.

Capital income: \$4.48 m Commonwealth grant assured for Parap Pool not yet received. Mosquito Program Grant of \$84 k is expected to be received in last quarter of the year. Ryland Road (Black Spot project), Shamrock grant income, car parking contributions and \$100 k from Safer Streets Programme Milestone grant funding have been received.

Loss on Asset Disposal: \$147k relates to disposals of vehicles in line with the plant replacement program. A review of residual value and depreciation rates of some fleet items is in progress. \$46k relates to renewal & disposal of walkways/driveways. Noting no issue for cash/fund flows.



**Municipal Plan Summary
For the Period Ended 31/03/2017**

	Full Original Budget \$'000	2016/17 Full Amended Budget \$'000	YTD Actual \$'000	YTD v FAB %
% of year elapsed				75%
Funds From Operating Activities				
Net Operating Result From Above	9,398	3,136	17,080	
Add back depreciation (not cash)	22,397	22,397	17,622	
Add back Loss on Asset Disposal (non cash)	-	-	193	
Net Funds Provided (or used in) Operating Activities	31,795	25,533	34,895	
Funds From Investing activities				
Sale of Infrastructure, Property, Plant & Equipment	904	904	486	54%
Purchase of Infrastructure, Property, Plant & Equipment	(41,500)	(47,252)	(18,806)	40%
Net Funds Provided (or used in) Investing Activities	(40,596)	(46,348)	(18,320)	
Funds From Financing Activities				
Proceeds from borrowings & advances	1,764	1,764	-	0%
Repayment of borrowings & advances	(258)	(258)	(110)	43%
Net Funds Provided (or used in) Financing Activities	1,506	1,506 -	110	
Net Increase (-Decrease) in Funds Before Transfers	(7,295)	(19,309)	16,464	
Transfers from (-to) Reserves	7,295	18,986	12,679	
Net Increase (-Decrease) in Funds After Transfers	-	(323)	29,143	

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: These will reduce throughout the year to equate more closely to budget as the rates struck are expended.

Sale of Plant & Equipment: This appears low and should increase once fleet purchases are achieved..

Proceeds from borrowings & advances: Relates to DEC Air Con External Loan. Start date is on 1 July 2017.

Purchase of Infrastructure, property etc. This is 40% spent compared to 75% of year elapsed. Is indicative of carryforward for any incomplete projects into 2017/18.

Transfers from (-to) reserves. This discloses the transfers to & from cash backed reserves. Details of the Reserve Report are provided in the 2nd Quarter Budget Variation Report.

Manager Finance: There are no overall concerns in relation to the budgets.

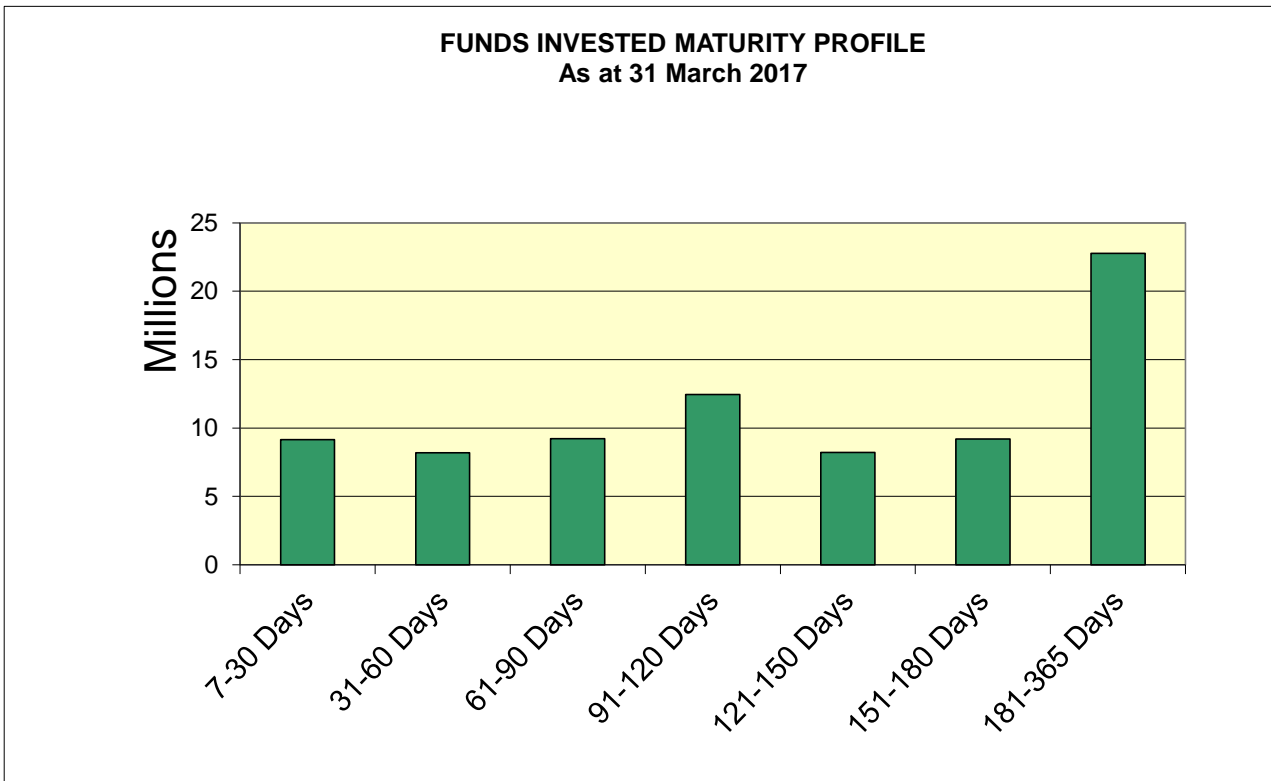

CITY OF DARWIN
CASH AND INVESTMENTS SUMMARY

As at 31 March, 2017 Council's short term cash position was as follows:

1. General Fund

Cash at Bank	\$	6,938,253
Short Term Investments	\$	<u>77,812,159</u>
Total Funds	\$	<u>84,750,411</u>

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	<u>\$592,852.40</u>



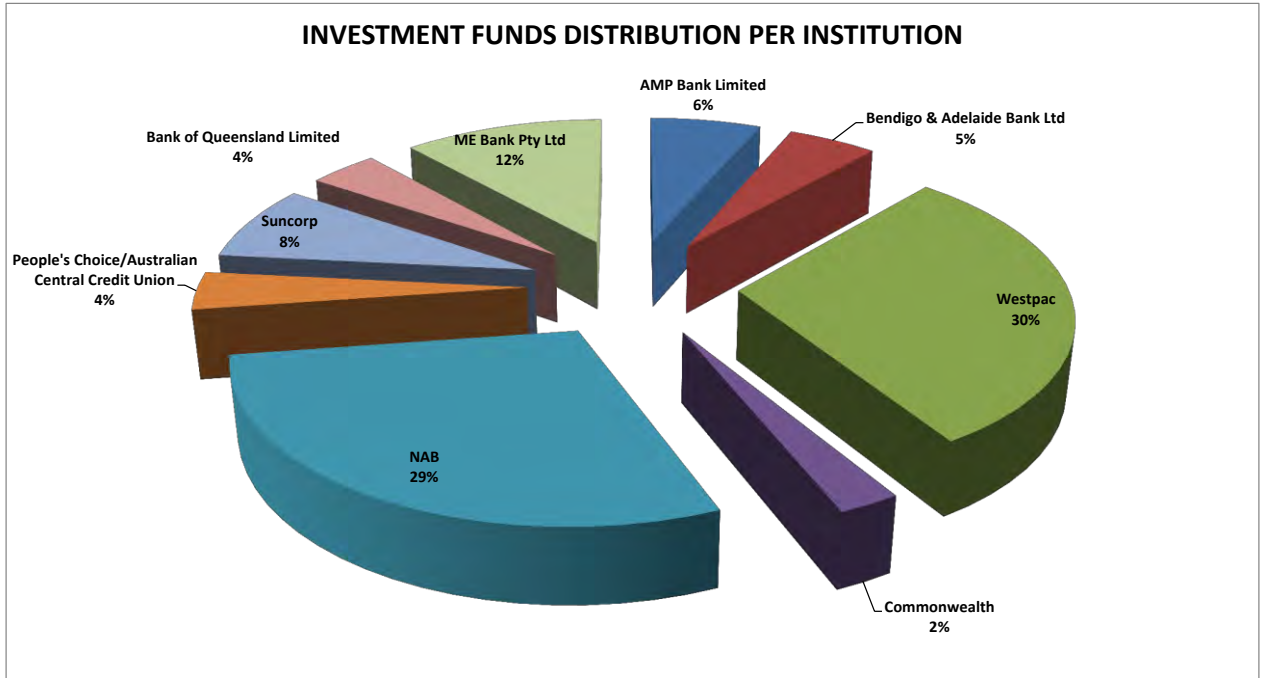
INVESTMENTS REPORT TO COUNCIL AS AT 31 MARCH 2017

