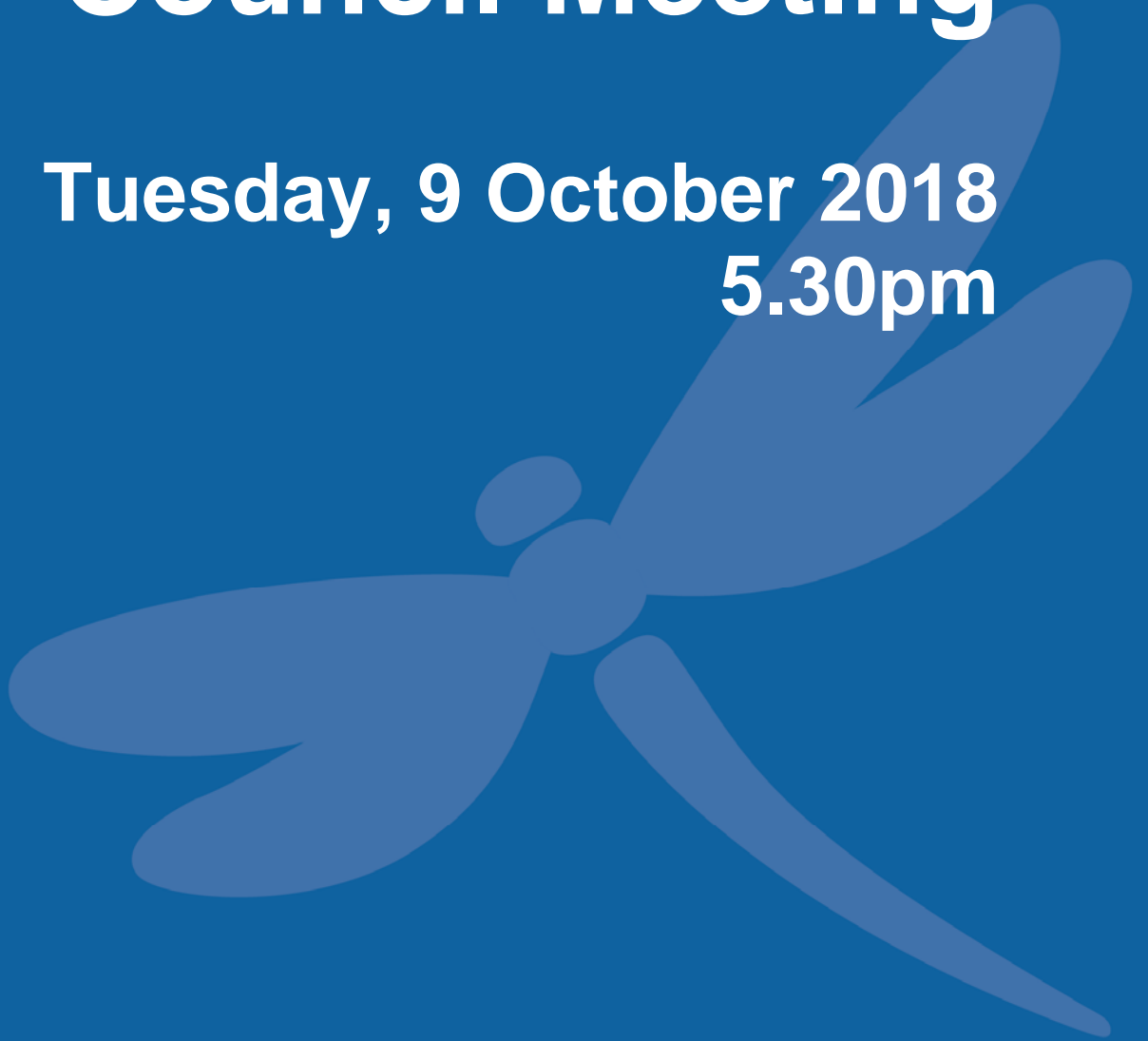


Business Papers

Ordinary Council Meeting

Tuesday, 9 October 2018
5.30pm





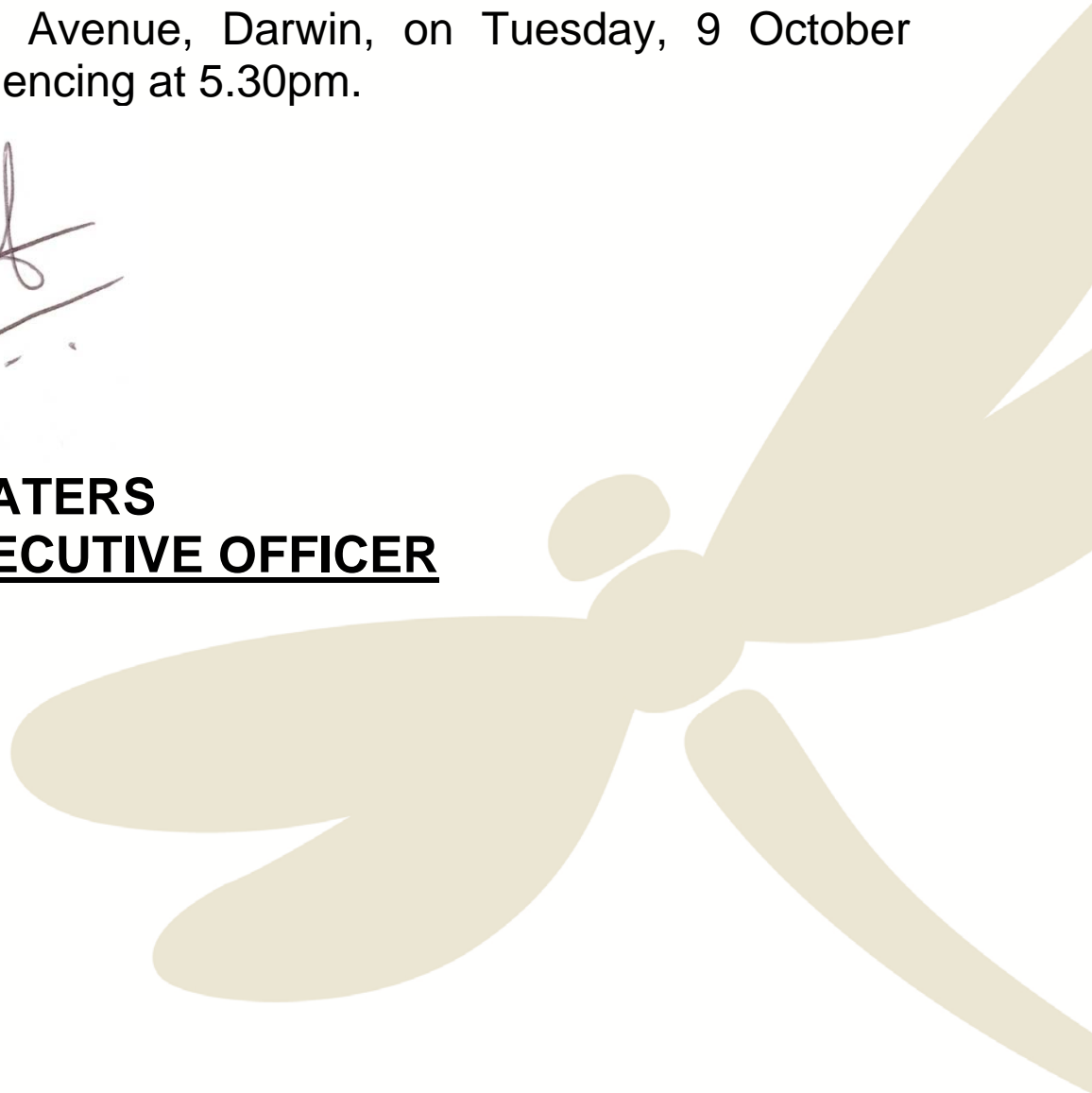
Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend an Ordinary Council Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 9 October 2018, commencing at 5.30pm.

A handwritten signature in dark ink, appearing to read 'S. Waters', is positioned above the printed name of the Chief Executive Officer.

SCOTT WATERS
CHIEF EXECUTIVE OFFICER



TWENTY-FIFTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 9 OCTOBER 2018

ORD10/3

CITY OF DARWIN

TWENTY-FIFTH ORDINARY MEETING OF THE TWENTY-SECOND COUNCIL

TUESDAY, 9 OCTOBER 2018

MEMBERS: The Right Worshipful, Lord Mayor, K Vatskalis, (Chair); Member A J Arthur; Member J Bouhoris; Member S Cullen; Member J A Glover; Member G J Haslett; Member R M Knox; Member G Lambrinidis; Member S J Niblock; Member M Palmer; Member P Pangquee; Member R Want de Rowe; Member E L Young.

OFFICERS: Chief Executive Officer, Mr S Waters; Chief of Staff, Ms M Reiter; Chief Operating Officer, Mr C Potter; General Manager Innovation, Growth and Development Services, Mr J Sattler; Acting General Manager Engineering and City Services, Mr N Kleine; Acting General Manager Community and Regulatory Services, Mr M Grassmayr; Committee Administrator, Mrs P Hart.

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

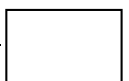
WEBCASTING DISCLAIMER

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

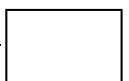
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TWENTY-FIFTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 9 OCTOBER 2018

ORD10/6

1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD’S PRAYER

3. MEETING DECLARED OPEN

4. APOLOGIES AND LEAVE OF ABSENCE
Common No. 2695036

4.1 Apologies

4.2 Leave of Absence Granted

- A. THAT it be noted Member P Pangquee is an apology due to a Leave of Absence previously granted on 11 September 2018 for the period 29 September to 14 October 2018.
- B. THAT it be noted Member S J Niblock is an apology due to a Leave of Absence previously granted on 25 September 2018 for the period 1 to 12 October 2018.

