



AGENDA

Ordinary Council Meeting Tuesday, 29 October 2019

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

Date: Tuesday, 29 October 2019

Time: 5:30pm

**Location: Council Chambers
Level 1, Civic Centre
Harry Chan Avenue, Darwin**

**Melissa Reiter
Acting Chief Executive Officer**

ORDINARY COUNCIL MEMBERS

The Right Worshipful, the Lord Mayor Kon Vatskalis (Chair)

Alderman Andrew Arthur

Alderman Jimmy Bouhoris

Alderman Sherry Cullen

Alderman Justine Glover

Alderman Gary Haslett

Alderman Robin Knox

Alderman George Lambrinidis

Alderman Simon Niblock

Alderman Mick Palmer

Alderman Peter Pangquee

Alderman Rebecca Want de Rowe

Alderman Emma Young

OFFICERS

Chief Executive Officer, Scott Waters

General Manager Innovation Growth & Development Services, Joshua Sattler

General Manager Community & Regulatory Services, Polly Banks

General Manager Government Relations & External Affairs, Melissa Reiter

General Manager Engineering & City Services, Ron Grinsell

Acting Coordinator Governance, Caitlyn Moulds

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

4.2 Leave of Absence Granted

4.3 Leave of Absence Requested

5 ELECTRONIC MEETING ATTENDANCE

5.1 Electronic Meeting Attendance Granted

5.2 Electronic Meeting Attendance Requested

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

7 CONFIRMATION OF PREVIOUS MINUTES

Ordinary Ordinary Council Meeting - 15 October 2019

8 MOVING OF CONFIDENTIAL ITEMS

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

10 PUBLIC QUESTION TIME

11 PETITIONS

12 DEPUTATIONS AND BRIEFINGS

13 NOTICES OF MOTION

Nil

14 OFFICERS REPORTS

14.1 DARWIN CENOTAPH RENEWAL

Common No.:**Author:** Executive Manager Technical Services**Authoriser:** Acting General Manager Engineering and City Services**Attachments:** 1. Darwin Cenotaph Renewal Stage 1 Concept Design**SUMMARY**

The purpose of this report is to present an updated Stage 1 Cenotaph Renewal concept design from Darwin RSL for Council's endorsement and provision of delegated authority to the Chief Executive Officer to approve the design for construction purposes.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council endorse the updated Stage 1 Cenotaph Renewal concept at **Attachment 1**.
3. THAT pursuant to Section 32 (2) of the Local Government Act, Council hereby delegates to approve the detailed design of Stage 1 of the works for the purposes of construction.

KEY ISSUES

- The Darwin RSL has received a \$1 million grant from the Australian Government for the renewal of the Darwin Cenotaph.
- Darwin RSL submitted a previous concept for the Darwin Cenotaph renewal to Council in May 2017, which was supported for the purpose of community consultation.
- The outcomes of the community consultation were presented to Council in September 2017.
- Council requested that Darwin RSL revise the concept design based on the outcomes of the consultation.
- A revised concept was provided to and endorsed by Council addressing these outcomes in March 2018.
- The Darwin RSL has since further revised the Darwin Cenotaph Renewal project concept and is now seeking Council's endorsement of the updated Stage 1 concept.
- Should Council endorse the updated Cenotaph Renewal project Stage 1 concept, a delegation to the Chief Executive Officer to approve the detailed design of the works for the purposes of construction is also sought.
- The project would be constructed in two stages, with the majority of the works in Stage 1 (to be delivered with the \$1 million in grant funding from the Australian Government). Stage 2 of the works would be subject to a further Council approval process.
- Although the Darwin RSL has expressed a desire to complete Stage 1 of the works by 19 February 2020, it is acknowledged that a more realistic target completion date would be by Anzac Day 2020.

BACKGROUND

At the 1st Ordinary Council Meeting held on 13 March 2018, Council resolved as follows:

DECISION NO.22\0498 (13/03/18)

Darwin Cenotaph Renewal

Report No. 18CL0023 AM:kl (13/03/18) Common No. 3171870

- A. THAT Report Number 18CL0023 AM:kl entitled Darwin Cenotaph Renewal, be received and noted.
- B. THAT Council endorse the revised concept for the Darwin Cenotaph Renewal Program at **Attachment A** to Report Number 18CL0023 AM:kl entitled Darwin Cenotaph Renewal to enable the Darwin RSL Sub-Branch to progress to detailed design phase.
- C. THAT a further report be presented to Council following preparation of the detailed design.
- D. THAT Council note the Darwin Cenotaph Renewal Program will be funded through a direct capital grant from the Commonwealth Government to the Darwin RSL Sub-Branch.
- E. THAT this decision be moved into open.

DISCUSSION

Darwin RSL presented a Cenotaph Renewal concept to Council in May 2017, which was supported for the purpose of community consultation.

True North Strategic Communication delivered a consultation process on behalf of Darwin RSL. The feedback from the consultation showed there were aspects of the proposal that the community supported but there were other aspects that were generally not supported.

Council resolved that it provided in principle support for the Cenotaph Renewal, however that the design be revised to reflect the consultation outcomes. The key issues opposed in the consultation were the removal of trees and a monument with gun imagery being at the Cenotaph. Darwin RSL revised the concept accordingly to not include these two factors.

The revised concept, addressing the consultation outcomes, was put to and endorsed by Council in March 2018. Since then, the RSL has further reviewed the design, whilst still addressing the outcomes of consultation process, and is now seeking Council's approval of this revised concept (**Attachment 1**).

The key differences between the current concept and the previous concept endorsed by Council are:

- The retention of all trees and turf area as is to the rear of the Cenotaph;
- Creation of an eternal flame befitting of the cenotaph located closer to The Esplanade for better visual connection with everyday traffic as well as physical connection to the State Square Precinct. The development of this forecourt creates capacity for the increasing numbers of visitors associated with Bombing of Darwin, Anzac Day and other public events. This placement also retains the open space of the former Darwin Oval for flexibility of use into the future.

Other features of the proposal include:

- The development of a Bombing of Darwin memorial garden and interpretive display to the rear of the cenotaph, including universal access to the podium;
- The replacement of unit paving with trafficable exposed aggregate concrete to the pathways, forecourt and margin to the cenotaph;
- Improved lighting of the cenotaph; and
- Improved master planning connection of Bicentennial Park to State Square Precinct to consider how the two spaces interact.

The Darwin RSL has secured Australian Government funding to the value of \$1.0 million to deliver Stage 1 of this project.

The project will be staged, and Stage 1 of the works will include:

- Lowering of the cenotaph rear wall for better harbour visual connection, provision of universal access ramp, new concrete pavements, lighting, landscaping planters adjoining ramp, making good, etc.;
- Bombing of Darwin memorial garden including new concrete pavements, retention existing lighting, lawn area, trees, new interpretive panels to modified barrier overlooking the harbour, new seating, relocated flagpoles;
- Creation of eternal flame forecourt including eternal flame sculpture which is LED lit (with battery back-up-no gas of artificial flames etc.);
- New concrete paving, retention of beauty leaf trees and additional trees to match, removal of remaining mahoganies to be replaced with City of Darwin recommended species for shade;
- Removal of existing seating unit and replacement with new seating;
- Removal of wing dwarf walls and plaques relocated to new interpretive display for citizens memorial; and
- New lighting.

Darwin RSL have expressed a desire to complete Stage 1 of the works by 19 January 2020, however this is not required under their funding agreement with the Australian Government. It is considered that in order not to rush the project and to avoid any disruptions to the Bombing of Darwin 2020 preparations, a more realistic target date for the completion of the works would be by Anzac Day 2020.

Stage 2 of the works include:

- Proposed connecting pathway from the eternal flame to the cenotaph (optional, and subject to further consultation with users of that space);
- Further elements, dependent on City of Darwin consideration and approval of the proposals. Darwin RSL are also keen to incorporate more interpretive elements (potentially digital), a commissioned sculpture, all funded by the Darwin RSL. As the tourism potential of this precinct is considerable, the Darwin RSL are very keen to contribute to the public realm.

Pending Council's endorsement of the concept design and delegated authority being provided to the Chief Executive Officer to approve the detailed design, a technical review of the design will be undertaken by relevant City of Darwin staff, to enable the project to go to tender and then construction.

STRATEGIC ENVIRONMENT

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

Goal

5 A Vibrant and Creative City

Outcome

5.2 By 2030, Darwin will be a more connected community and have pride in our cultural identity

Key Strategies

Nil

LEGISLATIVE/POLICY

Council approval is required for the works as land owner.

CONSULTATION**Internal**

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

- Manager Engagement and Events
- Executive Manager Leisure & Regulatory Services

External

- Darwin RSL

Refer also to Discussion section of this report.

BUDGET/RESOURCE IMPLICATIONS

Darwin RSL have secured Australian Government funding to the value of \$1.0 million for Stage 1 of the project. No additional funding is required from Council to implement the works.

It is intended that the works be placed under the care and maintenance of the City of Darwin after completion and the negotiation of any warranty periods, so Council will be expected to fund the on-going maintenance of the works.

RISK

The cost of maintaining the completed works is not known at the time of writing this report and may represent financial risk.

LEGAL

Not assessed.

ARTS, CULTURE & ENVIRONMENT

The Darwin Cenotaph is heritage-listed object and is highly-valued by the Darwin community for its historic and solemn symbolic values.

The proposed upgrading works will enable the Cenotaph to be accessible to all and most importantly, through the addition of an internal flame, will raise the stature of the Cenotaph to a level of prominence equivalent to such memorial's interstate.



DARWIN CENOTAPH AFTER 2019 - STAGE 1

H2019.02- SK01 -

OCT 2019

LOT 3480 ESPLANADE, DARWIN, N.T.

WATERS OF REFLECTION

HULLY LIVERIS
DESIGN COPTW LTD
GPO BOX 1138
DARWIN NT 0801
PHONE 0438189988
EMAIL HULLY@HULLYLIVERIS.COM
ABN 105410990



DARWIN CENOTAPH AFTER 2019 - STAGE 1

LOT 3480 ESPLANADE, DARWIN, N.T.

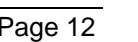
H2019.02- SK02 -

OCT 2019

STAGE 1 SITE PLAN


NORTH

HULLY LIVERIS
DESIGN COPTN LTD
GPO BOX 738
DARWIN NT 0801
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A241 0004 0001





1 : 550

14.2 REQUEST FOR PERMANENT CLOSURE - WALKWAY 179: ABBOTT CRESCENT TO OSBOURNE CRESCENT, MALAK**Common No.:**

Author: Darwin Safer City Program Coordinator
Authoriser: Executive Manager Environment & Community
Attachments: 1. Resident Petition for Walkway 179
2. Walkway 179 Location Map

SUMMARY

The purpose of this report is to request that Council consider the permanent closure of Walkway 179 (Abbott Crescent to Osbourne Crescent, Malak).

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council agree to the permanent closure of Walkway 179 (Abbott Crescent to Osbourne Crescent, Malak) as this walkway is not an essential thoroughfare to facilities, with two alternate routes closer to facilities than the walkway.

KEY ISSUES

- Council agreed to a night time closure of Walkway 179 in 2018 due to ongoing property crimes and antisocial behaviour in the walkway at night.
- The night time closure was a success however youth began illegally accessing properties that bordered the walkway during the day.
- In August 2019, the General Manager of Department of Community and Regulatory Services agreed to a 24 hours closure of Walkway 179.
- Residents have provided a petition for Council to consider the permanent closure this walkway (**Attachment 1**).
- Walkway 179 does not provide essential access to facilities, public transport or other services on McMillans Road that cannot be more easily accessed via Abbott Crescent and from an adjoining park; thereby its permanent closure will not unduly affect pedestrian access (**Attachment 2**).

BACKGROUND

At the 2nd Ordinary Council meeting in February 2018 Council resolved the following:

Northern Suburbs Walkway Review

DECISION NO.22\0445 (27/02/18)

- A. THAT Report Number 18CL0017 MG:kl entitled Northern Suburbs Walkway Review, be received and noted.
- B. THAT Council extend the closing time of Walkway 81 – Amsterdam Circuit to Trower Road, Wagaman from 7:00pm to 9:00pm each night.
- C. THAT a Neighbourhood community consultation process is undertaken to assess closure options for Walkway 179 – Abbott Crescent to Osbourne Road, Malak and that Council undertake a 6 month trial closure of Walkway 179 - Abbott Crescent to Osbourne Road, Malak, from 9.00pm to 5:00am each night.

- D. *THAT a Neighbourhood community consultation process is undertaken to assess a night-closure option for Walkway 104 – Craig Crescent to Lot 4528 (Litchfield Court Unit Complex), Coconut Grove, from 10:30pm to 5:00am each night.*
- E. *THAT a further report is presented to Council at the conclusion of the consultation process to assess the outcomes and the views of the local residents regarding closure options for Walkways 104 – Craig Crescent to Lot 4528 (Litchfield Court Unit Complex), Coconut Grove and 179 – Abbott Crescent to Osbourne Road, Malak.*

DISCUSSION

Council approved a night time closure arrangement for Walkway 179 in Malak in March 2018. This was due to multiple break-ins on adjoining properties whereby people were using the walkway to access properties during the night. The night time closure was supported by City of Darwin local Aldermen, the local Member for Sanderson and also NT Police at the time due to significant and ongoing issues in the area.

The night time closure was a success and property crimes ceased however incidents have since escalated (all reported to Police) during the day when the walkway was opened. Multiple property break-ins occurred in July and August 2019 whereby youth were gaining access to properties from the walkway in daylight hours.

In August 2019, a decision was made by the Community and Regulatory Services General Manager to cease opening the walkway during the day, pending a request to Council for permanent closure. Residents have also provided a petition requesting a full and permanent closure.

Since the walkway has been closed to access, property crimes in adjacent houses have ceased. Permanent closure of this walkway will not unduly affect access by pedestrians as there are two alternative thoroughfares to McMillians Road via Abbott Crescent and a local park.

Since the walkway has been closed to access, property crimes in adjacent houses have ceased. Permanent closure of this walkway will not unduly affect access by pedestrians as there are two alternative thoroughfares to McMillians Road via Abbott Crescent and a local park.

STRATEGIC ENVIRONMENT

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

Goal

2 A Safe, Liveable and Healthy City

Outcome

2.1 By 2030, Darwin will be a safer place to live and visit

Key Strategies

1.2.2 Provide secure and clean public places and open spaces

LEGISLATIVE/POLICY

City of Darwin Policy No. 056 - Walkways

City of Darwin Policy No. 055 – Asset Management

CONSULTATION

Internal

This report was considered by the Strategic Directions Group on 22 October 2019 and is now referred to Council. In preparing this report, the following City of Darwin officers were consulted:

- Assertive Outreach Officers

External

- Residents of Abbott and Osbourne Crescents
- The Member for Sanderson.
- The Member for Karama.

BUDGET/RESOURCE IMPLICATIONS

Night time closures of walkways have ongoing and significant costs to Council due to management of walkway closures being contracted to a private security firm.

The permanent closure of walkway 179 will prevent further costs to Council being accrued for the management of this walkway. The walkway already has permanent gates, which were constructed and installed as part of the night time closure process and no further expenditure is required.

RISK

Nil

LEGAL

Nil

ARTS, CULTURE & ENVIRONMENT

Nil

We the residents around Walkway 179 (Abbott Street, to Osborn Road, Malak) request Council consider the permanent closure of this walkway, due to continued anti-social behaviour in and around it.

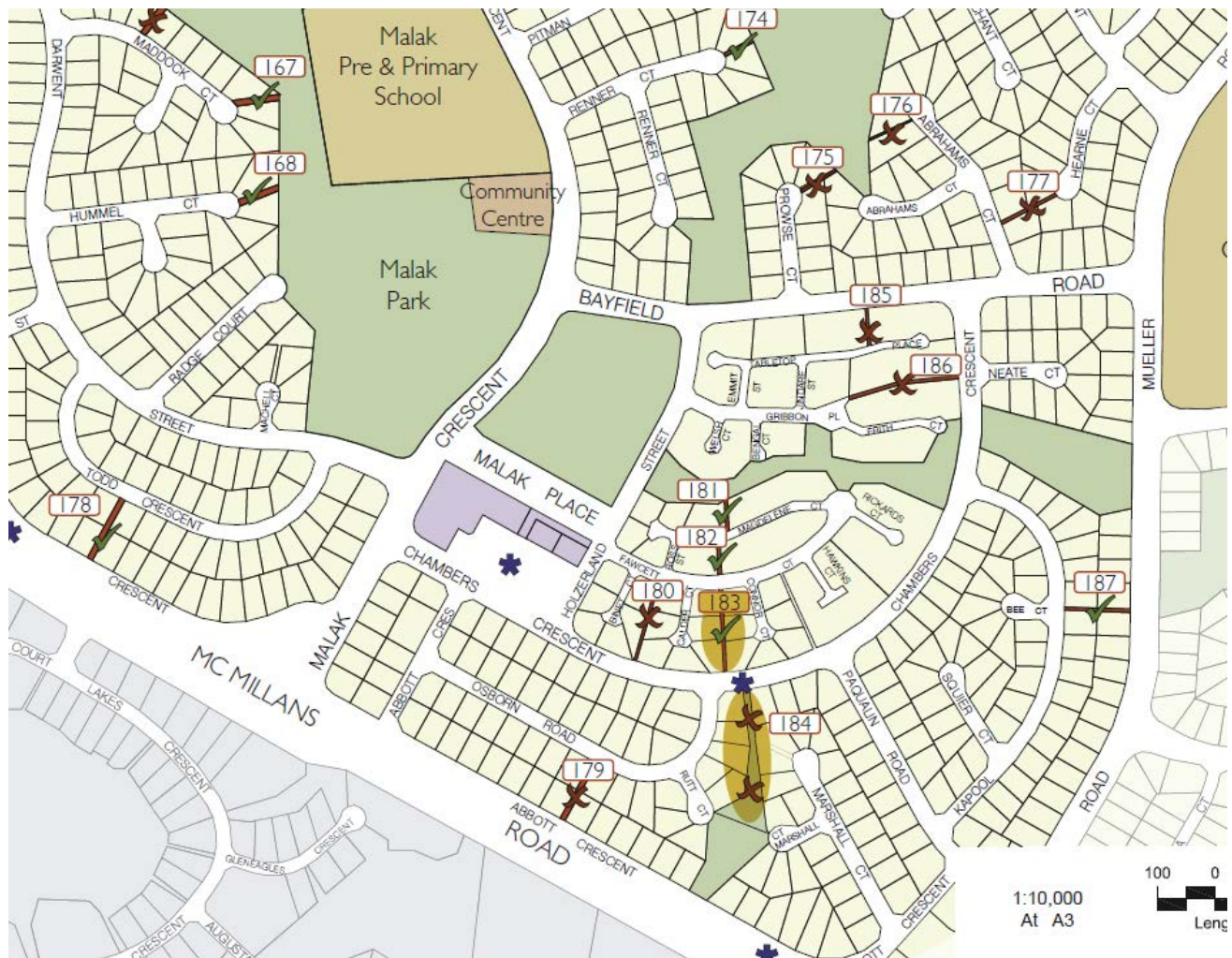
NAME	ADDRESS	SIGNATURE
H M King		
Liz Higgins		
LOU PRESCOTT		
LIZ GODGE		
MARK & CLAIRE DODD		
Xenia Bryant		
Scott Gabbett		
KENNETH BURTON		
MENIKA GRIER		
SYLVIA ZAKOWSKI		

DATED: 8/9/2019

We the residents around Walkway 179 (Abbott Street, to Osborn Road, Malak) request Council consider the permanent closure of this walkway, due to continued anti-social behaviour in and around it.

NAME	ADDRESS	SIGNATURE
DES McLEOP		
Maria-Louise Cosentino		
Robert Andrews		
JOAQUIN DA SILVA		
MARIE LEONIL		
Peter THOMAS		
MICHAEL Scully		
CLAUDIO BOLAND		
Ian Burrows		
BOB COPE		

DATED: 27/10/2019



14.3 CITY OF DARWIN SUBMISSION: NTG CLIMATE CHANGE RESPONSE**Common No.:****Author:** Executive Manager Environment & Community**Authoriser:** General Manager Community and Regulatory Services**Attachments:** 1. DRAFT CoD Submission to NTG Climate Change Response**SUMMARY**

The purpose of this report is to seek Council endorsement on a submission to the Northern Territory Government Climate Change Response.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council endorse the draft submission to the Northern Territory Government regarding their Draft Climate Change Response provided in **Attachment 1** to this report.

KEY ISSUES

- The Northern Territory Government (NTG) launched its Climate Change Response that aims to respond to the impacts of climate change in the Territory.
- NTG has determined an emissions reduction target of Net Zero Emissions by 2050
- The NTG Response outlines the Government's approach to addressing climate risk and creating new economic and business opportunities

BACKGROUND

At the 2nd Ordinary Council meeting in November 2018 Council endorsed a submission to the NTG Climate Change Discussion Paper.

DECISION NO. 22\1222

Northern Territory Climate Change Discussion Paper

- A. *THAT Report Number 18CL0092 SG:kl entitled Northern Territory Climate Change Discussion Paper, be received and noted.*
- B. *THAT Council endorse the submission document provided at **Attachment A** to Report Number 18CL0092 SG:kl entitled Northern Territory Climate Change Discussion Paper*

On 19 September 2019, the Northern Territory Government launched its draft Climate Change Response (available online: <https://haveyoursay.nt.gov.au/49504/documents/116898>). The NTG Response builds on the NTG Climate Change Discussion Paper, to which City of Darwin submitted comment. The NTG Response outlines the Government's approach to addressing climate risk and creating new economic and business opportunities. The document is open for submissions until 31 October.

DISCUSSION

The NTG Climate Change Response takes an evidence-based approach to climate action, clearly stating that global greenhouse gas emissions need to decline rapidly to a net zero scenario. In keeping with national commitments under the Paris Agreement to restrict warming to 1.5°C above pre-industrial temperatures, the Response sets an NT-wide target of zero net emissions by 2050. Whilst this is commendable, City of Darwin recommends this target be brought forward to 2030, in

keeping with Council's own commitments and in acknowledgement of the state of climate emergency in which we are now acting.

Encouragingly, the Response takes an economic development approach to achieving aspirational targets and actions and recognises that all sectors in the NT need to be engaged to transition to a low-carbon economy. Innovations in hydrogen energy and a deep sea cable are proposed to facilitate a renewable energy export industry for the NT.

The overarching aim of the Response is: *As we move towards 2050, we will proactively respond to climate change risk, reduce greenhouse gas emissions across all sectors, and wherever possible, maximise short-term and long-term benefits for Territorians, our economy, and our natural systems.*



Figure 1 - NTG Climate Response Summary

The Response explicitly references collaboration with local government in relation to adaptation pathways (*Collaborate with local governments and other regional organisations to develop regional adaptation solutions and embed climate risk across decision-making*). City of Darwin recommends that local government collaboration is critical across all elements of the Response. Local government has an important leadership and advocacy role in our community. City of Darwin recommends engaging local government early in the process as champions of community based mitigation and adaptation pathways.

City of Darwin has adopted a range of strategies to mitigate and adapt to the impacts of climate change, which has culminated in the declaration of a Climate Emergency. Ensuring the NTG Climate Change Response commits to swift and meaningful action on emissions reduction and adaptation is part of this advocacy role.

Acknowledging that an implementation plan will be forthcoming, City of Darwin recommends that the NTG consider the following key actions:

- Setting an emission reduction target for the Northern Territory is a good first step. City of Darwin advocates that the NTG should bring the timeframe forward in keeping with international practice, to zero net emissions by 2030.
- Meaningful emissions reductions targets embedded across all sectors and at all levels.
- Businesses and governments need to make emissions reductions part of everyday business to decarbonise and transition to a low-carbon economy.
- Develop urban forests in Northern Territory towns, both municipal and remote.
- Increased investment in public transport across the NT
- Increased use of recycled materials in construction tenders
- Renewable energy to be installed on all NTG buildings
- Protecting and improving the health of Territorians
- Protect the ecosystems we rely on (e.g. the NT's marine and coastal ecosystem contribute AU\$1 billion per year to the economy. Marine ecosystems are at high risk with rising temperatures)
- Deliver energy security and cost savings for Territorians (achieved by maximising renewable energy generation)
- Establish safer and climate smart infrastructure
- Integrate the UN Sustainable Development Goals into climate action planning and implementation.

The NTG also requested feedback on information needs for a publically facing website. City of Darwin recommends the following:

- Evidence based scenarios that explore local climate impacts
- Land use planning under various climate change scenarios (e.g. flood risk)
- Up to date reporting of NTG emissions by department / sector
- Up to date reporting of NT (non government) emissions by sector
- Interactive mapping tools that encourage engagement
- Information on household / individual level steps that can be taken to reduce emissions in a local context
- Resources for local government and educators to share information about impacts and adaptation pathways

STRATEGIC ENVIRONMENT

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

Goal

3 A Cool, Clean and Green City

Outcome

3.1 By 2030, Darwin will be recognised as a clean and environmentally responsible city

Key Strategies

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LEGISLATIVE/POLICY

Commentary provided in the submission on the Response is in keeping with the following City of Darwin strategic and operational documents:

- City of Darwin Climate Emergency Project Management Plan
- Coastal Erosion Strategy
- Climate Change Action Plan 2011-2020
- City of Darwin Energy Strategy
- City of Darwin Policy No. 006 Environment (general)

CONSULTATION**Internal**

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

- Strategic Directions Group
- Senior Leadership Team External

BUDGET/RESOURCE IMPLICATIONS

There are no direct budget or resource implications as a result of this report.

RISK

Council has declared a climate emergency as part of Council's role in advocating for other levels of government to take similar action it is appropriate Council provide feedback on the draft document.

LEGAL

Nil

ARTS, CULTURE & ENVIRONMENT

Sectors and industries across the spectrum are contributing to the discourse around a climate emergency; this includes arts and culture organisations such as London National Park City, Royal Court Theatre, The Junction (Cambridge), and more. *"Those declaring believe that culture is essential to help guide us in making the transformational change necessary to address the emergency of the combined catastrophes of climate change, a mass extinction of vital biodiversity and a degradation of ecosystems everywhere. Culture has the power to bring people together, disrupt the status quo and spark change,"* wrote the group in a media release on 3 April 2019, containing the list of declarers.



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30 October 2019

Please quote: Common No. INITIALS:Initials

DCM.Environment@nt.gov.au

To whom it may concern:

City of Darwin commends the Northern Territory Government on its Climate Change Response. Feedback on the Response is provided in the attachment to this letter.

On 31 July 2019, City of Darwin declared we are in a state of climate emergency that requires immediate action by all levels of government. In doing so, Council joins over 1000 jurisdictions worldwide, including more than 50 Australian councils, in recognising that human induced climate change represents a substantial threat to our community and the local environment we cherish. City of Darwin has shown strong local leadership in making this declaration and calls upon the Northern Territory Government to join us in declaring a climate emergency.

City of Darwin welcomes the acknowledgment of local government as a critical collaborative partner in adaptation pathways, but recommends the Northern Territory Government consider local government as a partner through the Climate Change Response. Local government has an important leadership and advocacy role in our community.

Council acknowledges and respects the importance of addressing climate change and environmental priorities within its sphere of influence in a way that is beneficial to the organisation, the Darwin community, the biodiversity of the region and Australia.

Council recognises that this approach to climate change should be flexible and able to adapt to the changing political and legislative environment.

Detailed comment against the Discussion Paper is provided as an attachment to this letter. Should you require any further information or wish to discuss our shared action on climate change further, don't hesitate to contact me on the details above.

Yours sincerely

SHENAGH GAMBLE
EXECUTIVE MANAGER
ENVIRONMENT AND COMMUNITY

darwin.nt.gov.au



City of Darwin Submission on Northern Territory Government Climate Change Response

City of Darwin (CoD) welcomes the opportunity to provide a response to the Northern Territory Climate Change Response. The following response was prepared by officers and was endorsed by Council at its 2nd Ordinary Council meeting on Tuesday 29 October 2019.

The vision of Council for Darwin is '*City for People. City of Colour.*' It is our mission to work with the community and partners, provide leadership and deliver services that create opportunities to enhance the economic, cultural and environmental sustainability of Darwin. Our community values include Diversity and Acceptance, Choice of Lifestyle, Environment, Sense of Community and Equality.

Our strategic vision and a number of Council policies directly align with the goals and overarching aim of the NTG Climate Change Response.

City of Darwin commends the evidence-based approach to climate action, clearly stating that global greenhouse gas emissions need to decline rapidly to a net zero situation. In keeping with national commitments under the Paris Agreement to restrict warming to 1.5oC above pre-industrial temperatures, the Response sets an NT-wide target of zero net emissions by 2050. Whilst this is commendable, ***City of Darwin recommends this target be brought forward to 2030, in keeping with Council's own commitments and in acknowledgement of the state of climate emergency in which we are now working.***

Council is encouraged by the economic development approach of the Response to achieving aspirational targets and actions and recognises that all sectors in the NT need to be engaged to transition to a low-carbon economy.

The Response explicitly references local government in regards to adaptation pathways (Collaborate with local governments and other regional organisations to develop regional adaptation solutions and embed climate risk across decision-making). ***City of Darwin recommends that local government collaboration is critical across all elements of the Response.*** Local government has an important leadership and advocacy role in our community. City of Darwin recommends engaging local government early in the process as champions of community based mitigation and adaptation pathways.

Acknowledging that an implementation plan will be forthcoming, ***City of Darwin recommends that the NTG consider the following key actions:***

- Setting an emission reduction target for the Northern Territory is a good first step. City of Darwin advocates that the NTG should bring the timeframe forward in keeping with international practice, to zero net emissions by 2030.
- Meaningful emissions reductions targets embedded across all sectors and at all levels.
- Businesses and governments need to make emissions reductions part of everyday business to decarbonise and transition to a low-carbon economy.
- Develop urban forests in Northern Territory towns, both municipal and remote.



- Increased investment in public transport across the NT
- Increased use of recycled materials in construction tenders
- Renewable energy on all NTG buildings
- Protecting and improving the health of Territorians
- Protect the ecosystems we rely on (e.g. the NT's marine and coastal ecosystem contribute AU\$1 billion per year to the economy. Marine ecosystems are at high risk with rising temperatures)
- Deliver energy security and cost savings for Territorians (achieved by maximising renewable energy generation)
- Establish safer and climate smart infrastructure
- Integrate the UN Sustainable Development Goals into climate action planning and implementation.

The NTG also requested feedback on information needs for a publically facing website. ***City of Darwin recommends the following:***

- Evidence based scenarios that explore local climate impacts
- Land use planning under various climate change scenarios (e.g. flood risk)
- Up to date reporting of NTG emissions by department / sector
- Up to date reporting of NT (non government) emissions by sector
- Interactive mapping tools that encourage engagement
- Information on household / individual level steps that can be taken to reduce emissions in a local context
- Resources for local government and educators to share information about impacts and adaptation pathways

In conclusion

City of Darwin is committed to lead and advocate for sustainability and the protection of our environment. Council values biodiversity, the natural environment and the green open spaces that all contribute to the tropical lifestyle of this capital city.

City of Darwin welcomes the NTG Climate Change Response and urges the Government to be join with Council in declaring a climate emergency and committing to zero net emissions by 2030.



14.4 BIKE PLAN - IMPLEMENTATION PLAN REVIEW**Common No.:** 3707324**Author:** Manager City Planning**Authoriser:** General Manager Government Relations & External Affairs**Attachments:**
1. Darwin Bike Plan - Implementation Plan Draft
2. Projects 3a, 3b & 4b**SUMMARY**

The purpose of this report is to provide a revised Darwin Bike Plan – Implementation Plan 2019/20 for endorsement.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council endorse the suggested projects outlined in this report, for inclusion in a Revised Bike Plan - Implementation Plan for 2019/20, provided at **Attachment 1**.

KEY ISSUES

- The original Darwin Bike Plan 2015-2020 was adopted in May 2015 and delivery of elements commenced in 2015/16.
- A revised two year Bike Plan - Implementation Plan for the 2018/19 and 2019/20 financial years was endorsed in May 2018.
- It is recommended that Council endorse the revised Bike Plan Implementation Plan at **Attachment 1** for 2019/20.

BACKGROUND

In May 2015, Council endorsed the Darwin Bike Plan 2015 - 2020 (original Implementation Plan). Delivery of the elements of this plan commenced in 2015/16 and the implementation of several infrastructure projects beyond Year 1 of the plan were brought forward as the result of Council securing grant funding from the Northern Territory Government.

The Bike Plan - Implementation Plan is reviewed periodically. In May 2016, Council endorsed a revised Darwin Bike Plan - Implementation Plan 2016 - 2021.

At the Ordinary Council meeting held on Tuesday 29 May 2018 the below recommendation from the City Futures Committee meeting held on Tuesday, 22 May 2018 was carried.

DECISION NO.22\0785**Review of Bike Plan Implementation Plan**

Report No. 18CF0027 NS:hd (22/05/18) Common No. 2476277

B. THAT Council endorse the two year Implementation Plan 2018 – 2020, with the exception of the Ross Smith Avenue Crash Hotspot Project, provided at Attachment A to Report Number 18CF0027 NS:hd entitled Review of Bike Plan Implementation Plan.

C. THAT the \$387,000 allocated to the Smith Street/Daly Street intersection on-road cycle lanes in the 2017/18 budget be carried forward to the 2018/19 financial year for reallocation to other bike plan projects

D. THAT further information be provided to Council around the Ross Smith Avenue Crash Hot Spots project and the Walk and Wheel project.

A further Briefing was presented to Council on 5 March 2019, with the preferred Bike Plan projects, however no decision was made regarding the allocation of the remaining Implementation budget for 2018/19.

DISCUSSION

A proposed program of bike infrastructure projects for 2019/20 has been identified and costed (\$314,000). The projects below were identified after consideration of the current implementation plan, available budget, and time remaining in this financial year to complete the works.

Suggested projects:

Project 3a	\$152,939	Dick Ward Drive – Hazell Court – Sunset Drive modifications
Project 3b	\$48,230	Dick Ward Drive – Progress Drive pedestrian refuge
Project 4b	\$112,831	Ross Smith Avenue (East Point Road – traffic lights, excluding path outside of petrol station as some on private land) modifications to the extent allowed for by project budget.

The suggested projects have had studies undertaken, as safety issues have been identified. The studies were undertaken in 2016/17 and were projects endorsed by Council in the 2016 - 2021 version of the Bike Plan – Implementation Plan.

The suggested projects are intended to mitigate safety issues, identified in the studies while remaining within budget. Details of the projects are located in **Attachment 2**.