Investment Policy Limits

Short Term	Policy Max.	Actual Portfolio
A1+	100%	61%
A1	45%	14%
A2	25%	25%
Unrated*	10%	0%

Counterparty	Policy Min.	Policy Max.	Actual Portfolio
Major Banks	15%	100%	61%
Regional Banks	0%	45%	35%
Credit Unions/Building Societies/ Other ADI's	0%	45%	4%

Note: City of Darwin's investment policy limit with any one bank cannot exceed 30% of the entire investment portfolio.
 *unrated institutions must be an "ADI" with an asset base greater than \$1B.



CREDIT RATING	COUNTERPARTY	INV TYPE	AMOUNT	INTEREST RATE	MATURITY DATE	DAYS TO MATURITY	WEIGHTED AVERAGE RATE	INSTITUTION TOTALS	%
LT / ST									
			\$ 47,598,554.56	61.17%	of portfolio				
Major Banks Total @ Invested									
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.65%	April 11, 2017	11	0.000340564	\$ 22,484,383.60	28.90%
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.65%	April 18, 2017	18	0.000340564		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.65%	April 18, 2017	18	0.000340564		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.66%	April 26, 2017	26	0.000341849		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.66%	May 2, 2017	32	0.000341849		
AA - / A1+	National Bank	TD	\$ 1,037,159.57	2.71%	June 6, 2017	67	0.000361216		
AA - / A1+	National Bank	TD	\$ 1,019,561.65	2.71%	June 6, 2017	67	0.000355087		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.71%	June 13, 2017	74	0.000348275		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.71%	June 13, 2017	74	0.000348275		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.71%	June 20, 2017	81	0.000348275		
AA - / A1+	National Bank	TD	\$ 1,068,650.53	2.75%	June 27, 2017	88	0.000377677		
AA - / A1+	National Bank	TD	\$ 1,049,651.54	2.75%	June 27, 2017	88	0.000370963		
AA - / A1+	National Bank	TD	\$ 1,020,018.09	2.70%	July 4, 2017	95	0.000353936		
AA - / A1+	National Bank	TD	\$ 1,020,018.09	2.76%	July 25, 2017	116	0.000361801		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.77%	August 1, 2017	123	0.000359885		
AA - / A1+	National Bank	TD	\$ 1,049,614.66	2.69%	August 22, 2017	144	0.000362856		
AA - / A1+	National Bank	TD	\$ 1,020,808.22	2.72%	August 22, 2017	144	0.000356833		
AA - / A1+	National Bank	TD	\$ 1,018,733.16	2.62%	September 12, 2017	165	0.000343016		
AA - / A1+	National Bank	TD	\$ 1,000,000.00	2.60%	October 17, 2017	200	0.000334138		
AA - / A1+	National Bank	TD	\$ 1,034,485.07	2.61%	November 14, 2017	228	0.000346990		
AA - / A1+	National Bank	TD	\$ 1,034,485.07	2.61%	November 14, 2017	228	0.000346990		
AA - / A1+	National Bank	TD	\$ 1,111,197.95	2.60%	November 28, 2017	242	0.000371293		
AA - / A1+	Commonwealth Bank	TD	\$ 1,000,000.00	2.60%	May 2, 2017	32	0.000334138	\$ 2,000,000.00	2.57%
AA - / A1+	Commonwealth Bank	TD	\$ 1,000,000.00	2.60%	May 16, 2017	46	0.000334138		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.95%	April 26, 2017	26	0.000379118	\$ 23,114,170.96	29.71%
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.95%	April 26, 2017	26	0.000379118		
AA - / A1+	Westpac	TD	\$ 1,019,626.85	2.75%	May 16, 2017	46	0.000360352		
AA - / A1+	Westpac	TD	\$ 1,019,626.85	2.75%	May 23, 2017	53	0.000360352		
AA - / A1+	Westpac	TD	\$ 1,019,626.85	2.75%	May 23, 2017	53	0.000360352		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.95%	May 30, 2017	60	0.000379118		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.95%	May 30, 2017	60	0.000379118		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.95%	May 30, 2017	60	0.000379118		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.70%	July 11, 2017	102	0.000346989		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.70%	July 18, 2017	109	0.000346989		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.70%	July 18, 2017	109	0.000346989		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.70%	August 1, 2017	123	0.000346989		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.73%	August 15, 2017	137	0.000350845		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.73%	August 15, 2017	137	0.000350845		
AA - / A1+	Westpac	TD	\$ 1,016,684.93	2.77%	August 29, 2017	151	0.000361925		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.76%	August 29, 2017	151	0.000354700		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.76%	August 29, 2017	151	0.000354700		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.77%	September 5, 2017	158	0.000359885		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.78%	September 5, 2017	158	0.000354700		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.77%	September 12, 2017	165	0.000359885		
AA - / A1+	Westpac	TD	\$ 1,018,986.30	2.73%	September 26, 2017	179	0.000357506		
AA - / A1+	Westpac	TD	\$ 1,019,619.18	2.80%	October 10, 2017	193	0.000366901		
AA - / A1+	Westpac	TD	\$ 1,000,000.00	2.80%	October 10, 2017	193	0.000359841		
			\$ 27,193,150.77	34.95%	of portfolio				
Regional Banks Total @ Invested									
A+ / A1	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	April 4, 2017	4	0.000353415	\$ 5,000,000.00	6.43%
A+ / A1	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	April 4, 2017	4	0.000353415		
A+ / A1	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	April 11, 2017	11	0.000353415		
A+ / A1	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	May 9, 2017	39	0.000353415		
A+ / A1	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	May 9, 2017	39	0.000353415		
A- / A2	Bendigo Adelaide Bank	TD	\$ 1,000,000.00	2.75%	July 25, 2017	116	0.000353415	\$ 4,000,000.00	5.14%
A- / A2	Bendigo Adelaide Bank	TD	\$ 1,000,000.00	2.75%	July 25, 2017	116	0.000353415		
A- / A2	Bendigo Adelaide Bank	TD	\$ 1,000,000.00	2.75%	August 8, 2017	130	0.000353415		
A- / A2	Bendigo Adelaide Bank	TD	\$ 1,000,000.00	2.75%	August 8, 2017	130	0.000353415		
A+ / A1	Suncorp-Metway Limited	TD	\$ 1,018,273.97	2.65%	October 17, 2017	200	0.000346787	\$ 6,102,258.98	7.84%
A+ / A1	Suncorp-Metway Limited	TD	\$ 1,017,593.97	2.65%	November 7, 2017	221	0.000346556		
A+ / A1	Suncorp-Metway Limited	TD	\$ 1,036,914.32	2.60%	November 7, 2017	221	0.000346472		
A+ / A1	Suncorp-Metway Limited	TD	\$ 1,014,738.36	2.60%	November 21, 2017	235	0.000339063		
A+ / A1	Suncorp-Metway Limited	TD	\$ 1,000,000.00	2.60%	November 21, 2017	235	0.000334138		
A+ / A1	Suncorp-Metway Limited	TD	\$ 1,014,738.36	2.60%	November 28, 2017	242	0.000339063		
A- / A2	Bank of Queensland Limited	TD	\$ 1,054,564.67	2.68%	July 4, 2017	95	0.000363212	\$ 3,090,891.79	3.97%
A- / A2	Bank of Queensland Limited	TD	\$ 1,018,163.56	2.62%	September 26, 2017	179	0.000342824		
A- / A2	Bank of Queensland Limited	TD	\$ 1,018,163.56	2.62%	October 24, 2017	207	0.000342824		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.77%	September 19, 2017	172	0.000359885	\$ 9,000,000.00	11.57%
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.77%	September 26, 2017	179	0.000359885		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.80%	September 19, 2017	172	0.000359841		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.74%	October 31, 2017	214	0.000352130		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.74%	October 31, 2017	214	0.000352130		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.74%	October 31, 2017	214	0.000352130		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.73%	October 3, 2017	186	0.000350845		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.70%	October 3, 2017	186	0.000346989		
BBB+ / A2	ME Bank	TD	\$ 1,000,000.00	2.68%	October 24, 2017	207	0.000344419		
			\$ 3,020,453.42	3.88%	of portfolio				
Credit Societies Total @ Invested									
BBB+ / A1	People's Choice Credit Union / Australian Central Credit Union	TD	\$ 1,000,000.00	2.65%	June 20, 2017	81	0.000340564	\$ 3,020,453.42	3.88%
BBB+ / A1	People's Choice Credit Union / Australian Central Credit Union	TD	\$ 1,000,000.00	2.70%	June 27, 2017	88	0.000346989		
BBB+ / A1	People's Choice Credit Union / Australian Central Credit Union	TD	\$ 1,020,453.42	2.70%	July 11, 2017	102	0.000354087		
TOTAL FUNDS INVESTED							2.72%	1.80%	100.00%
							Weighted Average	BBSW 90 Day Rate	
			\$ 77,812,159	100.00%	Average Days to Maturity	123			
GENERAL BANK FUNDS AS OF 31/3/2017			\$ 6,938,253		Type of Investment	Amount	% Portfolio		
TOTAL ALL FUNDS			\$ 84,750,411		Term Deposit	\$ 77,812,158.75	92%		
Total Budget Investment Earnings			\$ 2,355,496		Bank Bills	\$ -			
Year to Date Investment Earnings			\$ 1,680,722		Negotiable Certificate of Deposit	\$ -			
					CBA At Call	\$ 6,938,252.62	8%		
					\$ 84,750,411.37	100%			