4.3 Leave of Absence Requested

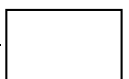
5. ELECTRONIC MEETING ATTENDANCE
Common No. 2221428

5.1 Electronic Meeting Attendance Granted

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 15/04/12, the following member(s) was granted permission for Electronic Meeting Attendance at this the Twenty-Fifth Ordinary Council Meeting held on Tuesday, 9 October 2018:

- Member S J Niblock

5.2 Electronic Meeting Attendance Requested



TWENTY-FIFTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 9 OCTOBER 2018

ORD10/7

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

6.1 Declaration of Interest by Members

6.2 Declaration of Interest by Staff

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

7.1 Confirmation of the Previous Ordinary Council Meeting

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 25 September 2018, be received and confirmed as a true and correct record of the proceedings of that meeting.

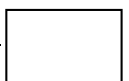
7.2 Business Arising

8. MATTERS OF PUBLIC IMPORTANCE

9. DEPUTATIONS AND BRIEFINGS

Nil

10. PUBLIC QUESTION TIME



TWENTY-FIFTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 9 OCTOBER 2018

ORD10/8

11. CONFIDENTIAL ITEMS

Common No. 1944604

11.1 Closure to the Public for Confidential Items

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

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C23.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C26	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

11.2 Moving Open Items Into Confidential

11.3 Moving Confidential Items Into Open

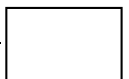
12. PETITIONS

13. NOTICE(S) OF MOTION

Nil



14.1 OFFICERS REPORTS (ACTION REQUIRED)



ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.1.1
 YES

2017/18 COMMUNITY SATISFACTION SURVEY

REPORT No.: 18CP0093 VG:ks COMMON No.: 3296637 DATE: 09/10/2018

Presenter: Manager Strategy & Outcomes, Vanessa Green

Approved: Chief of Staff, Melissa Reiter

PURPOSE

The purpose of this report is to present the results of the Annual Community Satisfaction Survey for 2017/18.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.4 Encourage community participation by engaging, communicating and working in partnership with the community

KEY ISSUES

- Council engaged McGregor Tan Research to undertake the Annual Community Satisfaction Survey between 20 February and 15 March 2018.
- 699 residents participated in the survey which was conducted using a computer aided telephone interview (CATI) system (both landlines and mobiles) and online.
- In 2017/18 participation by residents representing the median age in Darwin (34 years) slightly improved with 50% of participants 40 or under.
- There was a significant increase in the number of online responses in 2017/18 with 76% of surveys completed online.
- The Darwin community's overall satisfaction with Council has slightly improved during 2017/18 with a rating score of 3.4 compared to 3.3 in 2016/17. The 53% of survey respondents expressed that overall they were quite satisfied or very satisfied with City of Darwin, compared to 50% in 2016/17.
- Around a quarter of survey respondents (26%) expressed that they were neither satisfied nor dissatisfied with Council overall.

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 SUBJECT: COMMUNITY SATISFACTION SURVEY 2018

- In regards to the ‘importance’ of services compared to ‘satisfaction’, the following services have been identified as priority improvement areas:-
 - Road safety (i.e. placement of roundabouts, lights, traffic calming devices etc)
 - Maintenance of footpaths
 - Public toilet maintenance
 - Community consultation
 - Car parking in the CBD
 - Road Maintenance
- These priority improvement areas are consistent with survey results for the past 5+ years with the top three areas during this time being:
 - Community Consultation
 - Car Parking in the CBD
 - Public Toilets
- Survey results contribute to reporting on Council’s Strategic and Municipal Plans and are a key element of Council’s performance management framework. Results are reported via the quarterly performance reports and the City of Darwin Annual Report.

RECOMMENDATIONS

- A. THAT Report Number 18CP0093 VG:ks entitled 2017/18 Community Satisfaction Survey, be received and noted.
- B. THAT Council publish the 2017/18 Community Satisfaction Survey results on the City of Darwin website to inform the community of the outcome and to communicate an improvement strategy.

BACKGROUND

Annual community satisfaction surveys enable Council to track public perceptions with service delivery and performance, as well as identify any real or perceived gaps in the delivery of customer service to the community.

The annual Community Satisfaction Survey is utilised as part of Council’s performance management framework for reporting performance against achieving the Strategic Plan and annual Municipal Plan. The measures with the report are qualitative measures of performance.

In recent years, Council has modified its survey methodology in order to seek respondents who better represent the Darwin demographic. An increased focus has been placed on targeting mobile phones and online survey responses.

In 2017/18, demographic representation has improved with a 50% response rate from respondents aged 40 years or younger.

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 SUBJECT: COMMUNITY SATISFACTION SURVEY 2018

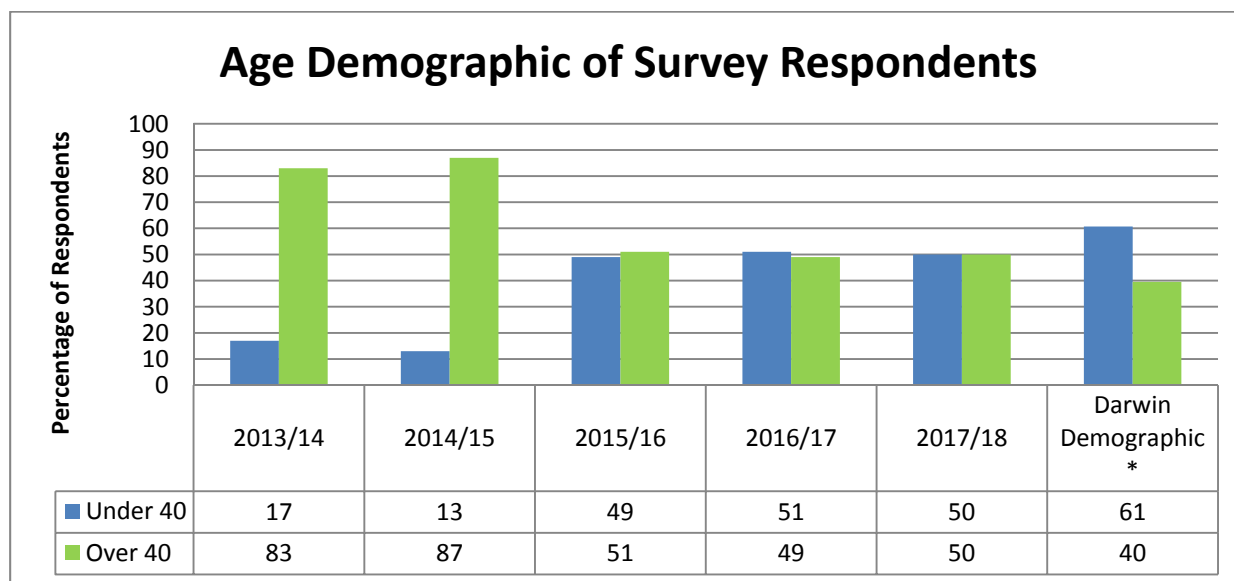


Image 1: Demographic *2016 ABS Census

DISCUSSION

The consultant's report outlining the results for 2017/18 is presented in **Attachment A**. The Community Satisfaction Survey Report presents the results utilising a rating system (1.0 - 5.0) and percentages of responses.

The rating system is outlined as follows:

- <2.4 representing a low level of importance/satisfaction;
- 2.5 – 3.4 representing mixed level of importance/satisfaction;
- 3.5 – 3.9 representing moderate levels of importance/satisfaction;
- 4.0 – 4.4 representing high levels of importance/satisfaction; and
- >4.5 representing an extremely high level of importance/satisfaction.

The results have been summarised as follows within the report:

- Services and Overall Community Satisfaction
- Customer Service and Contact
- Community Safety and key issues
- Net Promoter Score
- Local Government Benchmarking

Services and Overall Community Satisfaction (Pages 8 - 28)

Overall Community Satisfaction

The overall satisfaction rating for the City of Darwin was 3.4 (out of 5), a slight improvement from a rating of 3.3 (out of 5) in 2016/17.

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In 2017/18, 53% of respondents indicated that they were highly or extremely highly satisfied overall with the City of Darwin. This has slightly increased from 50% in 2016/17.

Overall community satisfaction data has been collated by Council for the last nine (9) years. The graph shown on the next page demonstrates the data for this period and maps the timing of local government elections. Anecdotally, some conclusion may be drawn as to the impact of election cycles on community satisfaction.

Services (Awareness, Usage, Importance and Satisfaction)

Awareness

Awareness of services seeks a spontaneous (unprompted) response from survey respondents. 93% of respondents could spontaneously name a least one (1) council service and on average respondents spontaneously named over three (3) services.

The wheelie bin service rated the highest awareness with 58% of respondents naming this service with over $\frac{3}{4}$ of these respondents aged over 40 years of age and more than half had lived in Darwin for more than 10 years.

A high level of spontaneous awareness was also recorded for library services, parks and streets.

The greatest increase in awareness was noted for swimming pools and playgrounds.

Awareness of swimming pools increased from 11% in 2015/16 and 8% in 2016/17 to 14% in 2017/18. This may be the result of increased awareness with the Parap Pool Redevelopment project and timing of the survey which commenced shortly after the official opening in early 2018.