Below is the extended list of bike infrastructure projects for Council's consideration, which will be included in the new movement strategy:

Project #	Estimate	Project Name	Description	Comments
1	\$381,825	Bagot Oval Shared Path	Demolition of existing and construction of a 2.5m shared path from Bagot Road to Sabine Road	There is no capacity to deliver this project in the 2019/20 financial year
2	\$232,320	East Point Reserve Shared Path	Construction of shared path from car park near Pee Wees to existing path near gate plus path lighting	Request through Operations Centre and Triathlon Club
3a	\$152,939	Dick Ward Drive – Hazell Court – Sunset Drive	Construction of blister islands to slow traffic approaching roundabout and realignment of shared path crossing	Preferred project
3b	\$48,230	Dick Ward Drive – Progress Drive	Construction of pedestrian refuge on Dick Ward Drive near roundabout for safer crossing by bicycle riders and pedestrians	Preferred project

Project #	Estimate	Project Name	Description	Comments
3c	\$49,619	Progress Drive East	Re-line marking from Dick Ward Drive to Nightcliff Road to provide better definition to bicycle riders about turning vehicles	This would result in a loss of on-street parking outside of residences
4a	\$279,524	Ross Smith Avenue/East Point Road intersection realignment	Realignment of left turn from East Point Road towards East Point reserve to slow vehicles down for safety and visibility of bicycle riders, realignment of crossing point and new refuge and reconstruction of path between East Point Road and Elizabeth Street	Could be considered in a future Implementation Plan
4b	\$112,831	Path and crossing modifications	Various modification to paths and crossings on Ross Smith Avenue between East Point Road and traffic signals	Preferred project Segments within this project have been costed to the extent of this year's budget.
4c	\$160,714	Ross Smith Avenue lighting upgrade	Installation of new light poles as required for AS1158 compliance including lighting of path between East Point Road and Elizabeth Street.	Could be considered in a future Implementation Plan

Complimentary Facilities

The Bike Plan Implementation Plan proposes to allocate \$35,000 for complimentary facilities, including:

- Installation of Bike Racks - \$5,000
- Installation of Shared Path Wayfinding and Signage - \$30,000

Education, Encouragement and Evaluation Initiatives

A portion of the \$22,000 allocated towards education, encouragement and evaluation initiatives has already been spent this financial year, including:

- Bike Counts (Super Tuesday & Super Sunday) \$11,480
- Ride2Work Day \$2,500

The remaining funds will be allocated to further education and encouragement projects such as printing more bike plan maps, share the path projects and bike events.

STRATEGIC ENVIRONMENT

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

Goal

2 A Safe, Liveable and Healthy City

Outcome

2.3 By 2030, Darwin residents will be more active and healthy

Key Strategies

Nil

LEGISLATIVE/POLICY

The proposed projects have been considered in the context of the Darwin Bike Plan

CONSULTATION**Internal**

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

- Executive Manager - Technical Services
- Executive Manager – Environment and Community
- Civil Engineering Officer
- Recreation and Leisure Coordinator
- Recreation Services Officer
- Senior Climate Change & Environment Officer
- Planning Coordinator

External

Nil

BUDGET/RESOURCE IMPLICATIONS

Options to utilise this year's Bike Plan - Implementation Plan budget allocation have been identified in the body of this report

RISK

The safety of bicycle riders travelling along routes within the municipality is improved through the provision of on and off-road cycling facilities. The increased safety and connectivity of the cycle network promotes bicycle riding as an alternative and viable mode of transport.

The preferred project options identified in the body of this report relate to safety audits undertaken and are therefore intended to mitigate risk.

LEGAL

Legal matters have not been considered as a part of this report.

ARTS, CULTURE & ENVIRONMENT

Supporting alternative modes of transport to the motor vehicle, such as cycling, has positive environmental implications.

Continuous improvement to the City of Darwin's shared path network provides improved access and connectivity for the community.

DARWIN BIKE PLAN IMPLEMENTATION PLAN

YEAR 2019/20

Municipal Plan Allocation \$ 371,000

Infrastructure Projects

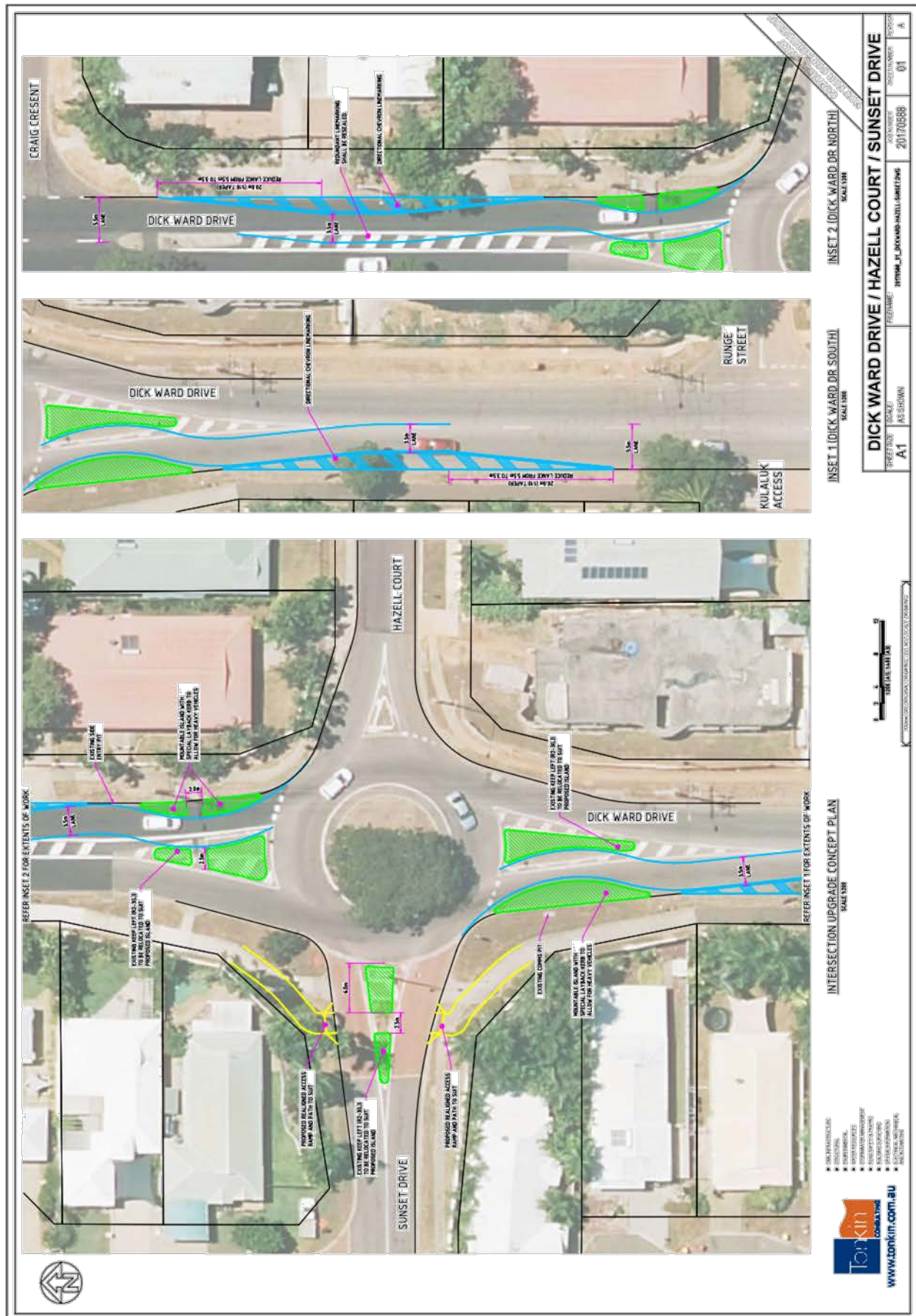
Project	Details	Construction Cost
Dick Ward Drive / Hazell Court / Sunset Drive	Modifications to the approach to the roundabout and the shared path crossing point	\$ 152,939
Dick Ward Drive / Progress Drive	Modification to the splitter island on Dick Ward Drive to provide a pedestrian refuge	\$ 48,230
Ross Smith Avenue East Point Road - Traffic Signals	Modifications to paths, pram ramps and crossing points	\$ 112,831
Total		\$ 314,000

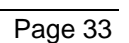
Complementary Facilities

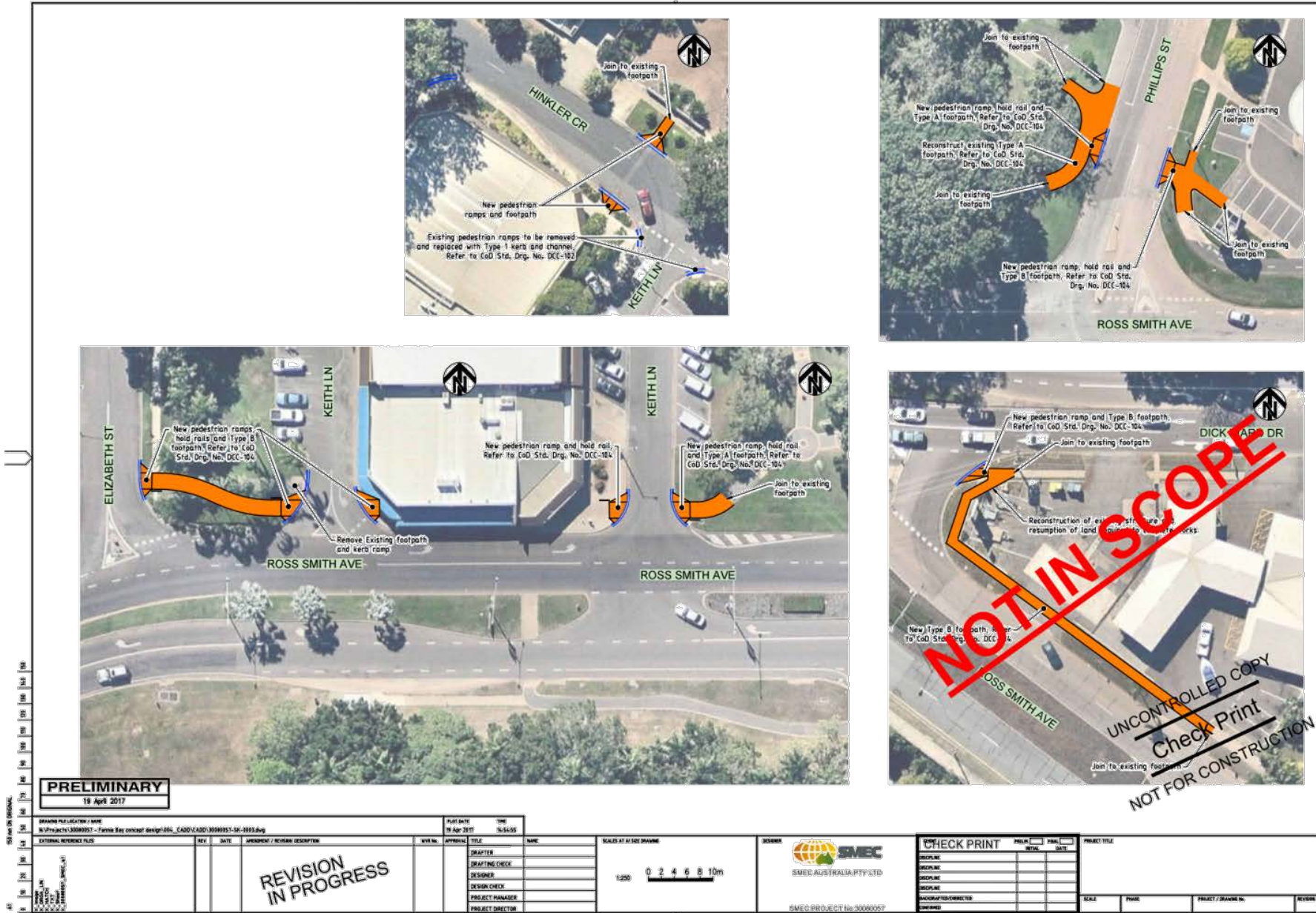
Details		Indicative Order of Costs	
Installation of Bike Racks		\$	5,000
Shared Path Wayfinding and Signage	Supply & installation of wayfinding signage on shared paths	\$	30,000
Total		\$	35,000

Education, Encouragement and Evaluation Initiatives

		Lead Agency/Partners	Indicative Contribution from City of Darwin
Education & Encouragement	e.g. Share the Path, Share the Road, Road Safety, Ride to Work	Northern Territory Government, City of Darwin, Bicycle Groups	\$ 10,000
Evaluation	Super Tuesday & Super Sunday	City of Darwin, Bicycle Network	\$ 12,000
Total			\$ 22,000







14.5 CONCURRENT DEVELOPMENT APPLICATION - LOT 9988 (69) PROGRESS DRIVE, NIGHTCLIFF**Common No.:** PA2019/0199**Author:** Planning Officer**Authoriser:** General Manager Government Relations & External Affairs**Attachments:**

1. Submission to the Department of Infrastructure, Planning and Logistics
2. Exhibition Package

SUMMARY

The purpose of this report is to refer to Council for comment the following development application, Concurrent Application - Rezone from Zone C (Commercial) to Specific Use SD49. Comprising of High Density Residential, office, shop, medical clinic, education establishment, restaurant and 57 x 2 bedroom & 23 x 3 bedroom multiple dwellings in 2 x 9 storey buildings, which include 2 above ground parking levels in each building - PA2019/0199.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the Department of Infrastructure, Planning and Logistics within **Attachment 1** to Report entitled: Concurrent Development Application - Lot 9988 (69) Progress Drive, Nightcliff

KEY ISSUES

- The application proposes:
 - To rezone Lot 9988 (69) Progress Drive, Nightcliff from Zone C (Commercial) to Specific Use SD49; and
 - Develop 2 x 9 storey buildings which contains 80 residential dwelling units, an education establishment, restaurant, medical clinic, shop and an office.
- The Darwin Mid Suburbs Area Plan identifies the site as a "Potential Area for Change" (to High Density Residential).
- Traffic volumes generated by the development is expected to have impact on the movement of vehicles, pedestrians and bicycle riders in the immediate and surrounding areas.
- The proposed western access to the site is in excess of 19 metres wide (including the 2 metre central medium).
- The developer proposes to provide 20 car parking bays adjacent Progress Drive with access internal to the site, a new shared path, street trees and approximately 40m² of landscaping.
- Wheel stops for vehicles parking in the car park adjacent the shared path have been proposed.
- No landscaping is being proposed between the shared path and parking bays.
- It is recommended that Council not object to the proposal.

BACKGROUND

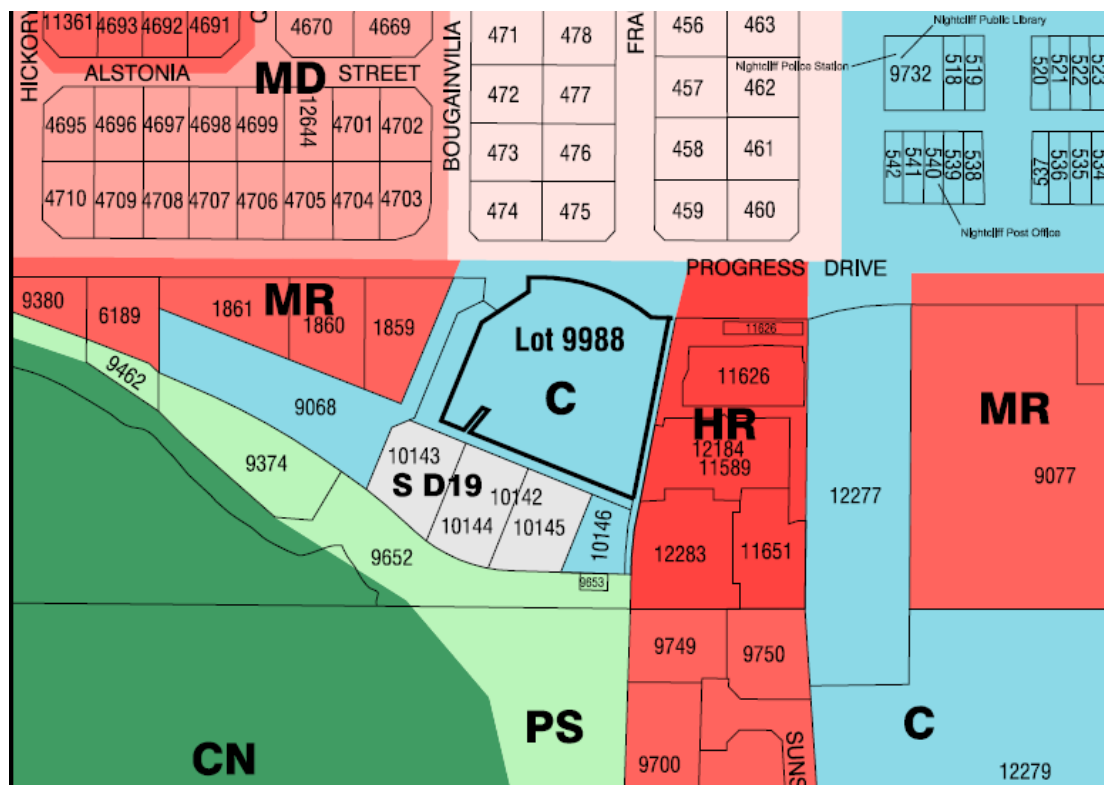
Site and Surrounds



Subject site - Image source: ArcGIS maps

The Subject Site is identified as Lot 9988 (69) Progress Drive, Nightcliff, and is currently used as a bowling alley - Planet Tenpin.

The site is currently in Zone C (Commercial), and is surrounded by: Zone HR (High Density Residential) to the east, Zone SD19 (Specific Use) to the south, Zone MR (Medium Density) to the west, Zone MD (Multiple Dwellings) to the north/west and Zone SD (Single Dwelling) to the north.



Existing Zoning Plan

DISCUSSION

Proposal

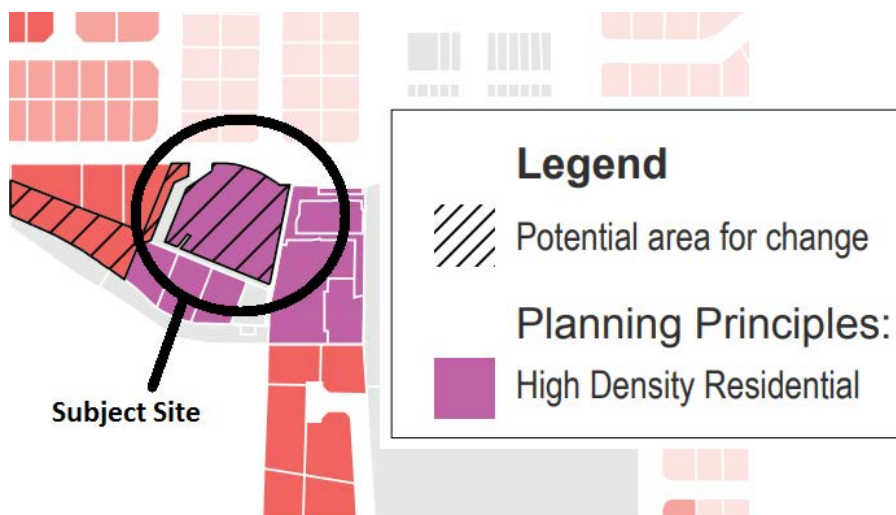
This is a concurrent planning application pursuant to Section 30 of the Northern Territory *Planning Act*, for the purpose of amending the Northern Territory Planning Scheme (NTPS), to rezone Lot 9988 (69) Progress Drive, Nightcliff, from Zone C (Commercial) to Specific Use SD49 to facilitate the proposed Mixed-Use development and various land uses on the site.

The proposal includes developing 2 x 9 storey buildings containing 80 residential dwelling units, an education establishment, restaurant, medical clinic, shop and an office.

Refer **Attachment 2**

Rezoning

The Darwin Mid Suburbs Area Plan provides a general reference for future land use development in the mid suburbs. The subject site is identified as a “Potential Area for Change” (to High Density Residential).



Area Plan Extract – “Potential Area for Change” to “High Density Residential”

While the majority of the proposed land uses are discretionary in Zone HR, including a provision for the height to exceed 8 storeys, an office and shop are prohibited uses in Zone HR, resulting in the proposal to rezone to a Specific Use Zone and not Zone HR.

Development

The proposed development consists of two buildings, including a ground floor and eight additional levels, with the following uses:

- The ground floor of Building A comprises office space, shop and a restaurant including an outdoor dining area;
- The ground floor of Building B comprises an education centre (tutoring) and medical centre;
- Levels 1 and 2 in both buildings provide car parking with a capacity of 80 car parking bays on each level;
- Levels 3,6,7, and 8 in both buildings included residential apartments;
- Level 4 in both buildings are comprised of residential apartments, a swimming pool and a gymnasium for use of the residents;
- Level 5 in both buildings has residential apartments, and a games room; and
- A total of 90 car parking spaces and a loading bay are provided at ground level.

The proposed development land uses are summarised as:

- 80 Residential dwellings
- Education establishment 400 m²
- Restaurant/Alfresco 266 m²
- Shop 250 m²
- Office 300 m², and

- Medical Centre 260 m²

Parking

227 car parking spaces are required to comply with the NTPS and 250 car parks have been proposed. This figure also includes car parking bays located on City of Darwin road reserve, however with these car parks removed from the calculation, the required amount of car parking is provided within the subject site.

Density

The subject site is 7610m² in area. The 23 x 3 bedroom and 57 x 2 bedroom dwellings, results in a total density requirement of 6175m², which is approximately 80% of the site.

Setbacks

The subject site has access easements to both sides and to the rear of the development. The applicant has requested a variation to reduce the western setback requirements. The Planning Scheme requires a 10.5 metre side setback and the applicant is proposing a minimum of 7 metres for Building A. Taking into consideration the western side access easement adjacent Building A, is 9 metres to 13 metres wide, the reduction to the setback requirements will not be expected to affect any City of Darwin assets or the amenity of the area.

City of Darwin Issues

The developer has acknowledged that current car parking off Progress Drive is hazardous and poses a danger to bicycle riders and pedestrians. The development proposes to provide 20 car parking bays adjacent Progress Drive, as well as provide a new shared path, street trees and approximately 40m² of landscaping. The car park and shared path will be consistent in design with the adjacent property, with access to the car park internal to the site.

Due to the delineation of the front boundary, nine parking bays will be located in the road reserve, four parking bays will be located within both road reserve and private property with the remaining seven car parks located within the subject site. The street trees will be located in the road reserve and the landscaping is proposed to be located within the subject site.

The shared path will be wholly located within the road reserve.

Traffic

Traffic volumes generated by the development is expected to have impact on the movement of vehicles, pedestrians and bicycle riders in the immediate and surrounding areas.

Council will be requesting that the applicant complete a traffic study. The study will include, but not be limited to:

- Movement of vehicles to and from the site, inclusive of the five lots currently using the existing access from Progress Drive,
- The development of John Stokes Square,
- The impacts to Phoenix Street and the Dick Ward Drive/Progress Drive roundabouts, resulting from this development and the John Stokes Square development, and
- The affect on the pedestrian and cycle network.

It is noted that access through Lot 12277 (61) Progress Drive, Nightcliff (old Rite Price Supermarket) from Phoenix Street/Progress Drive roundabout will continue. A, Right of Way Easement, is provided on the survey plans, and is in favour of Lot 9773 (159) Dick Ward Drive, Nightcliff (Nightcliff Shopping Centre).

Access

There are two existing driveways into the subject site and at the time of writing this report, the applicant had not submitted detailed access plans to City of Darwin.

Notwithstanding the above, the proposed western access to the site is demonstrated to be in excess of 19 metres wide (including the 2 metre central medium). To ensure pedestrians and bicycle riders are considered in the planning and design of the proposed development, City of Darwin will be requiring that the shared path be constructed at grade, to allow pedestrian and bicycle riders priority movement through access points to the site.

City of Darwin will be requesting further details on the access through the Traffic Impact Assessment, which includes but not limited to:

- An at grade access with pedestrians and bicycle riders having priority,
- Location of the driveways,
- Width, and
- Further information regarding access to Lot 9068 (73) Progress Drive, Nightcliff which has an access in the same location

Car Parking

The proposal for the Progress Drive car park includes wheel stops for vehicles parking at 90-degrees adjacent the shared path, to prevent overhang and facilitate safe passage of pedestrians and bicycle riders. There is also no landscaping proposed in the area between the car park and the road reserve. City of Darwin will be requesting that the area between the car park be landscaped, which will also result in the removal of the wheel stops.

Conclusion

It is recommended that Council not object to the proposal. The rezoning from Zone C (Commercial) to Specific Use SD49 to facilitate a mixed-use development is consistent with the Darwin Mid Suburbs Area Plan and existing surrounding land uses.

The proposed development complies in most parts with the NTPS, with a minor variation (side setback variation) which will be assessed by the Development Consent Authority, who will take into consideration special merits provided in the application, and any public submissions received.

City of Darwin issues have been identified in the letter response (refer **Attachment 1**) and will be dealt with operationally through condition precedents and detailed plans which are to be provided to Council's satisfaction.

All works in the road reserve will be carried out by the developer, to City of Darwin standards and at no cost to Council

STRATEGIC ENVIRONMENT

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

Goal

5 A Vibrant and Creative City

Outcome

5.2 By 2030, Darwin will be a more connected community and have pride in our cultural identity

Key Strategies

Nil

LEGISLATIVE/POLICY

The subject site is located within, and is consistent with the Mid Suburbs Area Plan

CONSULTATION

Internal

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

- Civil Engineering Officer
- Senior Coordinator Building & Facilities (Team Leader Development)
- Senior Coordinator Parks & Reserves
- Executive Manager Waste and Capital Works
- Acting Senior Capital Works Coordinator

External

- One Planning Consult - Applicant

BUDGET/RESOURCE IMPLICATIONS

All upgrades to City of Darwin infrastructure as a result of this application being approved, will be at the developers cost, with all works to City of Darwin standards.

RISK

The redesign of the Progress Drive car park and the development of a share path will reduce risks to pedestrians and bicycle riders using the shared path along Progress Drive.

LEGAL

Part 2A of Northern Territory *Planning Act* allows for a concurrent application to be made to the Minister for Lands and Planning and prescribes the application process.

ARTS, CULTURE & ENVIRONMENT

Not assessed.

14.6 NORTHERN TERRITORY PLANNING COMMISSION - DESIGNING BETTER DISCUSSION PAPER

Common No.: 4138629

Author: Manager City Planning

Authoriser: General Manager Government Relations & External Affairs

Attachments: 1. Submission to the Northern Territory Planning Commission
2. Designing Better Discussion Paper

SUMMARY

The purpose of this report is to provide Council with a draft response letter for the Northern Territory Planning Commission's Designing Better Discussion Paper.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the Northern Territory Planning Commission within **Attachment 1** to Report entitled: Northern Territory Planning Commission – Designing Better Discussion Paper.

KEY ISSUES

- The Northern Territory Planning Commission (NTPC) has release the Designing Better Discussion Paper for comment. The discussion paper is included in **Attachment 2**.
- Designing Better is an initiative that seeks to promote quality built form outcomes for apartment and mixed use developments across the Northern Territory.
- The project involves a review of existing standards and promotes best practice and innovative approaches that contribute positively to the built environment.
- The Designing Better project will ultimately inform the revised Northern Territory Planning Scheme (NTPS) controls.
- Changes to setbacks, landscaping controls and bin enclosures have the potential to impact on-site streetscape amenity, passive surveillance, stormwater management, access and waste management.
- The proposed measures are generally supported.

BACKGROUND

The NTPC has released the Designing Better Discussion Paper for comment. The comment period closes on 1 November 2019. The discussion paper is included in **Attachment 2**.

This project is a part of a broader suite of planning policy reforms currently being undertaken by the Northern Territory Government (NTG).

Planning Reform is a parallel project led by the NTG that seeks to review the *Planning Act*, Planning Scheme and associated administrative processes. The Designing Better project will ultimately inform revised development control standards in the NTPS.

The Discussion Paper is a working document and feedback on the recommendations is being encouraged.

DISCUSSION

The Discussion Paper is structured into four sections:

1. Introduction
 - Provides an overview of the project
2. Better Buildings by Design

Key aims for building design are:

 - Respond to context
 - Respond to climate
 - Embrace innovation
 - Make great places
3. Design Elements

The following Key Controls and Design Elements are discussed individually:

 - Regional context
 - Local and streetscape character
 - Front setbacks
 - Side and rear setbacks
 - Podium management
 - Fencing and front boundary treatments
 - Ground level commercial frontage
 - Landscaping requirements
 - Communal open space
 - Plot ratio
 - Building heights
 - Building articulation
 - Balconies and outdoor living
 - Building composition
4. Recommendations Summary
 - Buildings in Zone MR
 - Buildings in Zone HR
 - Mixed Use Buildings in Zone C

City of Darwin Issues

Generally, the proposed design recommendations will have positive impacts for both the built form of buildings, streetscape amenity and energy efficiency. The proposed measures may also impact City of Darwin Infrastructure. The changes are discussed further below:

3.2 Regional context

The Northern Territory covers a vast area and contains many climatic variances but is covered by a single planning scheme. The discussion paper suggests that design for climatic differences could be dealt with through area plan provisions. This would include specific measures to deal with large seasonal changes in rainfall and high but narrow temperature variances for the Darwin region and is therefore supported.

3.3 Local Context and Streetscape Character

This includes both existing site and streetscape features, acknowledging that all sites are different and have existing infrastructure to consider. To improve outcomes, a site context analysis, architectural statement and 3D modelling for buildings over a certain height are recommended.

This measure is supported and the site context analysis should include details of all existing infrastructure within the road reserve, including but not limited to; vegetation, crossovers and driveways, stormwater infrastructure such as side entry pits, footpaths and power poles. Including a site context analysis early in the design process is likely to improve design outcomes and reduce costs for redesigning and delays that may occur due to these design changes.

3.4 Front Setbacks

Front setbacks establish how buildings relate to the street. This section seeks to encourage buildings to orient towards the street and encourage landscaping within the front setback.

It is recommended in the discussion paper that this be done by reducing the front setback from 7.5 metres to 6 metres in zones MR and HR. It is also recommended to allow balconies to encroach in the front setback to encourage buildings to orient to the street. In addition, resident parking would not be allowed in front of the building line, with visitor parking allowed outside of locked gates.

This measure is supported as moving the built form forward and encouraging balconies and landscaping in the front setback would have positive impacts on the streetscape amenity and improve passive surveillance to the street. Front setbacks should provide a transition zone between private and public space and add to the overall amenity of the street. Moving buildings forward would also allow greater flexibility to position car parking behind the building line. These reduced setbacks may not be suitable in areas where there is a large transition in zone density and this could potentially be controlled through area plans.

3.5 Side and Rear Setbacks

Side and rear setbacks protect amenity between buildings and allow a space for landscape buffers. This section seeks to increase the setbacks to walls without habitable rooms by having one flat 3 metre setback, instead of a 1.5/3 metre setback requirement depending on non-habitable/habitable rooms for zones MR and HR. This change would also apply to the residential components of commercial buildings.

This measure is supported as it would improve amenity through increased side setbacks and additional landscaping requirements.

3.6 Upper Level Setbacks

Increased upper setbacks can be useful in reducing overall bulk and increasing view lines but they can create a 'wedding cake' look and pose a design challenge for developers where there are small reductions to the setbacks for each level.

This measure proposes to have an additional single 3 metre setback for residential levels above 4 storeys in zones where more than 4 storeys are permitted (total of 6 metre setback). This will bring the setbacks in-line with existing Zone CB upper setbacks. This measure is supported as it would provide increased, uniform setbacks and reduce design issues with upper level setbacks.

3.7 Podium Management

Podiums are generally the widest part of a building and also close enough to pedestrians to impact street level amenity. This section recommends localised reductions to podium heights through area plans, encouraging the concealment of podium level car parking behind apartments or commercial tenancies and improving the visual finish to car parking by including vertical landscaping, patterned screens and articulation.

This measure is supported as car parking on the podium level generally provides very little amenity or passive surveillance to the streetscape. Any landscaping in front of car parking levels should take into consideration the need for maintenance and airflow through the car parking area.

3.8 Fencing and Front Boundary Treatments

Front fencing contributes to the streetscape amenity and defines entrances. This section recommends that front fencing should be visually transparent over 1.2 metres in height, providing clear pedestrian entrances, integrated services, and design criteria for specific areas through area plan provisions.

This measure is supported as it would improve overall streetscape amenity and passive surveillance. This measure also has the potential to establish and maintain precinct character.

3.9 Ground Level Commercial Frontage

The way buildings relate to the street, impacts overall streetscape amenity. This measure recommends provisions similar to those already existing in the Darwin City Centre (Zone CB). Any measures to improve ground level activation and awnings is supported.

3.10 Landscaping Requirements

Landscaping impacts amenity and microclimates as well as providing cooling to adjoining buildings. This section proposes to include a 2 metre wide minimum deep soil planting dimension to side and rear setbacks and a requirement for deep soil planting on podium levels where there is a nil setback at ground level. Green walls and vertical planting in lieu of ground level plants would be required to demonstrate how they could be maintained and what the building would look like without the landscaping. This is a measure that could be supported by City of Darwin, provided that vertical and green wall landscaping on upper levels, over or adjoining the road reserve was subject to a detailed maintenance agreement.

3.11 Communal Open Space Areas

Communal spaces should provide onsite amenity for residents. This section recommends a 6 metre minimum dimension for communal open space, allowing communal areas to count as landscaping areas, encourage communal areas to be accessed from apartments, discourages grassed communal areas with access only from undercroft car parking areas and encourages a direct outlook from apartments to communal open spaces. These measures are all supported.

3.12 Plot Ratio / Density Controls

Plot Ratio is a mathematical ratio between internal floor space and the size of the lot. It already applies to the commercial component of development in Zone C. This section recommends introduction of plot ratio controls to govern the residential component of development in Zones C, MR and HR. The measures would also encourage ground level courtyard apartments and basement car parking. A recommended base plot ratio of 1.3:1 for Zone MR and C, and a base plot ratio of 2.3:1 for Zone HR is included in the discussion paper.

This measure is generally supported, particularly where ground level courtyards that address the street frontages are encouraged and car parking is not visible from the street. This could also encourage dwelling mix as larger apartments wouldn't necessarily be built to maximise the development potential of a site as they currently are under limited dwelling number provisions. This is also a provision that could potentially provide more flexibility for Zone MD, allowing possibly 6 bedsits in the same building envelop that 3 x 3 bedroom apartments may occupy.

3.13 Building Heights

Building height can define a precinct and influence the overall bulk of a building. This section recommends permitting an additional level in Zone C to align with the 4 storey height limit in Zone MR. It also encourages height variations on sites with multiple buildings and the ability to vary heights through Area Plans. These measures are generally supported and could help define a specific precinct identity.

3.14 Building Articulation

Building articulation can add to the overall visual appeal of a building and it can also add recesses and for additional cross ventilation and privacy. Any measures to quantify and encourage articulation are encouraged.

3.15 Balconies and Outdoor Living

Balconies greatly add to the enjoyment of our tropical lifestyles, therefore these measures to increase useability through access from habitable spaces, screens for privacy and encouraging balconies to overlook streets are all supported.

3.16 Landscaping for Ground Level Car Parking

Ground level car parking can distract from amenity and create a heat sink. These recommended measures include a minimum amount of landscaping (5 square metres for every 10 car parking bays), encourage shading through canopy cover and artificial means, encourage screening and parking to be located to the rear and side of buildings. These measures are all supported to improve the amenity of car parking areas.

Summary Recommendations

This section of the discussion paper provides summary recommendations by zone. While these recommendations are detailed, the main areas that may impact City of Darwin infrastructure are changes to setbacks, encouragement of front balconies and landscaping.

Measures that incentivise front balconies through reduced balcony setbacks are generally supported as passive surveillance over our streets is a measure in improving perceived safety and reducing antisocial behaviour. Buildings that address the street also contribute positively to the overall amenity of an area. Measures to increase passive surveillance over public spaces in general could also be encouraged through specific provisions.

Landscaping in the front and side setbacks add significantly to overall amenity and modifying microclimates. Landscaping also increases surface permeability and may positively affect on-site stormwater management by absorbing and slowing surface water flows.