16. TOWN PLANNING REPORT/LETTERS

ENCL: ORDINARY COUNCIL MEETING/OPEN **AGENDA ITEM:** 16.1
YES

COUNCIL RESPONSES TO PLANNING APPLICATIONS - APRIL 2017

REPORT No.: 17TS0033 BS:hd **COMMON No.:** 2547669 **DATE:** 11/04/2017

Presenter: Acting Manager Design, Planning & Projects, Peter Copley

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Planning Applications exhibited between 18 March and 31 March 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 18 March and 31 March 2017 is provided.
- A comparison of Council's responses for Planning related Development Applications and the Development Consent Authority outcomes is included.

RECOMMENDATIONS

- A. THAT Report Number 17TS0033 BS:hd entitled Council Responses to Planning Applications - April 2017, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachments A** and **B** to Report Number 17TS0033 BS:hd entitled Council Responses to Planning Applications - April 2017.
- C. THAT Council note the cross-reference table of Development Consent Authority outcomes at **Attachment C** to Report Number 17TS0033 BS:hd entitled Council Responses to Planning Applications - April 2017.

PAGE: 2
 REPORT NUMBER: 17TS0033 BS:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - APRIL 2017

BACKGROUND

City of Darwin responded to seven Development Applications between 18 March and 31 March 2017.

DISCUSSION

Of the seven Development Applications, City of Darwin officers recommend supporting six applications, subject to normal conditions and did not support one application. This represents rates of 86% of the applications being supported and 14% of the applications not being supported.

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 648 - Town of Sanderson 82 Yanyula Drive, Anula	Independent Unit with a reduced front setback. (Requires 6 metres, proposes 5 metres to corner – unit 45 degree angle to front boundary)
Lot 1610 – Town of Sanderson 35 Oriole Street, Wulagi	Shed addition to an existing single dwelling with reduced secondary street and rear setbacks. (Requires 1.5 metres, proposes 0.5 metres to both allotment boundaries)
Section 6437- Hundred of Bagot 655 Stuart Highway, Berrimah	Warehouse, showroom sales and ancillary office in a single storey building. (Complying development. Access to City of Darwin approval)
Lot 289 - Town of Nightcliff 4 Clematis Street, Nightcliff	Shade sail addition to an existing single dwelling with a reduced front setback. (Requires 3 metres, proposes 2.3 metres)

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 REPORT NUMBER: 17TS0033 BS:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - APRIL 2017

Property Address	Description of Development Proposal
Lot 6000 - Town of Darwin 19 Gonzales Road, Stuart Park	Ablutions facility in a primary storm surge area. (Dinah Beach Boat Ramp - owned and maintained by the Northern Territory Government)
Lot 2040 - Town of Nightcliff 24 Wellington Parade, Alawa	Additions to an existing single dwelling with a reduced front setback. (Requires 6 metres, proposes 4.08 metres to corner – building 45 degree angle to front boundary. Landscaping plan requested)

Development Application that has not been supported:

The table below describes the Development Application that was not supported by City of Darwin officers, for the reason outlined below.

The response to this Development Application is provided at **Attachment B** to this report.

Property Address	Description of Development Proposal	Objected / Not Supported
Lot 3450- Town of Nightcliff 7 Yeadon Circuit, Moil	Carport and verandah addition to an existing single dwelling with reduced front and side setbacks	Not supported. Front setback requires 4.5 metres, proposes 1.96 metres at 4.39 metres high, spanning the entire frontage of the dwelling. Evidence was also present of vehicles accessing the property across the nature strip through an additional gated section of the front fence.

Cross Reference Table


A comparison of Council letter responses and the Development Consent Authority outcomes for the hearing held on Friday 10 March is provided in **Attachment C**.

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 REPORT NUMBER: 17TS0033 BS:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - APRIL 2017

Planning Scheme Amendment

Council at their December Meeting, supported the rezoning of Lots 2061 & 2062 (9 & 11) Charles Street, from MD (Multiple Dwelling Residential) to Zone MR (Medium Density Residential), as the sites are identified as a potential area for change in the Darwin Inner Suburbs Area Plan.

Council did not support the proposed rezoning of Lot 2063 (13) Charles Street, as the site is located outside the area identified within the Darwin Inner Suburbs Area Plan.

THE MINISTER FOR INFRASTRUCTURE, PLANNING AND LOGISTICS HAS MADE THE PLANNING SCHEME AMENDMENT LISTED BELOW	
<p>Amendment No. 396</p>	<p>Rezones Lots 2061 and 2062 Town of Darwin (9 – 11 Charles Street, Stuart Park) from Zone MD (Multiple Dwelling Residential) to Zone MR (Medium Density Residential).</p>
<p>The amendments will take effect on the date this notice is published in the newspaper and can be inspected at the offices of Department of Infrastructure, Planning and Logistics: Level 2, Energy House, 18-20 Cavenagh Street, Darwin; or viewed on line at: nt.gov.au/property/building-and-development/northern-territory-planning-scheme</p> <p>For enquiries: phone: 8999 8963, fax: 8999 7189, or web: www.nt.gov.au</p>	
<p>DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS</p>  <p>NORTHERN TERRITORY GOVERNMENT</p>	

Amendment No. 396

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 REPORT NUMBER: 17TS0033 BS:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - APRIL 2017

CONSULTATION PROCESS

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

- Strategic Town Planner
- Planning Officer

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.