Likewise, awareness of playgrounds increased from 2% in 2015/16 and 4% in 2016/17 to 11% in 2017/18. This may be attributed to the Bicentennial Play Space

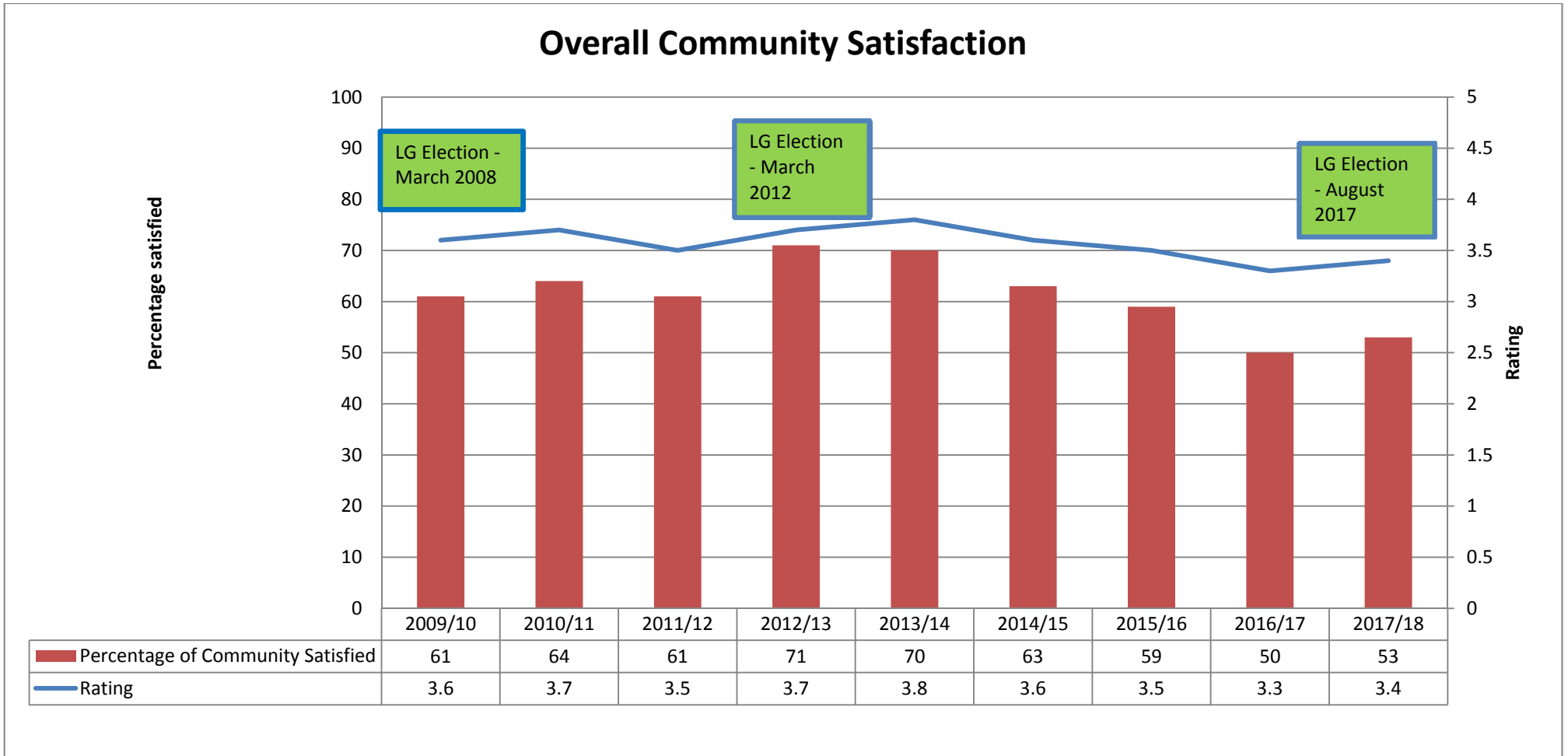


Image 2: Overall community satisfaction

Most Important

When asked “Of the services you are aware of, which ONE is the most important to you”. The top four services were:

- Wheelie bin collection service
- Library service
- Parks
- Streets

This has been the same top 4 for more than seven (7) years.

Services Used

We then go on to ask “which services have you used in the past 12 months”. Responses in 2017/18 were largely consistent with previous years with slight decreases recorded for wheelie bin collection service (4% decrease) and streets (3% decrease). Increases were recorded for footpaths (3% increase), car parking (4 % increase), and cycle paths/shared paths (2% increase). 1% increases were recorded for parks and walkways.

It is noted within the report that on average, 50% more males than females utilised council services during 2017/18.

Importance vs Satisfaction Analysis

Survey respondents were asked to rate the level of importance and their satisfaction with a prompted list of services.

Combined, these ratings are designed to enable Council to determine where it needs to focus its efforts in order to improve overall satisfaction ratings with Council services.

Services are rated and prioritised using the following four (4) categories:

1. High Priority for improvement
2. Improve services (continuous improvement approach)
3. Maintain levels of service
4. Opportunities (less important with high satisfaction)

The top five (5) services considered highest priority areas for improvement are:

- Community consultation
- Car parking in the CBD
- Public toilet maintenance
- Maintenance of footpaths
- Road Safety (placement of roundabouts, lights, traffic calming devices etc.)

These are largely unchanged from previous years with the exception of animal control and education with has decreased in its level of importance (4.2 down to 4.1) and increased in satisfaction (3.1 up to 3.2).

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SUBJECT: COMMUNITY SATISFACTION SURVEY 2018

Services categorised as opportunities, low importance, high satisfaction include the Darwin Entertainment Centre, Library Services, swimming pools and community events. Further details are outlined in the graphs on pages 20 and 21 of the consultant's report.

Customer Service and Contact

Overall, 47% of respondents stated that they had made contact with Council in the previous 12 months. There was a slight decrease in the number of respondents who expressed satisfaction with contact with Council, decreasing from 59% in 2016/17 to 56% in 2017/18. The primary reason for dissatisfaction included the issue was not resolved in a satisfactory manner, lack of follow up and poor customer service / improve communication skills.

Respondents contacting Council to make a 'complaint' remains the primary reason for contacting Council. Despite this, the percentage of respondents who contacted Council to make a complaint has decreased over the last three (3) years from 22% in 2015/16 to 18% in 2017/18.

The primary method of contacting Council remains as by phone, followed by the internet / email. There has been an increase in the number of people who presented at the Civic Centre in person from 10% in 2015/16 to 20% in 2017/18. The largest increase in method of contact was recorded via social media and apps with a 7% increase from the previous year with social media and an 8% increase from the previous year with Council's Click and Fix App.

Demographically, females (58%), those aged over 40 (62%) and those who lived in Darwin for more than 10 years (25%) are more likely to have rang Council to make contact.

Respondents under 40 (19%) and those who have lived in Darwin less than 10 years (25%) were more likely to utilise social media as a method of communication with Council.

For the first time in a number of years the NT News is not the primary method of finding out information about Council. In 2017/18 the primary method of finding out information about Council is recorded as social media with a significant increase in recent years. As a source of information in 2015/16 social media recorded a 10% response. This has increased to 44% (almost half) in 2017/18. Other significant increases are noted with sources such as word of mouth, radio, Council's website and flyers/leaflets. Likewise, these sources have overtaken the traditional newspaper as the preferred source of finding out information about Council.

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Community Safety and Key Issues

In recent years, Council's satisfaction survey tool was amended to include questions which specially relate to key community issues including safety. Respondents are asked about their feelings of safety in their local areas during the day and night and where they felt unsafe.

In 2017/18, 78% of respondents included that they felt safe in their local area during the day. This has decreased from the previous year with 86% feeling safe in 2016/17.

A decrease in the feeling of safety at night was also recorded in 2017/18. Safety at night decreased from 48% in 2016/17 to 43% in 2017/18.

The primary areas respondents felt unsafe in 2017/18 were:

- Bus stops / interchanges
- Mitchell Street
- Parks
- City Centre
- Car parks

Respondents were asked to list their top three priorities in accordance with Council's current strategic plan goals. The top three goal priorities are:

- Providing services and infrastructure that support people to live, work and play (Goal 2)
- Ensuring its business is conducted in a transparent, accountable and responsible way (Goal 5); and
- Leading and advocating for the sustainability and protection of our environment (Goal 3).

Only one in five (1 in 5) respondents agreed that Council's vision and goals are clearly communicated to residents and how Council plans for the future of the City. Despite the low agreement with these statements there is a shift away from respondents who totally disagree with these two statements. A slight improvement can be noted in 2017/18.

94% of respondents agreed that Council can make improvements to service delivery. Suggested improvement areas included:

- Reducing the cost of parking
- Removing parking meters
- Clean up streets and public areas
- Public intoxication

Respondents did however note that Council has improved its communication with the public and is more open, honest, accountable and transparent than in previous years.

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REPORT NUMBER: 18CP0093 VG:ks
SUBJECT: COMMUNITY SATISFACTION SURVEY 2018

Local Government Benchmarking

City of Darwin's overall satisfaction rating rates consistently when compared to other Local Governments which recently contracted McGregor Tan Research. The average mean score of five (5) comparative local governments from interstate is 3.5 (out of 5). City of Darwin's rating is 3.4 (out of 5).

Summary and Opportunities

The overall community satisfaction level with the City of Darwin slightly improved in 2017/18.

Slight improvements are noted generally across the board with communication and methods of access to information seeing the most improvement.

Despite there being no real notable increases, overall this is a shift away for the number of people dissatisfied which demonstrates positive movement.

The top five priority improvement areas will be reviewed further to consider opportunities for improvement.

Considering the top five priority improvement areas for Council in 2017/18 and trends over the past five years, the following opportunities may be considered as contributing to ongoing and future community satisfaction with the City of Darwin:

The survey report **Attachment A** presents more detailed findings with regards to the City of Darwin Community Satisfaction Survey 2017/18.

Future Plans for the Community Satisfaction Survey

The Community Satisfaction Survey is central to Council's overall performance management framework and provides a qualitative assessment of Council's service delivery. Improvements will be made in response to the new Strategic Plan and implementation of Asset Management Plans (Service Levels).