The Zone C summary includes the potential for a nil side setback for ground level car parking, this may be appropriate where the car parking is enclosed and the boundary wall height is limited. Enclosing the car parking could reduce noise amenity issues and the reduced setback would allow greater design flexibility to place car parking behind the building line.

STRATEGIC ENVIRONMENT

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

Goal

1 A capital city with best practice and sustainable infrastructure

Outcome

1.1 By 2030, a number of strategic infrastructure projects will be developed and delivered

Key Strategies

Nil.

LEGISLATIVE/POLICY

The Designing Better project is intended to lead the discussion for future Planning Scheme and Policy changes.

CONSULTATION

Internal

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

- Planning Coordinator

External

Nil

BUDGET/RESOURCE IMPLICATIONS

Budget and resources have not been considered in the review of this document.

RISK

Matters affecting City of Darwin Assets have been discussed in the body of this report.

LEGAL

Nil

ARTS, CULTURE & ENVIRONMENT

One of the aims of the discussion paper is to improve design and overall building response to climate and local context. This is likely to have positive impacts on the overall efficiency of buildings and the way in which they interact with their surrounds.



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1 November 2019

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Dr David Ritchie
Chairman
NT Planning Commission
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DARWIN NT 0801

Email: ntpc@nt.gov.au

Dear Dr Ritchie

Designing Better Discussion Paper

Thank you for the abovementioned Discussion Paper referred to this office 30 September 2019. This letter was placed before City of Darwin's, Ordinary Council Meeting on 29 October, 2019.

City of Darwin welcomes the Planning Commission's Designing Better Project and broader Northern Territory Planning Scheme reforms.

Generally, the proposed recommendations will have positive impacts for streetscape amenity, the built form and energy efficiency of buildings. The proposed measures also have the potential to impact City of Darwin Infrastructure. The various sections of the Discussion Paper are discussed further below:

3.2 Regional context

The Northern Territory covers a vast area and contains many climatic variances but is covered by a single planning scheme. The discussion paper suggests that design for climatic differences could be dealt with through area plan provisions. This would include specific measures to deal with large seasonal changes in rainfall and high but narrow temperature variances for the Darwin region and is therefore supported.



3.3 Local Context and Streetscape Character

This includes both existing site and streetscape features, acknowledging that all sites are different and have existing infrastructure to consider. To improve outcomes, one measure proposed is a site context analysis.

This measure is supported and it is recommended the site context analysis should include details of all existing infrastructure within the road reserve, including but not limited to vegetation, crossovers and driveways, stormwater infrastructure such as side entry pits, footpaths and power poles. Including a site context analysis early in the design process is likely to improve design outcomes and reduce costs for redesign and delays that may occur due to these design changes.

3.4 Front Setbacks

Front setbacks are one element in establishing how buildings relate to the street. This section seeks to encourage buildings to orient towards the street and encourage landscaping within the front setback.

It is recommended in the discussion paper that this be done through reducing the front setback from 7.5 metres to 6metres in zones MR and HR. it is also recommended to allow balconies to encroach in the front setback to encourage buildings to orient to the street. In addition, resident parking would not be allowed in front of the building line, with visitor parking allowed outside of locked gates.

This measure is supported as moving the built form forward and encouraging balconies and landscaping in the front setback would have positive impacts on the streetscape amenity and improve passive surveillance to the street. Front setbacks should provide a transition zone between private and public space and add to the overall amenity of the street. In some instances the recommended reduction down to a 3 metre setback for balconies may not be suitable (ie. Where there is a significant change in density) and this could be controlled through area plans. Further detail on how visitor parking would be controlled may also be a useful addition to any new provisions.

3.5 Side and Rear Setbacks

Side and rear setbacks protect amenity between buildings and allow a space for landscape buffers. This section seeks to increase the setbacks to walls without habitable rooms by having one flat 3 metre setback.

This measure is supported as it would improve amenity through increased side setbacks and additional landscaping capabilities and associated requirements.

3.6 Upper Level Setbacks

Increased upper setbacks can be useful in reducing overall bulk and increasing view lines but it's agreed that the existing provisions don't necessarily provide the best outcomes.



This measure proposes to have an additional single 3 metre setback for residential above 4 storeys. This measure is supported as it would provide increased, uniform setbacks and reduce design issues with upper level setbacks.

3.7 Podium Management

Podiums are generally the widest part of a building and also close enough to ground level to impact street amenity. This section recommends localised reductions to podium heights through area plans, encouraging the concealment of podium level car parking behind apartments or commercial tenancies and improving the visual finish to car parking by including vertical landscaping, patterned screens and articulation.

This measure is supported as car parking on the podium level generally provides very little amenity or passive surveillance to the streetscape. Any landscaping in front of car parking levels should take into consideration maintenance and the need for airflow through the car parking area.

3.8 Fencing and Front Boundary Treatments

Front fencing contributes to the streetscape amenity and defines entrances. This section recommends that front fencing should be visually transparent over 1.2 metres in height, provide clear pedestrian entrances, integrated services, and design criteria for specific areas through area plan provisions.

This measure is supported as it would improve overall streetscape amenity and passive surveillance. This measure also enables specific precinct identities to develop or be retained.

3.9 Ground Level Commercial Frontage

The way buildings relate to the street, impacts overall streetscape amenity. This measure recommends provisions similar to those already existing in the Darwin City Centre (Zone CB). Any measures to improve ground level activation and awnings is supported.

3.10 Landscaping Requirements

Landscaping impacts amenity and microclimates as well as providing cooling to adjacent buildings. This section proposes to include a 2 metre wide minimum deep soil planting dimension to side and rear setbacks and a requirement for deep soil planting on podium levels where ground level landscaping isn't achievable. Green walls and vertical planting in lieu of ground level plants would be required to demonstrate how they could be maintained and what the building would look like without the landscaping. This is a measure that could be supported by City of Darwin, provided that vertical and green wall landscaping on upper levels, over or adjoining the road reserve was subject to a detailed maintenance schedule/agreement.



3.11 Communal Open Space Areas

Communal spaces should provide onsite amenity for residents. This section recommends a 6 metre minimum dimension for communal open space, allowing communal areas to count as landscaping areas, encourage communal areas to be accessed from apartments, discourage grassed communal areas with access only from undercroft car parking areas and encourage a direct outlook from apartments to communal open spaces. These measures are all supported.

3.12 Plot Ratio / Density Controls

Plot Ratio already applies to the commercial component of development in Zone C. This section recommends the introduction of plot ratio controls to govern the residential component of development in Zones C, MR and HR. The measures would also encourage ground level courtyard apartments and basement car parking.

This measure is generally supported, particularly where ground level court yards that address the street frontages are encouraged and car parking is not visible from the street. This could also encourage dwelling mix as larger apartments wouldn't necessarily be built to maximise the development potential of a site as they currently are under limited dwelling number provisions. This is also a provision that could potentially provide more flexibility for Zone MD, allowing possibly 6 bedsits in the same building envelop that 3 x 3 bedroom apartments may otherwise occupy.

3.13 Building Heights

Building height can define a precinct and influence the overall bulk of a building. This section recommends permitting an additional level in Zone C to align with the four storey height limit in Zone MR. It also encourages height variations on sites with multiple buildings and the ability to vary heights through Area Plans. These measures are generally supported and could help define a specific precincts identity.

3.14 Building Articulation

Building articulation can add to the overall visual appeal of a building and also add additional recesses for cross ventilation. Any measures to quantify and encourage articulation are encouraged.

3.15 Balconies and Outdoor Living

Balconies greatly add to the enjoyment of our tropical lifestyles, therefore these measures to increase useability through access from habitable spaces, screens and articulation for privacy and encouraging balconies to overlook streets are all supported.

3.16 Landscaping for Ground Level Car Parking

Ground level car parking can distract from amenity and create a heat sink. These recommended measures include a minimum amount of landscaping (5 square



metres for every 10 car parking bays), encourage shading through canopy cover and artificial means, encourage screening and parking to be located to the rear and side of buildings. These measures are all supported to improve the amenity of car parking areas.

Summary Recommendations

This section of the Discussion Paper provides summary recommendations by zone. The main areas that could impact City of Darwin infrastructure are changes to setbacks, encouragement of front balconies and landscaping provisions.

Measures that incentivise front balconies through reduced balcony setbacks are generally supported as passive surveillance over our streets is a measure in improving perceived safety and reducing antisocial behaviour. Buildings that address the street also contribute positively to the overall amenity of an area. Measures to increase passive surveillance over public spaces in general (including secondary streets and public open space) could also be encouraged through specific provisions.

Landscaping in the front and side setback adds significantly to overall amenity and modifying microclimates. Landscaping also increases surface permeability and may positively affect on-site stormwater management by absorbing and slowing the surface water flows.

The Zone C summary includes the potential for a nil side setback for ground level car parking, this may be appropriate where the car parking is enclosed and the boundary wall height is limited. Enclosing the car parking could reduce noise amenity issues and the reduced setback would allow greater design flexibility to place car parking behind the building line.

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

Yours faithfully

CINDY ROBSON
MANAGER CITY PLANNING





DESIGNING BETTER

Ideas for Improving Mixed Use and
Residential Apartment Developments



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Appendix A - Glossary of Terms

Introduction 1.0

1.1 About This Project

Designing Better is an NT Planning Commission initiative that seeks to enable and promote quality built form outcomes for apartment and mixed use developments across the Territory.

This project draws upon feedback received from the community and industry through other projects and targets a number key design elements for improvement.

The project involves a review of existing standards and also champions best-practice, innovative approaches that make positive contributions to our built environments, the lives of future residents and the broader community.

This project is a key step in a broader suite of planning policy reforms that the Northern Territory Government (NTG) and Northern Territory Planning Commission (NTPC) have embarked upon.

Planning Reform is a parallel project led by the NT Government that seeks to provide a clearer, more transparent and accountable planning system through a set of reforms to the *Planning Act 1999*, the NT Planning Scheme and associated administrative processes. This will strengthen the influence of planning and land use policy through the rollout of Area Plans, which are providing greater clarity of land use objectives, design guides and opportunities at a local scale.

The **Designing Better** project will ultimately inform revised development requirements in the Planning Scheme. The improved development requirements will function within the new system and complement locally-specific work from Area Plans.

Combined, **Planning Reform** and **Designing Better** will see the biggest set of reforms in the Territory's planning system since the introduction of the NT Planning Scheme in 2007.

The improvements recommended through the Designing Better project will assist professionals, industry and the public alike in contributing to the Territory's built environment, creating higher standards of design that contribute to the attractiveness, liveability and vitality of development areas whilst protecting amenity and improving safety.

The intent of this document to prescribe how is not to ultimately design a building, but rather to set the stage for good things to happen through acceptable minimum standards and clear objectives.

1.2 Using This Document

This document is a working draft and your feedback on the recommendations is welcomed and encouraged. The document has been structured specifically to be as user-friendly and informative as possible.

Section 2 - Better Buildings by Design sets out a clear contextual background for the project as well as its key themes and overarching objectives.

- Detailed consideration of specific design elements identified for review under this project along with associated recommendations.

Section 3 - Design Elements sets out a detailed review of specific design elements identified for review under this project along with associated recommendations and is structured to include the following:

- An explanatory introduction of the particular element being considered.
- **Objectives** - which identifies the broad intent behind proposed recommendations. There are often more than one objective per topic.
- **Existing Provisions / Issues** - which outlines the current situation and relevant impacts of existing controls on delivered outcomes.
- **How This Could Be Improved** - Nominates and sets out proposed recommended changes to existing controls and practices.

Section 4 - Recommendations Summary compiles these recommendations as they apply to each zone along with a broader review of the current situation and is set out in a similar way to Section 3.

The outcomes from this project are likely to inform future changes to the Planning Scheme.

1.0 Introduction

1.3 How You Can Be Involved

We are currently in Stage 1 of the planning process outlined below. Stage 1 gives you an opportunity to be involved and have your say through:

- talking to planners;
- attending information sessions; or
- making a submission to the NTPC - refer to the Planning Commission website for details at www.planningcommission.nt.gov.au

We are seeking input from the general community as well as industry professionals and are interested in hearing your views on the topics covered in this document.

Whether you live in an apartment or not, we are interested to hear your views on what can and should be the minimum acceptable standards for the Northern Territory and what we should promote and encourage in order to get the best quality outcomes for residents, neighbours, businesses and the community at large.



Feedback received by the Planning Commission about the topics discussed in this information paper will inform the the next stage, which may lead to a possible Planning Scheme Amendment.

The Planning Commission will then recommend that the Minister for Infrastructure, Planning and Logistics consider including that amendment in the NT Planning Scheme (NTPS).

If the Minister decides to consider the Planning Commission's recommendation, the proposed Planning Scheme Amendment will be placed on public exhibition and there will be a further opportunity to provide feedback to the Minister on special changes at that stage.

Better Buildings By Design 2.0

2.1 Improving Our Built Environments

Our built environments and the spaces within them are where the majority of us live, work, and play. They are usually the locations of significant life milestones and treasured memories. They offer us protection from the elements and influence the way we relate with others. Built environments are framed and shaped by a range of buildings from different eras working together, with the most successful being those that respond to the landscape, context and climate in a variety of ways.

The range of landform and climatic zones across the NT present different challenges and require varied approaches to building design which in turn influences the broader design of our built environments and creates areas of distinct character. For instance:

- Intense periods of high rainfall and cyclonic winds present significant water management and structural challenges to buildings in the Top End, while the consistent warm temperatures and often intense sunlight encourage year round shade.
- In the Top End, built form traditionally considered capturing the prevailing breezes, allowing for air flow and protection from the sun. Although these techniques are still used in some cases, much of today's examples of the Top End's residential built form, significantly rely on refrigerated air conditioning. Changes to the building code, requiring more robust buildings post Cyclone Tracy (1974) have also had considerable influence on the appearance of built form today.
- Buildings in Central Australia require a different balance of shade, insulation and solar access to manage the larger temperature variation.
- In Alice Springs, the backdrop of the MacDonnell Ranges has added further localised design considerations, which seek to retain views to the Ranges through maintaining sight lines and requiring lower building heights.

Designing Better acknowledges the influence that individual new buildings have on the broader urban environment and seeks to enable positive incremental change by identifying ways in which new buildings can better respond to their specific contextual challenges and how they can embrace the opportunities that their specific context affords.

2.0 Better Buildings By Design

2.2 Project Origins & Local Context

Designing Better originates from a combination of issues identified in the initial development of Area Plans. This brought to light inconsistencies between the statutory requirements and Area Plans, preventing mixed use development above three stories in Zone C as encouraged through Area Plans in specific cases.

Feedback received from the consultation periods across a range of projects such as Planning Reform and the drafting of Area Plans undertaken by the Planning Commission later expanded the project scope to investigate improvements to the quality of built form outcomes.

The feedback highlighted multiple perspectives about how the current set of planning controls have influenced the outcomes of built form at the neighbourhood scale, particularly within Alice Springs and Darwin's inner and middle suburbs. Key issues identified are as follows.

From the Community, we have heard that new buildings are:

- creating poor outcomes for neighbours;
- creating poor outcomes for the street with the car parking and service infrastructure often dominating ground level street interface;
- disruptive to the established character of an area; and
- not delivering on-site landscaping.

From an Industry perspective, we have heard that current planning controls:

- are confusing to navigate;
- are stifling to design innovation;
- have significant and sometimes prohibitive cost implications;
- result in poor streetscapes with buildings that don't consider their context or relate to one another;
- do not facilitate housing diversity;
- do not provide adequate separation between uses; and
- promote minimum standards rather than aspirational values that allow for flexibility and interpretation.

In attempting to find a balance between community and industry needs, the Planning Commission is tasked with finding common links which consider both perspectives.

Better Buildings By Design 2.0

2.3 National Context

At present, there is a clear trend of improving design standards both internationally and across the country, as cities are competing to attract business, investment and new residents. Projects such as Design WA, Design Guidelines for Regional NSW & Design Guidelines (SA) are examples of projects currently up for public comment. These attempt to improve building design outcomes through a combination of updated controls and best practice design guidelines.

Industry research (as conducted by Design Council (UK) and Ministry of Environment (NZ)) tells us that quality design instruments implemented into Planning Systems have an impact on crime prevention, increase the liveability of homes, have a positive effect on health and the environment, improve education levels and increase business productivity.

As a guide, the Designing Better project has been modelled on the nationally recognised 'Creating Places for People – An Urban Design Protocol for Australian Cities' for its methodology to formulate principles, objectives and procedural conduct.

This nationally adopted protocol aims to assist government in creating productive, sustainable and liveable places for people through leadership and the integration of design excellence. It identifies individual elements of urban design that refer to buildings and their role in the built environment.

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2.0 Better Buildings By Design

2.4 Key Aims for Designing Better

Through its consideration of community feedback, industry perspectives, specific Northern Territory challenges as well as national and global trends, the NTPC considers the following four key aims essential to the success of this project.

“Planning controls should encourage and enable residential apartment and mixed use buildings in the Northern Territory to:

1

Respond to context...

...and celebrate local and regional differences.”

Buildings should generally address the street and contribute positively to the vitality of their area. Furthermore they should enable opportunities for social interactions and facilitate engagement between residents and their surroundings.

This project seeks to enable and encourage buildings that respond sensitively to their context by taking cues from their surroundings and its existing characteristics. The range of landscape and built elements that are deployed and combined in a building composition can help anchor a building in its location and help to engender a strong sense of place. To that end, it is important to consider how we can celebrate and enable particular local and regional differences.

How buildings relate with each other is a key component in establishing the character of a streetscape as well as preserving the amenity and outlook of current and future residents. When done well, new and older buildings can sit comfortably together and help create a better level of clarity, certainty of outcome and comfort for all.

2

Respond to climate...

...and contribute to the Territory’s built form character.”

The varied and often extreme climate of the Territory poses many challenges to building construction. Responding to these unique climatic circumstances in the pursuit of human comfort and a desire for energy efficient buildings has a strong influence on the micro climates of our built environment and can collectively help to create a distinctive built form character.

This project seeks to enable and encourage buildings that go beyond the minimum standard, positively influence their surroundings and express their climate responsive approaches boldly and for all to see.

In addition to providing access to light and views where applicable buildings should provide opportunities for outdoor living, engaging with nature and the ability to choose passive heating and cooling methods (such as cross-ventilating breezes and solar access where appropriate).

The principles of designing for human comfort should be applied to the design of the building as a whole and also its on-site surrounds. This approach extends beyond the internal design of each apartment and should also include circulation and common areas, as well as the arrival experience for pedestrians and vehicles.

Better Buildings By Design 2.0

3

Embrace Innovation...

...through flexible, best practice design solutions."

Good planning provisions should provide firm and clear minimum standards which protect key amenity elements but also set the stage for potential innovative approaches to building design and/or construction.

Design innovation is often generated from a specific site or climatically-responsive approach and can be nurtured by a developer with a bolder vision of what the market might want.

Design innovations should be encouraged and enabled when these innovations align with stated objectives and do not compromise minimum amenity standards.

Many common approaches to human comfort in Australia have been developed for the more populous southern parts of the country and may not necessarily be appropriate for the particular climates of the Northern Territory. An openness to innovative approaches is needed to help ensure that human comfort is successfully incorporated in locally relevant ways into new apartment and mixed use buildings.

4

Make Great Places...

...that provide meaningful, vibrant and liveable spaces for people."

In addition to their basic function as shelter, buildings physically frame and influence the spaces where people live their lives. Apartment forms can also help share the benefits of a particular location that might otherwise only be enjoyed by a select few.

Apartments in mixed use developments can introduce a whole new tone to an otherwise homogenous commercial - retail area. Increased local densities may create opportunities for new services and amenities for the broader community, such as improved public transport options, new business offerings and more local customers to support existing businesses. Increased populations will also result in more eyes on the street which has safety and surveillance benefits.

This project seeks to promote apartment forms as a key component in continuing to deliver and evolve meaningful, vibrant and liveable places for people across the Territory.

The collective objectives and recommendations of this project all seek to achieve these four overarching aims.

3.0 Design Elements

3.1 Key Controls & Design Elements

While building design incorporates a broad range of considerations and details, this section of the document focusses on design elements which can be influenced by quantifiable controls and requirements. These include:

- **Regional Context**
- **Local Context & Streetscape Character**
- **Front Setbacks**
- **Side & Rear Setbacks**
- **Podium Management**
- **Fencing & Front Boundary Treatments**
- **Ground Level Commercial Frontage**
- **Landscaping Requirements**
- **Communal Open Space Areas**
- **Plot Ratio**
- **Building Height**
- **Building Articulation**
- **Balconies & Outdoor Living**
- **Building Composition**

These design elements are considered separately in subsequent pages and then are summarised more generally as they relate to the relevant Zone in Section 4.

Design Elements 3.0

3.2 Regional Context

The Northern Territory is vast and covers a variety of climatic types. Geographic and climatic differences have implications for how buildings are put together. When these regional differences are identified and embraced, they can continue or help establish a building character for the region and contribute to a region's sense of identity.

While there are a broad range of transitional conditions, generally speaking:

- Southern regions of the Territory have a far broader temperature range and buildings can benefit greatly from solar access through the winter months.
- Northern coastal regions have a narrower temperature range and a wet-dry tropical climate with extended periods of high rainfall and lengthy drought conditions. Solar protection is preferable in these regions and buildings need to account for cyclonic conditions.

OBJECTIVES:

- To ensure that regional differences are accounted and allowed for within the NTPS.
- To enable and encourage climatic-responsive design that is appropriate to different climatic regions.
- To promote regional building character as an important contributing aspect of a region's sense of identity.

EXISTING SCHEME PROVISIONS / ISSUES:

- Alice Springs currently has its own specific height and setback provisions within the NTPS.
- General Planning Scheme provisions apply to zones outside of Darwin's CBD, Palmerston, Katherine, Tennant Creek or other regional towns.

HOW THIS COULD BE IMPROVED:

- Allowances for regional differentiation for key built form elements could be enabled and encouraged through Area Plans and region-specific policies.
- Suggest that many elements of regional character relate to more aesthetic aspects of building design such as colours, materials roof forms etc. and that these aspects can be encouraged in supporting documents to the NTPS, rather than sit in the Planning Scheme itself. (Note: This sort of design guide is outside of the scope of the current project.)

3.0 Design Elements

3.3 Local Context & Streetscape Character

New apartment and mixed use buildings can play a significant role in helping to establish, continue or change the character of an area while also supporting broader planning initiatives and public domain investments. To do this successfully, new developments should consider their existing and proposed surrounding land uses and how new buildings might respond.

Not all streets are created equal and each has a particular character born of the interplay between built form type and scale, setbacks, landscaping types, parking arrangements, verge width and so on. Good buildings should respond to and enhance the established or emerging streetscape character.

Not all developments can or will generate special contextual responses. However, including the suggestions below is intended to help encourage developers and designers to take cues from their surroundings which may lead to innovative outcomes that may incorporate alternative approaches to the standard provisions.

OBJECTIVES:

- To encourage buildings to consider and respond to their existing and potential future context.
- To improve the quality and level of detail of supporting information accompanying development applications.
- To encourage buildings to respond to and enhance their street context and character.
- To encourage design innovation.

EXISTING SCHEME PROVISIONS / ISSUES:

- Section 46 of the (Planning Act 1999) sets out what information must be submitted to support a Development Application. This information is to be in the form of a report or, statement, assessment or description, which generally implies the information is presented in the written form.
- In some cases, Area Plans attempt to identify and respond to local area issues. However, their benefit and influence is hampered by their current status as documents of due regard that do not prevail over the Planning Scheme.

HOW THIS COULD BE IMPROVED:

- A requirement for a site context analysis would help demonstrate that the applicant/architect has fully interrogated and responded to the local site context as an early step in the designs /development process. Analysis should identify key aspects of the streetscape including existing street trees and neighbouring built form.
- Require a brief architectural statement of response to existing and potential future local context and streetscape character.
- A 3D Model of a proposed development over a certain height could help the consent authority and community easily understand how a proposed development will sit in its context. (NOTE: Clause 6.2.2 (3) of the Planning Scheme already requires a 3D model to be submitted as part of any development application over 3 storeys in Alice Springs.)

Whilst changes to the Planning Act 1999 aren't part of the scope of this project, it is considered that there is scope in the following clauses of section 46 of the Planning Act 1999 to require the following information:

- A site context analysis could be sought under provision (e) as follows:
 - » "a description of the physical characteristics of the land and a detailed assessment demonstrating the land's suitability for the purposes of the proposed development and the effect of development on that land and other land".
- A 3D Model could be sought under provision (h) as follows:
 - » "an assessment of the potential impact on the existing and future amenity of the area in which the land is situated".

Design Elements 3.0

3.4 Front Setbacks

Front setbacks play a crucial part in setting the tone of how a building relates to the street.

OBJECTIVES:

- Encourage buildings to orient dwellings and major openings towards the street.
- Encourage front setbacks that contain complementary tree plantings and landscaping that contribute positively to the public domain.

EXISTING SCHEME PROVISIONS / ISSUES:

- Front setbacks in Zone MR and HR are 7.5m.
- There is no stated front setback for Zone C.
- Front setbacks in MR and HR zones can be dominated by parking, which in turn reduces landscape planting opportunities, street appeal and pedestrian arrival experience.

HOW THIS COULD BE IMPROVED:

- A general minor reduction of front setback from 7.5m to 6m to Zones MR and HR would provide a small increase in developable area to compensate for changes to side setbacks.
- Retaining nil setbacks permitted in Zone C to facilitate and encourage building interaction with the public domain and also encourage mixed use buildings in Zone C.
- Permit balcony encroachments into the front setback area to encourage apartments to orient towards the street.
- General resident parking not be permitted within front setback area.
- Only visitor parking should be permitted in the front setback of residential buildings and be located outside controlled gates, where possible and provided by a development.
- Enable strategic variations to front setback requirements, if and as supported by a clear and logical Street Context Analysis.
- Resident parking could be encouraged to be located or screened so as not to be visible from the public domain.



Front setbacks filled with carparking do little to contribute positively to the street.



Landscaped front setbacks can contribute positively to the street, whether the area is privately or communally owned.

3.0 Design Elements

3.5 Side & Rear Setbacks

Side and rear setbacks are an important consideration in both preserving the amenity of existing and future residents as well as creating visual and landscape breaks between buildings.

OBJECTIVES:

- To encourage meaningful landscape plantings and treatments to side and rear setback areas.
- To preserve minimum amenity outlook of existing and future residents.

EXISTING SCHEME PROVISIONS/ISSUES:

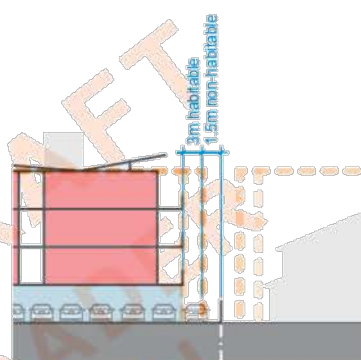
- Currently side and rear setbacks vary between habitable and non-habitable rooms, with non-habitable rooms inherently incentivised through reduced setbacks.
- Clause 8.3 requires a 5m setback, for a non-residential use (e.g. commercial) on any boundary that abuts land in Zones SD, MD, MR and HR.
- Zone CB permits nil side and rear setbacks up to 25m. Above 25m the upper level side and rear setbacks are 6m.

HOW THIS COULD BE IMPROVED:

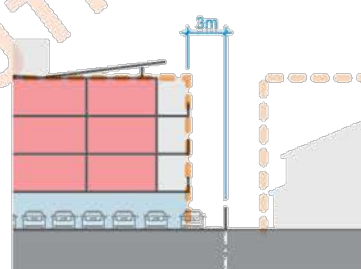
- Simplify setback requirements by not distinguishing between habitable and non-habitable rooms.
- Retain Clause 8.3 requirement for a 5m setback, but clarify that it applies for exclusively non-residential use (e.g. commercial) buildings on any boundary that abuts land in Zones SD, MD, MR and HR. (i.e. standard setbacks apply for the residential components of mixed use developments in Zone C).
- No proposed changes to Zone CB setbacks are suggested at this time.
- Encourage landscape breaks between buildings through more specific landscaping controls (refer to section 4.0 Landscaping Requirements).
- Buildings in Zone C which have two street frontages, where one is an active commercial streetscape and the other is residential streetscape, should give special consideration to how the street interface transitions sensitively to adjacent residential uses. Suggest that the residential setback be applied to a significant portion of the secondary frontage of sites over 1,000m². Suggest that this portion be whichever is the greater of either a minimum 10m or 25% of frontage.



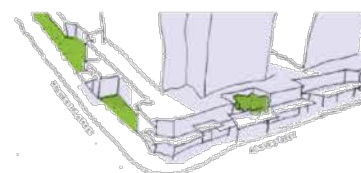
Landscape breaks between buildings can be achieved in narrow spaces with careful species selection.



Existing typical side and rear setback condition.



Proposed typical side and rear setback condition.



Buildings with two street frontages should help transition from active commercial to residential streetscape characters.

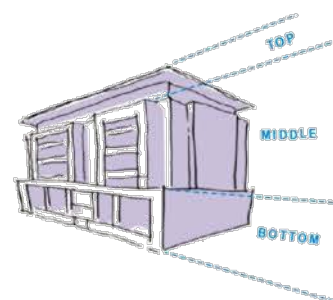
Design Elements 3.0

3.6 Upper Level Setbacks

Upper level setbacks can be a useful device for reducing the perceived visual bulk of a building and can help set the stage for good building composition to occur.

A common approach to achieve harmonious building composition is by thinking of the building in three broad elements - bottom, middle and top. This approach can be applied equally well to buildings of a range of scales and uses. While, of course, variations to this principle can work - it is a good guiding principle which upper level setback controls can help to reinforce.

Multiple upper level setbacks or angled height planes can be appropriate in specific special locations and circumstances such as where solar access is important or building scale needs to be especially controlled. However, these tapered approaches pose construction efficiency challenges for buildings and can significantly impact the development potential of smaller sites.



Diagrammatic application of the 'bottom, middle, top' building composition principle.

OBJECTIVES:

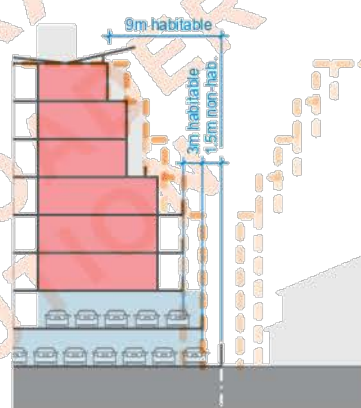
- To help provide appropriate building separation for taller buildings.
- To help reduce perceived bulk of taller buildings.

EXISTING SCHEME PROVISIONS / ISSUES:

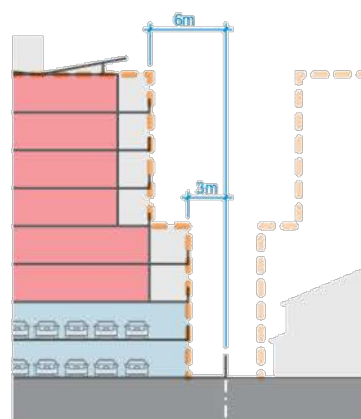
- Zone HR currently has 'wedding cake' or 'ziggurat' style upper level setbacks which step in an additional 1.5m per storey as height increases (to a maximum of 10.5m). This creates construction challenges for developers and on some sites can lead to upper levels which are undevelopable.
- Zone CB permits nil side and rear setbacks up to 25m. Above 25m the upper level side and rear setbacks are 6m.

HOW THIS COULD BE IMPROVED:

- Recommend a single additional 3m upper level setback above four storeys for zones other than CB where more than 4 storeys is permitted. This additional 3m would thus then provide a 6m side and rear setback (and therefore 12m separation between buildings), which is in line with established setbacks and building separation distances in Zone CB in Darwin City.
- Suggest that unique upper level setback controls for special locations and circumstances can be prepared and managed through Area Plans.



Existing staggered upper level rear setback scenario for Zone HR.



Proposed simplified upper level setback scenario for Zone HR.

3.0 Design Elements

3.7 Podium Management

Podium levels can be a useful massing device in urban locations. The more generous development envelopes of podium levels helps to facilitate bulkier elements such as above ground parking and retail commercial uses, while enabling more slender forms above.

Podiums can also work well together to create a consistent 'street wall' to give a consistency of scale to the street, even though the overall height of different buildings may vary.

OBJECTIVES:

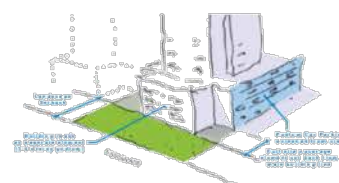
- To facilitate coordinated special podium heights to assist with the creation and reinforcement of character precincts.

EXISTING SCHEME PROVISIONS / ISSUES:

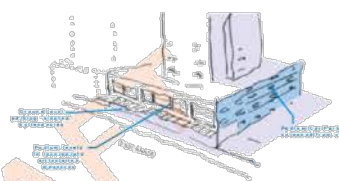
- The maximum permitted podium height of 25m within the CB Zone of Darwin is quite generous (approx. 7-8 storeys) and permits nil setbacks to all sides.
- Podium levels are frequently used to accommodate on-site parking and in some cases this presents poorly to the street.
- Zone C and Zone CB in Palmerston and Katherine do not have any podium controls.

HOW THIS COULD BE IMPROVED:

- Recommend incorporation of lower 'human scale' podium heights (two to four storeys) for key streetscapes and precincts within Focus Areas identified by Area Plans.
- Recommend that local variations to podium height be managed through Area Plans, this may include Zone C.
- Encourage buildings to conceal parking behind apartments or tenancies.
- Encourage podium parking levels to incorporate articulation measures (recesses and projections) to avoid the perception of blank, sheer walls.
- Encourage vertical landscaping to be incorporated into podium levels as a climate-responsive alternative approach to screening carparking from view.
- In some circumstances, it may be acceptable to screen podium level parking with architectural treatments.
- Encourage use of varied materials, textures and colours to break up large wall areas.



Buildings are encouraged to conceal podium parking behind apartments or tenancies.



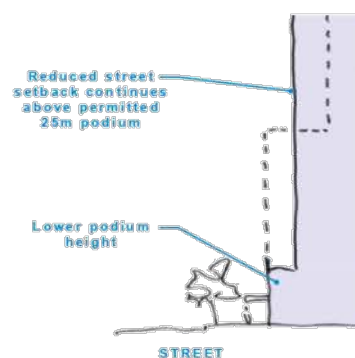
Podium levels are encouraged to incorporate articulation measures.



Landscaping treatments to podium levels are encouraged.



Example of podium parking presenting to the street.



Street setback reductions can provide development incentive for reduced podium potential.

Design Elements 3.0

3.8 Fencing & Front Boundary Treatments

Fencing and front boundary treatments play an important role in the presentation of a building and the pedestrian experience. Tall, blank walls or fences contribute poorly to the pedestrian experience and can lead to uninviting streetscapes.

OBJECTIVES:

- To help create a safe and inviting streetscape experience for pedestrians.
- To enhance the visual presentation of buildings.
- To balance safety and security for residents with passive surveillance of the public domain.

EXISTING SCHEME PROVISIONS / ISSUES:

- Clause 7.4 of the Scheme refers to a minimum solid screen fence requirement for multiple dwelling sites with an interface to Zone SD
- The Community Safety Design Guide is an official referenced document to the Scheme which states in Section 2.0 that Front Fences should be either - Visually permeable (not solid) and less than 1.2m in height for effective street surveillance.
- The Design Guidance to Active Frontages and Provide for Services is another official reference document that focuses on the location of service infrastructure such as hydrants, meters, electrical sub-stations egresses, bus stops and waste collection.
- Fire boosters, bin stores and other required components can create challenges to ground level composition. Guidance on this aspect of a building exists for Zones City in Darwin only.