PETER COPLEY
ACTING MANAGER DESIGN,
PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

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

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SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - APRIL 2017

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 not supporting a Development Application not yet considered by the Development Consent Authority.
- Attachment C:** Cross reference table of City of Darwin responses and the Development Consent Authority outcomes

24 March 2017

Please quote: 3495067 BS:hd
Your reference: PA2017/0101

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

Dear Mr Brennan

**Parcel Description: Lot 648 - Town of Sanderson
82 Yanyula Drive, Anula**

Proposed Development: Independent unit with a reduced front setback

Thank you for the Development Application referred to this office 9 March 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.

The following issues are raised for consideration by the Authority:

- i). **City of Darwin does not object to 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 infrastructure within the road reserve to the satisfaction of the General Manager Infrastructure, City of Darwin at no cost to Council.**
 - b). **The access shall meet City of Darwin requirements.**
- 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). **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.

- 1). 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.

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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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

A handwritten signature in black ink, appearing to be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2017

Please quote: 3499807 DB:hd
Your reference: PA2017/0113

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

Dear Mr Brennan

**Parcel Description: Lot 1610 - Town of Sanderson
35 Oriole Street, Wulagi**

**Proposed Development: Shed addition to an existing single dwelling with
a reduced front & rear setbacks**

Thank you for the Development Application referred to this office 16 March 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.

The following issues are raised for consideration by the Authority:

- i). **City of Darwin does not object to 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 infrastructure within the road reserve to the satisfaction of the General Manager Infrastructure, City of Darwin at no cost to Council.**

Any damage to infrastructure within the road reserve must be rectified to the satisfaction of the General Manager Infrastructure, City of Darwin at the cost of the owner prior to clearance being issued.
 - b). **The crossover and driveway shall meet City of Darwin requirements.**
 - c). **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.

- 1). 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.

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.

- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, 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 the General Manager Infrastructure, City of Darwin.
- Any proposed stormwater connections to City of Darwin stormwater system and 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 the General Manager Infrastructure, 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
STRATEGIC TOWN PLANNER

31 March 2017

Please quote: 3499299 BS:hd
Your reference: PA2017/0103

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

Dear Mr Brennan

**Parcel Description: Section 6437- Hundred of Bagot
655 Stuart Highway, Berrimah**

**Proposed Development: Warehouse, showroom sales and ancillary office
in a single storey building**

Thank you for the Development Application referred to this office 15 March 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.

The following issues are raised for consideration by the Authority:

i). **City of Darwin supports the granting of a Development Permit provided the following issue is adequately addressed:**

a). **Access**

The eastern access traverses Section 7139 (661) Stuart Highway prior to joining up with the road reserve. The application does not contain any information regarding access easements or permissions from the adjoining landowner permitting the access to be constructed within their land.

City of Darwin does not support any access to the site from the off-street car parking area on the Stuart Highway service road adjacent the site.

City of Darwin requests a condition precedent relating to access be included in any Development Permit issued.

- 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 of the General Manager Infrastructure, City of Darwin at no cost to Council.**
 - b). **Access to the site shall meet City of Darwin requirements, particularly the width and the locations of the proposed crossovers.**
 - c). **A detailed Landscaping Plan outlining all proposed landscaping within the road verge. The plan should also include existing and proposed infrastructure within the road reserve.**
 - d). **Prior to the endorsement of plans and prior to the commencement of works (including site preparation), approval by Council is required for any element of the building (separate to awnings) that is designed to be constructed or installed over City of Darwin road reserve.**
 - e). **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.
 - 1). 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.
 - f). **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's Infrastructure department.

g). **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 the General Manager Infrastructure, 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). **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 of the General Manager Infrastructure, City of Darwin and at no cost to City of Darwin.

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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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 the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- 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 the General Manager Infrastructure, 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 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 the General Manager Infrastructure, 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

A handwritten signature in black ink, appearing to be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2017

Please quote: 3499849 DB:hd
Your reference: PA2017/0102

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

Dear Mr Brennan

**Parcel Description: Lot 289 - Town of Nightcliff
4 Clematis Street, Nightcliff**

**Proposed Development: Shade sail addition to an existing single dwelling
with a reduced front setback**

Thank you for the Development Application referred to this office 16 March 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
STRATEGIC TOWN PLANNER**

31 March 2017

Please quote: 3499893 DB:hd

Your reference: PA2017/0112

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

Dear Mr Brennan

**Parcel Description: Lot 6000 - Town of Darwin
19 Gonzales Road, Stuart Park**

**Proposed Development: Ablutions facility in a primary storm surge area
(Dinah Beach Boat Ramp)**

Thank you for the Development Application referred to this office 16 March 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 supports the granting of a Development Permit.

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.

- 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.
- 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 the General Manager Infrastructure, City of Darwin.
- 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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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

A handwritten signature in black ink, appearing to be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

31 March 2017

Please quote: 3499952 BS:hd
Your reference: PA2017/0087

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: Additions to an existing single dwelling with a
reduced front setback**

Thank you for the Development Application referred to this office 16 March 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.

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.
- 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 of the General Manager Infrastructure, City of Darwin at no cost to Council.**
 - b). **The crossover and driveway shall meet City of Darwin requirements.**
- 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). **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.
 - 1). 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 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.
- 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 the General Manager Infrastructure, City of Darwin.

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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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

A handwritten signature in black ink, appearing to be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

24 March 2017

Please quote: 3495028 DB:hd

Your reference: PA2017/0084

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

Dear Mr Brennan

**Parcel Description: Lot 3450- Town of Nightcliff
7 Yeadon Circuit Moil**

**Proposed Development: Carport and verandah addition to an existing
single dwelling with reduced front and side
setbacks**

Thank you for the Development Application referred to this office 9 March 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.

The following issues are raised for consideration by the Authority:

- i). **City of Darwin does not support the granting of a Development Permit for the following reasons:**
 - a). The proposed variation to the front setback provisions of the Planning Scheme, for the proposed carport, would likely detract from the overall visual aesthetics and amenity of the street for the following reasons:
 - The scale of the built form at over 4 meters in height and 14 meters in length, spanning the entire frontage of the existing dwelling, is likely to have an undue impact on the amenity and visual aesthetics of the streetscape.
 - The promulgation of vehicular parking in the form of a carport between the existing dwelling and the street is considered likely to detract from the visual connection to the streetscape, limiting both passive surveillance from habitable rooms and clear pedestrian access/identification to and/or from the existing dwelling.

- b). In addition, there are concerns regarding the position of an additional gated section of the front fence. Tyre tracks leading to this section have been observed.

City of Darwin has not received or approved any applications to create any addition access. It is noted for the applicant's purposes that all works within the City of Darwin's land requires prior Council approval.

- ii). **City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:**

- a). **Access**
A dilapidation report covering infrastructure within the road reserve to the satisfaction of the General Manager Infrastructure, City of Darwin at no cost to Council.

- b). **Stormwater**
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.

- 1). 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.

- c). **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,
- storm water drainage,
- use of City of Darwin land, and
- how this land will be managed during the construction phase;

to the satisfaction of the General Manager Infrastructure, 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.