A review of the delivery methods will be undertaken and consideration of breaking the survey down into smaller, more targeted surveys will be taken into account in preparation for survey delivery in the 2018/19 financial year.

Consistent with previous years, it is intended that the results be published on the City of Darwin website. Key messaging that informs the community of the outcome and provides for the action it will take in an improvement strategy will be central to the publishing of the results.

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REPORT NUMBER: 18CP0093 VG:ks
SUBJECT: COMMUNITY SATISFACTION SURVEY 2018

CONSULTATION PROCESS

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

- Marketing and Communications Manager
- Transition Committee

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

- McGregor Tan

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Delivery of the survey has been undertaken within Council's annual operational budget in 2017/18.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There is a reputation risk associated with the survey findings and publication of the consultant's report, if it is not supported by key messaging and underpinned by a communications strategy. Some of the results have already been made public as part of Council's Quarterly Performance Reports for fourth quarter.

Risk can be mitigated through clear communication of the results and City of Darwin's plan for improvement.

ENVIRONMENTAL IMPLICATIONS

Nil

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REPORT NUMBER: 18CP0093 VG:ks
SUBJECT: COMMUNITY SATISFACTION SURVEY 2018

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

VANESSA GREEN
MANAGER STRATEGY &
OUTCOMES

MELISSA REITER
CHIEF OF STAFF

Attachments:

Attachment A: 2017/18 Community Satisfaction Survey Results prepared by
McGregor Tan

Submitted electronically:

<https://www.darwin.nt.gov.au/sites/default/files/file/agendas-minutes/attachments/18cp0093 - community satisfaction - attachment a.pdf>

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.1.2
 YES

DARWIN CITY CENTRE MASTER PLAN REVIEW

REPORT No.: 18CF0090 CR:hd COMMON No.: 2116605 DATE: 9/10/2018

Presenter: Manager City Planning, Cindy Robson

Approved: General Manager Innovation, Growth & Development Services,
 Joshua Sattler

PURPOSE

The purpose of this report is to outline options to review and revive the Darwin City Centre Master Plan to Council.

LINK TO STRATEGIC PLAN

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

Goal

2 Vibrant, Flexible and Tropical Lifestyle

Outcome

2.4 Economic growth supported

Key Strategies

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

KEY ISSUES

- At the Council Meeting held on Tuesday 11 September 2018, Council requested a report outlining options to review and revive the Darwin City Centre Master Plan (Master Plan).
- The Master Plan was funded by the Australian Government (\$250,000), Northern Territory Government (\$125,000) and City of Darwin (\$125,000). A total of \$500,000.
- Extensive consultation was undertaken to inform the Master Plan.
- Council endorsed the Master Plan on 26 May 2015.
- The Master Plan was originally intended to be including into the Northern Territory Planning Scheme (NTPS) as a policy document; however, was only included as background material.
- There are currently a range of strategic projects being developed for the Darwin City Centre and to some degree these projects will inform how the Master Plan projects will move forward.

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 REPORT NUMBER: 18CF0090 CR:hd
 SUBJECT: DARWIN CITY CENTRE MASTER PLAN REVIEW

- There are also a wide range of key stakeholders invested both in the City and current projects, extensive consultation would need to be undertaken to significantly vary from the projects as outlined in the existing Master Plan.

RECOMMENDATIONS

- A. THAT Report Number 18CF0090 CR:hd entitled Darwin City Centre Master Plan, be received and noted.
- B. THAT a workshop be held to discuss renewing and reviving the Darwin City Centre Master Plan.

BACKGROUND

The Master Plan was prepared after City of Darwin was successful in obtaining an Australian Government grant to develop a Darwin CBD Study and Precinct –Based Master Plan.

The Master Plan was a joint project, funded by the Australian Government (\$250,000), Northern Territory Government (\$125,000) and City of Darwin (\$125,000). The total project value was \$500,000.

Mr Steve Thorne of Design Urban Pty Ltd was appointed Project Manager by Council to help deliver this significant body of work.

A core study area and zone of influence for the Darwin CBD Study and Precinct – Based Master Plan Project was established and endorsed by Council in September 2012.

Extensive consultation was undertaken to inform the Master Plan, including a series of three workshops held between August and October 2013.

Council endorsed the Darwin City Centre Master Plan on 26 May 2015, refer **Attachment A**, with the intention of it be including into the Northern Territory Planning Scheme (NTPS) as a Policy Document; however, it was only included as background material.

The implementation of the Darwin City Centre Master Plan began in the 2014/15 financial year, with an allocation of \$3 Million for nine projects from the Darwin City Centre Master Plan in the City of Darwin Municipal Plan.

The 2015/16 Municipal Plan provided funding of \$1.5 Million to progress Master Plan projects 013 Smith Street Upgrade and 046 Urban Forest Project.

The 2016/17 Municipal Plan provided funding of \$1 Million to progress 3 projects as was decided at the Council Meeting held on Tuesday 28 March 2017:

PAGE: 3
 REPORT NUMBER: 18CF0090 CR:hd
 SUBJECT: DARWIN CITY CENTRE MASTER PLAN REVIEW

DECISION NO. 21\5278 (28/3/17)

Darwin City Centre Master Plan and 2016/2017 Projects Update

Report Number 17TS0034 NK:tz (28/3/17) Common No. 2116605

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

This report has been written, following a decision at the Council Meeting held on Tuesday 11 September 2018:

DECISION NO.22\1079 (11/09/18)

CBD Masterplan Reboot

Common No. 2116605

THAT a report outlining options to review and revive the CBD Masterplan be prepared and presented to Council by 16 October 2018.

DISCUSSION

From the Master Plan the following projects have been commenced or completed:

- 002 Smith St / Esplanade intersection
- 009 Bicentennial Park Playground
- 010 Bicentennial Park View Corridor
- 014 Barneson Boulevard
- 027 Parliament Car Park on Bennett Street
- 037 Tamarind Park upgrade
- 044 Cooling weather protection project
- 048 Alfresco Dining Policy Review

PAGE: 4
 REPORT NUMBER: 18CF0090 CR:hd
 SUBJECT: DARWIN CITY CENTRE MASTER PLAN REVIEW

- 055 Civic and State Square Master Plan
- 056 State Square underground Car Park

A comparison of the projects with Council decisions, and the allocation of budgets towards them in the Municipal Plan indicates that undertaking the projects, as proposed, has been difficult in the period since adoption.

In addition to a variety of factors that have deferred projects, there are also a range of other strategic planning projects currently being undertaken for the Darwin City Centre, including:

- Northern Territory Planning Commission is currently preparing the Central Darwin Area Plan, which will strategically plan for future land use and infrastructure needs in and around the Darwin City Centre.
- A memorandum of understanding for a Darwin City Deal has been signed and the terms of the City Deal are being negotiated between the Australian Government, Northern Territory Government and City of Darwin.
- The Vibrant CBD subcommittee, of the Northern Australia Capital City Committee are also undertaking projects in the Darwin City Centre.
- A number of Key City of Darwin Plans are also due for review, including the Bike Plan and Car Parking Strategy.

Conclusion

There are currently a range of strategic projects being developed for the Darwin City Centre and to some degree these projects will inform how the Master Plan projects will move forward.

There are also a wide range of key stakeholders invested both in the City and current projects, extensive consultation would need to be undertaken to significantly vary from the projects as outlined in the existing Master Plan.

That staff arrange a workshop / information session on the Master Plan for Elected Members, to discuss the main issues and develop a way forward in reviewing and reviving the Darwin City Centre Master Plan.

CONSULTATION PROCESS

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

- Acting General Manager Engineering and City Services
- Planning Officer

POLICY IMPLICATIONS

Policy implications should be assessed in relation to individual projects.

PAGE: 5
REPORT NUMBER: 18CF0090 CR:hd
SUBJECT: DARWIN CITY CENTRE MASTER PLAN REVIEW

BUDGET AND RESOURCE IMPLICATIONS

Budget would be required to engage a consultant to undertake a review of the Master Plan. Further budget allocation would be required to undertake any projects from the Master Plan.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Risk and legal advice should be assessed in relation to individual projects.

ENVIRONMENTAL IMPLICATIONS

Environmental implications should be assessed in relation to individual projects

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

CINDY ROBSON
MANAGER CITY PLANNING

JOSHUA SATTLER
GENERAL MANAGER
INNOVATION, GROWTH &
DEVELOPMENT SERVICES

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

Attachments:

Attachment A: Darwin City Centre Master Plan

This attachment is available electronically at:

https://www.darwin.nt.gov.au/sites/default/files/publications/attachments/final_city_centre_masterplan_endorsed_may2015.pdf

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.1.3
 YES

REVIEW OF PETITIONS TO COUNCIL

REPORT No.: 18CE0029 MR:ph COMMON No.: 2221528 DATE: 09/10/2018

Presenter: Committee Administrator, Penny Hart

Approved: Chief of Staff, Melissa Reiter

PURPOSE

The purpose of this report is to update Council on its request for amendments to the Darwin City Council By-laws with regard to petitions.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.1 Quality service

Key Strategies

5.1.2 Encourage innovation and continuous improvement

KEY ISSUES

- Council has requested a review of By-law 153 - Petitions, with the intent to contemporise the process of electronic submissions and contemporary submission forms.
- Officers have contacted the Department of Housing and Community Development - Local Government Division, and Parliamentary Counsel, to commence this review.
- Council has a current by-law reform project being undertaken, which commenced in 2017.
- The Local Government Division has supported inclusion of this revision as part of that reform work.