HOW THIS COULD BE IMPROVED:

- Suggest fencing along primary streets be visually transparent above a height of 1.2m or include indentations or other features, such as different materials, colours and landscape planting opportunities.
- Suggest improved general guidance in the Planning Scheme and possible incentives for improved integration for all commercial areas of services and bin stores into fencing and facade design.
- Pedestrian entries should be clear and direct (i.e. not require pedestrians to pass through parking areas).
- Some locations are more sensitive to well governed fencing than others. Special fencing / interface controls could also be prepared and managed through Area Plans where particular local context warrants this approach.



Slightly elevated ground level courtyards are encouraged.



Fencing which incorporates soft landscaping elements are encouraged.



Street frontages must accommodate a number of functional components.



Pedestrian entries should be clear and direct.

3.0 Design Elements

3.9 Ground Level Commercial Frontage

How commercial buildings relate to the street plays an important role in both facilitating trade and ensuring passers-by feel safe and welcome.

This interface is of particular importance in mixed use environments where there is generally a higher level of pedestrian interaction throughout the week, both within and outside business hours.

In car-oriented commercial precincts, the appearance of these environments requires a different approach given their visual dominance on the landscape. Their impact on the precinct can be softened using an integrated approach to landscaping that considers shading for pedestrian and vehicles, facilitates safe pedestrian movement and personal security.

OBJECTIVES:

- To ensure that commercial buildings contribute positively to the street and encourage safe, vibrant and active streetscapes.
- To encourage buildings and landscaping to contribute to the shade and shelter for pedestrians.
- To avoid unnecessarily burdensome requirements for buildings in homogenous commercial precincts.
- To facilitate the retention and celebration of local retail character.

EXISTING SCHEME PROVISIONS / ISSUES:

- Clause 7.9.2 applies to Mixed-Use Apartments in Zone C. Residential buildings require the provision of ground floor commercial occupancies.
- Clause 8.2 promotes site-responsive designs for mixed-use developments in Zone CB, C and HR among others.
- Clause 8.2.3 requires a development subject to Clause 8.2 demonstrate consideration to the Community Safety Design Guide.
- The Community Safety Design Guide refers to ensuring ground level commercial buildings are designed to maximise opportunity to activate frontages and allow clear observation of the streets, plazas and malls.

HOW THIS COULD BE IMPROVED:

- Additional controls and guidance on activation of ground level frontages be included for Zone C and Zone CB.
- Mixed use developments could be required to demonstrate that 70% of the length of a building fronting a primary street and 40% of the length of a building fronting a secondary street is to be activated through a combination of: clear glass windows; doors to tenancies; al fresco dining areas or courtyards that can be used by tenants and their guests; open space, plazas or public art elements; any other features such as awnings and shade devices that make a positive contribution to the public domain.
- Recommend that Area Plans can incorporate additional commercial frontage guidance for strategic locations where specific outcomes might be required (e.g. historic, fine-grained shopping streets).
- The requirements of service and local authorities will need to be considered in designing the street interface, while also achieving the activation measures mentioned above.
- Suggest awnings be provided to a minimum width of 3m or to footpath extent (subject to local authority requirements).



Design Elements 3.0

3.10 Landscaping Requirements

While the range of Northern Territory climates have unique challenges for meaningful landscaping, all parts of the Territory can reap the social and climatic benefits of genuine attempts to integrate on-site landscaping into, on and around a building.

At it's best, orientation, shading and on-site landscaping can help cool a building and its environment, create inviting spaces for residents to engage with nature and help visually soften the appearance of a building.

However, on-site landscaping requirements can be tricky to manage through planning controls. Numeric controls for un-built landscape areas can go some way to setting the stage for good landscaping to occur, but requirements for type and scale of vegetation are hard to define and loopholes can often be found.

OBJECTIVES:

- To help ensure landscape areas are inviting and meaningful to residents.
- To ensure that landscape areas can support established trees and shrubs.
- To deploy landscaping that works with and visually softens the building and is visible from the public domain.
- To promote waterwise planting regimes and the complementary shading effects of established plantings.
- To encourage landscaping designs that provide shaded and sheltered areas for residents.
- To promote landscape designs and species selections that enable solar access in winter for cooler parts of the Territory.

EXISTING SCHEME PROVISIONS / ISSUES:

- There is currently a requirement for 30% of the site to be dedicated to landscaping (NTPS Part 4 Clause 7.7).

HOW THIS COULD BE IMPROVED:

- Retain existing percentage requirement for landscaping.
- 2m minimum dimension to deep soil planting areas within side and rear setback areas.
- Sites with nil setbacks permitted at ground level (i.e. Zone C and CB) should provide deep soil planting areas on top of podium level, but that the minimum dimension for these be reduced to 1m. Plantings in the public realm may also be appropriate in some circumstances subject to Council approval.
- Developments proposing green walls or other vertical landscaping in lieu of deep soil planting areas should be required to demonstrate how the landscaping elements will be maintained and also show renderings of how the building will look without plantings.



Areas to accommodate large trees with established root systems are encouraged.



Simple turfed areas framed by carparks do little for residents and their environs, where smaller, more densely planted areas can achieve far more.

3.0 Design Elements

3.11 Communal Open Space Areas

Communal open space areas are places that should enhance the on-site amenity of residents. They can include landscaped areas, pools, entertaining areas, gyms and other shared facilities.

These spaces and facilities vary significantly between buildings and can be a point of difference in a competitive market place. However, the provision of these spaces can also become a cost impediment for marginal markets and buildings targeted at a more affordable product, both in terms of up front cost and ongoing maintenance.

The most successful and best-loved private landscape areas are connected to and looked onto by residents.



Communal landscaped courtyards between buildings are encouraged.

OBJECTIVES:

- Ensure that communal open space areas are inviting and usable spaces.
- Ensure there is flexibility in requirements to reflect case-specific situations.

EXISTING SCHEME PROVISIONS / ISSUES:

- Currently 15% of site area is required as Communal Open Space (NTPS Part 4 Clause 7.6.3).

HOW THIS COULD BE IMPROVED:

- Additional requirement for 6m minimum dimension to communal open space could facilitate the provision of meaningful and useful space.
- Enabling communal open space area requirement to also count as landscaped area contribution, while maintaining the 15% requirement, could help alleviate the cost burden of communal open spaces.
- Encourage and promote communal open space areas located on podium levels with direct access from apartments.
- Turfed areas which connect only to open undercroft parking provide little amenity to residents, neighbours and passersby. These should be avoided.
- Recommend guidance to encourage a direct relationship of connection and outlook from apartments to communal open space.

Design Elements 3.0

3.12 Plot Ratio / Density Controls

Plot ratio is a mathematical relationship between the internal floorspace provided by buildings and the size of the lot. Plot ratio essentially limits development by providing an internal floorspace allowance for the site, but this does not specifically prescribe a maximum number of dwellings.

Plot ratio controls are used to help establish the allowable volume of development within the 'container' of the site's building envelope. The building envelope itself is defined by the site's size, setbacks and permitted height. The final building design can deploy its permitted plot ratio area within the building envelope in any number of ways.

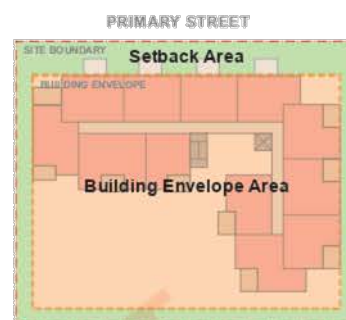
Plot ratio controls can also be useful in helping to encourage more articulated and less bulky buildings.

It is important to remember that in addition to plot ratio and building envelope controls, the number of dwellings that a site can comfortably accommodate varies in relation to a number of factors including:

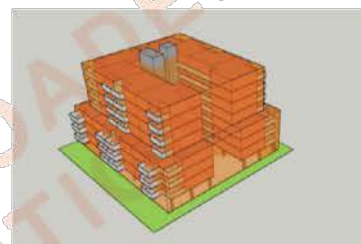
- the overall size of the lot;
- the regularity of lot geometry and key lot dimensions;
- on-site parking requirements;
- built form arrangement minimums for floorplan composition, daylight access, fire safety controls and privacy separation between apartments on the same site.

EXISTING SCHEME PROVISIONS / ISSUES:

- The achievable site yield for zones other than Zone CB is currently governed by NTPS Part 4 Clause 7.1.1 Residential Density Limitations whereby a site's achievable density is determined by dividing the site area by an estimated average allowance for different dwelling sizes in relation to the height of the building. These controls:
 - » Discourage design innovation by prescribing a maximum number of dwellings for each site that does not account for variations to apartment sizes between building projects or to meet market demand.
 - » Do not account for the design limitations of site geometry and size (i.e. a triangular lot can generally achieve fewer dwellings than a regular lot of the same area).
 - » Discourage (or effectively penalise) the provision of underground car parking.
- There are currently no prescribed dwelling caps for mixed use buildings in Darwin Zone CB (where volumetric controls apply).
- Plot ratio is already defined in the Planning Scheme and does not include:
 - » verandahs, balconies, which encourages their generous provision.
 - » car parking areas or car parking access areas, which encourages or enables above ground parking.
- Zone C currently has a plot ratio control that applies to the commercial component only of a mixed use building.



The building envelope area is shaped by the site setbacks.



The building envelope is a three dimensional volume (defined by setbacks and permitted height) within which development must sit. In this example the building envelope volume is shown as translucent orange, with balconies permitted to encroach outside of the envelope along the street frontage.

3.0 Design Elements

HOW THIS COULD BE IMPROVED:

- Introduction of plot ratio controls to govern the provision of residential dwellings in Zones C, MR and HR. This can help encourage innovative design solutions and allow developers to better respond to market demand through tailored apartment mix and sizes.
- Retain plot ratio controls for commercial component of buildings in Zone C.
- No changes to existing Darwin Zone CB volumetric controls.
- Incentivise and encourage ground level apartments and basement parking by excluding ground level apartments from plot ratio calculations. This will also not penalise or hinder those developments which choose to develop in the common format with ground level occupied by surface parking.
- Exclusion of balcony areas from plot ratio calculations to be retained, so as to continue to encourage their generous provision.
- Plot ratio may be amended in special specific strategic circumstances through Area Plans, but that this should be carefully considered (e.g. permitting additional height, but keeping plot ratio the same may be preferable to encourage more slender or tapered buildings).
- Recommend base residential plot ratio for Zone MR & Zone C be 1.3:1 (Refer Worked Example section).
- Recommend base residential plot ratio for Zone HR be 2.3:1 (Refer Worked Example on page 28).

Design Elements 3.0

3.12.1 Plot Ratio Explanatory Section

ESTABLISHING BASE PLOT RATIOS FOR THE NT

The base residential plot ratio for each zone in the Northern Territory has been established by using the **NSW Apartment Design Guide** rule-of-thumb as a starting point. This guide has then been tested against typical lot sizes and adjusted for the NT context.

The NSW rule-of-thumb is intended as a guide for local government planners and a starting point from which to then test and determine final plot ratios that are to be applied for each site or group of sites. The final plot ratio adopted can be influenced by a range of local contextual factors.

It is important to note that elsewhere in Australia, it is typical for the primary development controls (including plot ratio and height) that relate to a site to be governed by specific maps (usually in the local government scheme) or performance based codes. In the Northern Territory however, the underlying zoning of the land currently governs primary building controls (unless otherwise varied through an Area Plan).

The NSW rule-of-thumb recommends taking 70% of the building envelope area, multiplied by the number of storeys and then divided by the site area. Since we are intending to exclude ground level elements from plot ratio, the number of storeys is reduced by one, in this Northern Territory context.

The NT version of the plot ratio rule-of-thumb starting point would then be:

- Building Envelope Area (Site Area - Setback Area) x (Permitted Storeys - 1) x 70%

When this rule-of-thumb formula is applied generically, larger sites have increasingly (and predictably) higher **theoretical floorspace areas** and ratios than smaller sites (since the impact of the setback area reduction as a proportion of the site becomes less).

In practice however, as site area increases, the burden of on-site separation between apartments and other floorplan composition challenges also increases. Therefore the ability to achieve the theoretical plot ratio through floorplan design and building composition actually reduces as sites get larger. (Note: Commercial buildings are far less impacted by these challenges.)

Given the above, a single plot ratio figure can apply for all sites within a zone. The accompanying tables (1 and 2) set out some working calculations in order to help illustrate the relationships between theoretical plot ratio and achievable plot ratio for each zone and how the final proposed plot ratios have been derived. The tables consider three representative lot sizes and sets out three testing scenarios for comparison:

- **Indicative Concept Site Test** - This uses indicative building arrangements for each representative site to demonstrate the inherent requirements for voids and on-site building separation increasing as buildings get larger.
- **Theoretical NT Rule-of-Thumb Test** - This calculates what an indicative plot ratio might be using the equation discussed above. This has been then cross-checked with the figures from the Indicative Concept Site Test to generate a provisional Proposed Plot Ratio.
- **Proposed Plot Ratio** - This sets out what the floorspace allocation would be for these representative sites using the proposed plot ratios.

The proposed plot ratios have been nominated so as to not adversely impact the development potential of the compact lots, while encouraging additional articulation and bulk reduction for all lots.

BASE PLOT RATIOS IN PRACTICE

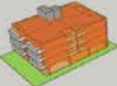
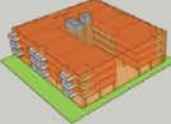
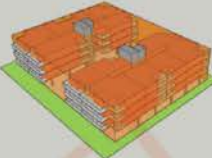


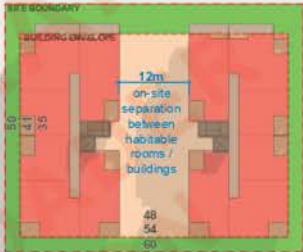
Under the plot ratio approach, a proponent for the development would take their site area and multiply it by the plot ratio for their appropriate zone (or Area Plan). This will then give them their floorspace allocation.

Proponents will need to submit a floorspace summary with their development applications that clearly demonstrate compliance with their floorspace allocation.



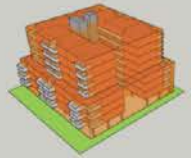
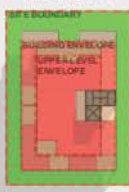
3.0 Design Elements

TABLE 1: Schedule of Plot Ratio Site Testing for Zone MR & Zone C

	Compact Site	Medium Site	Larger Site
			
			
Indicative Lot Size	875m²	2,025m²	3,000m²
INDICATIVE CONCEPT SITE TEST			
Indicative Floorspace per level (L1-L3)	390m²	988m²	1,260m²
Total Indicative Floorspace	1,170m²	2,964m²	3,780m²
Indicative Plot Ratio	1.34:1	1.46:1	1.26:1
THEORETICAL NT RULE-OF-THUMB TEST			
Building Envelope Area (L1-L3)	494m²	1,326m²	2,214m²
Theoretical Plot Ratio Area	1,037m²	2,785m²	4,649m²
Theoretical Plot Ratio	1.19:1	1.38:1	1.55:1
PROPOSED PLOT RATIO FOR ZONE MR & ZONE C			
Proposed Plot Ratio	1.3:1	1.3:1	1.3:1
Floorspace Allocation	1,137m²	2,632m²	3,900m²

Design Elements 3.0

TABLE 2: Schedule of Plot Ratio Site Testing for Zone HR

	Compact Site	Medium Site	Larger Site
			
			
Indicative Lot Size	875m ²	2,025m ²	3,000m ²
INDICATIVE CONCEPT SITE TEST			
Indicative Floorspace per level (L1-L3)	390m ²	988m ²	1,260m ²
Indicative Floorspace per level (L4-L7)	214m ²	598m ²	858m ²
Total Indicative Floorspace	2,026m ²	5,356m ²	7,212m ²
Indicative Plot Ratio	2.32:1	2.64:1	2.40:1
THEORETICAL NT RULE-OF-THUMB TEST			
Building Envelope Area (L1-L3)	494m ²	1,326m ²	2,214m ²
Building Envelope Area (L4-L7)	260m ²	924m ²	1,680m ²
Theoretical Plot Ratio Area	1,765m ²	5,372m ²	9,353m ²
Theoretical Plot Ratio	2.02:1	2.65:1	3.12:1
PROPOSED PLOT RATIO FOR ZONE HR			
Proposed Plot Ratio	2.3:1	2.3:1	2.3:1
Floorspace Allocation	2,013m ²	4,658m ²	6,900m ²

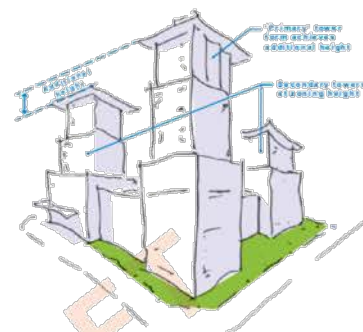
3.0 Design Elements

3.13 Building Height

The development potential of a site is strongly influenced by its permitted overall height. However, this development potential is also influenced by lot size, lot geometry, site topography, market conditions, proximity to heritage buildings / places and views.

This means that there may be times when a site might not be able to develop to its full height or yield potential that its underlying zoning allows for. This is often the case for smaller infill lots, where site amalgamation may be required to make development to the zoned height feasible.

There may also be valid reasons why additional height might be possible and even desirable. Where additional height is on offer, it may not be taken up on all sites which can be beneficial in terms of creating a more naturally varied feel within a precinct.



Larger sites are encouraged to incorporate height variation between buildings.

OBJECTIVES:

- Ensure a consistent, predictable and fair approach to development height is applied.
- Enable variation to typical building height in special strategic locations.

EXISTING SCHEME PROVISIONS / ISSUES:

- The height of buildings is generally governed by its underlying zoning, which can pose difficulties in responding to a local area's particular appetite for development height. Elsewhere in Australia, height is governed separately to land use.
- The height of buildings other than single dwellings is generally governed in terms of storeys, rather than metres above ground. This is considered a good thing in terms of simplicity, but could pose challenges in mixed use environments where a fully commercial use is proposed.

HOW THIS COULD BE IMPROVED:

- Permit an additional storey for mixed use buildings in Zone C to align with Zone MR (4 storeys).
- Enable variation (both increase and decrease) to permitted building height through Area Plans without changing the underlying zoning. It is suggested that this variation be subject to performance criteria and recommended plot ratio restrictions.
- Larger sites containing multiple buildings are encouraged to incorporate height variation between buildings, particularly when this variation assists in the built form response to the development's local context. This could be achieved through Area Plans by permitting additional height to apply to a limited number of primary building forms or a particular part of the site.

Design Elements 3.0

3.14 Building Articulation

Building articulation is often advocated as a desirable characteristic without much explanation of why is it seen as desirable.

While external features such as blades, balconies, screens and other features can contribute to the articulation of a building true building articulation is when a building's perimeter walls are regularly recessed back or projected forward.

This true articulation creates additional corners to the building. When the recession distances are significant (i.e. greater than 1m) then this can be particularly useful in wet-dry tropical design because it enables a higher proportion of rooms to have the potential for windows on at least two different orientations, thereby enabling cross-ventilation.

This principle applies both at the individual apartment and building scale.

The intent behind 'building articulation' controls can have direct lifestyle impacts if applied appropriately.

Articulated corners and sides of buildings also enable amenity views to be maximised across multiple apartments.

OBJECTIVES:

- To encourage well articulated buildings that are visually appealing.
- To avoid flat, monolithic building forms.
- To encourage buildings which enable multiple cross-ventilation opportunities.

EXISTING SCHEME PROVISIONS / ISSUES:

- Clause 7.3.1 increases the setback by 0.5m for every 3m over 18m in length. This encourages buildings to be separated in order to retain a larger building envelope and discourages visual bulk and building massing.
- Clause 7.8 states building should minimise expanses of walls, allow for breeze penetration and circulation and conceal various types of building infrastructure.
- Building articulation can be a difficult concept to define and enforce.

HOW THIS COULD BE IMPROVED:

- A significant (1m or greater) facade articulation in a building wall could be required at least every 15m of facade length. This could be achieved through recessed balconies or any other form of wall adjustment.
- Development may be required to provide a specific building articulation or setbacks to facilitate the retention of key view corridors, breezeways, landscape elements or other considerations. If required, this can be clearly set out and explained in the relevant Area Plan. Additional policy or design guidance could be drafted to provide further information on how to achieve articulated buildings.



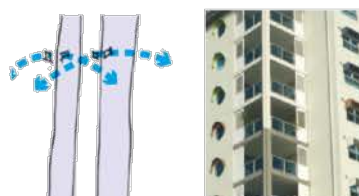
No articulation to typical apartment with external balcony only capturing breeze.



Articulated typical apartment with part-recessed balcony enables two rooms to capture breeze.



No articulation to building corner enables one room / apartment to capture breeze per corner



Articulated corner to building enables more than one room / apartment to capture breeze per corner.

3.0 Design Elements

3.15 Balconies & Outdoor Living

Balcony and balustrade design can have a big impact on both the liveability of apartments and the appearance of the building as a whole.

The existing control which requires a minimum balcony depth/width dimension of 2.8m is generous and goes a long way to enabling and encouraging outdoor living in apartment forms.

However, the level and permeability of screening of balconies from both sunlight and view from the public domain and other apartments goes a long way to influencing the usability of these balconies.

OBJECTIVES:

- To provide outdoor living opportunities for apartment residents.
- To encourage balconies to be incorporated into the overall composition and articulation of a building.

EXISTING SCHEME PROVISIONS / ISSUES:

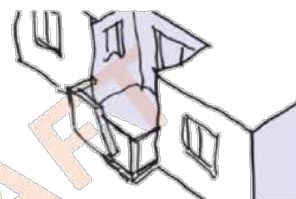
- There is currently a minimum balcony dimension of 2.8m x 4m for balconies. This is a good numeric control for enabling balconies which are appropriately scaled to be useful for outdoor dining and relaxing.

HOW THIS COULD BE IMPROVED:

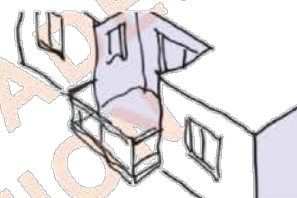
- Exclude balconies from plot area calculations to encourage their generous provision.
- Permit primary balconies to extend into the front setback area by 3m to encourage buildings to orient towards the street.
- Primary balconies should have generous proportions and be located off main living areas.
- Allow and encourage minor balconies (such as those located off bedrooms) with narrower or irregular dimensions to complement the primary balcony area.
- Encourage more solid and mixed permeability balustrade types to lower levels of buildings where unwelcome views from the public domain are more prevalent.
- Encourage ground level courtyards to be elevated 0.6m where appropriate to improve their sense of privacy and avoid direct overlooking of private space from the street.
- Encourage adjustable screens and louvres to balconies to provide adaptable shade and to assist in articulating the building facade.
- Facade treatments should be integrated with the building design and not rely on paint or applied finishes which may deteriorate over time, particularly given local climatic factors.
- Encourage buildings to articulate their perimeter walls meaningfully to maximise / capture cross-ventilation and view-sharing benefits.



Balustrade permeability changes with increased heights and separation from street.



Mixed permeability balustrades provide a balance of views out, while restricting views in.



Fully-glazed balustrades enable maximum views both out and in, which can reduce the perceived usability of the balcony.



Moveable screens and louvres are encouraged, where possible.

Design Elements 3.0

3.16 Landscaping for Ground Level Car Parking

Ground level surface car parking will remain a feature in developments where underground, undercroft and podium level parking are not achievable, and in particular for suburban sites with a commercial component. These areas should nonetheless provide for safe pedestrian movement and be shaded and landscaped to help reduce the visual impact and surface heat gain from hardscaped surfaces. Surface parking areas typically prioritise vehicle functionality over people movement and street vitality.

The Heat Mitigation Program, which was undertaken in a joint partnership between the NTG and the University of NSW concluded that open parking lots contributed to increasing the ambient temperature to the immediate urban area. In some cases this exceeded 60 °C, however this could be reduced with a range of mitigation measures such as increased greenery and shading.

OBJECTIVES:

- Reduce the visual impact of ground level parking lots on street
- Reduce surface heat from exposed parking areas
- Encourage landscaping, sleeving and safe pedestrian movement

EXISTING SCHEME PROVISIONS / ISSUES:

- There are some controls in the Planning Scheme relating to visual screening of parking, including:
 - » 6.2.3 (5) Building Design Requirements within Zone CB in Alice Springs - Ground level car parking areas are to be designed so that they are not visible from the street or public spaces.
 - » 6.3.3 (5) Urban Design Requirements in Central Darwin - All car parking areas are to be screened so that they are not visible from the street or public spaces.
 - » 6.5.3 Parking Layout - be not less than 3m from a road, and the area between the car parking area and the road is to be landscaped with species designed to lessen the visual impact of the car parking area;
- There are some controls in the Planning Scheme that relate to landscaping, including:
 - » 6.12 (a) Landscaping - planting is focused on the area within the street frontage setbacks and communal open space areas and uncovered car parking areas;
 - » 8.2 (m) COMMERCIAL AND OTHER DEVELOPMENT IN ZONES HR, CV, CB, C, SC, TC, OR, CP, FD AND T - provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;
- There are some controls in the Planning Scheme relating to safety, including:
 - » 8.2 (m) COMMERCIAL AND OTHER DEVELOPMENT IN ZONES HR, CV, CB, C, SC, TC, OR, CP, FD AND T - provide safe and convenient movement of vehicles and pedestrians to and from the site;
- The measures listed above do not relate to the level of shade or pedestrian amenity provided.
- Plans submitted in development applications are often varied after approval.

HOW THIS COULD BE IMPROVED:

- Require a minimum amount of landscaping (5m²) for every 10 car spaces.
- Encourage shading through canopy coverage, and or artificial means.
- Encourage and incentivise basement and podium options for car parking.
- Encourage buildings to screen ground level parking areas through landscaping.
- Encourage ground level parking areas to be located to the side and rear of developments.

4.0 Recommendations Summary

4.1 Buildings in Zone MR

Zone MR buildings are of particular importance, since they form the most broadly applied zoning for apartment forms. This broad reach has significant ramifications across the Territory, in both greenfield and infill locations and in suburban and regional contexts.

OBJECTIVES:

- To simplify and improve controls for Zone MR buildings.
- To improve and protect amenity for residents, neighbours and the surrounding streetscape.

EXISTING SCHEME PROVISIONS / ISSUES:

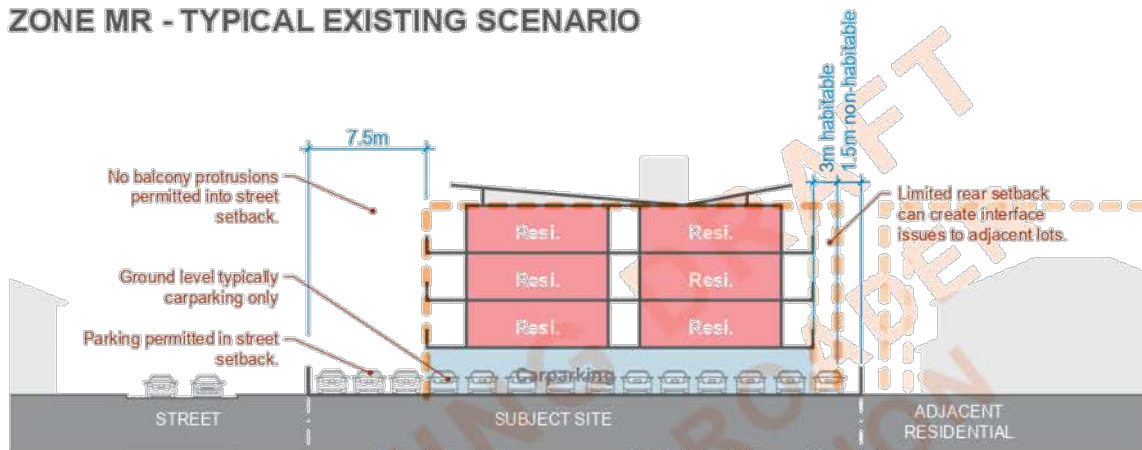
- Large street setbacks push building mass back to centre / rear of site which in turn puts pressure on side and rear boundary interfaces.
- Differential side and rear setbacks for habitable and non-habitable rooms can lead to poor interface outcomes.
- Rear and side setbacks do not allow for minimum acceptable building separations (6m up to 4 storeys and 12m above 4 storeys - as established through this body of work) if neighbours redevelop.
- Full ground level parking is common and creates poor street interface.

SUMMARY OF POTENTIAL IMPROVEMENTS TO ZONE MR:

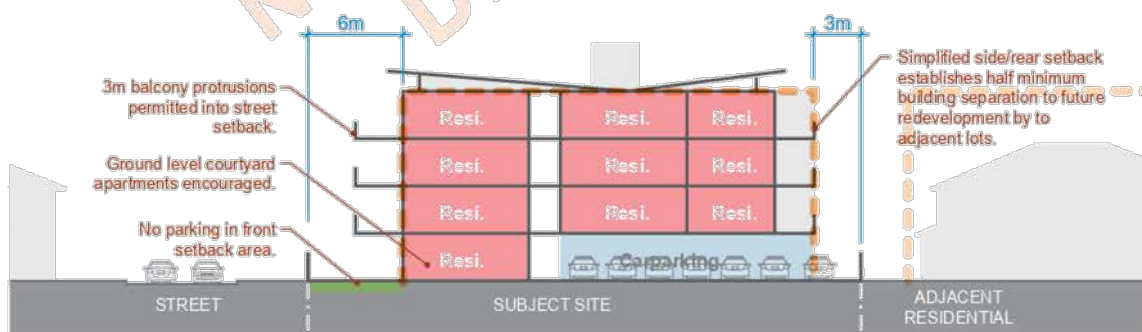
- Building mass brought forward to the street through reduced front setbacks and apartment orientation to street is incentivised through permitted balcony encroachments in to the front setback area.
- Remove 1.5m side and rear setback for non-habitable rooms to provide improved interface to neighbours and equitable future building separation. Retain existing 3m side and rear setback for both habitable and non-habitable rooms.
- Retain existing 2.5m setback to secondary street.
- Resident parking provision prohibited in front setback area to enhance street presentation.
- Ground level apartments incentivised through exclusion from plot ratio calculations, which can in turn help the building contribute more positively to the street.
- Landscaping provisions enhanced to provide minimum deep soil planting dimensions.

Recommendations Summary 4.0

ZONE MR - TYPICAL EXISTING SCENARIO



ZONE MR - POTENTIAL FUTURE SCENARIO



4.0 Recommendations Summary

4.2 Buildings in Zone HR

Zone HR buildings are less frequently deployed in the Territory than Zone MR. While their geographic distribution might be relatively limited, their scale makes them an important typology to manage carefully. With increased height comes increased potential for relationship impacts to lower scale neighbours, but also additional benefits to the vibrancy of an area and increased financial risk for developers.

Zone HR also allows for some select commercial uses to be incorporated into buildings.

OBJECTIVES:

- To encourage Zone HR buildings to develop in a timely manner.
- To improve and protect amenity for residents, neighbours and the surrounding streetscape.

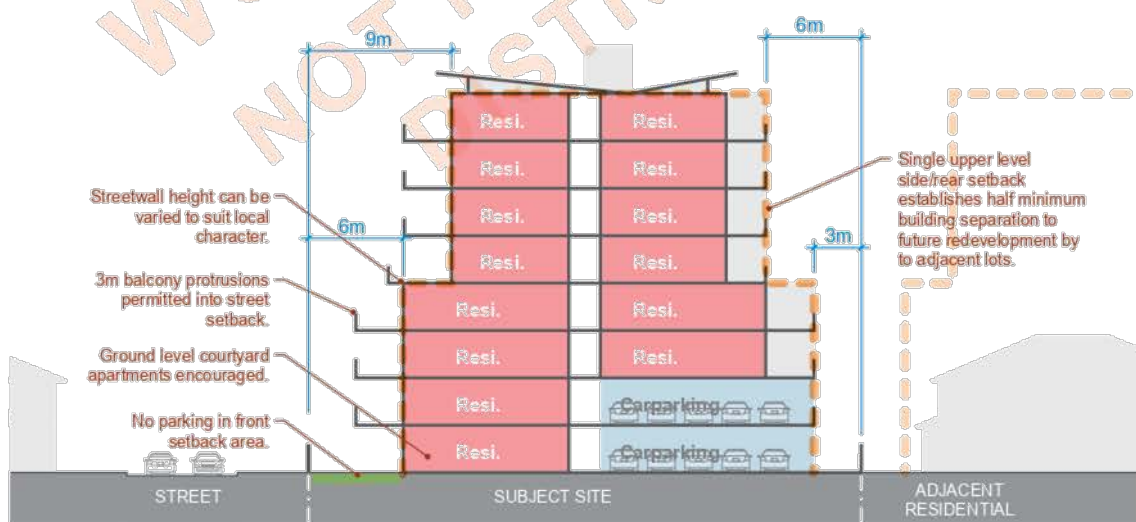
EXISTING SCHEME PROVISIONS / ISSUES:

- Large street setbacks push building mass back to centre / rear of site which in turn puts pressure on side and rear boundary interfaces.
- Tiered rear and side setbacks create significant challenges to efficient delivery of upper levels.
- Rear and side setbacks do not allow for minimum acceptable building separations (6m up to 4 storeys and 12m above 4 storeys - as established through this body of work) if neighbours redevelop.

SUMMARY OF POTENTIAL IMPROVEMENTS TO ZONE HR:

- Building mass brought forward to the street through reduced front setbacks and apartment orientation to street is incentivised through permitted balcony encroachments in to the front setback area.
- Remove 1.5m side and rear setback for non-habitable rooms to provide improved interface to neighbours and equitable future building separation. Retain existing 3m side and rear setback for both habitable and non-habitable rooms.
- Retain existing 2.5m setback to secondary street.
- Single upper level setback easier to manage in construction terms and can lend a consistent streetwall to the streetscape. Note that streetwall height can be tailored to local / regional character.
- Resident parking provision prohibited in front setback area to enhance street presentation.
- Ground level apartments incentivised through exclusion from plot ratio calculations, which can in turn help the building contribute more positively to the street.
- Landscaping provisions enhanced to provide minimum deep soil planting dimensions.

ZONE HR - TYPICAL EXISTING SCENARIO



4.0 Recommendations Summary

4.3 Mixed Use Buildings in Zone C

Buildings in commercial zones come in a wide range of types and formats that depending on the type and scale of business operating there. In most cases, the provision of plentiful, accessible customer parking is important to both the success of the businesses and the effective management of interactions with surrounding land uses.

A common scenario, particularly in a suburban context, is the provision of customer car parking in front of the building. While this approach assists the functionality of the businesses, it generally lends a poor amenity outlook for potential residential uses within the building.

OBJECTIVES:

- To facilitate and encourage the provision of residential uses within commercial zones in mixed use buildings.
- To encourage buildings to front the street where possible and appropriate.
- To improve and protect amenity for residents, neighbours and the surrounding streetscape.