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 the General Manager Infrastructure, 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 the General Manager Infrastructure, 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 the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted/placed in front of the sight line.
- 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.
- 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 the General Manager Infrastructure, 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 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 the General Manager Infrastructure, 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

A handwritten signature in black ink, appearing to be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

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
<p>ITEM 1</p> <p>PA2017/0020</p> <p>Lot 11847 (15) Fuhrmann Street, Muirhead</p> <p>Town of Nightcliff</p>	<p>Mixed use development comprising shops, offices, restaurants, medical clinics, leisure and recreation and a childcare centre in a single storey plus basement car parking</p> <p>City of Darwin requested that the application be deferred due to:</p> <ul style="list-style-type: none"> • Traffic - finalise the design of the three proposed access points • Site responsive design - being sympathetic to the: <ul style="list-style-type: none"> ○ character of immediate buildings ○ minimising expanses of blank walls ○ add variety and interest at street level ○ allow passive surveillance of public spaces ○ provide safe and convenient movement of vehicles and pedestrians ○ provide convenient pedestrian links ○ provide landscaping to reduce the visual impact ○ provide shade and screening of open expanses of pavement and car parking; and ○ end of trip facilities • Suitably qualified advice be sought on the appropriateness and viability of the child care centre • Signage should be removed from the plans and separate approval from City of Darwin be applied for 	<p>The Development Consent Authority issued a notice of determination.</p> <p>Relevant Conditions Precedent:</p> <ul style="list-style-type: none"> • An updated traffic impact assessment report • A greater level of articulation to the northern, southern, eastern and western elevations of the building in order to minimise expanses of blank walls, and add further variety and interest at street level including, but not limited to: <ul style="list-style-type: none"> ○ additional facade treatments - materials and designs ○ variations to the roof line and roof pitch ○ surfaces and or design treatments to deter and minimise the impact of graffiti on the eastern elevation (public park side) ○ increased passive surveillance of public spaces ○ the provision of additional landscaping to reduce the visual impact particularly to Thorne Street and the adjacent public park ○ provide further shade and screening of open expanses of pavement and car parking • Access arrangements to City of Darwin approvals

DCA ITEM NUMBER & SUBJECT DESCRIPTION	SUMMARY OF ISSUES	DEVELOPMENT CONSENT AUTHORITY RESPONSE
<p>ITEM 2</p> <p>PA2016/0328</p> <p>Sections 4278 & 4279 (32 & 38) Bowerlee Road, Berrimah</p> <p>Hundred of Bagot</p>	<p>105 x 3 bedroom multiple dwellings in 62 single storey buildings</p> <p>In June 2016 the City of Darwin strongly objected to and requested a deferral.</p> <p>The Development Consent Authority deferred the application at that time.</p> <p>City of Darwin officers have since been working with the developer on Council issues.</p>	<p>The Development Consent Authority consented to the application and issued a Development Permit.</p> <p>Relevant Conditions Precedent:</p> <ul style="list-style-type: none"> • Fencing is to be located outside of any drainage reserves/easements • Landscaping plan demonstrating landscaping adjacent to any pool fencing abutting private open spaces and to the spine road, to adjoining common land and the public open space in accordance with the altered staging plans • Staging plans to include the development of the public open space as a part of stage 1 • Amended plans correctly identifying dwelling types, site plans and floor plans
<p>ITEM 3</p> <p>PA2016/0734</p> <p>Lot 1781 (46) Philip Street, Fannie Bay</p> <p>Town of Darwin</p>	<p>5 x 4 bedroom multiple dwellings in 2 x 2 storey buildings</p> <p>City of Darwin did not support the granting of a Development Permit due to:</p> <ul style="list-style-type: none"> • Steps within the nature strip • Footpath will not line up • Over density • Landscaping does not comply • Reduced setbacks 	<p>The Development Consent Authority consented to the application and issued a Development Permit.</p> <p>Relevant Conditions Precedent:</p> <ul style="list-style-type: none"> • Entry steps contained within the property boundary

ENCL: **ORDINARY COUNCIL MEETING/OPEN**
YES

AGENDA ITEM: 16.2

LICENSED CLUB PA2017/0100 - LOT 5298 (20) DICK WARD DRIVE, FANNIE BAY

REPORT No.: 17TS0037 DB:hd

COMMON No.: 3499752

DATE: 11/04/2017

Presenter: Acting Manager Design, Planning & Projects, Peter Copley

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to refer to Council for comment the proposed mixed use building at Lot 5298 (20) Dick Ward Drive, Fannie Bay, Pursuant to Section 48 of the *Planning Act*, the following development application: Lot 5298 (20) Dick Ward Drive, Fannie Bay PA2017/0100.

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

- It is recommended that Council not object to the proposal subject to certain issues being addressed.
- The proposal is for an additional licensed venue within the Fannie Bay Racecourse.
- The proposal may create an on-site vehicle parking shortfall, which will require a car parking contribution to City of Darwin.
- The proposal will increase traffic volumes using the Dick Ward Drive/Buntine Road intersection and may impact upon Council's proposed signalised section with the Kurringal Court extension and requires a financial contribution.
- Further details regarding the likely traffic to be generated by the proposed development have been requested.

PAGE: 2
REPORT NUMBER: 17TS0037 DB:hd
SUBJECT: LICENSED CLUB PA2017/0100 - LOT 5298 (20) DICK WARD DRIVE,
FANNIE BAY

RECOMMENDATIONS

- A. THAT Report Number 17TS0037 DB:hd entitled Licensed Club PA2017/0100 - Lot 5298 (20) Dick Ward Drive, Fannie Bay be received and noted.
- B. THAT Council endorse the submission, dated 31 March 2017, to the Development Assessment Services within **Attachment A** to Report Number 17TS0037 DB:hd entitled Licensed Club PA2017/0100 - Lot 5298 (20) Dick Ward Drive, Fannie Bay.

BACKGROUND

The proposed development is for a licensed club and ancillary offices located at Lot 5298 (20) Dick Ward Drive, Fannie Bay in the Town of Darwin (within **Attachment B**). The subject land is currently under ownership of the Darwin Turf Club. The subject land is wholly zoned Organized Recreation within which a licensed club is considered as a discretionary item, pursuant to the Northern Territory Planning Scheme (the Scheme).

The Fannie Bay Racecourse incorporates a number of existing uses including horse racing, functions and ancillary recreation while the locality comprises a mixture of residential, commercial, utilities, open space and natural areas. The subject site is located close to the north-western allotment boundary, bordering Dick Ward Drive, a minimum of 100 metres from any existing dwelling and grouped with existing structures located within the existing racecourse area. The subject site currently comprises maintenance sheds, outdoor storage and vacant land. An existing open drain is located in the northern portion of the site within an easement to Northern Territory of Australia.

City of Darwin acknowledges the traffic impact that Fannie Bay Racecourse has on the surrounding area and notes that a traffic study was conducted within the locality in 2015. This traffic study recommended an upgrade of Dick Ward Drive/Kurringal Court resulting in a signalised intersection proposed adjacent the access to Fannie Bay Racecourse, Buntine Road. The traffic study also resulted in a monetary contribution being applied to a proposed development at 1 Kurringal Court, Fannie Bay. This development is required to pay a proportion of the total cost to upgrade the road network pursuant to condition 28 of Development Permit DP15/0543. Any further developments in this area that contribute or benefit from the road upgrades will be expected to make similar proportionate contributions towards upgrades, via conditions on any permits issued.

Portions of the subject land have been granted liquor licenses under Licence No. 80803820 and a non-trading Licence No. 81419355. However, there is no current Liquor Licence for this proposal.

PAGE: 3
REPORT NUMBER: 17TS0037 DB:hd
SUBJECT: LICENSED CLUB PA2017/0100 - LOT 5298 (20) DICK WARD DRIVE,
FANNIE BAY



Image 1 - Aerial image of subject land

DISCUSSION

Current Proposal

The proposed development has been lodged as a licensed club and ancillary office for the purposes of this assessment against the Scheme. The proposal will incorporate a single storey licensed club comprising foyer, bar manager's office, storage areas, gaming room, sports bar, TAB area, restaurant, function room, kids play area, commercial kitchen, outdoor dining area, beer garden, smoking areas, ablutions, services area, office space for administration related to the operations of the subject land, first floor viewing deck, covered drop-off zone and 144 uncovered vehicle parking spaces.

Land Use Assessment

The proposed development will provide a licensed club and ancillary offices for the existing Fannie Bay Racecourse and associated clubs. The area is identified as Organised Recreation in the Darwin Inner Suburbs Area Plan and the Scheme which considers a licensed club as a discretionary item for the purposes of this assessment. Given that the Fannie Bay Racecourse and associated Darwin Turf

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Club currently run similar operations to that proposed, it is considered unlikely to compromise any of the existing uses upon the subject land.