PAGE: 2
 REPORT NUMBER: 18CE0029 MR:ph
 SUBJECT: REVIEW OF PETITIONS TO COUNCIL

RECOMMENDATIONS

- A. THAT Report Number 18CE0029 MR:ph entitled Review of Petitions to Council, be received and noted.
- B. THAT Council endorse the drafting instructions outlined in **Attachment A** to Report Number 18CE0029 MR:ph entitled Review of Petitions to Council.

BACKGROUND

At the 2nd Ordinary Council Meeting of 31 July 2018, Council resolved as follows:

DECISION NO.22\978 (31/07/18)

Petitions to Council

Common No. 2221528

- A. *THAT Council agree to undertake amendments to the Darwin City Council By-laws relating to petitions to Council (clause 153).*
- B. *THAT a report to Council on timeframes and options for amendments, taking into account advice from Parliamentary Counsel on how petition processes can be contemporised, be provided by the end of October 2018.*

Officers have undertaken a review of petition processes in Australia and have made contact with the Department of Housing and Community Development - Local Government Division, and Parliamentary Counsel, to initiate review of the petition by-law.

DISCUSSION

Petitions are a means for the community to show its interest in particular matters and provide feedback to Council. City of Darwin currently considers a document to be a petition when it is presented on pro forma pages that fulfil the criteria outlined in the by-law.

The by-law states:

153 Petitions

- (1) A petition may be presented to a meeting by a member who, before presenting the petition, shall, as far as practicable, become acquainted with the subject matter of the petition.
- (2) A member, on presenting a petition to a meeting, shall:
 - (a) state the nature and prayer of the petition; and
 - (b) read the petition.
- (3) A petition shall not be presented unless it is worded in respectful language.
- (4) Each page of a petition presented to the council shall restate the whole of the petition.

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 REPORT NUMBER: 18CE0029 MR:ph
 SUBJECT: REVIEW OF PETITIONS TO COUNCIL

- (5) Where a page of a petition does not comply with clause (4) the signatures on that page shall not be taken into account by the council when considering the petition.
- (6) A person shall not append to a petition:
 - (a) a signature purporting to be that of another person; or
 - (b) the name of another person.
- (7) Where a member presents a petition to a meeting no debate on or in relation to it shall be allowed and the only motion that may be moved is:
 - (a) that the petition be received and consideration stand as an order of the day for the meeting or for a future meeting; or
 - (b) that the petition be received and referred to a committee or officer for consideration and a report to the council.

In its discussions, Council expressed a wish to modernise the process to include acceptance of electronic petitions. There have been sections of petitions presented to Council in 2017 and 2018 that were not accepted because they did not meet the definition of the by-law: as each page must re-state the whole of the petition and this is not a format generally undertaken for electronic documents.

The petition submission criteria are also considered restrictive:

- each page of the petition must state the whole petition in full; and
- each page requires signatures.

Standard practice is that petitions will also include the full name and address of signatories.

To amend the by-laws, officers have suggested general changes that will allow broader community participation and acceptance of a range of submissions. Implementation of these changes would be managed with development of modern guidelines and investigation of alternate petition methods. A follow up report would be provided to Council.

In order for Parliamentary Counsel to commence a reform process, it requires drafting instructions approved by Council.

The new drafting instructions at **Attachment A** propose the following changes:

By-law	Current Situation	Proposed changes
153	The current by-law is very prescriptive in that each page of the petition must restate the whole of the petition.	That a cover page that states the whole of the petition be provided, rather than each page restating the whole petition.
153	The current by-law does not allow for consideration of electronic petitions (signatures required and each page of the petition must	A definition that 'Council will treat as a petition any communication that is either identified as being a petition, or which it seems to us is

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 REPORT NUMBER: 18CE0029 MR:ph
 SUBJECT: REVIEW OF PETITIONS TO COUNCIL

	restate the whole of the petition).	intended to be a petition'. Petition to include 'the name and address and signature (or email address in the case of electronic petitions) of any person supporting the petition'
--	-------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Officers have included notes in the drafting instruction urgently requesting consideration of the petition by-law in the current review; however its inclusion in the current reform agenda will be at the discretion of Parliamentary Counsel. Parliamentary Counsel has noted that, as the current drafting is underway, each addition will extend the timeline for these instructions (the full by-law review). Given that the by-laws amendments project commenced in April 2017 and is currently underway, the Office of Parliamentary Counsel wishes to complete it. As such, the Local Government Division has indicated that they will not support any future requests for new drafting instructions until the completion of the current project. This means that the petition amendment may be the last in this round. Should it be denied at this time, it will remain on the review list for the future but this may mean a delay of years.

If Council approves the existing drafting instructions, Parliamentary Counsel will continue their drafting and, once draft by-laws are received, it will be required that Council go through a process of seeking and considering public comment on a Council-approved plain English explanatory document outlining the by-law changes.

CONSULTATION PROCESS

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

- Chief of Staff

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

- Department of Housing and Community Services Division of Local Government
- Parliamentary Counsel

POLICY IMPLICATIONS

City of Darwin Policy No. 043 - *Meetings, Meeting Procedures and Committees* is linked to the by-laws and will require amendment once new by-laws are adopted. New guidelines will also be adopted, that assist to modernise the petitions processes.

BUDGET AND RESOURCE IMPLICATIONS

Council has access through the Local Government Association of the Northern Territory (LGANT) to the legislative drafting services of the Parliamentary Counsel.

PAGE: 5
REPORT NUMBER: 18CE0029 MR:ph
SUBJECT: REVIEW OF PETITIONS TO COUNCIL

The Review is being funded via the Local Government Association of the Northern Territory (LGANT) and the Department of Housing and Community Services Division of Local Government.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There is a risk that additional amendments to the current by-laws reform program will continue to delay the ongoing drafting process with Parliamentary Counsel: the overall review seeks significant changes in the Darwin City Council by-laws and may be required to take priority over any additional requests.

ENVIRONMENTAL IMPLICATIONS

Council's current by-laws require petitions to be submitted either in hard copy or as scans of hard copies. By amending the by-law to accept electronic means, it will provide more sustainable options to the community for submission.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

PENNY HART
COMMITTEE ADMINISTRATOR

MELISSA REITER
CHIEF OF STAFF

For enquiries, please contact Penny Hart on 89300670 or email:
p.hart@darwin.nt.gov.au.

Attachments:

Attachment A: Drafting instructions - Petition By-law Amendment

ATTACHMENT A

DRAFTING INSTRUCTIONS FOR CITY OF DARWIN BY-LAWS - PETITIONS

Background

City of Darwin has requested that by-laws be drafted in accordance with the requirements of Part 13.1 of the *Local Government Act* (the Act).

Most of the provisions of the by-laws are still relevant and the Council wishes to retain them. However, it is intended that those provisions be modernised with the use of contemporary language and reflect current Council practices and procedures. There is also the need to make provisions for practices and procedures that are not currently provided for.

Instructions

The drafting of amendments to the current Darwin City Council By laws is currently underway. However, Council has requested that additional amendments be undertaken to contemporise the petition process to Council. We urgently request that this amendment be included in the current review for the benefit of the City of Darwin community. Residents are becoming more involved in issues in their community and are using petitions to communicate these issues to the City of Darwin Council. In petitions presented in 2017/18, hundreds of responses were discounted because they did not meet the petition guidelines and definitions of the relevant by-law because they either:

- did not appear on a page that complied with the by-law requirement for restatement of the petition in full
- were submitted electronically.

These are small amendments that will expand opportunities for our residents to have a say in their community.

The following table summarises the proposed changes to the By-laws.

By-law	Current Situation	Proposed changes
153	The current by-law is very prescriptive in that each page of the petition must restate the whole of the petition.	That a cover page that states the whole of the petition be provided, rather than each page restating the whole petition.
153	The current by-law does not allow for consideration of electronic petitions (signatures required and each page of the petition must restate the whole of the petition).	A definition that 'Council will treat as a petition any communication that is either identified as being a petition, or which it seems to us is intended to be a petition'. Petition to include 'the name and address and signature (or email address in the case of electronic petitions) of any person supporting the petition'

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.1.4
NO

ANIMAL MANAGEMENT – WHOLE OF COMMUNITY EDUCATION PROGRAM

REPORT No.: 18CE0040 SW:jg COMMON No.: 3910261 DATE: 09/10/2018

Presenter: Chief Executive Officer, Scott Waters

Approved: Chief Executive Officer, Scott Waters

PURPOSE

The purpose of this report is to notify Council of a whole of community animal management program to be implemented.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.5 Increase community awareness of the role and achievements of Council

KEY ISSUES

- Animal Management complaints and enquires average in excess of 150 per month, for the 12 month period Q4 2017 – Q3 2018
- This is the largest category of by law offences and complaints dealt with by Council.

RECOMMENDATIONS

- A. THAT Report Number 18CE0040 SW:jg entitled Animal Management – Whole of Community Education Program, be received and noted.
- B. THAT Council commence a whole of community education program specifically pertaining to animal management and that furthermore the education program include enhanced suburban compliance activity by City of Darwin Council Rangers.

PAGE: 2
REPORT NUMBER: 18CE0040 SW:jg
SUBJECT: ANIMAL MANAGEMENT – WHOLE OF COMMUNITY EDUCATION PROGRAM

BACKGROUND

Upon commencement as Chief Executive Officer at the City of Darwin, animal management has been clearly articulated as an area of priority and concern for Elected Members and the Community. Meetings have been held with council officers, elected members, members of the legislative assembly, complainants and animal owners (specifically those that have had complaints lodged against their pets).

The matter has also been raised via the Local Government Association of the NT and Top End Regional Organisation of Councils Meetings with an agreed coordinated approach across the member councils to work towards Northern Territory Government legislation.

DISCUSSION

To address the issues faced within Council's suburban environment the following measures are to be implemented.