EXISTING SCHEME PROVISIONS / ISSUES:

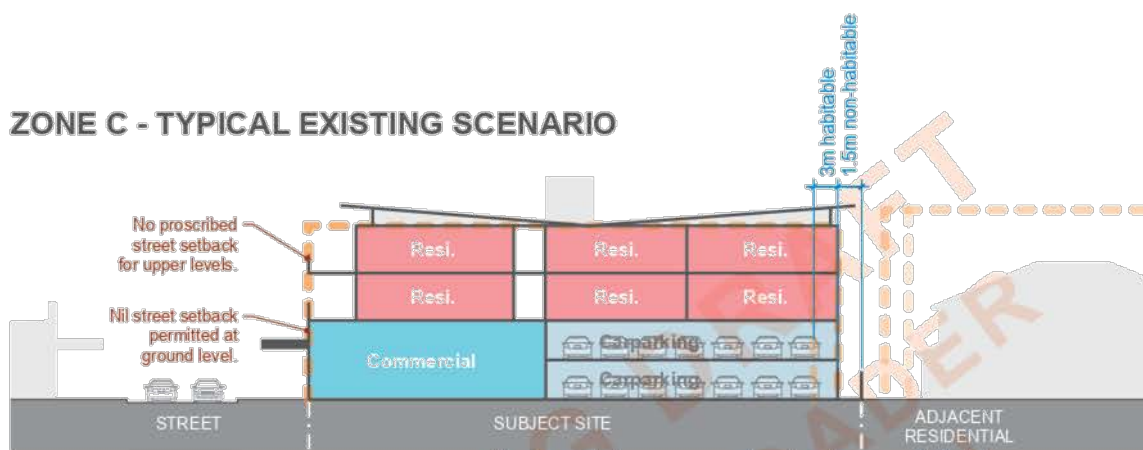
- The maximum height of buildings in Zone C is currently 3 storeys.
- There is currently no stated street setback for commercial zones, due to the range of building types. It is assumed that nil is permitted.
- A plot ratio of 1:1 applies to Zone C, but does not apply to residential buildings other than a hostel.
- There is currently no density or plot ratio control for the residential component of commercial buildings within Zone C.
- Differential rear and side setbacks for habitable and non-habitable rooms can lead to poor interface outcomes.
- Setback to Zone SD interface is to be a minimum of 5m.
- Rear and side setbacks do not allow for minimum acceptable building separations (6m up to 4 storeys and 12m above 4 storeys - as established through this body of work) if neighbours redevelop.

SUMMARY OF POTENTIAL IMPROVEMENTS TO ZONE C:

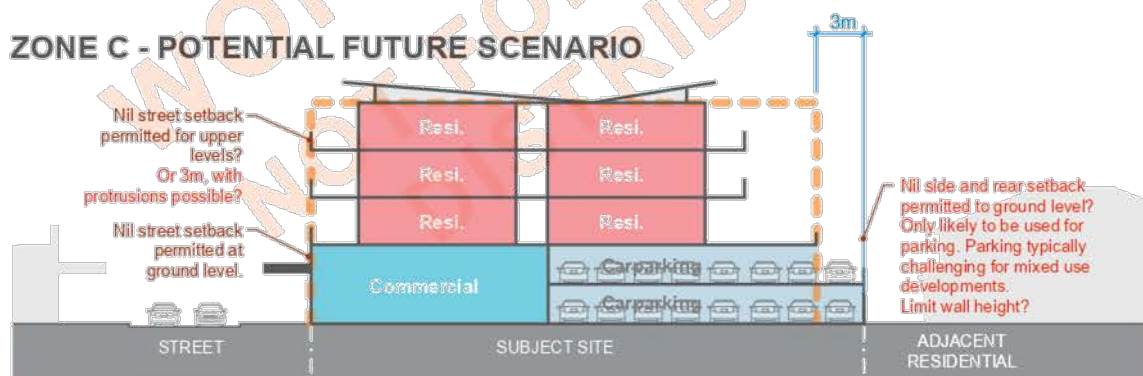
- Additional permitted level for consistency with Zone MR.
- Formalise upper level nil street setback.
- Remove 1.5m side and rear setback for non-habitable rooms to provide improved interface to neighbours and equitable future building separation. Retain existing 3m side and rear setback for both habitable and non-habitable rooms.
- Nil side and rear setback permitted at ground level to facilitate on-site parking.
- Improve guidance for commercial frontages and entrances.
- Improve the visual amenity and reduce the environmental impacts of ground floor car parking areas.

Recommendations Summary 4.0

ZONE C - TYPICAL EXISTING SCENARIO



ZONE C - POTENTIAL FUTURE SCENARIO



4.0 Recommendations Summary

4.4 Mixed Use Buildings in Zone CB

Zone CB planning controls need to accommodate a broad range of building types and uses including fully commercial buildings as well as mixed use buildings incorporating residential apartments and often a broad range of other uses such as hotels.

Zone CB areas typically comprise larger consolidated areas of the same zoning across multiple street blocks, as opposed to higher density residential zonings which tend to relate to more site-specific attributes. These consolidated Zone CB areas are generally intended to encourage or reinforce a particular vision for that CBD. It is challenging then to simplify the Zone CB across the board, as evidenced by the distinctly different visions for Darwin (encouraging of height) and Alice Springs (more restrained in terms of height and particularly focussed on views).

It is worth noting that the existing controls within the Darwin CB zone for 12m on-site building separations and 6m upper level setbacks have been used as a reference point for promoting 12m as the generally acceptable building separation (and therefore 6m upper level setback) now applied in Zone HR.

OBJECTIVES:

- Support and facilitate the established visions for individual CBD areas.
- To improve and protect amenity for residents, neighbours and the surrounding streetscape.

EXISTING SCHEME PROVISIONS / ISSUES:

- There are currently no plot ratio or height restrictions in Darwin's CB Zone, although there are practical limitations due to flight paths.
- There are currently podium and tower volumetric controls in place for Darwin CBD.
- Zone CB in Alice Springs currently permits an 8 storey maximum height to a maximum overall height of 34m, with sites needing to be larger than 2,000m² and provide accompanying, explanatory 3d imagery in order to develop over 3 storeys. Buildings are also not to obstruct identified significant viewlines.
- There are currently no controls in Zone CB areas of Palmerston and Katherine relating to building height and urban design.

SUMMARY OF POTENTIAL IMPROVEMENTS TO ZONE CB:

- Recommended that podium heights can be varied in specific strategic locations through Area Plans.
- Recommend a review of each CBD's controls be undertaken via the Area Planning Process.

Appendix A

Appendix A - Glossary of Terms

Zone MR - Zone Medium Density Residential is applied to areas suitable for medium rise residential development. Zone MR has a permissible density of 117 dwellings per ha and height controls can vary between four to six storeys (Area Plan dependent).

Zone HR - Zone High Density Residential is applied to areas suitable for high rise residential developments and has a permissible density - 142 dwellings per ha. Height controls vary however the default limit is eight storeys.

Zone C - Zone Commercial can be used for commercial or mixed use (Residential and Commercial) activities and has a permissible density - 75 dwellings per ha. Height controls vary, however the default limit is three storeys.

Zone CB - Zone Central Business is not restricted by density controls or prescribed height limits and provides for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities.

Planning Act 1999 - Legislative instrument which provides the framework for Planning throughout the Northern Territory.

NTPS - Northern Territory Planning Scheme, administrative instrument of the Planning Act 1999.

NTPC - Northern Territory Planning Commission. An independent statutory authority that consults with the community to develop strategic plans and policies for inclusion in the Planning Scheme and advises on significant development proposals.

Apartment - The NTPS defines Multiple Dwelling as a building or group of buildings on a site which individually or collectively contain more than one dwelling (including serviced apartments) but does not include an independent unit.

Mixed Use Development - Building consisting of Residential and Commercial uses.

Plot Ratio - (or Floorspace) is a mathematical relationship between a developments floorspace and the site area (Plot Ratio Area / Site Area).

Al Fresco Area - An open outdoor area, which forms part of a building generally used for outdoor dining.

Building Envelope Area - The area allocated for the placement of buildings, which is calculated by subtracting the area within the setbacks from the lot area.

Building Envelope - The 3D volume defined by setbacks and permitted height in which a building must fit within.

Boundary Setbacks - The minimum distance from any surveyed boundary to which a structure may be built.

Planning Scheme Amendment - A process involving the application of amending controls within the NTPS.

Stage - Stages break up the overall project into specific tasks in a sequence, generally from the projects commencement to completion.

Built Environment - Human made surroundings which provide a setting for human activity ranging from buildings to parks.

Character - A term used to define a particular theme or style in an urban and/or rural context.

Streetscape - The visual elements of a street, including the road, adjoining buildings, sidewalks, street furniture, trees and open spaces, etc, that combine to form the streets character.

Activity Centre - Nominated community hubs where people shop, work, meet, relax and often live. They range in size depending on their location and function, from local neighbourhood shopping strips to centres that include universities and major regional shopping malls.

Planning Reform - Current Department (DIPL) project designed to improve the planning system through changes to the NTPS and Planning Act 1999.

Building Mass - Is an architectural term that refers to a structure in three dimensions. Massing influences the solid form of an enclosed space and defines the exterior shape of the building.

Primary and Secondary Frontage - A nominated street setback that is determined by the road hierarchy classification system that is administered by the Department of Infrastructure, Planning and Logistics. This determines front, side and rear setbacks within the NTPS.

14.7 CAT CONTAINMENT POLICY**Common No.:**

Author: Regulatory Operations Supervisor
Executive Manager Leisure and Regulatory Services

Authoriser: General Manager Community and Regulatory Services

Attachments:

1. Revised Policy No.001, Animal Management - General
2. Revised Policy No.001, Animal Management - General - Track Changes
3. Cat Containment Compliance and Enforcement Campaign

SUMMARY

The purpose of this report is to present amendments to the Policy No. 001, Animal Management – General, to include a policy statement regarding cat containment. This policy amendment supports the objectives in Council's Dog and Cat Management Strategy 2018 – 2022 and compliance with the Darwin City Council (Animal Management) By-laws.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council endorse the revised Policy No. 001, Animal Management - General as contained at **Attachment 1** to the Report entitled Cat Containment Policy.
3. THAT Council endorse the Cat Containment Compliance and Enforcement Campaign as contained at **Attachment 3** to the Report entitled Cat Containment Policy.

KEY ISSUES

- Cat containment requires domestic cats be contained to the property boundaries of their usual home at all times, unless under effective control (on a lead).
- If a cat at large is not under effective control then, pursuant to By-Law 67 of the Animal Management By-laws, the owner commits an offence.
- Cat containment promotes responsible pet ownership by supporting cat health and reducing the negative impacts of domestic cats on the natural environment.
- Cat containment is of particular importance in areas identified as ecologically significant.
- Council will encourage compliance via education, promoting awareness of the impact of cats at large and methods of cat containment.
- Council will undertake targeted cat trapping programs, seize and impound cats at large and administer fines or prosecution for cats found to be at large.
- Darwin City Council By-laws provide for the keeping of animals within the municipality in a manner compatible with the enjoyment by residents of a congenial living environment.
- The Dog and Cat Management Strategy 2018 – 2022 aims to reduce the impact of domestic cats.
- Defense Housing Australia is developing two residential sites adjoining Lee Point Road. Lee Point Road adjoins Casuarina Coastal Reserve, which protects key ecological values which are significant at a local level where habitat is diminishing rapidly. An area-specific approach for protecting this area from the impact of cats will be developed in 2020 and presented to Council for consideration, following the cat camera trapping exercise being carried out in the area.

BACKGROUND

RESOLUTION ORD345/19 (27/8/2019)

THAT Council write a Cat Containment Policy to support Council's animal management By-Laws.

1. THAT Council apply the Cat Containment Policy to any new future developments along Lee Point Road.
2. THAT the Cat Containment Policy be well publicised to prospective residents of the new suburbs developed along Lee Point Road.
3. THAT the Cat Containment Policy report be brought back to Council in September 2019.

DISCUSSION

The purpose of this report is to provide Council with amendments to Policy No. 001, Animal Management – General, to include a policy statement regarding cat containment. The revised Policy No. 001, Animal Management – General at **Attachment 1** includes a policy statement regarding cat containment which aligns to Council's Dog and Cat Management Strategy 2018 – 2022 and is compliant with the Darwin City Council (Animal Management). The revised policy also includes an amendment to the sections on Dog Exercise Areas and Dog Restriction Areas to clarify and remove contradictory statements.

A track change version for the revised Policy No. 001, Animal Management – General is at **Attachment 2**.

The report also provides information to Council regarding the potential impacts of cats at large, and proposes a Cat Containment Compliance and Enforcement Campaign at **Attachment 3**.

The Dog and Cat Management Strategy 2018 – 2022 aims to reduce the impact of domestic cats. The strategy sets out clear targets to promote the requirement of cats to be contained to their property of residence and manage stray and feral cats.

The strategy outlines the importance of working with stakeholders to achieve compliance with cat containment and reduce the impacts of cats at large, including:

- Predation of native wildlife by cats is listed as a key threatening process under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.
- Wandering domestic cats may be injured by encountering other cats, dogs or on roads.
- Cats are able to carry and transfer the parasite *Toxoplasma gondii*. Toxoplasmosis is often fatal for infected wildlife. Humans, particularly those with lowered immune systems and pregnant women, are also at risk from Toxoplasmosis. Toxoplasmosis can affect the brain, eyes and lungs. Infection during pregnancy can cause miscarriage and health problems for the baby.
- Feline Immunodeficiency Virus (FIV) is a virus that severely weakens cat immune systems, causing susceptibility to secondary infections. FIV is transferred from cat to cat through deep bite wounds, usually sustained during aggressive fights and territorial disputes.
- Nuisance behaviours affecting community amenity, such as defecation, urination, attacks on domestic pets, noise at night and fighting.

Darwin City Council By-laws 1994 provide for the keeping of animals within the municipality in a manner compatible with the enjoyment by residents of a congenial living environment.

By-law 67 states if a cat at large is not under effective control, the owner of the cat commits an offence. A cat is under effective control if it is restrained by a suitable leash.

Cat Containment Compliance and Enforcement Campaign

The proposed Cat Containment Compliance and Enforcement Campaign aims to achieve compliance primarily through awareness and education; secondarily through regulation and enforcement. Effective awareness and education of the benefits of cat containment promotes

voluntary, sustained compliance. Active regulation and enforcement via targeted cat trapping programs, seizing and impounding cats at large and administering fines or prosecution for cats found to be at large, is labour intensive, but a suitable secondary strategy.

- Awareness of the policy definition of cat containment will be raised through multiple communication pathways and using support from other organisations.
- Compliance with cat containment will be improved through providing community members with information on cat containment methods and the health and environmental benefits for contained cats.
- Value of regulatory and enforcement efforts will be improved with a structured compliance procedure. Council officers will employ a range of mechanisms to ensure effective enforcement is undertaken in accordance with the law.
- Compliance with cat containment will be improved by providing community members with information on consequences of non-compliance with Darwin City Council By-Laws 1994, By-law 67 and the cat containment policy.
- The cat containment compliance and enforcement campaign will be periodically reviewed to ensure effective allocation of resources into achieving compliance. This will examine the efficacy of education and awareness versus regulation and enforcement.

The campaign will have greatest environmental effect where applied to new developments within the Darwin municipality identified as adjoining areas of ecological significance.

- Mechanisms to determine ecological significance of an area:
 - The Northern Territory Environment Protection Authority (NT EPA) is responsible for environmental impact assessments in the NT. The assessments look closely at proposed developments that may cause significant environmental impact. Environmental impact assessment projects are published on the NT EPA website.
 - The Department of Land Resource Management have identified the most important sites for biodiversity conservation that need further protecting. A list of sites of conservation significance may be found on the Northern Territory Government website.
 - Declared conservation areas under the Territory Parks and Wildlife Conservation Act.

STRATEGIC ENVIRONMENT

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

Goal

6 Governance Framework

Outcome

6.3 Decision Making and Management

Key Strategies

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LEGISLATIVE/POLICY

Each Council Policy is required to be reviewed once in the term of each Council. The existing Council Policy No. 001, Animal Management - General was adopted in April 2019 and will be superseded by the updated policy once endorsed.

CONSULTATION**Internal**

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

- Animal Policy and Education Officer
- Executive Manager Leisure & Regulatory Services
- External

Nil

BUDGET/RESOURCE IMPLICATIONS

The proposed Cat Containment Compliance and Enforcement Campaign would be funded through existing operational budget as part of the Great Pets Starts with You marketing campaign.

RISK

Nil

LEGAL

Compliance and Enforcement actions are undertaken in accordance with legislation and under the authority provided through the Local Government Act and City of Darwin By-laws.

ARTS, CULTURE & ENVIRONMENT

The positive environmental implications of cat containment, both to the natural environment and community, are significant and include:

- Reduction of cat predation of native wildlife.
- Improvement of domestic cat health by reducing injuries from encountering other cats, dogs or on roads.
- Improvement of domestic cat health by reducing the contamination and spread of various diseases between cats, other animals and people.
- Improvement of community amenity by the reduction of nuisance behaviours such as defecation, urination, attacks on domestic pets, noise at night and fighting.



DRAFT ANIMAL MANAGEMENT - GENERAL Policy No. 001

1 Purpose

The purpose of the policy is to provide a proactive, responsive, evolving approach to animal management that is consistent with Council's Dog and Cat Management Strategy 2018-2022. This policy will provide direction in the application of Council's By-Laws relating to animal management, being Part 3 of the Darwin City Council By-laws (the **Animal Management By-Laws**).

This policy provides the framework to address:

- Safety
- Responsible Pet Ownership
- Registration, Licencing and De-sexing
- Nuisance Behaviours
- Dog Attacks
- Animals in Public Places
- Pound Operations

2 Scope

Animal management is an important function of the City of Darwin. The Council's objective is to continue to evolve and be responsive in its regulatory approach while it supports and encourages responsible dog and cat ownership.

Council has endorsed the Dog and Cat Management Strategy 2018-2022 to establish clear guidelines for the management of Council's Animal Management By-Laws and policies.

3 Policy Statement

This policy relates to the activities undertaken in accordance with legislation or Council policy and relates to enforcement of animal management requirements. The policy ensures that Council's Animal Management approach to enforcement practices are lawful, safe, fair, practical, educational and consistent.

3.1 Safety

Community safety is a priority for Council and the Animal Management By-Laws are designed to ensure a safe community for all members. Council provides regulation and management of dogs and cats to ensure public safety. Council has authority and will, when appropriate, enforce By-Laws to remedy or mediate any threats involving these animals.

Council Policy No. 001 - ANIMAL MANAGEMENT - GENERAL				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager Community and Regulatory Services	Next Review Date
1	20/2501	23/02/10		

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DRAFT ANIMAL MANAGEMENT - GENERAL Policy No. 001

Council provides an emergency after-hours service at all times for dog attacks or dogs acting aggressively. Council also provides an out-of-hours service until 10pm to collect animals that have been contained on premises other than those where they are usually kept.

3.2 Responsible Pet Ownership

There are many social, health and companionship benefits to owning pets. However pet owners need to be aware of their responsibilities to ensure their pets are cared for appropriately, are controlled in public places and do not adversely impact on others.

Responsible dog and cat owners need to ensure that:

- their animals have adequate food, shelter and water at all times
- they can meet the ongoing costs associated in caring for their animals such as vaccinations and maintenance of health and welfare
- their animals are registered and microchipped
- their animals are not at large in the municipality
- they provide regular exercise and appropriate obedience training which will help meet their dog's social needs
- they are aware of the Animal Management By-Laws and Northern Territory Animal Welfare Act
- they maintain effective control of their animals at all times

3.3 Registration, Licencing and De-sexing

3.3.1 Registration

Registration assists Council in identifying dogs and cats and their owners, returning lost pets quickly and provides Council with statistics to inform future planning so that animals and their owners can benefit from having outdoor space to exercise and enjoy activities.

Dogs and cats that are over three (3) months of age, or otherwise have been in Darwin for one (1) month, are required to be registered with Council and microchipped. Owners will be provided with a Council identification number tag to be fitted to their animal.

Electronic Subcutaneous Implant (microchip) – Registration Requirement
Pursuant to By-law 56 (4) of the Animal Management By-laws Council may refuse to register dogs and cats over the age of three months and a Declared Dog (Category 1) if the animal is not fitted with an approved permanent electronic subcutaneous implant.

Council Policy No. 001 - ANIMAL MANAGEMENT - GENERAL				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager Community and Regulatory Services	Next Review Date
1	20/2501	23/02/10		

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DRAFT ANIMAL MANAGEMENT - GENERAL Policy No. 001

Number of Dogs Allowed

From 1 July 2019, pursuant to By-law 58 (1) of the Animal Management By-Laws, the number of dogs, declared dogs, class of dogs per premises shall be two (2), excluding those dogs registered as at 30 June 2019.

Number of Cats Allowed

From 1 July 2019, pursuant to By-law 58 (1) of the Animal Management By-Laws, the number of cats or class of cats per premises shall be two (2), excluding those cats registered as at 30 June 2019.

Fees

Council has annual, five (5) year and lifetime registration fee options. Where a dog or cat is de-sexed in the first six months of registration the registration fee may be refunded on a pro-rata basis.

Council provides concessions for pensioners, totally and permanently incapacitated gold card holders and members of Dogs NT or the Cat Association NT.

Council subsidises the registration for dogs and cats that have been desexed, and will waive the first year's registration for a desexed dog that is under 12 months of age.

Council will allow refunds for the following categories of registration:

- *Annual Registration* - Where a registered dog or cat dies or leaves the municipality in the first six months of registration for the financial year, registration fees may be refunded on a pro-rata basis.
- *Five (5) Years Registration* - Where a registered dog or cat dies or leaves the municipality in the first two and half (2.5) years of registration, registration fees may be refunded on a pro-rata basis.
- *Life Time Registration* - Where a registered dog or cat dies or leaves the municipality in the first five (5) years of registration, registration fees may be refunded on a pro-rata basis.

Any request for a refund on a pro-rata basis must be in writing from the registered owner.

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3.3.2 *Licences to Keep More Than Two (2) Dogs and or Cats on Premises*

Pursuant to By-law 58 (1) of the Animal Management By-laws Council has determined the number of:

- dogs, declared dogs, class of dogs, or
- cats or class of cats

that may be kept at premises within the municipality without a licence shall be two (2).

Licences may be issued for exemption from this provision; however, licences will only be granted following a thorough assessment that includes:

- An inspection of the property to consider:
 - the size of the property (minimum lot size 400m²)
 - whether the fence is adequate to contain the animals
 - an overall assessment of the premises as a suitable environment for the number of animals proposed to be kept at the premises
-
- Consultation with adjoining neighbours and surrounding properties
- Complaint history including consideration of any previous breach by or substantiated complaint against the owner under the Animal Management By-laws
- Consideration of animals' species, breed and temperament

In addition, Council will only consider new licence applications where:

- the number of dogs at the relevant residential premises does not exceed three (3)
- the number of cats at the relevant residential premises does not exceed three (3)
- the total number of animals (dogs and cats) at the relevant residential premises does not exceed four (4)

Where a licence to keep more than two (2) dogs or cats has been issued for the financial year and is no longer required within the first six months of issue, the licence fee may be refunded on a pro-rata basis.

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3.3.3 Desexing

Desexing cats and dogs provides the most effective strategy to eliminate unwanted, unplanned, uncared for or unowned animals. Council encourages responsible pet ownership through delivering subsidised desexing/registration events and providing registration fee concessions for dogs and cats that are de-sexed.

3.4 Nuisance Behaviours

By-law 71 of the Animal Management By-laws defines nuisance behaviours of a dog. Council will investigate nuisance behaviours, and if a dog is found to be a nuisance, the owner of the dog commits an offence. The owner may be issued with a notice to have the dog complete specified training or an order requiring the owner to prevent the nuisance behaviour from reoccurring.

3.4.1 Barking

Dogs that are habitual barkers can adversely affect the amenity of the neighbourhood and can be a nuisance to neighbours. If a barking complaint is received by Council, an authorised officer will undertake an investigation to gather sufficient evidence to confirm whether the barking is causing a nuisance.

As a general rule, Council will undertake a nuisance barking investigation where:

- barking exceeds three (3) minutes in any 30 minute period between 10pm and 7am the following morning
- barking exceeds six (6) minutes in any hour period between 7am and 10pm that day.

As a general rule, Council will not undertake a nuisance barking investigation where barking has occurred due to the following circumstances:

- emergency vehicle sirens
- fireworks
- storms in the neighbourhood
- mail delivery person
- uninvited person on premises
- peak hours of foot traffic e.g. school open and closure times
- enticement of a dog through physical or verbal abuse

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3.4.2 *Fence Rushing/Fighting*

Some dogs fence rush and fence fight while other dogs cannot resist rushing and barking at movement outside their property. Fence rushing behaviour can be caused by a lack of or over-stimulation, frustration, or a display of overly territorial behaviour simply when someone or something approaches or walks past the property. Fence rushing/fighting is a behaviour that is usually learned and it is the responsibility of the dog owner to correct this behaviour before it becomes a nuisance.

Dogs that habitually fence rush or fight may be investigated for a level 2 dog attack or as a dog causing a nuisance.

3.4.3 *Other Nuisance Behaviour*

By-law 71 of the Animal Management By-laws prescribes other nuisance behaviour including being habitually at large, being offensive or endangering the health of a person or animal or causing damage to anything outside of the premises where the dog is usually kept.

Council officers seek to balance the needs of the complainant, the needs of the animal owner, the welfare of the animals involved and the requirements of the By-Laws.

If, through carrying out an investigation, no nuisance behaviour is substantiated, a further investigation for that property will not be undertaken unless there is a significant change in circumstances.

3.5 *Dog Attacks*

3.5.1 *Dog Attacks*

The Animal Management By-laws define two (2) levels of dog attack.

- *Level 1 Attack* - The dog bites, or holds a person or animal in its mouth, whether or not the holding is accompanied by biting, shaking, pulling or pushing or the person or animal suffers any injury, physical or otherwise.
- *Level 2 Attack* - The dog approaches, chases, menaces, harasses or rushes at a person or animal in a manner endangering or causing fear, alarm or distress to the person or animal. This may include some cases where a dog rushes a fence as pedestrians go by and there is a perceived risk of an attack.

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If a dog commits an attack, the owner of that dog or the person in control of the dog at the time of the offence may be guilty of an offence. The owner of the dog may be prosecuted and fined.

3.5.2 *Declared Dogs Register*

Council maintains a declared dog register which records the details of dogs that have committed certain offences and the details of the owner of the dog pursuant to By-Law 55 of the Animal Management By-laws.

Council will control all dangerous dogs through the existing By-Law provisions rather than banning a particular breed of dogs.

An authorised officer may declare a dog that has committed a Level 1 Attack, either under the Animal Management By-Laws or prior to being relocated to the municipality, to be a Declared Dog (Category 1).

An authorised officer may declare a dog that has committed a Level 2 Attack, either under the Animal Management By-Laws or prior to being relocated to the municipality, to be a Declared Dog (Category 2).

An authorised officer may declare a dog that has committed an offence under the Animal Management By-Laws to be a Declared Dog (Category 3).

A dog that is placed on the declared dog register will have additional conditions placed on its registration. These conditions relate to the dog's care and control. The conditions applicable to Declared Dog (Category 1), Declared Dog (Category 2) and Declared Dog (Category 3) respectively are set out in the Schedule to this Policy.

In addition, Council will refuse to register a Declared Dog (Category 1) and a Declared Dog (Category 2) unless the owner of the dog has:

- arranged for the dog to be fitted with an approved permanent electronic subcutaneous device;
- erected signage on each of the premises at which the dog is usually or regularly kept, with the words "Warning Dangerous Dog" clearly visible and legible from the boundaries of the property; and
- notified Council of the address of the premises where the dog is usually kept (unless the address is the same as the address under which the dog is currently registered).

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The owner of a declared dog may apply to Council to revoke the registration; and the Council may revoke the registration or refuse the application.

3.6 Animals in Public Places

There are many suitable on-leash and off-leash exercise areas in the Darwin municipality, including the dog park in the suburb of Muirhead, where owners can exercise their animals.

There are also some areas within the Darwin municipality where owners cannot take their dogs. There is a number of reasons why Council may declare an area to be restricted, including concerns for public health, safety and environment protection.

3.6.1 Dog Exercise Areas

Pursuant to By-Law 62 (1) of the Animal Management By-laws, Council has declared all parks, ovals, reserves, gardens and beaches under Council's care and control, with the exception of East Point Reserve, Gardens Oval One and Nightcliff Oval, as declared dog exercise areas.

Conditions for the use of these areas are:

- In exercise areas, dogs shall be accompanied by the owner
- In exercise areas, dogs are required to be restrained by a lead if:
 - organised sporting activities are in progress
 - the dog is being exercised on or within 10 metres of a shared path
- Female dogs in oestrus are not permitted in exercise areas
- In exercise areas, dogs will not contravene any provisions of the Animal Management By-laws
- Owners must act in accordance with any signs relevant to particular areas.

3.6.2 Dog Restriction Areas

Pursuant to By-Law 62 (2) of the Animal Management By-laws, Council has declared the following areas to be dog restriction areas:

- East Point Reserve from the area bounded by the entry gateway and Lake Alexander perimeter fencing, including the beach area, is a dog restriction area at all times. Guide dogs are permitted.

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- **The Mall:** The Mall is a dog restriction area at all times for members of the public walking with their animals. Guide dogs are permitted.
- **Markets Areas:** The Mindil, Nightcliff, Parap, Malak and Rapid Creek markets whilst operating are dog restriction areas. Guide dogs are permitted.
- **Playgrounds:** All playgrounds and the area within 10 metres of any playground are dog restriction areas. Guide dogs are permitted.
- **Barbeques:** All public BBQs and the area within 10 metres of any public BBQ are dog restriction areas. Guide dogs are permitted.
- **Ovals:** The playing surface at Gardens Oval One and Nightcliff Oval are dog restriction areas at all times. Guide dogs are permitted.

3.6.3 *At Large*

Dogs and cats are required to be under effective control at all times in a place other than its usual home. If a dog or cat at large is not under effective control then, pursuant to By-Law 67 of the Animal Management By-laws, the owner commits an offence. A dog or cat is under effective control if it is restrained by a suitable leash.

In the case of dogs, the leash must either be held by a person who is competent to restrain the dog or otherwise prevents the dog from breaking free.

A dog is also considered under effective control when it is off-leash in a dog exercise area, provided that:

- the dog is immediately responsive to a voice command of its owner;
- the dog is not a female dog in oestrus; and
- the owner is carrying a suitable leash.

3.6.4 *Containment of a Dog*

Pursuant to By-Law 66A of the Animal Management By-Laws, an owner must not keep a dog that is not properly contained on a property. A dog is properly contained if it is:

- kept within a fenced area from which the dog is unable to escape; or

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- kept inside a building or other enclosure from which the dog is unable to escape; or
- enclosed in or restrained by a suitable leash in or upon a vehicle in a manner in which no part of the dog protrudes from the vehicle.

Permanent tethering is not considered by Council to be a suitable means of properly containing a dog. The owner of a dog that is not properly contained commits an offence.

3.6.5 *Containment of a Cat*

Cat containment promotes responsible pet ownership by supporting cat health and reducing the negative impacts of domestic cats on the natural environment. Cat containment is of particular importance in areas identified as ecologically significant.

Council will promote awareness regarding the requirement for cat containment through education campaigns and providing information for owners during the cat registration process.

Cats must be contained within the property boundary of the premises where the cat is usually kept, unless the cat is under effective control. A cat is under effective control, outside the property boundary, if it is restrained by a suitable leash.

If a cat is not contained within the property boundary, and is not under effective control, then, pursuant to By-Law 67 of the Animal Management By-laws, the owner commits an offence.

Council will undertake targeted cat trapping programs, seize and impound cats that are at large, and not contained within the property boundary of the premises where the cat is usually kept.

3.6.6 *Dogs and Motor Vehicles*

Pursuant to By-law 70 of the Animal Management By-Laws, an owner must not allow a dog to chase a motor vehicle. The owner of a dog that chases a vehicle commits an offence.

3.6.7 *Abandonment*

Pursuant to By-law 72 of the Animal Management By-Laws, a person must not deliberately leave or abandon a dog in the municipality. A person who abandons a dog in the municipality commits an offence.

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3.6.8 *Dogs Defecating*

An owner or the person in control of a dog must carry a receptacle to collect the dog's faeces whenever they are walking or exercising their dog in a public place.

The owner or the person in control of the dog at the time the dog defecates, either in a public place or on property not owned or occupied by the dog owner, must immediately remove and dispose of the faeces in a manner that is not offensive to another person.

3.7 Pound Operations

Dogs or cats that are at large, which are unregistered or unidentified, are impounded. Registered dogs or cats that are at large and where the owner cannot be contacted are impounded.

Pursuant to By-Law 80 of the Animal Management By-laws, Council has determined that where dogs or cats have been impounded for four (4) working days, the pound manager may after that time arrange for the rehoming or otherwise humane destruction of the dog or cat.

An animal that is impounded may not be released unless the animal is registered and the appropriate release fees are paid.

A registered owner who is served with a notice of impoundment must collect their dog or cat from the pound. Failure to respond to a notice of impoundment is a regulatory offence.

4 Definitions

Authorised officer means a person who is authorised by an Act, Regulation or By-Law to exercise prescribed powers and includes an authorised person appointed by Council under section 112 of the Local Government Act.

Council means City of Darwin.

animals means dogs and cats.

guide dogs means a dog trained by a guide dog training institution recognised by the Council and used as a guide by a person who is wholly or partially blind or deaf.

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5 Legislative References

Part 3 (Animal Management) City of Darwin By-Laws
Northern Territory Animal Welfare Act

6 Procedures / Related Documents

City of Darwin Policy No 026 - Complaints Handlings and Review of Decisions
City of Darwin Policy No 032 - Policy and Procedures Framework
City of Darwin Policy No 047 - Regulatory – Miscellaneous
City of Darwin Policy No 033 - Privacy Policy
City of Darwin Dog and Cat Management Strategy 2018-2022

7 Responsibility / Application

The Council, Chief Executive Officer and General Manager Community and Regulatory Services are responsible for ensuring that this Policy is adhered to and understood.

The Executive Manager Leisure and Regulatory Services is accountable for maintaining the currency and accuracy of this policy, associated procedures and guidelines.

Regulatory Services will enforce compliance activities within the Darwin municipality in line with this Policy.

This Policy will be reviewed once per term of Council or in response to significant changes in legislation or other circumstances which affect its effectiveness and validity.

8 Document Control

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Schedule - Conditions of Registration

Declared Dog (Category 1)

The conditions are that the owner of the dog must:

- Ensure the dog is not at any time under the sole charge of a person under the age of 17;
- ensure the dog is controlled by a suitable leash at all times when:
 - outside the premises where the dog is usually kept; or
 - kept on premises that are not fenced in the manner approved by the Council;
- place a muzzle on the dog at all times when it is outside the premises where it is usually kept;
- inform a prospective purchaser or owner of the dog that it is a Declared Dog (Category 1);
- not sell or give the dog to a person under the age of 17;
- if ownership of the dog is transferred – notify the Council of the name and address of the new owner within 24 hours after the transfer;
- if the premises where the dog is usually kept changes – notify the Council of the new address within 7 days after the change;
- if the owner intends to keep the dog at a different location to the premises where the dog is usually kept for a period exceeding 14 days – notify the Council of the new address within 24 hours after the relocation;
- if the dog attacks, or is alleged to have attacked, a person or animal – notify the Council of the attack, or alleged attack, within 24 hours after the attack or the owner is made aware of the alleged attack;
- if the dog is missing – notify the Council within 24 hours after the owner becomes aware of the dog's absence;
- if the dog has died – notify the council within 14 days after its death; and comply with any other conditions imposed by the Council.