The land adjacent to the north of the subject site is predominantly zoned Open Space and Utilities and as such the proposal is unlikely to have an undue impact within the immediate locality.

General guidelines for development within the Organised Recreation Zone are set out as follows, pursuant to Part 4 (8.2) of the Scheme.

The design of buildings should be sympathetic to the character of buildings within the locality, minimise expanses of blank walls, allow for passive surveillance of public spaces, minimise the use of reflective surfaces and maximise energy efficiency. The proposed design is considered to be in accordance with these objectives and principles through the use of articulation, appropriate materials and providing a contemporary design which adequately complements the existing structures within the subject land and locality.

The proposal must control on-site noise sources, conceal plant equipment and provide landscaping in order to mitigate any impact upon the amenity within the locality. The proposal is considered to achieve this through incorporating a screened service area, additional landscaping and by virtue of its proximity within the subject land, a minimum of 10 metres from any allotment boundary.

The proposal must provide safe and efficient movement for both vehicles and pedestrians, provide protection for pedestrians from the sun and rain, provide convenient pedestrian links and provide loading and unloading for delivery vehicles and for refuse collection. The proposed development is considered to adhere to these requirements through the formation of the car parking area and the loading bay as further commented below. However, there remains outstanding concerns regarding the impact of the proposed development's access and egress to Dick Ward Drive, and the subject lands capacity during 'race day' events with regard to vehicular traffic.

In addition, the proposal has the capacity to provide for public toilets, child minding facilities, parenting rooms, bicycle access, storage facilities and shower facilities.

Subsequently, the proposal is considered to generally adhere to the requirements of the Scheme, with the exception of access and egress to Dick Ward Drive and the subject land's capacity during 'race day' events with regard to vehicular traffic. It is important to note that this assessment solely relates to the current Development Application and not to the whole of the Fannie Bay Racecourse.

Height

The proposed structure will be built to a height of approximately 7 metres with an additional 1.4 metres of infill provided in order to mitigate the risk from storm surge

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bringing the total combined height of the proposal to approximately 8.4 metres above ground level.

It is noted that the first floor viewing deck's finished floor level will be a maximum of 5.6 metres above ground level. However, the proposal is considered to generally accord with the height restriction of 8.5 metres above ground level, pursuant to Part 4 6.1 of the Scheme.

Vehicle Parking

The following is a quantifiable assessment against Clause 6.5.1 Vehicle Parking of the Scheme.

Use of Development	Minimum number of Car Parking Spaces (rate)	Proposed area	Minimum number of Car Parking Spaces (number)
Licensed Club	10 for every 100m ² of net floor area used as a lounge area or beer garden <u>Plus</u> 20 for every 100m ² of net floor area used as a bar <u>Plus</u> 3 for every 100m ² of net floor area used for dining	209m ² (beer garden) <u>Plus</u> 408m ² (bar) <u>Plus</u> 877 (dinning)	20.9 (beer garden) <u>Plus</u> 81.6 (bar) <u>Plus</u> 26.31 (dinning)
Office	2.5 for every 100m ² of net floor area	418 (TAB and admin)	10.45 (TAB and admin)
Total parking spaces required		1912m ²	139.26 (140)
Proposed parking spaces			144

The proposal incorporates 144 sealed, line-marked vehicle parking spaces and a covered drop-off zone. During peak demand periods, existing overflow parking is available at the southern end of Buntine Drive located within the subject land.

It is noted that the applicant has considered the 'Gaming Room' as a lounge for the purposes of this assessment. Council's planning staff has not considered the 'Gaming Room' as a lounge, however, such allocations could be applied by the Development Consent Authority (DCA). If the 'Gaming Room' was included as a lounge the number of vehicle parking spaces required will increase by 22, causing the total requirement to be 162 vehicular parking spaces and resulting in a short fall of 18 on-site car parking spaces.

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The first floor viewing deck has not been included within the calculations as it is neither a beer garden, lounge, bar or dining area and has been noted as being explicitly set aside for 'race day' events within the Statement of Effect provided by the applicant.

Given the absence of a specific rate of vehicle parking spaces for a 'Gaming Room', and that the proposal will provide a drop-off zone for commercial transport providers, overflow parking within the subject land and contains complimentary uses (licensed club and offices) that will likely be accessed at alternate times the proposal is considered to generally be in accordance with Part 4 (6.5.1) of the Scheme and unlikely to cause any undue impact upon Council's infrastructure subject to adherence to Part 4 (6.5.3) Parking Layout of the Scheme. However, Council's planning staff considers a 'Gaming Room' to generate some car parking needs and as the applicant has used the 'Licensed Club: Lounge Area' at 10 parking spaces per 100 square metres, the proposal is considered to create a car parking shortfall. If the DCA considers there to be a shortfall, City of Darwin requests that any car parking shortfall not be waived and that a monetary contribution be paid to City of Darwin in accordance with its Car Parking Contribution Plan, in lieu of the on-site car parking shortfall as a result of this development.

Loading Bays

The proposed single loading bay to service both the proposed licensed club and office is considered to be in accordance with Part 4 (6.6) of the Scheme.

Traffic/Access

The Traffic Impact Assessment conducted by CIRQA concluded that "no further upgrades to the Dick Ward Drive / Buntine Road were required." However, the report stated that "Traffic volumes on Buntine Road are unknown, however it would be anticipated that typical volumes would be less than 500 vehicles per day (with the exception of days where events are held at the facility)." Council staff consider that further analysis of the existing intersection is required. Subsequently, an amended Traffic Impact Assessment has been requested to consider the impact of the development on the existing intersection and road network within the next five years, assuming that the intersection is not signalised.

Council has previously conducted a traffic study of the area bounded by Dick Ward Drive, East Point Road and Ross Smith Avenue with the use of detailed traffic modelling to analyse the impacts of traffic within the Fannie Bay Area. This was done with regard to development at Lot 4664 (1) Kurringal Court, Fannie Bay for a proposed 35 x 1 bedroom, 103 x 2 bedroom and 22 x 3 bedroom multiple dwellings in 5 x 4 storey buildings including ground and 1 basement level car parking in 5 stages, permitted under Development Permit DP15/0543 with a variation to Condition 28 permitted under Development Permit DP15/0543B.

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Development Permit DP15/0543 Condition 28 stated "Provided City of Darwin or other relevant authority have, by no later than 30 June 2016:

- (a) completed a traffic study demonstrating the impact of current, planned and potential development (including, but not limited to the development the subject of this permit (the Development)) of the area bounded by Dick Ward Drive, East Point Road and Ross Smith Avenue (the Area); and
- (b) substantially costed works to improve, upgrade or construct new traffic infrastructure reasonably required to manage the impact of current, planned and potential development of the Area (including but not limited to the Development), the developer (or owner of the land) must, as required by Council and prior to the issue of titles to any unit in the Development, make a contribution to the cost of improving, upgrading or constructing new traffic management infrastructure upgrading works demonstrated by the independent traffic study as required to manage current, planned and potential development of the Area, all to the satisfaction of the consent authority. The contribution under this condition is to be proportionate to the impact of the development on the need to undertake the upgrading works for the whole local area, up to a maximum of 20% of the value of the works, which for the purposes of this condition, is taken to be \$1,800,000.00 for the whole local area."

As required within Condition 28 of the Development Permit DP15/0543 City of Darwin conducted a traffic study on "the impact of the current planned and potential development (including, but not limited to the development the subject of (the) permit (DP15/0543)" in 2014, with an updated report in 2015. A bond was supplied by the developer in the order of 20% of the total costs as a contribution to the improving, upgrading and constructing new traffic management within the locality specified.

The traffic study suggested that an extension to Kurringal Court to connect with Dick Ward Drive at the intersection of Buntine Road would assist in managing traffic within the locality with this intersection being signalised. The subject applicant is considered to gain significant benefit from the provision of a signalised intersection as access to Fannie Bay Racecourse, Buntine Road are also considered to contribute to the overall need for the intersection upgrade. Subsequently, Council has requested a monetary contribution of \$72,990 from this applicant towards the proposed upgrade of the Dick Ward Drive/Buntine Road/Kurringal Court intersection.