- Whole local government area marketing campaign commencing in November, inclusive of two direct mail outs to each residence.
- The initial campaign is to advise of responsible pet ownership requirements within the local government area, focusing on nuisance complaints such as fence rushing, barking and the penalties that apply for this type of behaviour on a "did you know basis".
- Definitions specifically relating to nuisance barking and advice to help address this issue.
- The secondary campaign will focus upon legal requirements of pet ownership as well as Council's Dog and Cat Management Strategy.
- All campaigns will be supported via social and print media, as well as explanatory media releases and key messages for elected members.
- Direct compliance activity will occur in suburbs / areas / streets that have been identified as problematic.

CONSULTATION PROCESS

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

- Executive Leadership Team

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

- Nil specific consultation, however numerous meetings held over a 3 month period

PAGE: 3
REPORT NUMBER: 18CE0040 SW:jg
SUBJECT: ANIMAL MANAGEMENT – WHOLE OF COMMUNITY EDUCATION PROGRAM

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

I the Author and Approving Officer declare that I do not have a Conflict of Interest in relation to this matter.

SCOTT WATERS
CHIEF EXECUTIVE OFFICER

For enquiries, please contact Scott Waters on 89300505 or email:
darwin@darwin.nt.gov.au.

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.1.5
NO

OUTGOING EXECUTIVE LEADERSHIP TEAM - ACKNOWLEDGEMENT

REPORT No.: 18CE0038 SW:jg COMMON No.: 3907664 DATE: 09/10/2018

Presenter: Chief Executive Officer, Scott Waters

Approved: Chief Executive Officer, Scott Waters

PURPOSE

The purpose of this report is to acknowledge and thank the Acting Executive Leadership Team.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.2-Quality people

Key Strategies

5.2.2 Foster an engaged, healthy workplace culture focussed on value delivery

KEY ISSUES

Nil

RECOMMENDATIONS

- A. THAT Report Number 18CE0039 SW:jg entitled Outgoing Executive Leadership Team - Acknowledgement, be received and noted.
- B. THAT Council acknowledge and thank current and former staff that have acted in executive leadership positions over the past 7 months.

PAGE: 2
REPORT NUMBER: 18CE0038 SW:jg
SUBJECT: OUTGOING EXECUTIVE LEADERSHIP TEAM - ACKNOWLEDGEMENT

BACKGROUND

Council has undergone an extensive period of change within the executive leadership of the Council. This is as a result of resignations and contract finalisations.

DISCUSSION

Over the past months Council has undergone an extensive period of change due to resignations and contract finalisations within the Executive Leadership Team. To continue the business of Council, numerous staff within the management structure have been acting in executive leadership roles. Their dedication and hard work has ensured continued service delivery to the community, especially through difficult circumstances such as the TC Marcus recovery.

This evening's Ordinary meeting will be the last meeting where members of the acting Executive Leadership Team will attend and it is important to acknowledge the efforts of this team.

The following Ordinary meeting on the 30 October 2018 will be the first meeting with the recently appointed Executive Leadership Team of Council. It is an exciting period of time for Council and sets the scene for enhanced delivery of services and engagement to the community from Council in 2019.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

I the Author and Approving Officer declare that I do not have a Conflict of Interest in relation to this matter.

SCOTT WATERS
CHIEF EXECUTIVE OFFICER

For enquiries, please contact Scott Waters on 89300505 or email:
darwin@darwin.nt.gov.au.

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.1.6
 YES

REVIEW OF CITY OF DARWIN POLICY NO. 47 - REGULATORY MISCELLANEOUS

REPORT No.: 18CL0085 MG:kl COMMON No.: 3568780 DATE: 09/10/2018

Presenter: Acting General Manager Community and Regulatory Services,
 Matt Grassmayr

Approved: Chief Operating Officer, Chris Potter

PURPOSE

The purpose of this report is to seek Council adoption of the revised Policy No. 047 - Regulatory Miscellaneous.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.4 Encourage community participation by engaging, communicating and working in partnership with the community

KEY ISSUES

- In April 2018, Council endorsed a revision to Policy No. 047 – Regulatory Miscellaneous to address complaints received from members of the community regarding the keeping of roosters.
- The revised policy was released for community consultation and no public feedback was received.
- Legal advice was also sought on the proposal to amend Council's policy on the making of Regulatory Orders to include nuisance caused through the keeping of poultry.
- The revised policy was amended to ensure the proposed Regulatory Orders were compliant with the Local Government Act.
- The revised policy at **Attachment B** is now recommended for Council adoption.

PAGE: 2
 REPORT NUMBER: 18CL0085 MG:kl
 SUBJECT: REVIEW OF CITY OF DARWIN POLICY NO. 47 - REGULATORY MISCELLANEOUS

RECOMMENDATIONS

- A. THAT Report Number 18CL0085 MG:kl entitled Review of City of Darwin Policy No. 47 - Regulatory Miscellaneous, be received and noted.
- B. THAT Council rescind the current City of Darwin Policy No. 047 – Regulatory Miscellaneous at **Attachment A** to Report Number 18CL0085 MG:kl entitled Review of Policy 047 – Regulatory Miscellaneous.
- C. THAT Council adopt the revised City of Darwin Policy No. 047 – Regulatory Miscellaneous at **Attachment B** to Report Number 18CL0085 MG:kl entitled Review of Policy 047 – Regulatory Miscellaneous.

BACKGROUND

PREVIOUS DECISIONS

DECISION NO.22\0662 (24/04/18)

Policy Review - City of Darwin Policy No. 047 - Regulatory Miscellaneous
Report No. 18CL0009 CB:cb (16/04/18) Common No. 3568780

- B. *THAT Council endorse the Draft Policy No. 047 – Regulatory Miscellaneous as contained at **Attachment B** to Report Number 18CL0009 entitled City of Darwin Policy No. 047 - Regulatory Miscellaneous for the purposes of community consultation at the “Consult” level.*
- C. *THAT a further report be presented to Council following the community consultation process.*

DISCUSSION

In April 2018, Council endorsed a revision to Policy No. 047 – Regulatory Miscellaneous to address complaints received from members of the community regarding the keeping of roosters. The revised policy was released for community consultation and no public feedback was received.

Legal advice was also sought on the proposal to amend Council’s Policy on the making of Regulatory Orders to include nuisance caused through the keeping of poultry.

A regulatory order cannot prohibit activities that are otherwise legal and neither the amended policy nor a single regulatory order can prohibit the keeping of roosters in the municipality. However, Council does have the power to make a regulatory order requiring the owner or occupier of the land identified in the order and on which poultry is kept to remove or mitigate a nuisance or hazard, including where required to address complaints from residents.

PAGE: 3
 REPORT NUMBER: 18CL0085 MG:kl
 SUBJECT: REVIEW OF CITY OF DARWIN POLICY NO. 47 - REGULATORY MISCELLANEOUS

Previously Council Policy No. 047 – Regulatory Miscellaneous only referred to the making of Regulatory Orders in relation to cyclone hazards but this does not limit or otherwise derogate from Council's power to make regulatory orders under either s 194 or s 195 of the Act where poultry causes a "hazard or nuisance".

Following legal advice the revised policy has been amended to ensure the proposed section regarding Regulatory Orders is compliant to the Local Government Act. The revised Policy No. 047 – Regulatory Miscellaneous, **Attachment B**, is now recommended for Council adoption.

CONSULTATION PROCESS

The draft Policy 047 – Regulatory Miscellaneous was released for public comment. The consultation was promoted through the Engage Darwin site and an eNewsletter was sent to the 858 registered participants of the site to inform them of the consultation.

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

- Acting Manager Regulatory Services

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

- HWL Ebsworth Lawyers

POLICY IMPLICATIONS

This report recommends amendments to Council Policy No. 047 – Regulatory Miscellaneous.

BUDGET AND RESOURCE IMPLICATIONS

It is not anticipated that the policy revision will have a significant impact on staffing resources and operational budgets.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The Local Government Act, under Part 13.2, Division 1, Regulatory Orders, Section 195 Animals and activities involving animals, provides for Council “to make an order (a regulatory order) requiring the owner or occupier of the land on which an animal is kept or the activity is carried out, to take specified action to remove or mitigate the hazard or nuisance.”

ENVIRONMENTAL IMPLICATIONS

Regulatory Orders to address nuisance caused by the keeping of poultry, particularly with regard to noise and odour, will ensure amenity is maintained in the community.

PAGE: 4
REPORT NUMBER: 18CL0085 MG:kl
SUBJECT: REVIEW OF CITY OF DARWIN POLICY NO. 47 - REGULATORY MISCELLANEOUS

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

MATT GRASSMAYR
ACTING GENERAL MANAGER
COMMUNITY AND REGULATORY
SERVICES

CHRIS POTTER
CHIEF OPERATING OFFICER

For enquiries, please contact Matt Grassmayr on 89300633 or email:
m.grassmayr@darwin.nt.gov.au.

Attachments:

- Attachment A:** Current Policy No. 047 - Regulatory Miscellaneous with track changes
Attachment B: Revised Policy No. 047 - Regulatory Miscellaneous

Title: ~~_____~~ **Regulatory - Miscellaneous**

Policy No: ~~_____~~ 047

Adopted By: ~~_____~~ Council

Next Review Date: ~~_____~~ 30/08/2020

Responsibility: ~~_____~~ General Manager City Life

Document Number: ~~_____~~ 2120113

Version	Decision Number	Adoption Date	History
1	20\2501	23/02/10	Adopted
2	20\4492	11/10/11	Revision Adopted
3	21\4763	30/08/16	Amended section— Handbills / Posters

1 **PurposePolicy Summary**

To establish a framework for the administration of a number of Council's regulatory powers, namely:

- Handbills/Posters
- Loading Zone Permits
- Overhanging vegetation
- Parking Permits – Reservation of Bays
- Parking Permits for Service Vehicles
- Regulatory Orders

2 **ScopePolicy Objectives**

To provide guidance to the public and staff in respect to Council's regulatory activities.