Declared Dog (Category 2)

The conditions are that the owner of the dog must:

- Ensure the dog is not at any time under the sole charge of a person under the age of 17;
- ensure the dog is controlled by a suitable leash at all times when:
 - outside the premises where the dog is usually kept; or
 - kept on premises that are not fenced in the manner approved by the Council;

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- inform a prospective purchaser or owner of the dog that it is a Declared Dog (Category 2);
- not sell or give the dog to a person under the age of 17;
- if ownership of the dog is transferred – notify the Council of the name and address of the new owner within 24 hours after the transfer;
- if the premises where the dog is usually kept changes – notify the Council of the new address within 7 days after the change;
- if the owner intends to keep the dog at a different location to the premises where the dog is usually kept for a period exceeding 14 days – notify the Council of the new address within 24 hours after the relocation;
- if the dog is missing – notify the Council within 24 hours after the owner becomes aware of the dog's absence;
- if the dog has died – notify the council within 14 days after its death; and
- comply with any other conditions imposed by the Council.

Declared Dog (Category 3)

The conditions are that the owner of the dog must:

- Ensure the dog is controlled by a suitable leash at all times when kept on property that is not fenced in the manner approved by the Council;
- notify a prospective purchaser or owner of the dog that it is a Declared Dog (Category 3);
- if the premises where the dog is usually kept changes – notify the Council of the new address within 7 days after the change;
- if the owner intends to keep the dog at a different location to the premises where the dog is usually kept for a period exceeding 14 days – notify the Council of the new address within 24 hours after the relocation;
- if the dog has died – notify the council within 14 days after its death; and
- comply with any other conditions imposed by the Council.

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1 Purpose

The purpose of the policy is to provide a proactive, responsive, evolving approach to animal management that is consistent with Council's Dog and Cat Management Strategy 2018-2022. This policy will provide direction in the application of Council's By-Laws relating to animal management, being Part 3 of the Darwin City Council By-laws (the **Animal Management By-Laws**).

This policy provides the framework to address:

- Safety
- Responsible Pet Ownership
- Registration, Licencing and De-sexing
- Nuisance Behaviours
- Dog Attacks
- Animals in Public Places
- Pound Operations

2 Scope

Animal management is an important function of the City of Darwin. The Council's objective is to continue to evolve and be responsive in its regulatory approach while it supports and encourages responsible dog and cat ownership.

Council has endorsed the Dog and Cat Management Strategy 2018-2022 to establish clear guidelines for the management of Council's Animal Management By-Laws and policies.

3 Policy Statement

This policy relates to the activities undertaken in accordance with legislation or Council policy and relates to enforcement of animal management requirements. The policy ensures that Council's Animal Management approach to enforcement practices are lawful, safe, fair, practical, educational and consistent.

3.1 Safety

Community safety is a priority for Council and the Animal Management By-Laws are designed to ensure a safe community for all members. Council provides regulation and management of dogs and cats to ensure public safety. Council has authority and will, when appropriate, enforce By-Laws to remedy or mediate any threats involving these animals.

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Council provides an emergency after-hours service at all times for dog attacks or dogs acting aggressively. Council also provides an out-of-hours service until 10pm to collect animals that have been contained on premises other than those where they are usually kept.

3.2 Responsible Pet Ownership

There are many social, health and companionship benefits to owning pets. However pet owners need to be aware of their responsibilities to ensure their pets are cared for appropriately, are controlled in public places and do not adversely impact on others.

Responsible dog and cat owners need to ensure that:

- their animals have adequate food, shelter and water at all times
- they can meet the ongoing costs associated in caring for their animals such as vaccinations and maintenance of health and welfare
- their animals are registered and microchipped
- their animals are not at large in the municipality
- they provide regular exercise and appropriate obedience training which will help meet their dog's social needs
- they are aware of the Animal Management By-Laws and Northern Territory Animal Welfare Act
- they maintain effective control of their animals at all times

3.3 Registration, Licencing and De-sexing

3.3.1 Registration

Registration assists Council in identifying dogs and cats and their owners, returning lost pets quickly and provides Council with statistics to inform future planning so that animals and their owners can benefit from having outdoor space to exercise and enjoy activities.

Dogs and cats that are over three (3) months of age, or otherwise have been in Darwin for one (1) month, are required to be registered with Council and microchipped. Owners will be provided with a Council identification number tag to be fitted to their animal.

Electronic Subcutaneous Implant (microchip) – Registration Requirement
Pursuant to By-law 56 (4) of the Animal Management By-laws Council may refuse to register dogs and cats over the age of three months and a Declared Dog (Category 1) if the animal is not fitted with an approved permanent electronic subcutaneous implant.

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Number of Dogs Allowed

From 1 July 2019, pursuant to By-law 58 (1) of the Animal Management By-Laws, the number of dogs, declared dogs, class of dogs per premises shall be two (2), excluding those dogs registered as at 30 June 2019.

Number of Cats Allowed

From 1 July 2019, pursuant to By-law 58 (1) of the Animal Management By-Laws, the number of cats or class of cats per premises shall be two (2), excluding those cats registered as at 30 June 2019.

Fees

Council has annual, five (5) year and lifetime registration fee options. Where a dog or cat is de-sexed in the first six months of registration the registration fee may be refunded on a pro-rata basis.

Council provides concessions for pensioners, totally and permanently incapacitated gold card holders and members of Dogs NT or the Cat Association NT.

Council subsidises the registration for dogs and cats that have been desexed, and will waive the first year's registration for a desexed dog that is under 12 months of age.

Council will allow refunds for the following categories of registration:

- *Annual Registration* - Where a registered dog or cat dies or leaves the municipality in the first six months of registration for the financial year, registration fees may be refunded on a pro-rata basis.
- *Five (5) Years Registration* - Where a registered dog or cat dies or leaves the municipality in the first two and half (2.5) years of registration, registration fees may be refunded on a pro-rata basis.
- *Life Time Registration* - Where a registered dog or cat dies or leaves the municipality in the first five (5) years of registration, registration fees may be refunded on a pro-rata basis.

Any request for a refund on a pro-rata basis must be in writing from the registered owner.

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3.3.2 *Licences to Keep More Than Two (2) Dogs and or Cats on Premises*

Pursuant to By-law 58 (1) of the Animal Management By-laws Council has determined the number of:

- dogs, declared dogs, class of dogs, or
- cats or class of cats

that may be kept at premises within the municipality without a licence shall be two (2).

Licences may be issued for exemption from this provision; however, licences will only be granted following a thorough assessment that includes:

- An inspection of the property to consider:
 - the size of the property (minimum lot size 400m²)
 - whether the fence is adequate to contain the animals
 - an overall assessment of the premises as a suitable environment for the number of animals proposed to be kept at the premises
- Consultation with adjoining neighbours and surrounding properties
- Complaint history including consideration of any previous breach by or substantiated complaint against the owner under the Animal Management By-laws
- Consideration of animals' species, breed and temperament

In addition, Council will only consider new licence applications where:

- the number of dogs at the relevant residential premises does not exceed three (3)
- the number of cats at the relevant residential premises does not exceed three (3)
- the total number of animals (dogs and cats) at the relevant residential premises does not exceed four (4)

Where a licence to keep more than two (2) dogs or cats has been issued for the financial year and is no longer required within the first six months of issue, the licence fee may be refunded on a pro-rata basis.

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3.3.3 Desexing

Desexing cats and dogs provides the most effective strategy to eliminate unwanted, unplanned, uncared for or unowned animals. Council encourages responsible pet ownership through delivering subsidised desexing/registration events and providing registration fee concessions for dogs and cats that are de-sexed.

3.4 Nuisance Behaviours

By-law 71 of the Animal Management By-laws defines nuisance behaviours of a dog. Council will investigate nuisance behaviours, and if a dog is found to be a nuisance, the owner of the dog commits an offence. The owner may be issued with a notice to have the dog complete specified training or an order requiring the owner to prevent the nuisance behaviour from reoccurring.

3.4.1 Barking

Dogs that are habitual barkers can adversely affect the amenity of the neighbourhood and can be a nuisance to neighbours. If a barking complaint is received by Council, an authorised officer will undertake an investigation to gather sufficient evidence to confirm whether the barking is causing a nuisance.

As a general rule, Council will undertake a nuisance barking investigation where:

- barking exceeds three (3) minutes in any 30 minute period between 10pm and 7am the following morning
- barking exceeds six (6) minutes in any hour period between 7am and 10pm that day.

As a general rule, Council will not undertake a nuisance barking investigation where barking has occurred due to the following circumstances:

- emergency vehicle sirens
- fireworks
- storms in the neighbourhood
- mail delivery person
- uninvited person on premises
- peak hours of foot traffic e.g. school open and closure times
- enticement of a dog through physical or verbal abuse

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3.4.2 Fence Rushing/Fighting

Some dogs fence rush and fence fight while other dogs cannot resist rushing and barking at movement outside their property. Fence rushing behaviour can be caused by a lack of or over-stimulation, frustration, or a display of overly territorial behaviour simply when someone or something approaches or walks past the property. Fence rushing/fighting is a behaviour that is usually learned and it is the responsibility of the dog owner to correct this behaviour before it becomes a nuisance.

Dogs that habitually fence rush or fight may be investigated for a level 2 dog attack or as a dog causing a nuisance.

3.4.3 Other Nuisance Behaviour

By-law 71 of the Animal Management By-laws prescribes other nuisance behaviour including being habitually at large, being offensive or endangering the health of a person or animal or causing damage to anything outside of the premises where the dog is usually kept.

Council officers seek to balance the needs of the complainant, the needs of the animal owner, the welfare of the animals involved and the requirements of the By-Laws.

If, through carrying out an investigation, no nuisance behaviour is substantiated, a further investigation for that property will not be undertaken unless there is a significant change in circumstances.

3.5 Dog Attacks

3.5.1 Dog Attacks

The Animal Management By-laws define two (2) levels of dog attack.

- **Level 1 Attack** - The dog bites, or holds a person or animal in its mouth, whether or not the holding is accompanied by biting, shaking, pulling or pushing or the person or animal suffers any injury, physical or otherwise.
- **Level 2 Attack** - The dog approaches, chases, menaces, harasses or rushes at a person or animal in a manner endangering or causing fear, alarm or distress to the person or animal. This may include some cases where a dog rushes a fence as pedestrians go by and there is a perceived risk of an attack.

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If a dog commits an attack, the owner of that dog or the person in control of the dog at the time of the offence may be guilty of an offence. The owner of the dog may be prosecuted and fined.

3.5.2 Declared Dogs Register

Council maintains a declared dog register which records the details of dogs that have committed certain offences and the details of the owner of the dog pursuant to By-Law 55 of the Animal Management By-laws.

Council will control all dangerous dogs through the existing By-Law provisions rather than banning a particular breed of dogs.

An authorised officer may declare a dog that has committed a Level 1 Attack, either under the Animal Management By-Laws or prior to being relocated to the municipality, to be a Declared Dog (Category 1).

An authorised officer may declare a dog that has committed a Level 2 Attack, either under the Animal Management By-Laws or prior to being relocated to the municipality, to be a Declared Dog (Category 2).

An authorised officer may declare a dog that has committed an offence under the Animal Management By-Laws to be a Declared Dog (Category 3).

A dog that is placed on the declared dog register will have additional conditions placed on its registration. These conditions relate to the dog's care and control. The conditions applicable to Declared Dog (Category 1), Declared Dog (Category 2) and Declared Dog (Category 3) respectively are set out in the Schedule to this Policy.

In addition, Council will refuse to register a Declared Dog (Category 1) and a Declared Dog (Category 2) unless the owner of the dog has:

- arranged for the dog to be fitted with an approved permanent electronic subcutaneous device;
- erected signage on each of the premises at which the dog is usually or regularly kept, with the words "Warning Dangerous Dog" clearly visible and legible from the boundaries of the property; and
- notified Council of the address of the premises where the dog is usually kept (unless the address is the same as the address under which the dog is currently registered).

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The owner of a declared dog may apply to Council to revoke the registration; and the Council may revoke the registration or refuse the application.

3.6 Animals in Public Places

There are many suitable on-leash and off-leash exercise areas in the Darwin municipality, including the dog park in the suburb of Muirhead, where owners can exercise their animals.

There are also some areas within the Darwin municipality where owners cannot take their dogs. There is a number of reasons why Council may declare an area to be restricted, including concerns for public health, safety and environment protection.

3.6.1 Dog Exercise Areas

Pursuant to By-Law 62 (1) of the Animal Management By-laws, Council has declared all parks, ovals, reserves, gardens and beaches under Council's care and control, with the exception of East Point Reserve, Gardens Oval One and Nightcliff Oval, as declared dog exercise areas.

Conditions for the use of these areas are:

- In exercise areas, dogs shall be accompanied by the owner
- In exercise areas, dogs are required to be restrained by a lead **if**:
 - organised sporting activities are in progress
 - the dog is being exercised on or within 10 metres of a shared path
- Female dogs in oestrus are not permitted in exercise areas
- In exercise areas, dogs will not contravene any provisions of the Animal Management By-laws
- Owners must act in accordance with any signs relevant to particular areas.

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3.6.2 Dog Restriction Areas

Pursuant to By-Law 62 (2) of the Animal Management By-laws, Council has declared the following areas to be dog restriction areas:

- East Point Reserve from the area bounded by the entry gateway and Lake Alexander perimeter fencing, including the beach area, is a dog **restriction** area at all times. Guide dogs are permitted.

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- The Mall: The Mall is a **dog restriction** area at all times for members of the public walking with their animals. Guide dogs are permitted.
- Markets Areas: The Mindil, Nightcliff, Parap, Malak and Rapid Creek markets whilst operating are dog **restriction** areas. Guide dogs are permitted.
- Playgrounds: All playgrounds and the area within 10 metres of any playground are dog **restriction** areas. Guide dogs are permitted.
- Barbeques: All public BBQs and the area within 10 metres of any public BBQ are dog **restriction** areas. Guide dogs are permitted.
- Ovals: The playing surface at Gardens Oval One and Nightcliff Oval are dog **restriction** areas at all times. Guide dogs are permitted.

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3.6.3 At Large

Dogs and cats are required to be under effective control at all times in a place other than its usual home. If a dog or cat at large is not under effective control then, pursuant to By-Law 67 of the Animal Management By-laws, the owner commits an offence. A dog or cat is under effective control if it is restrained by a suitable leash.

In the case of dogs, the leash must either be held by a person who is competent to restrain the dog or otherwise prevents the dog from breaking free.

A dog is also considered under effective control when it is off-leash in a dog exercise area, provided that:

- the dog is immediately responsive to a voice command of its owner;
- the dog is not a female dog in oestrus; and
- the owner is carrying a suitable leash.

3.6.4 Containment of a Dog

Pursuant to By-Law 66A of the Animal Management By-Laws, an owner must not keep a dog that is not properly contained on a property. A dog is properly contained if it is:

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- kept within a fenced area from which the dog is unable to escape; or
- kept inside a building or other enclosure from which the dog is unable to escape; or
- enclosed in or restrained by a suitable leash in or upon a vehicle in a manner in which no part of the dog protrudes from the vehicle.

Permanent tethering is not considered by Council to be a suitable means of properly containing a dog. The owner of a dog that is not properly contained commits an offence.

3.6.5 Containment of a Cat

Cat containment promotes responsible pet ownership by supporting cat health and reducing the negative impacts of domestic cats on the natural environment. Cat containment is of particular importance in areas identified as ecologically significant.

Council will promote awareness regarding the requirement for cat containment through education campaigns and providing information for owners during the cat registration process.

Cats must be contained within the property boundary of the premises where the cat is usually kept, unless the cat is under effective control. A cat is under effective control, outside the property boundary, if it is restrained by a suitable leash.

If a cat is not contained within the property boundary, and is not under effective control, then, pursuant to By-Law 67 of the Animal Management By-laws, the owner commits an offence.

Council will undertake targeted cat trapping programs, seize and impound cats that are at large, and not contained within the property boundary of the premises where the cat is usually kept.

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3.6.6 Dogs and Motor Vehicles

Pursuant to By-law 70 of the Animal Management By-Laws, an owner must not allow a dog to chase a motor vehicle. The owner of a dog that chases a vehicle commits an offence.

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3.6.7. **Abandonment**

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Pursuant to By-law 72 of the Animal Management By-Laws, a person must not deliberately leave or abandon a dog in the municipality. A person who abandons a dog in the municipality commits an offence.

3.6.8. **Dogs Defecating**

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An owner or the person in control of a dog must carry a receptacle to collect the dog's faeces whenever they are walking or exercising their dog in a public place.

The owner or the person in control of the dog at the time the dog defecates, either in a public place or on property not owned or occupied by the dog owner, must immediately remove and dispose of the faeces in a manner that is not offensive to another person.

3.7 Pound Operations

Dogs or cats that are at large, which are unregistered or unidentified, are impounded. Registered dogs or cats that are at large and where the owner cannot be contacted are impounded.

Pursuant to By-Law 80 of the Animal Management By-laws, Council has determined that where dogs or cats have been impounded for four (4) working days, the pound manager may after that time arrange for the rehoming or otherwise humane destruction of the dog or cat.

An animal that is impounded may not be released unless the animal is registered and the appropriate release fees are paid.

A registered owner who is served with a notice of impoundment must collect their dog or cat from the pound. Failure to respond to a notice of impoundment is a regulatory offence.

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4 Definitions

Authorised officer means a person who is authorised by an Act, Regulation or By-Law to exercise prescribed powers and includes an authorised person appointed by Council under section 112 of the Local Government Act.

Council means City of Darwin.

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animals means dogs and cats.

guide dogs means a dog trained by a guide dog training institution recognised by the Council and used as a guide by a person who is wholly or partially blind or deaf.

5 Legislative References

Part 3 (Animal Management) City of Darwin By-Laws
Northern Territory Animal Welfare Act

6 Procedures / Related Documents

City of Darwin Policy No 026 - Complaints Handlings and Review of Decisions
City of Darwin Policy No 032 - Policy and Procedures Framework
City of Darwin Policy No 047 - Regulatory – Miscellaneous
City of Darwin Policy No 033 - Privacy Policy
City of Darwin Dog and Cat Management Strategy 2018-2022

7 Responsibility / Application

The Council, Chief Executive Officer and General Manager Community and Regulatory Services are responsible for ensuring that this Policy is adhered to and understood.

The Executive Manager Leisure and Regulatory Services is accountable for maintaining the currency and accuracy of this policy, associated procedures and guidelines.

Regulatory Services will enforce compliance activities within the Darwin municipality in line with this Policy.

This Policy will be reviewed once per term of Council or in response to significant changes in legislation or other circumstances which affect its effectiveness and validity.

8 Document Control

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Track Changes

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Schedule - Conditions of Registration

Declared Dog (Category 1)

The conditions are that the owner of the dog must:

- Ensure the dog is not at any time under the sole charge of a person under the age of 17;
- ensure the dog is controlled by a suitable leash at all times when:
 - outside the premises where the dog is usually kept; or
 - kept on premises that are not fenced in the manner approved by the Council;
- place a muzzle on the dog at all times when it is outside the premises where it is usually kept;
- inform a prospective purchaser or owner of the dog that it is a Declared Dog (Category 1);
- not sell or give the dog to a person under the age of 17;
- if ownership of the dog is transferred – notify the Council of the name and address of the new owner within 24 hours after the transfer;
- if the premises where the dog is usually kept changes – notify the Council of the new address within 7 days after the change;
- if the owner intends to keep the dog at a different location to the premises where the dog is usually kept for a period exceeding 14 days – notify the Council of the new address within 24 hours after the relocation;
- if the dog attacks, or is alleged to have attacked, a person or animal – notify the Council of the attack, or alleged attack, within 24 hours after the attack or the owner is made aware of the alleged attack;
- if the dog is missing – notify the Council within 24 hours after the owner becomes aware of the dog's absence;
- if the dog has died – notify the council within 14 days after its death; and comply with any other conditions imposed by the Council.

Declared Dog (Category 2)

The conditions are that the owner of the dog must:

- Ensure the dog is not at any time under the sole charge of a person under the age of 17;
- ensure the dog is controlled by a suitable leash at all times when:
 - outside the premises where the dog is usually kept; or
 - kept on premises that are not fenced in the manner approved by the Council;

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- inform a prospective purchaser or owner of the dog that it is a Declared Dog (Category 2);
- not sell or give the dog to a person under the age of 17;
- if ownership of the dog is transferred – notify the Council of the name and address of the new owner within 24 hours after the transfer;
- if the premises where the dog is usually kept changes – notify the Council of the new address within 7 days after the change;
- if the owner intends to keep the dog at a different location to the premises where the dog is usually kept for a period exceeding 14 days – notify the Council of the new address within 24 hours after the relocation;
- if the dog is missing – notify the Council within 24 hours after the owner becomes aware of the dog's absence;
- if the dog has died – notify the council within 14 days after its death; and
- comply with any other conditions imposed by the Council.

Declared Dog (Category 3)

The conditions are that the owner of the dog must:

- Ensure the dog is controlled by a suitable leash at all times when kept on property that is not fenced in the manner approved by the Council;
- notify a prospective purchaser or owner of the dog that it is a Declared Dog (Category 3);
- if the premises where the dog is usually kept changes – notify the Council of the new address within 7 days after the change;
- if the owner intends to keep the dog at a different location to the premises where the dog is usually kept for a period exceeding 14 days – notify the Council of the new address within 24 hours after the relocation;
- if the dog has died – notify the council within 14 days after its death; and
- comply with any other conditions imposed by the Council.

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Cat Containment Compliance and Enforcement Campaign

Target	To achieve this council will	This will be measured by	To be completed by	This action will contribute to
Achieve compliance across the Darwin municipality with the requirement for domestic cats to be contained to the property boundaries of their usual home at all times, unless under effective control (on a lead).	Create educational material around cat containment.	Development of: Containing cat's information flyer. Keeping your cat happy information flyer. Rules and ramifications of cats at large information flyer. Cat trapping information flyer.	December 2019	Increased awareness of cat containment requirements. Increased awareness of enforcement outcomes of cats at large. Increased cat registration. Better indication of domestic cat population.
	Continue education of the community in relation to registration of cats within the municipality.	Delivery of the Great Pets Start with You campaign.	On-going	
	Tailor registration welcome pack to include cat containment information.	Issue welcome pack.	December 2019	
	Work in collaboration with rehoming organisations and pet businesses to educate on cat containment requirements and encourage registration of cats as part of sale.	Stakeholder engagement.	On-going	
	Work in collaboration with relevant property authorities to promote cat containment requirements, e.g. Defence Housing Australia.	Stakeholder engagement.	On-going	
	TVC including cat containment message.	Development and display of TVC's.	August 2020	
	Radio, social and digital marketing including cat containment message.	Development and display of radio, social and digital marketing.	On-going	

	Incorporate positive aspects of cat containment into current animal education talks.	Develop presentation and educational materials.	On-going	
	Establish workshops in conjunction with the Gardens for Wildlife program on positive aspects of cat containment.	Develop and deliver workshop.	February 2020	
	Conduct targeted cat trapping programs, prioritising cat hot-spots and ecologically significant areas.	Develop and apply operations orders for cat patrolling and trapping.	On-going	
	Loan traps to members of the community.	Number of traps loaned Number of trapped cats returned to pound.	On-going	
	Work in collaboration with NTG/CDU on feral/stray cat projects.	Collaboration on projects Cat camera trapping project.	On-going	Better indication of stray domestic and feral cat populations to guide management strategies

14.8 CITY OF DARWIN CUSTOMER SERVICE STANDARDS**Common No.:**

Author: Executive Manager Governance, Strategy & Performance
Executive Manager Corporate Services

Authoriser: General Manager Government Relations & External Affairs

Attachments: 1. City of Darwin Customer Service Standards

SUMMARY

The purpose of this report is for Council to endorse the City of Darwin Customer Service Standards, **Attachment 1**.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council endorse the City of Darwin Customer Service Standards, **Attachment 1**.

KEY ISSUES

- City of Darwin's Customer Charter no longer meets industry standards and Council needs to have a mechanism by which to communicate with customers how to contact Council and how Council will respond to their enquiry.
- Staff receive customer requests and enquiries from a range of sources. As a result, Departments have created varying ways in which to keep track of, action and respond to enquiries.
- There are no established timeframes for responding to enquiries. This can lead to a perceived image that Council is not performing its core functions to the Community in a timely and professional way.
- Significant work was undertaken during 2017 and 2018 to develop a Customer Service Strategy 'Customer First'. The Customer First Strategy will be reviewed by Corporate Services and presented to Council for adoption in 2020.
- Customer Service Standards are now proposed. These standards align with the intent and principles within the draft 'Customer First' Strategy.

BACKGROUND

In 2017, Council's Senior Leadership Team led a project to review and develop a Customer Services Strategy for City of Darwin.

The Customer Service Strategy 'Customers First' was presented to Council in a confidential presentation on 27 March 2018 as follows:

C26.3 Customer Strategy Common No. 3746486

Ms Deb Camden from Prism Communication Architects was in attendance from 8.43pm to brief the Council on progress of the Customer Strategy Development.

(Haslett/Cullen)

THAT the presentation from Prism Communication Architects in relation to the Customer Strategy be received and noted.

DECISION NO.22\0602

(27/03/18)

Carried

Following this presentation, Council priorities were directed to responding to Cyclone Marcus and organisational change. The Customer First Strategy will now be progressed by Council's Corporate Services section and presented to Council for adoption in early 2020.

DISCUSSION

City of Darwin customer service charter and standards no longer meet industry standards. Significant work was undertaken in late 2017 – early 2018 to develop a new Customer Strategy for Council. 'Customer First' was endorsed by Council's leadership team and referred to Council for a presentation at the 2nd Ordinary Meeting held on 27 March 2018.

The Customer First Strategy establishes a new customer service ethos for the City of Darwin. The ethos is founded on five key principles for improving the customer experience:

Principle 1: **Find out what our customers want and expect**

Principle 2: **Improve communication**

Principle 3: **Respond in a timely manner**

Principle 4: **Streamline services**

Principle 5: **Track our performance**

Following the presentation in March 2018, the Strategy was put on hold to enable Council to respond to organisational change and Cyclone Marcus (17 March 2018).

The Customer First Strategy will now be reviewed by Council's Corporate Services section and presented to Council for adoption in early 2020.

Progress to Date

Minor operational changes have been implemented as a way to progress the Darwin First Strategy within current budget allocations. Changes include relocating the switchboard to the Customer Service Area, creating a new role to manage the logistical requirements for events on Council land and new roles created within the Corporate Services team to project manage and improve business processes and implement new computer hardware and technology. The IT projects associated with printers, computer hardware and telephony systems are being rolled out over the last quarter of this year.

For ongoing implementation of the Customer First Strategy, Council will need to consider allocation of funds in the 2020/21 budget and ongoing, in the Long Term Financial Plan.

Interim Customer Service Standards

As an interim measure and in order to gain some consistency in Council's approach to responding to customer enquiries, regardless of the source of the enquiry, high level customer service standards have been developed.

The primary purpose of these standards is to enable communication with our customers about how they are able to contact Council and how Council will response to their enquiry. The standards will be published via Council's website and utilised as a reference point for the organisation when communicating with customers and attending to customer enquiries.

It is widely recognised that customer enquiries and service requests in the local government sector are diverse and vary in complexity. As a result, the standards propose a consistent acknowledgement period with resolution by negotiation depending on the matter.

The standards outline that customer enquiries and service requests can be received by phone, in writing, or in person. Requests are categorised as operational service requests or other service requests that require more detailed investigation.

Operational service requests refer to those requests that are dealt with during the normal course of operations and may include matters such as a notification of a street light not working, reporting a pothole or emptying of a public bin. Council has established processes in place to attend to these requests and they will be actioned accordingly with no further response.

Other requests refer to matters that require more detailed investigation or consultation with other departments or external stakeholders. These requests would typically require Council staff to complete an action that is outside of the normal day to day operations of Council, for example a request to change traffic speed in a suburban street.

These standards will continue to be reviewed and if necessary, updated by the Corporate Services section as the Darwin First Customer Strategy continues to be implemented.

STRATEGIC ENVIRONMENT

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

Goal

6 Governance Framework

Outcome

6.4 Accountability

Key Strategies

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LEGISLATIVE/POLICY

The proposed standards outline an approach that ensures requests are addressed equally, regardless of the source of the request. The standards support the role, principles and objectives of the Local Government Act, in particular sections 13(e) to (h) as follows:

- (e) to place a high value on the importance of service to the council's constituency;
- (f) to seek to ensure that council resources are used fairly, effectively and efficiently;
- (g) to seek to provide services, facilities and programs that are appropriate to the needs of its area and to ensure equitable access to its services, facilities and programs;
- (h) generally to act at all times in the best interests of the community as a whole.

CONSULTATION

This report was considered by the Strategic Direction Group on **22 October 2019** and now referred to **Council** for consideration.

Internal

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

- Strategic Directions Group
- Senior Leadership Team

External

- NIL

BUDGET/RESOURCE IMPLICATIONS

There are no budget / resource implications as a result of implementing the Customer Service Standards. Budget and resource implications to implement the Darwin First Customer Strategy will be considered in preparation for the 2020/21 budget process and ongoing Long Term Financial Plans.

RISK

The primary risk associated with this decision related to Council's reputation. Council will need to ensure the appropriate systems are in place across all Departments that ensure acknowledgements are being met in accordance with the standards. An internal implementation plan is being developed.

Council will continue to review and improve systems to enable reporting of customer requests on an ongoing basis as part of the Customer First Strategy.

LEGAL

There are no legal implications as a result of this decision. Council may however receive formal complaints from customers if it is viewed that the standards are not being adhered to.

ARTS, CULTURE & ENVIRONMENT

There are no direct implications to arts, culture and the environment as a result of this decision.



City of Darwin – Customer Service Standards

City of Darwin receives customer requests from various sources including:

- By phone
- In writing (Letter, online, email, website, social media, See Click Fix App)
- In person
- Via an Elected Member
- Formalised Customer Feedback such as Council's customer surveys and community engagement.

Council receives a variety of customer requests, some of which are operational. Operational requests relate to the day to day service delivery and include for example; responding to potholes, public amenity and safety. These requests will be dealt with in accordance with service standards with no further correspondence.

Other requests may require further investigation. Examples include traffic management issues and tree investigations. Council will acknowledge your request within five business days and provide an estimated time frame for action.

City of Darwin is committed to providing a quality service to our customers and stakeholders. You can expect the following response timeframes when contacting us directly.

Request type	Action	Standard
By Phone:	Answer incoming telephone calls to land or mobile phones	All calls will be answered or a call back made on the next available business day
In Writing	Acknowledging your written correspondence received via email, online, social media, by App or by mail	We will acknowledge your written correspondence within 5 working days and provide an estimated timeframe to action your request.
In Person	We will acknowledge your presence.	We will attempt to resolve your request in person or provide an estimated timeframe to action your request.



15 RECEIVE & NOTE REPORTS

15.1 MUNICIPAL PLAN 2019/20 - MONTHLY PERFORMANCE REPORT SEPTEMBER 2019

Common No.:**Author:** Executive Manager Governance, Strategy & Performance**Authoriser:** General Manager Government Relations & External Affairs**Attachments:** 1. **Municipal Plan 2019/20 Monthly Performance Report - September 2019****SUMMARY**

The purpose of this report is to provide Council with the Municipal Plan 2019/20 Monthly Performance Report for September 2019.

RECOMMENDATIONS

1. THAT the report Municipal Plan 2019/20 – Monthly Performance Report September 2019 be received and noted.

KEY ISSUES

- Council adopted the Darwin 2030 *City for People. City of Colour.* Strategic Plan and 2019/20 Municipal Plan on 25 June 2019. Both plans commenced on 1 July 2019.
- The Municipal Plan outlines Council's service delivery plan, specifically annual major projects and deliverables against the Strategic Plan for the 2019/20 financial year.
- Monthly Performance Reports track progress in delivering on the Municipal Plan and are utilised to inform the Annual Report each year.
- Monthly Performance Reports will complement Council's monthly financial reporting and quarterly budget reviews.
- As part of Council's governance framework, Monthly Performance Reports will be further complemented by Business Planning and Operational Risk Assessments.
- A Strategic and Operational Risk Assessment, based on the Strategic Plan, Strategic Projects and Business Plans is currently being developed. This will be further supported by integrated monitoring and reporting by the Strategic Directions Group.

BACKGROUND

In accordance with the Local Government Act Council prepares a Municipal Plan and Annual Report each year.

The 2019/20 Municipal Plan outlines Council's service delivery plan. The service delivery plan includes annual major projects and deliverables in line with the Darwin 2030 Strategic Plan.

The Municipal Plan will be supported by Departmental Business Plans. Departmental Business Plans are under development and will be provided to Council for information in coming months.

The Act requires that Council's Annual Report must contain an assessment of the Council's performance against the objectives stated in the relevant municipal, regional or shire plan and subsequently provides a high level assessment of progress towards achieving the longer term Darwin 2030 Strategic Plan.

These monthly performance reports will inform City of Darwin's Annual Report.

DISCUSSION

Monthly Performance Reports provide an assessment of performance against the deliverables in the Municipal Plan.

Deliverables are allocated to one of Council's five Departments to lead implementation. Council's Departments are shown as:

CRS	Community and Regulatory Services
CPS	Corporate and Procurement Services (incorporating HR & Safety)
ECS	Engineering and City Services
GREA	Government Relations and External Affairs (incorporating the Office of LM & CEO)
IGDS	Innovation, Growth and Development Services

Deliverables

The Municipal Plan deliverables align to the strategic directions and targets outlined in the Strategic Plan. Deliverables may be project based or program based.

Project based deliverables will have a defined start and end date and, where considered a 'strategic project' will be assessed in accordance with the process outlined in the Strategic Plan.

Program deliverables form part of Council's annual service delivery plan for the period 1 July to 30 June each year.

Financial Performance

Council maintains a rigorous financial performance and reporting process which includes monthly financial reports and quarterly budget reviews. To ensure data integrity is maintained, these reports will not be reproduced.

Project Performance

Expenditure against Council's major projects will be provided as a percentage of annual project budgets. It should be noted that this will not directly align to overall project spend, particularly when projects span multiple years. Project expenditure should be read in conjunction with project phase and percentage of project complete as assessed by Council officers.

Governance and Risk

As part of Council's governance framework, Monthly Performance Reports will be further complemented by Business Planning and Operational Risk Assessments. These activities are considered operational and support Departments to implement the initiatives contained in the Municipal Plan.

Strategic and Operational Risk Assessments, which have been recently re-developed to align with Council's Strategic Plan, Strategic Projects and Business Planning initiatives are currently being developed and will be further supported by integrated monitoring and reporting by the Strategic Directions Group and the Risk Management & Audit Committee.

IMPLICATIONS

There are no direct budget or resource implications as a result of this report. If any budget variances are identified throughout the year they will be dealt with via normal Financial Management procedures.

Monthly performance reports are the first part of the new reporting framework for the Strategic Plan and Municipal Plan and only one part of the broader performance management framework to monitor Council's achievement of these plans over the long term.

Council's performance management framework will continue to be developed over the coming year.