City of Darwin has calculated the amount based on the additional traffic volumes created by the proposed development on the upgrade to the access to Fannie Bay Racecourse (Buntine Road) only, not the entire intersection. This has been calculated and requested in order to provide consistency with other developer contributions within the area.

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Image 2 - Current Dick Ward Drive/Buntine Road/Kurringal Court intersection

Landscaping

The applicant has provided a landscaping plan to surround the structure and vehicular parking area. Existing landscaping to the north of the proposed development would be retained.

Excavation and Fill and Land Subject to Flooding and Storm Surge

It is acknowledge that the proposed licensed club is located at the edge of the storm surge area. The applicant has indicated that they intend to raise the structure by 1.4 metres in order to mitigate the effects of any storm surge. Given that the proposed development is a non-habitable structure and will be raised to height greater than 300 millimetres above the flood level, the proposed development is considered to appropriately address the issue of storm surge.

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Key Council Issues

Liquor License

The licensed club will be required to obtain a liquor licence or alternatively an application for a substitute of premises may be requested of the Director-General in order to relocate a currently Non-Trading Liquor Licence, pursuant to Section 46A of the Liquor Act. Any application for substitution of premises or new liquor licence will require an advertisement and will be referred to City of Darwin, pursuant to the Liquor Act.

Stormwater

Stormwater is shown as draining into a stormwater easement currently owned by the Northern Territory Government. The impact on the easement is likely to be minimal.

Access, Egress and Vehicle Parking

An amended Traffic Impact Assessment has been requested to consider the impact of the development on the existing intersection and road network within the next five years, assuming that the intersection is not signalised.

As required within Condition 28 of the Development Permit DP15/0543, City of Darwin conducted a traffic study on “the impact of the current planned and potential development (including, but not limited to the development the subject of (the) permit” in 2014, with an updated report in 2015. A subsequent finding within the traffic study suggested that the extension of Kurringal Court to connect with Dick Ward Drive at the intersection of Buntine Road would assist with traffic management with this intersection being signalised.

Subsequently, Council has requested a monetary contribution of \$72,990 from the applicant towards the proposed upgrade of the Dick Ward Drive/Buntine Road/Kurringal Court intersection.

City of Darwin has calculated the amount based on the additional traffic volumes created by the proposed development on the upgrade to the access to Fannie Bay Racecourse (Buntine Road) only, not the entire intersection. This has been calculated and requested in order to provide consistency with other developer contributions within the area.

Vehicle Parking

City of Darwin requests that any car parking shortfall not be waived and that a monetary contribution be paid to City of Darwin in accordance with its Car Parking Contribution Plan in lieu of the on-site car parking shortfall, as a result of this development.

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Summary

The proposed development of a licensed club and ancillary offices within an Organised Recreation Zone is considered appropriate given the existing use of the land as the Fannie Bay Racecourse. It is noted that there may be a car parking shortfall and an increase in the volume of traffic accessing the site from the Dick Ward Drive/Buntine Drive intersection. Subsequently, contributions have been requested of the applicant in order to minimise the impact on Council's infrastructure.

CONSULTATION PROCESS

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

- Strategic Town Planner
- Town Planner
- Planning Officer
- Team Leader Development
- Manager Darwin Safer City Program

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

- Brad Cunnington, Principle Northern Planning Consultants
- Northern Territory Government, Liquor Licensing Division

POLICY IMPLICATIONS

Contributions for shortfall in car parking have been requested in accordance with City of Darwin Car Parking Contribution Plan (non CBD).

BUDGET AND RESOURCE IMPLICATIONS

Monetary contributions have been requested for a shortfall in car parking and towards upgrades to road infrastructure.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Arrangements for contributions towards road upgrades may require legal advice or administration.

ENVIRONMENTAL IMPLICATIONS

Environmental impacts can be managed through conditions on any development permit.

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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.

PETER COPLEY
ACTING MANAGER DESIGN,
PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

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

Attachments:

Attachment A: City of Darwin, Letter of Response to Development Assessment Services, dated 31 March 2017

Attachment B: Development Application, Lot 5298 (20) Dick Ward Drive, Fannie Bay PA2017/0100

Attachment B has been submitted electronically and is available on the City of Darwin website here:

<http://www.darwin.nt.gov.au/council/council-meetings/2017/april/ordinary-council-meeting>

31 March 2017

Please quote: 3499752 DB:hd

Your reference: PA2017/0100

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

Dear Mr Brennan

**Parcel Description: Lot 5298 - Town of Darwin
20 Dick Ward Drive, Fannie Bay**

Proposed Development: Licensed Club

Thank you for the Development Application referred to this office 16 March 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.

The following issues are raised for consideration by the Authority:

i). **City of Darwin does not object to the granting of a Development Permit subject to the following concerns being addressed:**

a). **Amended Traffic Impact Assessment**

City of Darwin requires an amended Traffic Impact Assessment Report, to be prepared by a suitably qualified traffic engineer in accordance with the Austroads Document Guide to Traffic Management Part 12: Traffic Impacts of Developments, in the report structure provided as Appendix C of that document, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities.

The amended assessment shall consider the impact of the development on the existing intersection and road network for a five year design horizon on the assumption that this intersection is not signalised. The applicant shall undertake the traffic modelling assessments for:

- the base case;
- traffic at opening; and
- at the five year design horizon.

The Traffic Impact Assessment shall propose mitigation measures to ameliorate any potential traffic impacts in this assessment period. The applicant shall, as part of their assessment, obtain a 12-hour video traffic count between 6:30 am and 6:30 pm on a typical weekday to get an accurate snapshot of the operations of the intersection at present that also identifies the traffic volumes actual peak hours.

The report shall identify any necessary upgrades to the surrounding street network as a result of the implications of the development. The developer will be required to institute all required upgrade measures resulting from the traffic assessment, to the satisfaction and at no cost to City of Darwin.

b). **Vehicle Parking Requirement**

City of Darwin notes that the application includes a shortfall in car parking, as assessed under the Northern Territory Planning Scheme. Should the Development Consent Authority determine a car parking shortfall, City of Darwin requests that the Authority require a monetary contribution be paid in accordance with its Car Parking Contribution Plan in lieu of on-site car parking as a result of this development.

c). **Intersection upgrade**

City of Darwin requests that a monetary contribution be paid to City of Darwin for the future upgrade of the Dick Ward Drive / Buntine Road / Kurringal Court intersection. City of Darwin calculates that, based on the additional traffic volumes that this proposed development will add to Dick Ward Drive, total estimated cost for the Buntine Drive leg of the intersection will result in a contribution of \$72,992.

ii). **City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:**

City of Darwin requires an amended Traffic Impact Assessment Report, to be prepared by a suitably qualified traffic engineer in accordance with the Austroads Document Guide to Traffic Management Part 12: Traffic Impacts of Developments, in the report structure provided as Appendix C of that document, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities. The Traffic Impact Assessment shall be provided to the satisfaction of City of Darwin.

The report shall identify any necessary upgrades to the surrounding street network as a result of the implications of the development. The developer will be required to institute all required upgrade measures resulting from the traffic assessment 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 Car Parking Contribution Plan in lieu of the on-site car parking shortfall as a result of this development.** The Northern Territory Planning Scheme requires 162 car parking spaces and only 144 are provided on site.
- b). **City of Darwin requests that a monetary contribution be paid to City of Darwin for future upgrade of the Dick Ward Drive / Buntine Road / Kurringal Court intersection. City of Darwin calculates that, based on the additional traffic volumes that this proposed development will add to Dick Ward Drive, total estimated cost for the Buntine Drive leg of the intersection will result in a contribution of \$72,992.**

City of Darwin comments in relation to the Local Government Act are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- c). **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's Infrastructure department.

d). **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 the General Manager Infrastructure, 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.

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.