3 **Background**

Council has the power to make by-laws and issue regulatory orders for the good governance of the Council area and to protect the area from natural or other hazards and to mitigate against the effects of such hazards.

City of Darwin By-laws cover such functions as animal management, public places activities, Council meeting procedures and facilities management whilst regulatory orders relate to visual pollution, mitigation of hazard or nuisance and animal management. This policy deals with specific regulatory activities in public places not addressed by other policies and with Council's use of regulatory orders on private property.

34 Policy Statement

Handbills/Posters

Persons, private companies or organisations may obtain permits to distribute handbills/posters in the municipality pursuant to City of Darwin By-Law No. 97. Permits for the distribution of handbills and posters are subject to conditions included on the permit. Permits may require payment of a fee to provide for litter control if necessary. Permit fees will be set with Council's annual fees and charges.

Loading Zone Permits

Loading zone permits may be issued to those persons who have a need to service business premises from loading zones, but do not own a commercial vehicle as defined in the Northern Territory Traffic Act and Regulations. Permits are subject to conditions printed on/issued with the permit. Permit fees will be set with Council's annual fees and charges.

Parking Permits – Reservation of Bays

Permits for reservation of parking bays within the Municipality will be issued only for commercial vehicles and subject to conditions printed on the permit. Permits for vehicles other than commercial may be granted in exceptional circumstances at the discretion of the Chief Executive Officer or ~~Regulatory Services Manager~~, General Manager Community and Regulatory Services ~~Corporate Services or General Manager Infrastructure~~. Permit fees will be set with Council's annual fees and charges.

Parking Permits for Service Vehicles

Parking permits for on-street parking of service vehicles will be issued only for the installation/maintenance or emergency repair to any plant and equipment belonging to a customer of that business/company or firm. Permits are subject to conditions printed on the permit. Permit fees will be set with Council's annual fees and charges.

Overhanging Vegetation

Council will recover costs from the property owner for pruning of vegetation which overhangs the road reserve or walkway when the owner/occupier has not complied with Council's written request to remove the overhanging vegetation within the elapsed time indicated in Council's request.

Regulatory Orders

Regulatory Orders may be issued requiring an owner or occupier of land to:

(a) remove or mitigate a hazard, nuisance or potential hazard or nuisance.

Examples of such orders include where Council might require an owner or occupier of land to:

- (i) clear away objects or materials that could prove hazardous to neighbours during a cyclone;
- (ii) cut back overhanging vegetation;
- (iii) fence the land to prevent animals from running out from the land across a road; or
- (iv) construct drains to prevent water from the land draining across an adjoining road.
- (b) take action to remove or mitigate a hazard or nuisance in respect of an animal or an activity involving an animal.

Examples of such orders include where Council might require an owner or occupier of land to:

- (i) reduce the number of cats kept on a property;
- (ii) reduce noise or odours, including but not only noise or odours arising from the keeping of poultry;
- (iii) destroy a dangerous animal that cannot be adequately controlled in its current location;
- or
- (iv) require re-location of slaughtering activities to a place where they are less likely to cause offence or a risk to the health of others.

Council will respond to complaints from residents or appropriate organisations in relation to hazards and potential hazards as and when they arise. In determining whether to issue a regulatory order Council will take into account individual circumstances, alternatives, resources and priorities of Council.

Regulatory Orders

~~Regulatory Orders are issued for cyclone hazards. Council will respond to complaints from residents or appropriate organisations in relation to hazards and potential hazards as and when they arise. In determining whether to issue a regulatory order Council will take into account individual circumstances, alternatives, resources and priorities of Council.~~

~~5—Legislation, Terminology and References~~

- ~~• The Local Government Act (and specifically Part 13.2 Regulatory Orders) and City of Darwin By-Laws.~~
- ~~• The Northern Territory Traffic Act and Regulations.~~

4 Definitions

Nil

5 Legislative References

The Local Government Act (and specifically Part 13.2 Regulatory Orders) and City of Darwin By-laws.

The Northern Territory Traffic Act and Regulations

6 Procedures / Related Documents

Policy No. 085 – Compliance and Enforcement Policy

7 Responsibility / Application

The General Manager Community and Regulatory Services is responsible for managing implementation of this policy.

This policy should be reviewed once in the term of each Council or more often as required.

8 Document Control

<u>Council Policy</u>			<u>Responsible Officer: General Manager City Life</u>	
<u>Version</u>	<u>Decision Number</u>	<u>Adoption Date</u>	<u>History</u>	<u>Next Review Date</u>
<u>1</u>	<u>20\2501</u>	<u>23/02/10</u>	<u>Adopted</u>	
<u>2</u>	<u>20\4492</u>	<u>11/10/11</u>	<u>Revision Adopted</u>	
<u>3</u>	<u>21\4763</u>	<u>30/08/16</u>	<u>Amended section – Handbills / Posters</u>	<u>30/08/2020</u>
<u>4</u>				

1 Purpose

To establish a framework for the administration of a number of Council's regulatory powers, namely:

- Handbills/Posters
- Loading Zone Permits
- Overhanging vegetation
- Parking Permits – Reservation of Bays
- Parking Permits for Service Vehicles
- Regulatory Orders

2 Scope

To provide guidance to the public and staff in respect to Council's regulatory activities.

Council has the power to make by-laws and issue regulatory orders for the good governance of the Council area and to protect the area from natural or other hazards and to mitigate against the effects of such hazards.

City of Darwin By-laws cover such functions as animal management, public places activities, Council meeting procedures and facilities management whilst regulatory orders relate to visual pollution, mitigation of hazard or nuisance and animal management. This policy deals with specific regulatory activities in public places not addressed by other policies and with Council's use of regulatory orders on private property.

3 Policy Statement

Handbills/Posters

Persons, private companies or organisations may obtain permits to distribute handbills/posters in the municipality pursuant to City of Darwin By-Law No. 97. Permits for the distribution of handbills and posters are subject to conditions included on the permit. Permits may require payment of a fee to provide for litter control if necessary. Permit fees will be set with Council's annual fees and charges.

Loading Zone Permits

Loading zone permits may be issued to those persons who have a need to service business premises from loading zones, but do not own a commercial vehicle as defined in the Northern Territory Traffic Act and Regulations. Permits are subject to conditions printed on/issued with the permit. Permit fees will be set with Council's annual fees and charges.

Parking Permits – Reservation of Bays

Permits for reservation of parking bays within the Municipality will be issued only for commercial vehicles and subject to conditions printed on the permit. Permits for vehicles other than commercial may be granted in exceptional circumstances at the discretion of the Chief Operating Officer or General Manager Community and Regulatory Services. Permit fees will be set with Council's annual fees and charges.

Parking Permits for Service Vehicles

Parking permits for on-street parking of service vehicles will be issued only for the installation/maintenance or emergency repair to any plant and equipment belonging to a customer of that business/company or firm. Permits are subject to conditions printed on the permit. Permit fees will be set with Council's annual fees and charges.

Overhanging Vegetation

Council will recover costs from the property owner for pruning of vegetation which overhangs the road reserve or walkway when the owner/occupier has not complied with Council's written request to remove the overhanging vegetation within the elapsed time indicated in Council's request.

Regulatory Orders

Regulatory Orders may be issued requiring an owner or occupier of land to:

- (a) remove or mitigate a hazard, nuisance or potential hazard or nuisance.

Examples of such orders include where Council might require an owner or occupier of land to:

- (i) clear away objects or materials that could prove hazardous to neighbours during a cyclone;
 - (ii) cut back overhanging vegetation;
 - (iii) fence the land to prevent animals from running out from the land across a road; or
 - (iv) construct drains to prevent water from the land draining across an adjoining road.
- (b) take action to remove or mitigate a hazard or nuisance in respect of an animal or an activity involving an animal.

Examples of such orders include where Council might require an owner or occupier of land to:

- (i) reduce the number of cats kept on a property;
- (ii) reduce noise or odours, including but not only noise or odours arising from the keeping of poultry;
- (iii) destroy a dangerous animal that cannot be adequately controlled in its current location; or
- (iv) require re-location of slaughtering activities to a place where they are less likely to cause offence or a risk to the health of others.

Council will respond to complaints from residents or appropriate organisations in relation to hazards and potential hazards as and when they arise. In determining whether to issue a regulatory order Council will take into account individual circumstances, alternatives, resources and priorities of Council.

4 Definitions

Nil

5 Legislative References

The Local Government Act (and specifically Part 13.2 Regulatory Orders) and City of Darwin By-laws.

The Northern Territory Traffic Act and Regulations

6 Procedures / Related Documents

Policy No. 085 – Compliance and Enforcement Policy

7 Responsibility / Application

The General Manager Community and Regulatory Services is responsible for managing implementation of this policy.

This policy should be reviewed once in the term of each Council or more often as required.