2019/20 Major Projects - Monthly Report - July 2019

Project Sponsor	Project Manager	Project	Project Description	Scheduled Start Date	Scheduled Completion Date	Project Budget	Project Phase	% Project Budget Expended	% Project Completed	Comments
GMECS	EMO	4,000 Trees - Greening Darwin	\$1.10M has been allocated to plant 4,000 trees across the municipality as part of Cyclone Marcus recovery and Council's objectives to Green Darwin. The 4,000 trees will complement 3,000 trees planted in 2018/19 to bring the total replanting program to 7,000 trees post Cyclone Marcus. The trees will be advanced plantings and are expected to be planted by December 2019.	Jul-19	Feb-20	\$1,000,000	Scope	5	10	Stage 1 has commenced, Tree planting in Matthews Park is completed and planting is currently underway in Wulagi Green belt south. Stage 2 planning is completed, stage 1 due for completion December 2019, Stage 2 due for completion in March 2020 and Stage 3 due for completion by EOY 2020.
GMECS	EMPM	Daly Street Beautification	Daly Street will receive \$2.0M for beautification works to be delivered in four stages. Stages 1 and 2 will deliver works between Mitchell and Smith Street, Stage 3 between Smith and Cavenagh Streets and Stage 4 will deliver work from Cavenagh Street to McMinn Street. The beautification works deliver in part Project MPO07 as outlined in the Darwin City Centre Master Plan.	Jul-19	Jun-20	\$2,000,000	Scope	0	5	Design is underway, construction scheduled to commence 3rd quarter 2019/20 financial year.
GMECS	EMPM	Streetscape Beautification	City of Darwin has resolved to dedicate funds annually for five years to the upgrade of streetscapes across the municipality. In 2019/20 each Ward will receive \$400K. The Streetscape Beautification Project is designed to improve amenity and is a key project to achieve Council's Strategic Direction for a Cool, Clean and Green City by 2030.	Jul-19	Jun-20	\$1,600,000	Design	0	30	Sites for 2019/20 program approved Project Control Group formed with internal stakeholders Survey of these sites is underway, with several completed. Landscape design panel contract awarded to 4 local firms. September 2019 Survey underway for the Nightcliff Road and Wagaman Shops Concept designs for all sites except Nightcliff Road and Wagaman Shops underway Comment provided on concept designs for projects in Waters, Chan and Richardson Wards Progress meeting with the Landscape Architects scheduled for mid-October
GMECS	EMPM	Shoal Bay Waste Management Facility - Leachate Treatment System	Shoal Bay Management Facility services the greater Darwin region and is the only licensed landfill in the area. The facility receives over 180,000 tonnes of waste per annum and has a forecasted operational life until 2034. \$13.2M has been allocated towards developing a Leachate Treatment System at the Shoal Bay Waste Management Facility. The Leachate Treatment System will boast innovative design that will ensure Darwin is recognised as a national leader in the treatment of leachate and is estimated to be delivered over three years to 2021.	Jul-19	Jun-21	\$13,200,000	Design	0	20	Detailed design 90% complete, review underway with final design subject to EPA approval conditions. Request for amendment to EPL188 Shoal Bay Waste Management Facility lodged with NT EPA Awaiting Construction Offer September 2019 Staff are reviewing Water & Carbon Groups Construction offer for delivery of the treatment system. NTEPA board meeting scheduled for 7-10 October where application will be reviewed.
GMECS	EMPM	Shoal Bay Waste Management Facility - Construction of new Cell 6	In addition \$8.0M has been allocated for the construction of a new landfill cell (Cell 6).	Jul-19	Dec-19	\$8,000,000	Construction	30	40	Contractor granted possession of site as of 25/07/2019 , 20 week construction period. September 2019 Bulk and Detailed excavation activities completed to cells 6A and 6B (completed in accordance with project program and budget). Some issues (resolved and current) relating to materials testing by Contractor. Minor design amendments made and ongoing. The subcontractor engaged to complete the "Lining" scope is due to commence 21/10/19. This is two weeks beyond initial programmed date. Completion during December 2019 remains feasible. However, achieving completion this calendar year is subject to the timing and severity of the onset of sustained wet season rainfall. The risks associated with various rainfall scenarios have been assessed. The CoD Waste team and the GME&CS is appropriately briefed and prepared for respective wet season outcomes. Adequate "airspace" capacity exists in current landfilling areas to sustain operations into 2020 in the event that Stage 6 Cells carry over into the 2020 calendar year.
GMECS	EMPM	Shoal Bay Waste Management Facility - Entrance and Weighbridge Facilities	\$1.0M to deliver a new entrance and weighbridge at the facility this year.	Jul-19	01/06/2020	\$1,000,000	Scope	0	10	
GMECS	EMPM	Lakeside Drive - Stage 2	City of Darwin will utilise \$2.5M of the \$3.4M of new funding under the Federal Government Roads to Recovery Program for Stage 2 resurfacing of Lakeside Drive. Lakeside Drive is a critical link in Council's overall road network linking major connector routes to the northern suburbs. Stage 1 of Lakeside Drive was completed in early 2019. Design of Stage 2 is currently underway with construction to commence immediately once design is complete. The project will be completed by June 2020.	Jul-19	Jun-20	\$2,500,000	Procurement	0	30	Request for Tender for the project being prepared for release shortly. Anticipate construction to commence late September/October. September 2019 Final stages of design underway. Final design activity involves testing of recycled crushed concrete material which will be trialed as a road building material in trial sections of this roadway. Tender to go out to market week commencing 21/10/2019. Construction sequence will be negotiated through the Tender period and with the successful tenderer to maximise efficiency of delivering works either side of the wet season.

2019/20 Major Projects - Monthly Report - July 2019

GMCRS	EMPM	Urban Oval Lights	The Northern Territory Government has committed \$4.8M for City of Darwin to light sports ovals under the Urban and Regional Oval Lights Program. Lights will be installed at Gardens One, Bagot and Nightcliff Ovals. The community have expressed strong support for the proposals. The light projects for ovals at Gardens One and Bagot have been approved for installation. The Nightcliff Oval proposal has been submitted to the Development Consent Authority for approval. Work is planned to commence in the 2019 dry season.	Oct-19	Jun-20	\$4,800,000	Procurement	0	30	The Tender period for the project closed on 23 August 2019. The Tender Panel is assessing conforming tenders and will provide a recommendation to Council in October 2019 in order to appoint a contractor to install the lights. It is envisaged that construction will commence in late October or early November. September 2019 Clarifications sought regarding the tender submissions, to be received close of business Friday 11 October 2019. Envisaged that the contract will be awarded in late October early November.
GMECS	EMPM	Municipal Ward Projects	City of Darwin has allocated \$1.0M to small projects across the municipality. Small projects are focussed on improving the amenity of Darwin and delivering services specific to each Ward. Small projects have arisen from the community's effective engagement with Elected Members. As part of its commitment to the City of Darwin, the Northern Territory Government has matched Council's contribution with a further \$1.0M bringing the small projects budget total to \$2.0M.	Sep-19	Jun-20	\$1,000,000	Scope	0	10	Projects are in the process of being scoped with Elected Members. September 2019 The projects have been identified. Scoping underway for the design and delivery of the projects.
GMIGDS	PLC	Street Lighting Project	A further \$1.8M has been allocated in 2019/20 for the Street Lighting Project. The project aims to deliver public value, manage environmental risks such as greenhouse gas emissions, and improve public safety and amenity. The project will deliver new LED luminaires and smart controls to more than 9,000 street and public lighting assets and across the whole of the City of Darwin municipality. The transfer of street lighting assets from the Northern Territory Government to City of Darwin in January 2018 has provided Council with the opportunity to implement and accelerate this initiative for the benefit of the whole of Darwin. This project builds on \$3.3M allocated in 2018/19.	Jun-19	Jun-20	\$1,800,000	Scope	0	10	Contract to install the LEDs and smart controls has been finalised. Capital Project is being delivered over three years and is progressing as planned. September 2019 2,000 LED luminaires have already been installed in the residential streets of Karama, Malak, Leanyer, Nightcliff, Rapid Creek, Milner, Muirhead and East Point shared path. Over the next 3 months the residential streets of Anula, Wulagi, Wanguri, Tiwi, Brinkin, Lyons, Bayview and Cullen Bay are expected to be completed.
GPCPS	EMCS	ICT Transformation Project	Deliver an ICT infrastructure transformation project.	Jun-19	Jul-20	\$1,743,663	Construction	5	20	September 2019 Procurement complete and tenders have been awarded. Installation of printers has commenced. Installation of telephony will commence on 4 November. PC delivery and installation to commence in December.

SD1 - A capital city with best practice and sustainable infrastructure

By 2030, a number of strategic infrastructure projects will be developed and delivered

2019/20 Deliverables	Responsible Department	Scheduled Start Date	Scheduled Completion	Progress	% Complete	Comments
Finalise Council's Asset Management Plans and utilise Asset Management Plans to inform the Long Term Financial Plan	ECS	Jul-19	Jun-21	Ongoing	20	AMPs have all been drafted to 65% accuracy and adopted by Council. Updates will occur periodically to reflect services levels and input from the Long Term Financial Plan.
Commence the development of a strategic Priority Infrastructure Plan	ECS	Jul-19	Jun-23	Not yet commenced	0	This will be developed in consideration of asset management principles.
Develop and implement a City of Darwin local buy policy with a weighting of 30% local content requirement	CPS	Jul-19	Jun-20	Not yet commenced	0	Not yet commenced.
Undertake a review and develop a strategy for Council's landholdings seeking best public value	IGDS	Jul-19	Jun-20	In Progress	10	Preliminary assessment for review by GM IGDS
Manage all Council public infrastructure, parks and buildings	ECS	Jul-19	Jun-20	Ongoing	5	Currently reviewing service levels, delivery against current levels, all service levels to be reviewed this financial year (19/20). Resourcing to be determined accordingly.
Upgrade Council's Information Technology Assets	CPS					Refer to Major Projects - Deliver ICT Transformation Project
Deliver Council's 2019/20 Capital Works program	ECS	Jul-19	Jun-20	Ongoing	20	Programming of works currently underway. 2% of total budget expended as at 31 August 2019. At the time of reporting, 3% of the total budget is expended and a further 18% committed. September 2019 5% of total budget expended with 18% committed.
Conduct an optimisation review of Council's fleet and workshop management	ECS	Jul-19	Dec-19	In Progress	60	Comprehensive fleet utilisation review is currently being undertaken, to have a draft report delivered first quarter 19/20 financial year and endorsed by Council by end of 2019.
Create a pipeline of strategic projects that are funded in the Long Term Financial Plan and are shovel ready	IGDS/GREA	Jul-19	Jun-20	In Progress	10	Preliminary assessment for review by GM IGDS
Deliver a new Amenities Facility at The Esplanade	ECS	Jul-19	Nov-19	In Progress	5	Tender documents being prepared September 2019 Service extension is currently being designed for the selected location. Tender documentation for the toilet block is being prepared.
Deliver Cell 6 at the Shoal Bay Waste Management Facility	ECS					Refer to Major Projects - Shoal Bay Waste Management Facility - Construction of new Cell 6

Refer to Major Project

SD2 - A safe, liveable and healthy city

By 2030, Darwin will be a safer place to live and visit

2019/20 Deliverables	Responsible Department	Start Date	Scheduled Completion	Progress	% Complete	Comments
Deliver an Animal Management and enforcement city wide education program	CRS	Jul-19	Jun-20	In Progress	30	<p>This is an ongoing program and includes responsible pet ownership awareness-raising events, education workshops, a compliance audit of declared dogs and unregistered animals and the rollout of the 'Great Pet' campaign. Activities during September include:</p> <ul style="list-style-type: none"> • Animal Behavioural Workshop Facilitator confirmed and accepted. First workshop will be scheduled in November. • Animal Health, Safety and Dogs Emotions education campaign was delivered to two schools (Wanguri and Milner Primary) with 12 lessons. • Pet First Aid Course ran with the Youth team targeted at 14-25y.o. • Great Pets Start with You campaign: Corflute's have been developed and have been installed in the community for two weeks. The next target location includes Malak, Karama and Wulagi. • A second screening of the TVC and Radio commercial have been delivered to align with the registration audit. • Registration Audits continued in Lyons and Jingili. Rangers attended a total of 860 properties and detected 68 unregistered animals. During the month of September 182 registration applications were received, many being promoted by Notices issued via the Registration Audit. • In September Rangers undertook a 2 week targeted cat trapping program in the compound of the Civic Centre, removing 1 stray cat.
Review and improve Council's emergency management plans and readiness	CPS	Jul-19	Jun-20	In Progress	10	Will be progressed further when Risk, Audit and Insurance role is appointed to.
Redevelop Business Continuity Plans for all sites and risks and test plans	CPS	Jul-19	Jun-20	In Progress	10	Will be progressed further when Risk, Audit and Insurance role is appointed to.
Enhance Council's contractor Workplace Health and Safety Management Framework with a focus on ensuring public safety at all times	CPS	Jul-19	Jun-20	Ongoing	10	A WHS Contractor Audit was undertaken in 2018/19 and reported to the Risk Management and Audit Committee. Audit actions will be reviewed and a plan developed in 2019/20.
Work with Northern Territory Police, Fire and Emergency Services (NTPFES) to continually develop and expand the CCTV networks across the municipality	IGDS	Jul-19	Jun-20	In Progress	20	On going development and expansion is planned in tandem with lighting across the municipality to further develop business cases where applicable.
Implement and review the Safer Vibrant Darwin Plan	CRS	Jul-19	Jun-20	In Progress	30	<p>Liquor licence applications continue, with Hibiscus Tavern being presented to Council on 15 October</p> <p>Liquor Act has been ratified. Discussions with Liquor Accords to determine impact of the new act on these forums.</p> <p>Data analysis to inform LM position at CCCLM meetings in October</p> <p>Ongoing consultation with Dept Housing around the establishment of Darwin Better Pathways Centre</p> <p>Numerous unsubstantiated reports of poor behaviour in walkways continues to draw significant resources from the team</p>

SD3 - A cool, clean and green city**By 2030, Darwin will be recognised as a clean and environmentally responsible city**

2019/20 Deliverables	Responsible Department	Start Date	Scheduled Completion Date	Progress	% Complete	Comments
Plant 4,000 trees across the Darwin municipality	ECS					Refer to Major Projects - 4,000 Trees - Greening Darwin
Deliver the Greening Darwin Strategy	ECS	Jul-19	Dec-19	In Progress	50	An urban forest management strategy is being developed to inform a Greening Darwin Strategy. A workshop is scheduled with Council in November 2019.
Deliver the Shoal Bay Waste Management Facility Leachate Treatment Project	ECS					Refer to Major Projects - Shoal Bay Waste Management Facility - Leachate Treatment System
Finalise the Waste Management Strategy for adoption by Council	ECS	Jul-19	Sep-20	In Progress	0	No further progress on the Waste Management Strategy at this stage. Recruitment currently underway for a Waste Manager. Strategy to be finalised in preparation for the 2021/22 budget process.
Establish an urban living lab in partnership with the Northern Territory Government and CSIRO as an initiative of the Darwin City Deal.	IGDS	Jul-19	Jun-20	In Progress	10	The establishment of the governance and projects associated with the Urban Living Lab has been developed and representation by Council has been established.
Develop a Council-wide Environmental Management Plan and articulate Council's response to climate action	CRS	Jul-19	Jun-20	Not yet commenced	10	Since the Declaration of a Climate Emergency, a project plan for developing Council's Emergency Response has been developed. Lord Mayor Climate Emergency Roundtable is being proposed for 4 December 2019. The proposed strategy to develop an Emergency Response Plan is being presented to Council on 15/10 Monitoring of water bodies continues as part of a broader commitment to environmental management. The water sampling review has been updated and implemented as of July 2019. Wallaby count occurred for East Point on 30/09. whilst the numbers on the night were lower than usual, a follow up count the following morning suggest numbers are stable but the evening count time may have been problematic due to heat. Traffic Counts continue to inform a proposed early gate closure at East Point
Implement the Single Use Plastics Policy within Council and the community	CRS	Jul-19	Jun-20	Ongoing	10	The single use plastic ban is continuing to influence markets and events in Darwin, with the Darwin Festival becoming single use plastic free and diverting organic waste having it go to a local commercial composter.
Deliver the suburban lights project	IGDS					Refer to Major Projects - Street Lighting Project

Implement the Gardens for Wildlife Program	CRS	Jul-19	Jun-20	In Progress	10	G4W seeks to increase biodiversity across the municipality. There are 186 households registered and 64 home visits have been completed to date. G4W has had media attention on ABC radio and contributed to the community gardens open garden scheme through a podcast event held on 17 August 2019. A habitat hollow workshop was also undertaken on 10 August for those signed up and the general community.
Deliver an Urban Forest Tree Management Strategy including tree asset data collection	ECS	Jul-19	Dec-19	In Progress	70	The consultants draft strategy is currently being reviewed. To be presented to Council via a special workshop during November 2019
Deliver new pump infrastructure at Lake Alexander to improve water quality	ECS	Jul-19	Jun-20	In Progress	5	Preliminary investigations underway. Project to be scoped for the replacement of the existing pump.
Implement the City of Darwin Energy Strategy	CRS	Jul-19	Jun-20	In Progress	20	Initiatives are being explored broadly as part of the Shoal Bay Waste Management operations and climate emergency response.
<div></div> Refer to Major Project						

SD4 - A smart and prosperous city

By 2030, Darwin will be recognised globally as a Smart City

2019/20 Deliverables	Responsible Department	Start Date	Scheduled Completion	Progress	% Complete	Comments
Implement the #SmartDarwin Strategy	IGDS	Jul-19	Jun-20	In Progress	30	Implementing Smart City Governance and data sharing policy together with privacy impact assessments.
Seek commercial investment and opportunities for technical investment	IGDS	Jul-19	Jun-20	Ongoing	5	Assessed on a "case by case" basis and dependent on the delivery of strategic property analysis for 2019.
Work with the Northern Territory Government and industry to structure a government red tape reduction program, particularly for the Tourism and Development sectors	IGDS/GREA	Jul-19	Jun-20	Ongoing	5	Property Council 20 by 20 Reforms responded to.
Deliver a Library Strategy that guides the future of Libraries across the municipality	CRS	Mar-19	Jun-23	In Progress	20	City of Darwin Library Strategy 2019-2023 has been finalised and the proposed final strategy will be presented to Council for adoption in October. The past month Libraries have been focussing on actions to meet the timelines in the strategy.
Deliver the OPENGOV data platform	IGDS	Jul-19	Jun-20	In Progress	10	OPENGOV established for the Switching on Darwin Project. Investigations underway to expand OPENGOV for financial reporting.

By 2030, Darwin will have attracted and retained more residents and will offer sustainable investment opportunities

2019/20 Deliverables	Responsible Department	Start Date	Scheduled Completion	Progress	% Complete	Comments
Develop a business case for a Darwin 2030 Partners Program	GREA	Jan-20	Jun-20	Not yet commenced	0	Scheduled commencement 3rd quarter.
Finalise the Darwin Economic Development Strategy for adoption by Council	IGDS	Jul-19	Jun-20	In Progress	15	An internal Economic Development Strategy Draft document is underway.
Develop a strategic framework for Council procurement to support the local economy, in line with the Local Government Act	CPS	Jul-19	Jun-20	In Progress	20	Current processes and procedures being reviewed and paper being developed for SDG initially. Brief on the development of a suite of standard contracts has just been issued.
Develop the International Relations Program on the basis of economic return to the City and categorise relationships based on return on investment	IGDS	Jul-19	Jun-20	Ongoing	15	International Relations Policy and Sister City Sub Committees under review. A workshop will be held with Council in November 2019.
Engage with the Northern Territory Government and business to improve investment in Darwin	IGDS	Jul-19	Jun-20	In Progress	25	An investment attraction plan is being developed that will also be part of the Economic Development Strategy for 2019.

SD5 - A vibrant and creative city

By 2030, Darwin will be recognised as an iconic destination

2019/20 Deliverables	Responsible Department	Start Date	Scheduled Completion	Progress	% Complete	Comments
Digitise Council's communications and engagement platform to enable improved messaging with the community and stakeholders	GRE A	Jul-19	Jun-20	In Progress	30	Online engagement platform 'Engage Darwin' has 1,619 registered participants with 1,070 site visits in September. Platform used for Jingili Regional Playground consultation and Citizen of the Year Awards during September.
Enhance the City of Darwin events program and events management practices with a focus on developing and marketing of Council owned facilities for events	GRE A	Jul-19	Jun-20	In Progress	30	New Event Application Form reviewed and ready for rollout. Grant application submitted to NTMEC to develop an Event Venue Guide was unsuccessful.
Develop a framework and materials to promote Darwin as a destination to visit, work, live and invest	IGDS/GRE A	Jul-19	Jun-20	Ongoing	10	Several initiatives have been presented for approval - the recent development of a Virtual Reality App to promote Darwin as a destination is now ready for commissioning.
Deliver the Building Better Regions Fund Community Program - Creative Enterprise Skills for Public Artists Workshop Series	CRS	Jul-19	Jun-20	Completed	100	This project is complete.
Deliver the annual Bombing of Darwin event	GRE A	Sep-19	Mar-20	Not yet commenced	0	Initial planning meeting to be held 14 November. Program will be developed around enhancing local and visitor experience and awareness of the Bombing of Darwin day.
Collaborate with Darwin City Deal partners to increase students in Darwin	IGDS	Jul-19	Jun-20	Ongoing	20	All activities in region have been in partnership with CDU and other RTO's to ensure promotion of education services are included with international relations endeavours.

By 2030, Darwin will be a more connected community and have pride in our cultural identity

2019/20 Deliverables	Responsible Department	Start Date	Scheduled Completion	Progress	% Complete	Comments
Deliver and implement Council's first Reconciliation Action Plan	CRS	Jul-19	Jun-20	In Progress	15	Internal and external engagement has commenced to establish the Working Group.

Implement the Young Darwin Youth Strategy 2016-2021	CRS	Jul-19	Jun-20	Ongoing	15	<p>This is an ongoing strategy that guides overall activity of the Youth Programs Team. Focus areas for September include</p> <ul style="list-style-type: none">- Delivery of Sounds@Sunset #5 + Festival and Events Careers Panel- Delivery of Geektacular Playhouse @ GeeCon (partnership with CoD Libraries)- Street Heat skate/scooter/quads/BMX comp- fortnightly Skate Nights- Hosting Smith Family Work Inspirations visit- Supporting young people to attend and document Menzies Youth Health Summit- Prep for October school holidays and LAUNCH Night Series Basketball in Term 4.- DARWWYN secretariat support including weekly sector news updates- Participation in NTG's Darwin School Holiday Calendar Planning and Darwin Youth Action Plan meetingsMenzies Youth Health Summit Planning Group- LAUNCHmedia team coverage of Street Heat, Global Climate Strike, Vietnamese mid-Autumn Festival, Darwin Street Art Festival, Pride, NTEEN Fashion Festival, DIFF film making workshops, GeeCon- Management of Gig Gear PA equipment
Deliver the City of Darwin Community Grants Program	CRS	Jul-19	Jun-20	Ongoing	30	<p>Second round of grants opened on 21 September 2019.</p>

15.2 MINUTES OF YOUTH ADVISORY COMMITTEE - 17 SEPTEMBER 2019**Common No.:****Author:** Youth Engagement Officer**Authoriser:** Executive Manager Environment & Community**Attachments:** 1. Draft Minutes Youth Advisory Committee 17 September 2019**SUMMARY**

The purpose of this report is to present the minutes of the Youth Advisory Committee held 17 September 2019.

RECOMMENDATIONS

1. THAT the report entitled Minutes of Youth Advisory Committee 17 September 2019 be received and noted.

KEY ISSUES

- Resignation of Andy Huang
- Climate Emergency Project Management Plan
- Youth Information Research Project

BACKGROUND

The Youth Advisory Committee met on 17 September 2019 and the minutes are presented and detailed at **Attachment 1**.

DISCUSSIONResignation of Andy Huang

Andy has returned to live in China so can no longer participate in YAC. A letter of thanks has been sent to Andy. This position will be filled through the general call out for YAC before the end of the year.

Climate Emergency

Executive Manager Environment and Community, Shenagh Gamble, provided background on City of Darwin's declaration of a climate emergency along with the process for developing an emergency response plan.

Youth Information Research Project

Two Two One Training and Consultancy has been engaged by City of Darwin Youth Programs to research how young people access information on events and activities as well as youth services in Darwin. YAC members discussed and provided feedback on how they, and their peers access said information. Ms Sacha King, from Two Two One Training and Consultancy, will attend and present to the next YAC meeting.

IMPLICATIONS

Nil



Minutes

Tuesday 17 September 2019
5.30pm – 7.30pm
Library Hub

1. MEETING OPENED

The meeting of the Youth Advisory Committee was opened at 6:20pm by Chair Jane Alia.

2. PRESENT

Members

Alderman Andrew Arthur	Elected Member
Emmanuel Khemis	YAC Member
Zakelli Xie	YAC Member
Emily Ford	YAC Member
Samantha Price	YAC Member
Jane Alia	YAC Member

Officers

Lisa Burnett	Youth Programs Coordinator
Shenagh Gamble	Executive Manager Environment and Community
Arne Orstavik	Youth Programs Trainee

APOLOGIES

Alderman George Lambrinidis	Elected Member (Alternate)
Teresa Helm	Youth Engagement Officer
Andy Huang	YAC Member
Sau-Ching Leung	YAC Member

WELCOME OBSERVERS AND GUESTS

Welcomed guest Shenagh Gamble, Executive Manager Environment and Community

3. MINUTES OF PREVIOUS MEETING

The minutes of the 9 May 2019 meeting were accepted as a true and accurate record by the following members:

Zakelli Xie (Moved), Jane Alia (Seconded)

Minutes Youth Advisory Committee Meeting Tuesday 17 September 2019

4. BUSINESS ARISING FROM PREVIOUS MINUTES

4.1 YAC Direction

Training opportunities - public speaking (Shalom), fundraising (Zoe) presentations have been scheduled for October and November meetings.

5. Resigning of Andy Huang

Andy has moved to China to complete his tertiary studies so has tendered his resignation. YAC accepted his resignation.

ACTION	YEO to send thank you letter to Andy
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6. GENERAL BUSINESS

6.1 Climate Emergency

Guest – Shenagh Gamble, Executive Manager Environment and Community

Shenagh provided background on City of Darwin's declaration of a climate emergency along with the process for developing an emergency response plan.

ACTION	YEO to distribute Shenagh's contact information to YAC members
---------------	--

6.2 Youth Information Research Project

Sacha King (Two Two One Training and Consultancy) has been engaged by City of Darwin Youth Programs to research how young people access information on events and activities as well as youth services in Darwin. YAC members discussed and provided feedback on how they, and their peers access said information.

ACTION	YPC to forward information YAC members' feedback to YEO/Sacha YPC to invite Sacha to attend the October YAC meeting.
---------------	---

6.3 Young People and Public Space

A number of youth services Youth Programs officers have had recent enquiries from a youth outreach service as well as built environment professionals regarding young people's use of public spaces in Darwin. The enquirers were seeking information to help in the design of services and facilities for young people. In order to support future enquiries of this nature, YAC members were consulted about public spaces they

Minutes Youth Advisory Committee Meeting Tuesday 17 September 2019

currently use and what they like about them, as well as providing feedback on why they avoid particular places.

ACTION	YEO to summarise data and keep on file for future information requests
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6.4 Upcoming Events + Activities

YPT shared information about upcoming youth events: Sounds@Sunset, NTEEN, Pride, Cas Pool Party, Geektacular Playhouse, Pet First Aid, Skate Nights, Halloween Skate

7. MEMBERS' ITEMS

7.1 Further meeting reminders via text

As well as the calendar reminder and email, YAC members have requested a text reminder one week in advance of meetings, as well as the day prior.

ACTION	YEO to add an extra text reminder, one week prior
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7.2 YAC T-shirts and badges

YAC members discussed the standing issue of whether branded t-shirts are appropriate for their role. Members resolved that having an official YAC member badge would solve some of the issues with YAC specific shirts.

ACTION	YEO to cost name badges YAC to discuss ideas for generic t-shirt design at the October meeting
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7.4 Profiling YAC Members

YPT to take leadership for profiling YAC members via social media including photographs, interests and reasons for joining YAC.

ACTION	YPT to bring camera to meetings for remainder of 2019
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7.5 Next meeting – YAC bring a friend meeting

ACTION	YAC members to invite a friend to October meeting
---------------	---

Minutes Youth Advisory Committee Meeting Tuesday 17 September 2019

7.6 Notice of absence

Zakelli and Jane unavailable for next meeting, Emily a maybe.

8. MEETING CLOSED

7:24pm

Next YAC meeting scheduled:

5.30pm – 7.30pm, Thursday 10 October
Library Hub, City of Darwin Civic Centre

Contact Person:

Teresa Helm
Youth Engagement Officer
08 8930 0635
0400 779 066

UNCONFIRMED

15.3 MONTHLY FINANCIAL REPORT - SEPTEMBER 2019**Common No.: 2476534****Author: Executive Manager Finance****Authoriser: General Manager Government Relations & External Affairs****Attachments: 1. MONTHLY FINANCIAL REPORT - SEPTEMBER 2019****SUMMARY**

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 30 September 2019 in accordance with the Local Government (Accounting) Regulations 2008.

RECOMMENDATIONS

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

KEY ISSUES

- For the third month of the financial year 2019/2020 the Council recorded an operational surplus of \$53.8 million (before capital grants and contribution). This is a positive variance to budget of \$1 million.
- Rates are recognised fully at the start of the year.
- Preparation of the 2018/19 Annual Financial Statements for audit and related issues remain the current focus of the Finance team. As Balance Sheet items are still being finalised there is no Statement of Financial Position reported here.
- As at 30 September Council had Investments and Cash balances of \$109.5 million.
- The monthly financial report meets Council's statutory requirements.

BACKGROUND

Council has endorsed the format of the Monthly Financial Report. It complies with the Local Government (Accounting) Regulations 2008 in respect of monthly financial reporting.

DISCUSSION

Significant items contributing to Councils YTD variance includes;

- Rates slightly behind the full year budget
- Weighbridge charges along with Waste & Recycling income are down on budgeted.
- Ex Gratia Rates invoiced to Department of Defence Housing remains unbudgeted and will be corrected the budget review.

Overall Income Statement

The Income Statement contains all sources of Council's income (revenue) and operating expenses. Items of note include;

- Operating Income streams are performing as follows: (% is based against Revised Full Year Budget)
 - Rates – 100%
 - Fees & Charges – 20%
 - Waste & Recycling – 100%
 - Parking – 45%

- Investment Interest -27%
 - Property Rental / Leases –33%
 - Fines & Penalties – 30%
 - Animal Registrations – 67%
- Total Operating Expenses are at 24% of the total budget for the financial year. This \$1.9 million YTD variance is caused mainly by the following:
 - Waste Operational Expense is underspent. There is a direct correlation when Waste income is not achieved; Waste expenses will also be proportionately under budget.
 - Valuation Fee expenses have yet to be charged.
 - Countering these underspends there is a significant negative variance to budget for electricity and water usage. This is primarily a result of the long period without rain.

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. Elected Members can also refer to the quarterly budget reviews for more detailed final information as these become available.

Amended Budget

The full amended budget column is based on the full original budget plus Council approved carry forwards from 2018/19.

Treasury Comment

The Investment report details all cash and investments, by institution, and provides information on interest rate returns, maturities and policy compliance. Interest earned is at a weighted average return of 2.19%. This compares well to the 90 day bank Bill Swap rate, (BBSW), of 0.95%.

Council has just over \$78.3 million of invested funds, most of which is either Grant monies received in advance or Reserves, which are a mix of legally and internally restricted.

At the end of September, the financial markets are pricing in a further Interest Rate cut in October following the Reserve Bank of Australia, (RBA)'s two previous rate cuts in June and July. Councils Treasury advisor, Amicus, anticipate that an interest rate cut in October is more likely than not, but Amicus do not view this as a material call because if the RBA does not cut in October the markets expectation is that they will most likely cut in November.

Accounts Receivable Report

This report details Rates receipt collection, outstanding General Debtors, and performance on Rates recovery compared to the previous year. The report also includes additional information on infringement debtors, rates arrears, rates struck and rates outstanding. Whilst there has been success in reducing the level of historical outstanding Rates, the level of current Rates outstanding is increasing.

IMPLICATIONS

The financial report is as at 30 September 2019. In completing the report reliance is placed on a number of matters including; accuracy of budget phasing, timely receipt of financial inputs, and accruals.

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Part 8 of the Local Government (Accounting) Regulations 2008 require that a monthly financial report is presented to Council.

Regulation 18 states:-

1. The CEO must, in each month, lay before a meeting of the council a report, in a form approved by the Council, setting out:
 - a) The actual income and expenditure of the council for the period from the commencement of the financial year to the end of the previous month; and
 - b) The forecast income and expenditure for the whole of the financial year
2. The report must include:
 - a) Details of all cash and investments held by the Council (including money held in trust); and
 - b) A statement on the debts owed to the Council including the aggregate amount owed under each category with a general indication of the age of the debts; and
 - c) Other information required by the Council.
1. 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.

This report is considered to a higher level of statutory compliance as outlined above.

**Income Statement
for the Period Ended 30/09/2019**


	Full Original Budget \$'000	Full Amended Budget \$'000	2019/20 YTD Budget \$'000	YTD Actual \$'000	YTD v FAB %		2018/19 YTD v FAB %	LY Actual \$'000
% of year elapsed					25%			
Income from Continuing Operations						Comment		
Rates & Annual Charges	74,568	74,568	74,571	74,275	100%	No issues	100%	71,57
User Charges, Fees & Other	25,096	25,096	6,901	6,293	25%	No issues	30%	7,27
Interest & Investment Revenue	2,226	2,226	557	601	27%	No issues	30%	57
Grants & Contributions - Operating	5,543	3,615	1,993	2,008	56%	No issues	16%	55
Total Income from Continuing Operations	107,433	105,504	84,022	83,176	79%		79%	79,97
Less Expenses from Continuing Operations								
Employee Costs	35,527	35,527	8,881	8,382	24%	No issues	25%	8,30
Borrowing Costs	1,534	1,534	59	36	2%	No issues	9%	7
Materials and Services	50,443	50,702	13,954	12,621	25%	No issues	27%	13,23
Depreciation and Amortisation	33,357	33,357	8,339	8,339	25%	No issues	25%	6,83
Total Expenses from Continuing Operations	120,861	121,120	31,234	29,378	24%		26%	28,44
Operating Result - Continuing Operations	(13,428)	(15,616)	52,789	53,798				51,52
Grants & Contributions - Capital	6,748	6,748	3,300	655	10%	No issues	0%	1
Net Operating Result For the Year	(6,680)	(8,868)	56,089	54,453				51,53

Income Statement

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

Outlines income and operating expenses. Capital expenditure has been excluded however depreciation expense has been recognised. 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 represents the revenue being struck for the full year. Assessments for 1st installment issued in August.

Operating expenses: Overall expenditure appears reasonable for this 3rd month of the financial year. Depreciation expense is recognised pro-rata over each of the 12 months.