- 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 location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, 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 the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.

- 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.
- 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 the General Manager Infrastructure, 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 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 the General Manager Infrastructure, 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
STRATEGIC TOWN PLANNER

17. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

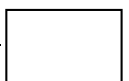
17.1 'Why Council?' Prospective Candidate Information Sessions

Document No. 3510958 (11/04/17) Common No. 3510958

*The information from the Local Government Association of the Northern Territory is **Attachment A**.*

The Local Government Association of the Northern Territory booklet 'Why Council? Stand up for your community' is available on the City of Darwin website:

<http://www.darwin.nt.gov.au/council/council-meetings/2017/april/ordinary-council-meeting>



ATTACHMENT A

Good day

LGANT requests that your CEO table the following item for your next council meeting agenda:

LGANT is offering to deliver information sessions for councils in partnership with the NTEC and DHCD prior to the NT Local Government Elections in August.

The 'Why Council? Prospective Candidate Information Sessions' includes the following agenda from:

- The Local Government Association of the NT (LGANT) – what a council and an elected member does (roles and responsibilities); possible conflicts of interest to consider; council's decision making process as a whole rather than individually and the commitments required from a member on council such as time and meetings ;
- The Northern Territory Electoral Commission (NTEC)- the electoral, nomination and voting processes
- The Department of Housing and Community Development (DHCD)- its role within the NT government; its funding and legislative responsibilities to ensure councils are compliant under the Local Government Act and related legislation.
- Questions for presenters

The session, which is approximately 2 hours, is an opportunity, for those who are interested in nominating for council, to find out what is involved and to raise questions about the important work of an elected member on council.

As nominations open on 14 July and close 3 August it is strongly advised that these sessions be carried out prior to nominations opening in mid-July to give interested candidates enough time to consider a future as an elected member.

It is envisaged the information sessions be held **close to or on the day of council meetings** to ensure all interested people can attend. Ideally, these presentations should be scheduled on the same day prior to council meetings so as to allow candidates who wish to consider nominating a chance to see a council meeting take place.

Costs will be met by LGANT and the NTEC with presentations delivered in the **major regional centres** including the Darwin, Katherine and Alice Springs regions.

For information sessions delivered in other regional centres such as Tiwi Islands, East Arnhem, Barkly and West Daly, the associated travel and accommodation costs will need to be met by the respective councils.

Where possible, it is suggested councils combine these sessions in the major regional centres.

Additionally, should regional councils wish these sessions be delivered in remote communities and, if it can be arranged, councils will be asked assist in meeting the associated travel and accommodation costs for presenters .

Should councils wish to deliver these sessions themselves, LGANT and the NTEC would be happy to provide the resources to councils to present the sessions as they see fit. As local authorities are an opportunity to effectively send this message throughout a council's region, regional councils may wish to deliver the materials themselves.

Alternatively, councils can request a video link up with other regional sessions on preferred dates in order to participate and ask questions.

LGANT is also considering video-taping the sessions in order to upload on our, or council websites, so that potential candidates can visit the information session at any time.

A suggested timetable of the 'Why Council?' information session proposed dates is attached for your consideration.

LGANT would appreciate confirmation of the proposed dates or alternate proposed dates before 1 May 2017 to secure requested dates and organise travel arrangements for presenters.

Once regional dates are confirmed, we would appreciate councils promoting the sessions throughout the community to ensure all residents are given a chance to attend and find out more about the role of a councillor. A poster is attached for your convenience.

Also attached is the current LGANT publication 'Why Council? Stand up for Your Community' information booklet for those who are interested in running for council. This has been retitled from the previous LGANT publication 'So you want to be on council' booklet with minor changes to the content.

LGANT encourages your council to also distribute the attached enrolment information (brochure and enrolment form) widely throughout your region to ensure electoral details are updated by community members. The brochure may be adapted to suit your needs.

Members of the public are able to update their details either by completing the attached enrolment form or visit the Australian Electoral Commission website on <https://check.aec.gov.au/> to ensure their details are current.

For further questions about these information sessions please contact Angela Pattison at LGANT on 89 44 9674 or angela.pattison@lgant.asn.au

Kindest regards

Angela Pattison

Governance Trainer



**Got an Opinion
Make it Count !**

**Local Government Association of the Northern Territory-
Supporting Councils**

Local Government Association of Northern Territory

21 Parap Road, Parap, NT, 0820

PO Box 2017, Parap, NT, 0804

Ph: (08) 08 8944 9674

Fax: (08) 89 412665

Mob: 0437 886 283

What are councils responsible for?

Councils are responsible for providing a range of services, facilities and infrastructure to communities in their local government area.

Councils meet every 1 to 2 months to make decisions on their responsibilities such as community safety, roads, regional council plans, policies and by-laws.

Members of the community are invited to attend these meetings, except when the meetings are closed to the public.

Council has to ensure money is spent properly on delivering services and programs for your community.



Some of these services include:

- Community services such as aged care and child care
- Night patrol (regional councils)
- Libraries
- Sport and recreation programs
- Employment and training
- Street lighting
- Roads and maintenance
- Waste, weeds and animal management

Why Vote?

Your opinion counts!

Your chance to have a say

You are part of the decision-making process

Voting is compulsory

You can vote on Election Day or you can:

- Vote early from 14 August 2017
- Visit a mobile polling team
- Or apply for a postal vote online

Visit www.ntec.nt.gov.au



If you cannot provide a good reason for not voting you may be charged a \$50.00 fine.

LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY

Postal Address: PO Box 2017, Parap NT Australia 0804
Office Address: 21 Parap Road, Parap NT Australia 0820

Email: info@lgant.asn.au

Telephone: (08) 8944 9688



2017

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Northern Territory Local Government Elections

*Your Right
Your Responsibility*



Supporting NT Councils

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Local Government Councils

Councils are the third level of government in Australia. The other 2 levels are the Commonwealth and the Territory Government.

There are 17 councils in the Northern Territory.

These include 5 municipal, 9 regional and 3 shire councils and are shown on the map below.

Some of the councils are broken into ward areas. There may be as few as 3 or as many as 6 wards in each council region.



Membership

Councils make decisions about issues that affect our everyday lives. It is often described as the 'grass roots' form of government which is closest to the people.



Council members are elected by residents to represent their interests.

A council includes a mayor or president who is either

- voted in by all the residents of that council region or
- elected by the other council members.

The number of members varies from

- **6-14** per council and
- **1-5** per ward.

The 2017 NT council elections will be held on:

Saturday

26 August

Council elections are held every 4 years

People who **live in their council or ward**, are able to nominate and run as an elected member, mayor or president.



2017 NT 132 Local Government Elections

Australia is a *democracy*. Amongst other things this means that

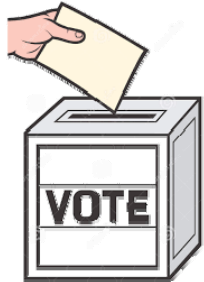
you have the right to participate and influence who is in government by voting in an election.

Voting for a local person means *you have a say* by choosing who you think will speak up for you and make *important decisions* that affect you, your family and your community.

To be able to vote, you must be correctly enrolled on the NT electoral roll.

To do this you must be:

- 16 years old to enrol
- 18 years old to vote
- An Australian citizen
- Live in that local government area or ward in which you are voting.



If you have changed your address you will need to change your enrolment details

- Enrolments must be completed by

25 July 2017

- Collect a form from your Council Office or visit www.ntec.nt.gov.au and complete a form on line.

You can also check or update your enrolment details by visiting <https://check.aec.gov.au/> **132**



2017

**Why Council?
Stand Up for
Your Community**

18. REPORTS OF REPRESENTATIVES

19. QUESTIONS BY MEMBERS

20. GENERAL BUSINESS

21. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

Common No. 2695130

THAT the next Ordinary Meeting of Council be held on Tuesday, 16 May 2017, at 5:00pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

22. 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.

23. ADJOURNMENT OF MEETING AND MEDIA LIAISON