Capital income: R2R grants for 1st Quarter received for \$600k and Project Collaboration per Memorandum of Understanding - Variety & City of Darwin grants for \$5k

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



Statement of Cash Flows
For the Period Ended 30/09/2019

	Full Original Budget \$'000	Full Amended Budget \$'000	<u>2019/20</u> YTD Actual \$'000	YTD v FAB %
% of year elapsed				25%
Funds From Operating Activities				
Net Operating Result From Above	(6,680)	(8,868)	54,453	
Add back depreciation (not cash)	33,357	33,357	8,339	
Add back Other Non Cash Items	581	581	-	
Net Funds Provided (or used in) Operating Activities	27,258	25,071	62,792	
Funds From Investing activities				
Sale of Infrastructure, Property, Plant & Equipment	731	731	-	0%
Purchase of Infrastructure, Property, Plant & Equipment	(53,074)	(58,878)	(2,085)	4%
Net Funds Provided (or used in) Investing Activities	(52,343)	(58,147)	(2,085)	
Funds From Financing Activities				
Proceeds from borrowings & advances	19,500	19,500	-	0%
Repayment of borrowings & advances	(1,331)	(1,331)	(207)	16%
Net Funds Provided (or used in) Financing Activities	18,169	18,169	(207)	
Net Increase (-Decrease) in Funds Before Transfers	(6,916)	(14,908)	60,500	
Transfers from (-to) Reserves	6,916	16,339	8,169	
Net Increase (-Decrease) in Funds After Transfers	-	-	68,668	

Municipal Plan Summary

Outlines This statement 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 which are detailed in the quarterly budget review reports (actual transfers to/from reserves are not actioned until the end of the 1st quarter).

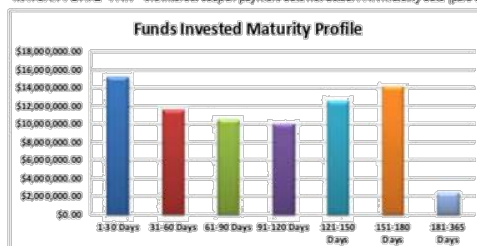
Full Amended Budget: Carry forwards from 2018/19 have been adopted and have been included in this report.

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

INVESTMENT REPORT TO COUNCIL AS AT 30 September 2019									
Institution Category	Inv Type	Credit Rating (ST)	Credit Rating (LT)	Counterparty (ADB)	Maturity Date	Interest Rate	FRN ONLY Y (Maturity Date -last pmt)	Principal \$	% of Total Portfolio
MAJOR BANK								\$59,247,307	75.00%
	TD	A1+	AA-	BankWest Ltd	10 December 2019	1.90%		\$1,500,000	1.92%
				National Australia Bank Ltd				\$26,170,859	34.62%
					1 October 2019	2.50%		\$2,000,000	1.92%
					8 October 2019	2.47%		\$1,041,412	1.92%
					26 November 2019	2.35%		\$1,043,366	1.92%
					26 November 2019	1.98%		\$2,000,000	1.92%
					10 December 2019	1.99%		\$1,500,000	1.92%
					7 January 2020	1.99%		\$1,500,000	1.92%
					10 March 2020	1.98%		\$1,500,000	1.92%
					24 March 2020	1.98%		\$1,500,000	1.92%
					24 March 2020	1.87%		\$2,551,887	3.85%
					11 February 2020	1.98%		\$1,500,000	1.92%
					41 February 2020	1.94%		\$1,500,000	1.92%
					18 February 2020	1.94%		\$1,500,000	1.92%
					18 February 2020	1.93%		\$1,500,000	1.92%
					25 February 2020	1.94%		\$1,500,000	1.92%
					3 March 2020	1.93%		\$1,500,000	1.92%
					17 March 2020	1.93%		\$1,500,000	1.92%
					17 March 2020	1.75%		\$1,034,194	1.92%
				Westpac Banking Corporation Ltd				\$23,576,448	26.92%
					22 October 2019	2.80%		\$2,000,000	1.92%
					29 October 2019	2.80%		\$2,000,000	1.92%
					5 November 2019	2.80%		\$2,000,000	1.92%
					12 November 2019	2.80%		\$2,000,000	1.92%
					15 October 2019	2.42%		\$1,065,284	1.92%
					15 October 2019	2.45%		\$1,500,000	1.92%
					10 December 2019	2.50%		\$1,500,000	1.92%
					17 December 2019	2.50%		\$3,000,000	3.85%
					7 January 2020	2.50%		\$1,500,000	1.92%
					14 January 2020	2.55%		\$2,000,000	1.92%
					28 January 2020	2.55%		\$1,500,000	1.92%
					10 March 2020	2.50%		\$2,000,000	1.92%
					3 March 2020	1.90%		\$1,511,185	1.92%
				BankSA				\$6,000,000	7.69%
					26 November 2019	2.80%		\$1,500,000	1.92%
					19 November 2019	2.50%		\$2,000,000	1.92%
					19 November 2019	2.80%		\$1,000,000	1.92%
					3 December 2019	2.40%		\$1,500,000	1.92%
	FRN	A1+	AA-	Commonwealth Bank of Australia Ltd	11 October 2019	2.28%	1/01/2024	\$1,000,000	1.92%
				Westpac Banking Corporation Ltd	24 October 2019	2.23%	24/04/2024	\$1,000,000	1.92%
OTHER								\$19,064,781	25.00%
	TD	A1	A+	Suncorp Bank				\$2,500,000	3.85%
					17 March 2020	1.70%		\$1,000,000	1.92%
					5 May 2020	1.65%		\$1,500,000	1.92%
		A2	BBB	Members Equity Bank Ltd				\$5,026,090	5.77%
					22 October 2019	2.40%		\$2,000,000	1.92%
					11 February 2020	1.70%		\$2,000,000	1.92%
					4 February 2020	1.70%		\$1,028,090	1.92%
		BBB+		AMP Bank Ltd				\$3,000,000	3.85%
					8 October 2019	2.70%		\$2,000,000	1.92%
					25 February 2020	2.00%		\$1,000,000	1.92%
				Bank of Queensland Ltd				\$5,538,692	7.69%
					28 January 2020	2.10%		\$1,500,000	1.92%
					21 January 2020	2.10%		\$2,000,000	1.92%
					25 February 2020	1.75%		\$1,028,724	1.92%
					26 May 2020	1.65%		\$1,011,967	1.92%
				Bendigo & Adelaide Bank Ltd				\$3,000,000	3.85%
					29 October 2019	1.95%		\$1,500,000	1.92%
					3 December 2019	1.95%		\$1,500,000	1.92%
Grand Total								\$78,312,089	100.00%

N.B.

*INV TYPE - FRN = interest rate is the 'Coupon Margin' established on issue date, this plus 3M BBSW provides the yield for the current coupon period.
 *MATURITY DATE - FRN = the interest coupon payment date not actual FRN maturity date (paid every 91 days).



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

General Bank Funds: \$31,159,821

Total Funds: \$109,471,910

Total Budgeted Investment Earnings: \$1,746,278

Year to Date Investment Earnings: \$513,862

Weighted Ave Rate: 2.19%

BBSW 90 Day Rate: 0.95%

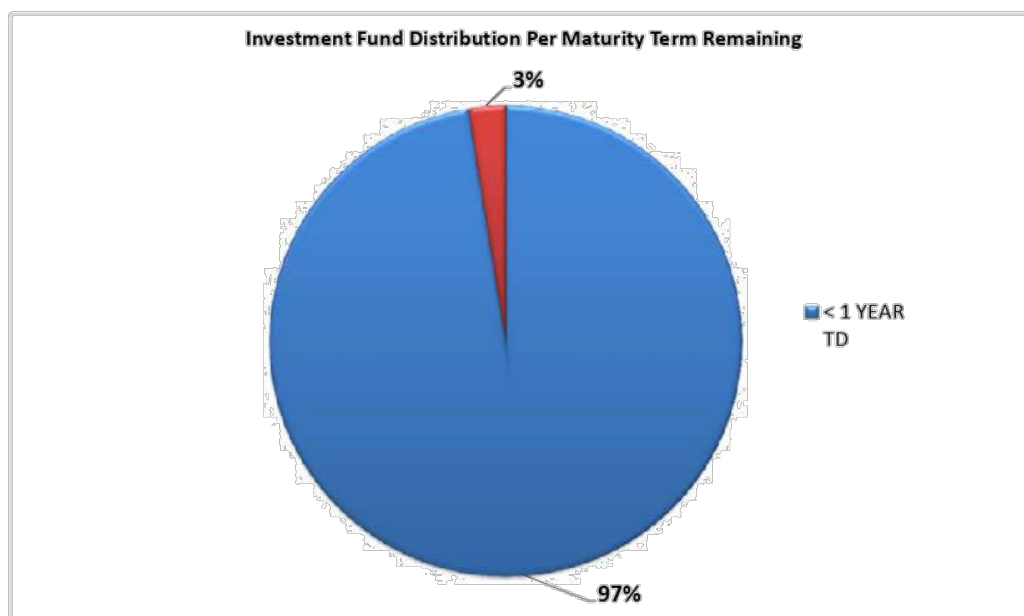
Bloomberg AusBond (Bank Bill Index): 0.96%

Trust Bank Account: \$478,101

**INVESTMENTS REPORT TO COUNCIL
AS AT
30 September 2019**



Portfolio vs Investment Policy



Investment Portfolio Term to Maturity Remaining Policy Limit

Term to Maturity Category	Term to Maturity (Policy Min.)	Term to Maturity (Policy Max.)	% of Total Portfolio
< 1 YEAR	30%	100%	97.45%
> 3 YEARS	0%	30%	2.55%
Grand Total			100.00%

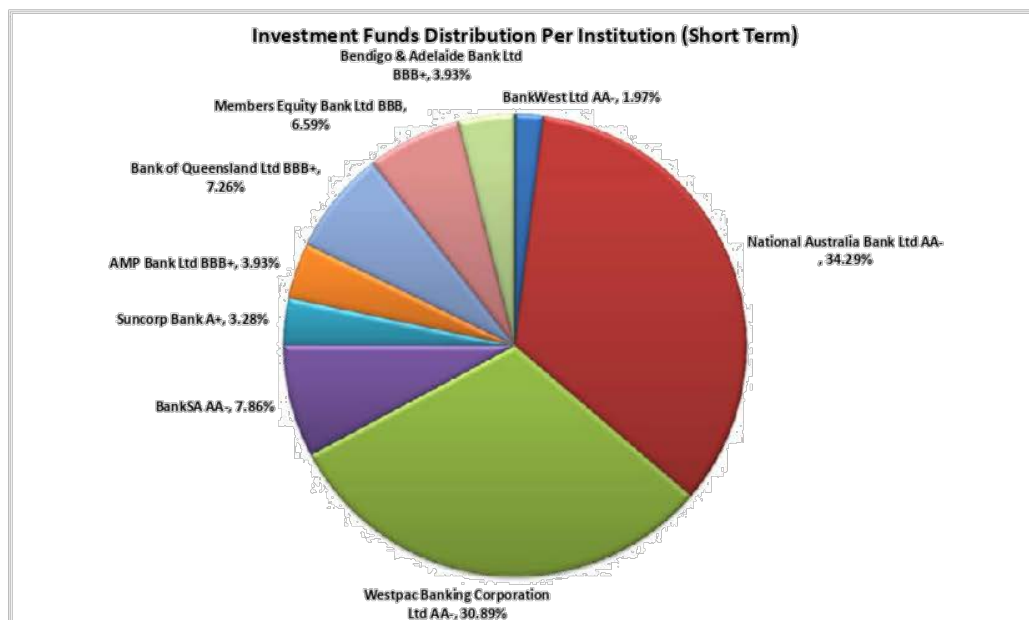
Investment Portfolio Term to Maturity Remaining by Counterparties

Term to Maturity Category	Inv Type	Counterparty (ADI)	% of Total Portfolio
< 1 YEAR	TD	AMP Bank Ltd	3.83%
		Bank of Queensland Ltd	7.07%
		BankSA	7.66%
		BankWest Ltd	1.92%
		Bendigo & Adelaide Bank Ltd	3.83%
		Members Equity Bank Ltd	6.42%
		National Australia Bank Ltd	33.42%
		Suncorp Bank	3.19%
		Westpac Banking Corporation Ltd	30.11%
< 1 YEAR Total		97.45%	
> 3 YEARS	FRN	Commonwealth Bank of Australia Ltd	1.28%
		Westpac Banking Corporation Ltd	1.28%
> 3 YEARS Total		2.55%	
Grand Total		100.00%	

**INVESTMENTS REPORT TO COUNCIL
AS AT
30 September 2019**



Portfolio vs Investment Policy



Investment Portfolio Counterparty Class Policy Limits (Short Term)

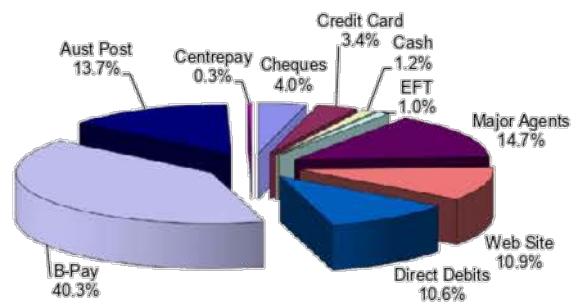
Credit Rating (LT)	Policy Limit	Sum of Principal Amount
AA-	100.00%	75.02%
A+	45.00%	3.28%
BBB+	10.00%	15.12%
BBB	10.00%	6.59%
Grand Total		100.00%

Credit Rating (LT)	Counterparty (ADI)	Individual Counterparty Limits of Total Investments	% of Total Portfolio
AA-	BankSA	50.00%	7.86%
	BankWest Ltd	50.00%	1.97%
	National Australia	50.00%	34.29%
	Westpac Banking	50.00%	30.89%
A+	Suncorp Bank	30.00%	3.28%
BBB+	AMP Bank Ltd	10.00%	3.93%
	Bank of Queensla	10.00%	7.26%
BBB	Bendigo & Adelair	10.00%	3.93%
	Members Equity E	10.00%	6.59%
Grand Total			100.00%

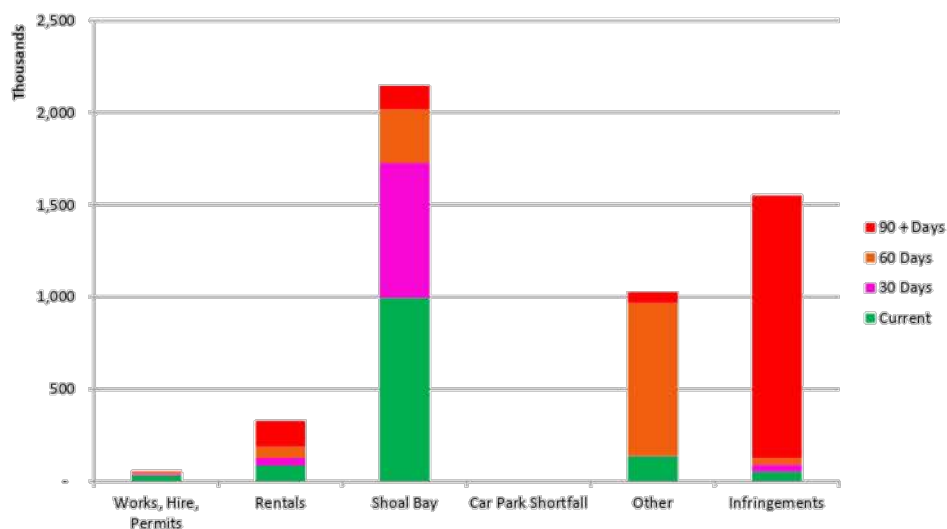


**FINANCE DEPARTMENT
SERVICE LEVEL REPORT TO COUNCIL
FOR THE MONTH OF SEPTEMBER 2019**

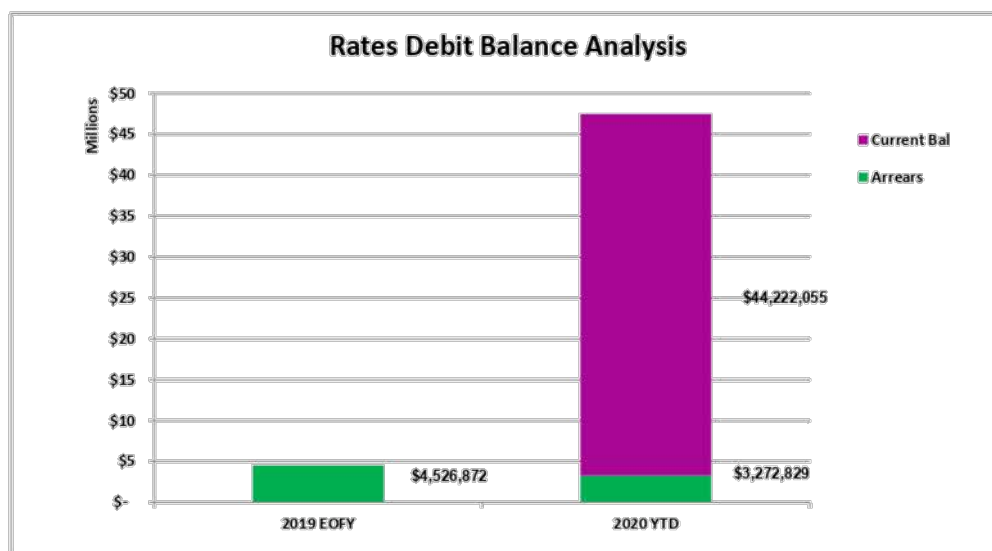
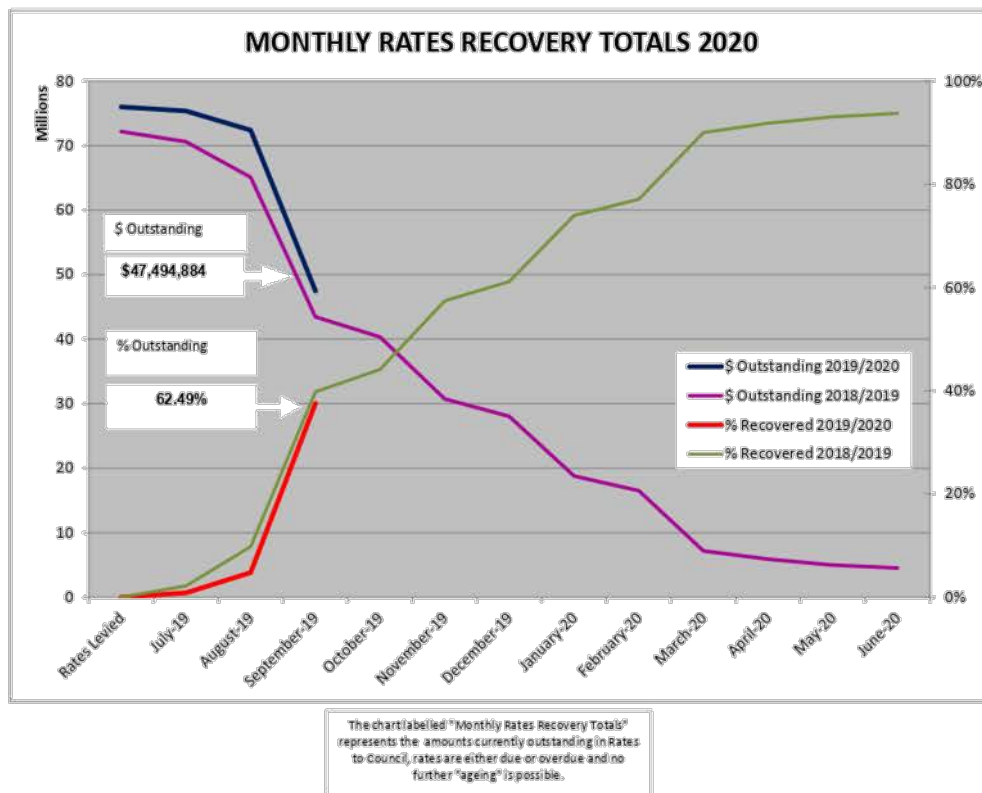
RATE RECEIPTS BY PAYMENT TYPE LAST 12 MONTHS



ACCOUNTS RECEIVABLE OUTSTANDING DEBTORS



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



16 REPORTS OF REPRESENTATIVES

17 QUESTIONS BY MEMBERS

18 GENERAL BUSINESS

18.1

Common No.

THAT

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 12 November 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

20 CLOSURE OF MEETING TO THE PUBLIC

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

RECOMMENDATIONS

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

26.1 PAYMENTS LISTING REPORT - SEPTEMBER 2019

This matter is considered to be confidential under Section 65(2) - 8(a), 8(b) and 8(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual, information about the personal circumstances of a resident or ratepayer and information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

26.2 CEO Performance Appraisal

This matter is considered to be confidential under Section 65(2) - 8(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

26.3 Darwin City Deal - Status of the Milkwood Trees - Cavenagh Street Site

This matter is considered to be confidential under Section 65(2) - 8(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information subject to an obligation of confidentiality at law, or in equity.

26.4 Darwin Velodrome Funding

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

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON



MINUTES

**Ordinary Council Meeting
Tuesday, 15 October 2019**

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

**MINUTES OF CITY OF DARWIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, LEVEL 1, CIVIC CENTRE, HARRY CHAN AVENUE,
DARWIN
ON TUESDAY, 15 OCTOBER 2019 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Andrew Arthur, Alderman Jimmy Bouhoris, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, Alderman George Lambrinidis, Alderman Simon Niblock, Alderman Mick Palmer, Alderman Peter Pangquee, Alderman Rebecca Want de Rowe, Alderman Emma Young
- OFFICERS:** Scott Waters (Chief Executive Officer), Joshua Sattler (General Manager Innovation Growth & Development Services), Russell Holden (Acting General Manager Corporate and Procurement Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Quinn (Acting General Manager Engineering & City Services), Nik Kleine (Executive Manager Waste and Capital Works), Chris Kelly (Executive Manager Corporate Services), Shenagh Gamble (Executive Manager Environment and Community), Jane de Gault (Media and Communications Advisor), Caitlyn Moulds (Acting Coordinator Governance), Shelley Cook (Acting Alderman Liaison Officer)
- APOLOGY:** Alderman Sherry Cullen
- GUESTS:** NT News, Mr Will Zwar, ABC Media, Ms Sowaibah Hanifie

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	Nil	
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12	Deputations and Briefings	7
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	Nil	
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20	Closure of Meeting to the Public	15
21	Adjournment of Meeting and Media Liaison	16

1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

The Chair declared the meeting open at 5.32 pm.

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

Nil

4.2 LEAVE OF ABSENCE GRANTED

RESOLUTION ORD457/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Gary Haslett

THAT it be noted Alderman Sherry Cullen is an apology due to a Leave of Absence previously granted for the period 29 August to the 12 November 2019.

CARRIED 12/0

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD458/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Gary Haslett

A. THAT a Leave of Absence be granted for Alderman Peter Panqguee for the period 17 October to 21 October 2019

CARRIED 12/0

5 ELECTRONIC MEETING ATTENDANCE

5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

RESOLUTION ORD459/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Gary Haslett

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 15/04/12, the following member was granted permission for Electronic Meeting Attendance at this the Forty-Seventh Ordinary Council Meeting held on Tuesday, 15 October 2019:

- Alderman Robin Knox

CARRIED 12/0

5.2 Electronic Meeting Attendance Requested

Nil

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 Declaration of Interest by Members

Nil

6.2 Declaration of Interest by Staff

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD460/19

Moved: Alderman Emma Young

Seconded: Alderman Sherry Cullen

That the minutes of the Ordinary Ordinary Council Meeting held on 24 September 2019 be confirmed.

CARRIED 12/0

8 MOVING OF CONFIDENTIAL ITEMS

With the consent of the Council, the following item was moved from the Confidential Section into the Open Section.

26.3 SUB LEASE OF KARAMA CHILDCARE CENTRE

SUMMARY

The purpose of this report is to seek Council consent for the subletting of Karama Childcare Centre

RESOLUTION ORD489/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council consent to the subletting of lease of Lot 6990 Town of Sanderson, Karama Child Care Centre, currently leased to Top End Early Learning Centre Incorporated, to the Malak Family Centre Incorporated, until 30 September 2022.
3. THAT pursuant to Section 32 (2) of the Local Government Act, Council hereby delegates to the Chief Executive Officer the power to negotiate any final terms and conditions for the sublease of Lot 6990 Town of Sanderson, Karama Child Care Centre, between Top End Early Learning Centre Incorporated and Malak Family Centre Incorporated.
4. THAT pursuant to Section 26 (2) of the Local Government Act, Council authorise the affixing of the Common Seal to all documents associated with Karama Child Care Centre and that this be attested by the signatures of the Chief Executive Officer and the Lord Mayor.
5. THAT pursuant to Section 2.3 of the lease of Lot 6990 Town of Sanderson, Karama Child Care Centre, the tenant will incur all reasonable costs of preparation of any renewal, surrender, assignment or transfer of this lease and any incidental documents, and all stamp duty and registration fees (if any).
6. THAT this decision be moved into open

CARRIED 12/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

10 PUBLIC QUESTION TIME

Nil

11 PETITIONS

Nil

12 DEPUTATIONS AND BRIEFINGS

Nil

13 NOTICES OF MOTION

Nil

14 OFFICERS REPORTS**14.1 RENEWABLE ENERGY OPTIONS TO POWER SHOAL BAY LEACHATE TREATMENT SYSTEM****SUMMARY**

The purpose of this report is to present the potential renewable energy options to power the proposed Shoal Bay Leachate Treatment Plant.

RESOLUTION ORD461/19

Moved: Alderman Andrew Arthur

Seconded: Alderman Rebecca Want de Rowe

THAT:

1. The report be received and noted.
2. Council test the market for the installation of a solar energy farm in conjunction with the final leachate treatment system at the Shoal Bay Waste Management Facility and that a report be bought back to Council.

.CARRIED 12/0

14.2 PROVISION OF 120L DOMESTIC WASTE BIN**SUMMARY**

The purpose of this report is to provide Council information on the provision of different sized domestic waste bins for Council's kerbside waste collection service.

Alderman Jimmy Bouhoris departed the meeting at 6:00 pm.

Alderman Jimmy Bouhoris re-joined the meeting at 6:00 pm.

RESOLUTION ORD462/19

Moved: Alderman Simon Niblock

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT the development of the Waste Management Strategy gives consideration to different sized domestic waste bins.

CARRIED 12/0

14.3 PROJECT MANAGEMENT PLAN: CLIMATE EMERGENCY RESPONSE

SUMMARY

The purpose of this report is to seek Council endorsement of a project management plan to develop City of Darwin's Climate Emergency Response

RESOLUTION ORD463/19

Moved: Alderman Simon Niblock

Seconded: Alderman Gary Haslett

1. THAT the report be received and noted.
2. THAT Council endorse the proposed plan to develop City of Darwin's Climate Emergency Response, provided at **Attachment 1** to this report.
3. THAT Council endorse the establishment of a Climate Emergency Response revolving fund, investing savings from energy reduction measures into future initiatives that address City of Darwin's Climate Emergency Response.
4. THAT a dedicated staff member be engaged to drive the development of City of Darwin's Climate Emergency Response.
5. THAT the Lord Mayor's Climate Emergency Roundtable, be scheduled for Wednesday 4 December 2019.
6. THAT budget initiatives identified in the proposed plan, and in this report, are referred to the 2020/21 budget process.

CARRIED 10/2

14.4 PARKING IN THE CBD OVER CHRISTMAS 2019

SUMMARY

The purpose of this report is to consider providing free parking in the CBD over the Christmas period 2019.

RESOLUTION ORD464/19

Moved: Alderman Mick Palmer

Seconded: Alderman Peter Pangquee

1. THAT the report be received and noted.
2. THAT Council provide free on-street car parking in the CBD between the 9 December 2019 and 5 January 2020.

CARRIED 12/0

14.5 INCOMING CORRESPONDENCE REGARDING RELOCATION OF NIGHTCLIFF LIBRARY TO JOHN STOKES SQUARE

SUMMARY

The purpose of this report is to present to Council the latest correspondence from Minister for Infrastructure, Planning and Logistics, regarding the inclusion of Nightcliff Library within the John Stokes Square development

RESOLUTION ORD465/19

Moved: Alderman Justine Glover

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council support a position to not progress any further advocacy for the inclusion of a new Nightcliff Library as part of the redevelopment of John Stokes Square.

Alderman Emma Young departed the meeting at 6:35 pm

Alderman Emma Young re-joined the meeting at 6:36 pm.

.CARRIED 12/0

14.6 APPOINTMENT OF ELECTED MEMBERS TO THE DEVELOPMENT CONSENT AUTHORITY ADVISORY COMMITTEE

SUMMARY

The purpose of this report is to appoint Elected Members to the Development Consent Authority Advisory Committee.

RESOLUTION ORD466/19

Moved: Alderman Justine Glover

Seconded: Alderman Simon Niblock

THAT this item be taken off the table and considered as the next item business.

CARRIED 12/0

RESOLUTION ORD467/19

Moved: Alderman Justine Glover

Seconded: Alderman Simon Niblock

1. THAT the report be received and noted.
2. THAT Council note the recent change in Elected Member representation in June 2019 from Alderman Sherry Cullen to Alderman Peter Pangquee.
4. THAT appoints two Elected Members and one Elected Member as the alternate member to the Development Consent Authority, being:
 - Alderman Pangquee
 - Alderman Niblock
 - Alderman Knox (Alternate)

CARRIED 12/0**14.7 DARWIN'S ICONIC LANDMARK - CONSULTATION REPORT****SUMMARY**

The purpose of this report is to present the consultation outcomes for Darwin's Iconic Landmark.

RESOLUTION ORD468/19

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Andrew Arthur

1. THAT the report be received and noted.
2. THAT based on the consultation outcomes there is not a high level of community support for an iconic landmark for Darwin at this time.
3. THAT the consultation feedback received for Darwin's Iconic Landmark be considered in the development of the public art projects within THRIVE Public Art Concept Brief for Bicentennial Park and/or Mindil.

CARRIED 12/0**14.8 COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATIONS - HIBISCUS TAVERN****SUMMARY**

The purpose of this report is to present to Council for consideration, responses to liquor licence applications.

RESOLUTION ORD469/19

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council has not identified any reason that would grounds for objection under Section 57 (2) of the Liquor Act for the Application for a Permanent Variation to a Liquor Licence from Hibiscus Tavern.

CARRIED 10/2

Alderman Robin Knox requested that her against vote be recorded

15 RECEIVE & NOTE REPORTS**15.1 MINUTES OF THE RISK MANAGEMENT & AUDIT COMMITTEE MEETING HELD ON 30 AUGUST 2019****SUMMARY**

The purpose of this report is to present for information the Minutes of the Risk Management and Audit Committee meeting held 30 August 2019.

RESOLUTION ORD470/19

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Simon Niblock

THAT the Minutes of the Risk Management and Audit Committee held on 30 August 2019, at **Attachment 1**, be received and noted.

CARRIED 12/0

15.2 MONTHLY FINANCIAL REPORT - AUGUST 2019**SUMMARY**

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

RESOLUTION ORD471/19

Moved: Alderman Mick Palmer

Seconded: Alderman Justine Glover

THAT this item be taken off the table and considered as the next item business.

CARRIED 12/0

RESOLUTION ORD472/19

Moved: Alderman Gary Haslett

Seconded: Alderman Justine Glover

1. THAT this item be taken off the table and considered as the next item business.
2. THAT the report entitled Monthly Financial Report – August 2019 be received and noted.

CARRIED 12/0

15.3 INVITATION TO JOIN ARAFURA GAMES 2021 ADVISORY COMMITTEE**SUMMARY**

The purpose of this report is to inform Council of the invitation accepted by General Manager Innovation, Growth and Development Services from Minister for the Arafura Games, the Hon. Natasha Fyles, MLA to join the Arafura Games 2021 Advisory Committee.

RESOLUTION ORD473/19

Moved: Alderman Justine Glover

Seconded: Alderman Emma Young

1. THAT the report be received and noted.

CARRIED 12/0

15.4 EXISTING PUBLIC ART ASSESSMENT - TRAVELLERS WALK AND JINGLI WATER GARDENS BY RO KOCH-LAURIE (ARTIST)**SUMMARY**

The purpose of this report is to provide information about the Travellers' Walk and Jingili Water Gardens mosaics by Ro Koch-Laurie.

RESOLUTION ORD474/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Justine Glover

1. THAT the report be received and noted.

CARRIED 12/0

15.5 MINUTES OF THE BOMBING OF DARWIN AND MILITARY HISTORY ADVISORY COMMITTEE 14 AUGUST 2019**SUMMARY**

The purpose of this report is to present for information the Minutes of the Bombing of Darwin and Military History Advisory Committee of 14 August 2019.

RESOLUTION ORD475/19

Moved: Alderman Emma Young

Seconded: Alderman Mick Palmer

THAT the minutes of the Bombing of Darwin and Military Advisory Committee meeting held on 14 August 2019, at **Attachment 1**, be received and noted.

CARRIED 12/0

16 REPORTS OF REPRESENTATIVES

Nil

17 QUESTIONS BY MEMBERS**17.1 FITZMAURICE DRIVE LEANYER****RESOLUTION ORD476/19**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Want de Rowe queried a motion approximately 18 months ago that was presented to Council requesting a traffic study be conducted along Fitzmaurice Drive Leanyer as a result of the increased traffic from Muirhead. Can an updated be provided on this traffic study?

The Lord Mayor took the question on notice on behalf of the General Manager Engineering and City Services.

CARRIED 12/0

17.2 DWYER PARK EXERCISE EQUIPMENT UPDATE**RESOLUTION ORD477/19**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried Dwyer park exercise equipment funding, as to whether there been any progression with the installation of equipment and the funding by the Northern Territory Government.

The Chief Executive Officer took the question on notice on behalf of the General Manager Engineering and City Services.

CARRIED 12/0

17.3 DICK WARD DRIVE FIRE BREAK**RESOLUTION ORD478/19**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried the fire breaks along Dick Ward Drive and Council's engagement with the land owners to widen the fire breaks to protect Council's trees from damage in the event of a fire.

The Lord Mayor responded and advised that a fire recently burnt through the area and Council's

trees were unharmed during the fire.

CARRIED 12/0

17.4 FENCES ALONG DICK WARD DRIVE

RESOLUTION ORD479/19

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried the fencing along Dick Ward Drive and the engagement of the land owners to repair the broken fences.

The Chief Executive Officer took the question on notice on behalf of the General Manager Engineering and City Services.

CARRIED 12/0

17.5 NEURON ELECTRIC SCOOTER UPDATE

RESOLUTION ORD480/19

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Simon Niblock request an update on the Neuron E-Scooter trials and the timing for the roll out and parking arrangements.

The General Manager Innovation responded and advised that his Department is currently working on the operating model with the relevant authorities. The General Manager advised that he expected this to be finalised in mid-November, with the roll out expected prior to Christmas this year. More data will be presented in the report in mid-November.

CARRIED 12/0

18 GENERAL BUSINESS

Nil

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**RESOLUTION ORD481/19**

Moved: Alderman Emma Young
Seconded: Alderman Peter Pangquee

THAT the next Ordinary Meeting of Council be held on Tuesday, 29 October 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 12/0

20 CLOSURE OF MEETING TO THE PUBLIC**RESOLUTION ORD482/19**

Moved: Alderman Emma Young
Seconded: Alderman Peter Pangquee

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

CARRIED 12/0

RECOMMENDATIONS

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

26.1 Confidential Minutes of the Risk Management & Audit Committee Meeting held on 30 August 2019

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

26.2 Chinatown Car Park Proposed Upgrade

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

26.3 Sub Lease of Karama Childcare Centre

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

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

ADJOURNMENT OF MEETING

RESOLUTION ORD483/19

Moved: Alderman Emma Young

Seconded: Alderman Peter Pangquee

That in accordance with By-Law 163(d), the meeting be adjourned at 7:15 pm for 15 minutes to enable the Council to liaise with media and have a break.

CARRIED 12/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 29 October 2019.

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CHAIR