8 Document Control

Council Policy			Responsible Officer: General Manager City Life	
Version	Decision Number	Adoption Date	History	Next Review Date
1	20\2501	23/02/10	Adopted	
2	20\4492	11/10/11	Revision Adopted	
3	21\4763	30/08/16	Amended section – Handbills / Posters	30/08/2020
4				

TWENTY-FIFTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 9 OCTOBER 2018

ORD10/10

14.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil

15. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

16. REPORTS OF REPRESENTATIVES

17. QUESTIONS BY MEMBERS

18. GENERAL BUSINESS

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

Common No. 2695130

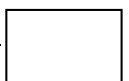
THAT the next Ordinary Meeting of Council be held on Tuesday, 30 October 2018, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

20. CLOSURE OF MEETING TO THE PUBLIC

Common No. 2695131

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

21. ADJOURNMENT OF MEETING AND MEDIA LIAISON





PREVIOUS MINUTES

OPEN

Ordinary Council Meeting

25 September 2018

TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/1

CITY OF DARWIN

MINUTES OF THE TWENTY-FOURTH ORDINARY COUNCIL MEETING OF THE TWENTY-SECOND COUNCIL HELD AT THE ESSINGTON INTERNATIONAL SCHOOL DARWIN, CHAPMAN ROAD, NIGHTCLIFF, ON TUESDAY, 25 SEPTEMBER 2018 COMMENCING AT 5.32PM.

MEMBERS: The Right Worshipful, Lord Mayor, K Vatskalis, (Chair); Member A J Arthur; Member J Bouhoris; Member J A Glover; Member G J Haslett; Member S J Niblock; Member M Palmer; Member P Pangquee; Member R Want de Rowe; Member E L Young.

OFFICERS: Chief Executive Officer, Mr S Waters; Chief of Staff, Ms M Reiter; Chief Operating Officer, Mr C Potter; Acting General Manager Engineering and City Services, Mr N Kleine; Acting General Manager Community and Regulatory Services, Ms S Gamble; Consultant, Mr A Roach; Manager City Planning, Ms C Robson; Planning Officer, Mr B Sellers; Committee Administrator, Mrs P Hart.

APOLOGY: Member S Cullen; Member R M Knox; Member G Lambrinidis.

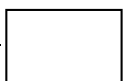
MEDIA: NT News, Mr Will Zwar; Channel 9, Ms Melissa Mackay.

WEBCASTING DISCLAIMER

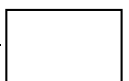
The City of Darwin live webcasts the Open Section of Ordinary Council Meetings. Audio-visual recording equipment was configured to avoid coverage of the public gallery area and the City of Darwin used its best endeavours to ensure images in this area are not webcast. However the City of Darwin expressly provided no assurances to this effect and in the event your image was webcast, you were by remaining in the public gallery area taken to have given the City of Darwin a non-exclusive licence to copy and broadcast your image worldwide for no reward.

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		(Moved from Confidential)



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/3

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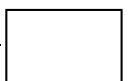
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TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/4

1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD'S PRAYER

3. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.32pm.

4. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

4.1 Apologies

Nil

4.2 Leave of Absence Granted

(Glover/Bouhoris)

- A. THAT it be noted Member G Lambrinidis is an apology due to a Leave of Absence previously granted on 17 July 2018 for the period 23 August to 2 October 2018.
- B. THAT it be noted Member S Cullen is an apology due to a Leave of Absence previously granted on 28 August 2018 for the period 23 September to 1 October 2018.
- C. THAT it be noted Member R M Knox is an apology due to a Leave of Absence previously granted on 28 August 2018 for the period 8 September to 1 October 2018.

DECISION NO.22\1094

(25/09/18)

Carried

4.3 Leave of Absence Requested

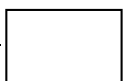
(Lord Mayor/Haslett)

- A. THAT a Leave of Absence be granted for Member M Palmer for the period 17-23 October 2018.
- B. THAT a Leave of Absence be granted for Member S J Niblock for the period 1-12 October 2018.

DECISION NO.22\1095

(25/09/18)

Carried



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/5

5. ELECTRONIC MEETING ATTENDANCE
Common No. 2221428

5.1 Electronic Meeting Attendance Granted

Nil

5.2 Electronic Meeting Attendance Requested

(Lord Mayor/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 members request Electronic Meeting Attendance:

- Member S J Niblock to attend all Council and Committee Meetings for the period of 1 to 12 October 2018.

DECISION NO.22\1096 (25/09/18) Carried

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

6.1 Declaration of Interest by Members

Nil

6.2 Declaration of Interest by Staff

Nil

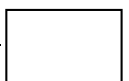
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
Common No. 1955119

7.1 Confirmation of the Previous Ordinary Council Meeting

(Glover/Pangquee)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 11 September 2018, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\1097 (25/09/18) Carried



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/6

7.2 Confirmation of the Previous Confidential Ordinary Council Meeting

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

(Pangquee/Young)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 11 September 2018 be received and confirmed as a true and correct record of the proceedings of that meeting.
- B. THAT this decision be moved into Open.

DECISION NO.22\1098 (25/09/18) Carried

7.3 Business Arising

Nil

8. MATTERS OF PUBLIC IMPORTANCE

Nil

9. DEPUTATIONS AND BRIEFINGS

Nil

10. PUBLIC QUESTION TIME

(Pangquee/Young)

THAT the following Public Questions and responses as tabled from Ms Lia Gill regarding Traffic concerns on Alawa Crescent be received and noted.

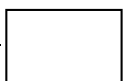
DECISION NO.22\1099 (25/09/18) Carried

10.1 Questions from Ms Lia Gill – Traffic concerns on Alawa Crescent Common No. 3410519

Question 1

Why have the concerns of the people of Alawa been ignored in relation to this matter for so many years?

Continued on next page.



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/7

Response

The concerns of Alawa residents regarding traffic issues along Alawa Crescent have not been ignored by Council.

When speeding along this road was highlighted two years ago, Council undertook a traffic investigation, including traffic counts at multiple locations along Alawa Crescent. The measured 85th percentile speeds at that time, were not excessive (52.9 and 59.7 km/hour) but higher than the road speed limits. As the control of vehicle speeds is a community-wide responsibility, with enforcement, education and if required-engineering all playing a role, at that time, Council deployed speed-check signs as an educational measure and wrote the NT Police requesting additional speed enforcement along this road.

Question 2

What was the outcome of the investigation by City of Darwin Council into the issues of speeding traffic along this road?

Could a copy of this investigation summary be included with this answer?

Response

The latest investigation confirmed that there was a reduction in 85th percentile speeds along Alawa Crescent from 52.9 and 59.7 km/hr (measured in 2016) to 48.2 and 59.4 km/hr (measured in 2018). Although the previous education and increased enforcement measures have been somewhat effective in reducing the speeds along these roads, the measured speeds are still above the road speed limits.

Although the previous education and additional policing measures implemented have had a positive effect on speed reductions along Alawa Crescent, given that the latest measured 85th percentile speeds are still in excess of the road speed limits, Council will now consider the feasibility of implementing further physical traffic calming along Alawa Crescent, pending funding availability and community consultation with all stakeholders.

Should funding for these works be secured, concept designs of the proposed measures will be provided to all stakeholders, to obtain their views, prior to finalising the designs and programming for implementation.

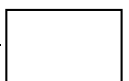
Question 3

Do we have to wait until one of our kids are badly injured or killed before this issue is adequately addressed and acted on by Council?

Response

Safety along all roads is a community-wide responsibility with enforcement, education and if required-engineering all playing a role. The latest investigation has determined that although the previous educational and additional speed enforcement measures were somewhat effective in reducing speeds along Alawa Crescent, the implementation of physical traffic calming works should now be considered.

In the meantime, Council will deploy speed-check signs along Alawa Crescent as an educational measure and again write to the Northern Territory Police requesting speed enforcement be undertaken within the area.



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/8

11. CONFIDENTIAL ITEMS
Common No. 1944604

11.1 Closure to the Public for Confidential Items

(Young/Haslett)

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

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C24.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C25.1	8(e)	information provided to the council on condition that it be kept confidential
C27.1.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

DECISION NO.22\1100

(25/09/18)

Carried

11.2 Moving Open Items Into Confidential

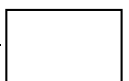
Nil

11.3 Moving Confidential Items Into Open

Nil

12. PETITIONS

Nil



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/9

13. NOTICE(S) OF MOTION

13.1 Sister City Subcommittee Activities

Common No. 2118626

(Haslett/Lord Mayor)

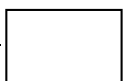
That Council allocates \$6,000 per annum to each Sister City subcommittee to undertake activities to strengthen relations with our Sister Cities.

DECISION NO.22\1101

(25/09/18)

Carried 9/1

ACTION: GENERAL MANAGER INNOVATION



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/10

14.1 OFFICERS REPORTS (ACTION REQUIRED)

14.1.1 4th Quarter Budget Review and Carry Forwards 2017-2018

Report No. 18CP0114 IF:ph (25/09/18) Common No. 2476534

(Haslett/Bouhoris)

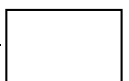
- A. THAT Report Number 18CP0114 IF:ph entitled 4th Quarter Budget Review and Carry Forwards 2017-2018, be received and noted.
- B. THAT Council, pursuant to Section 128 of the Local Government Act, amend the budget 2017/2018 as detailed in report 18CP0108 IF:je entitled 4th Quarter Budget Review and Carry Forwards 2017-2018 and contained in **(Attachments A-E)** with Municipal Budget Summary implications as per **(Attachment A)**:
- a) "Operating Result (Income Statement)", increase of \$45,909,000 (credit) less "non-cash items" \$42,056,000 (debit) leading to reduction in "Funds from operations" of \$3,823,000 (credit).
(Attachment A Notes 1 – 3)
 - b) "Sale of assets" decrease of \$220,000 (debit) **(Attachment A Note 4)** and "Purchases of assets", decrease of \$1,351,000 (debit). **(Attachment E Note 4 - 5)**. Loan repayments decrease of \$143,000 (credit) **(Note 6)**.
 - c) "Transfers from specific reserves" \$5,098,000 (debit).
(Attachment C Note 7)
 - d) The sum of the above (a -c) variations to the existing adopted budget result in nil effect to General Funds (balanced budget).
(Attachment A – Bottom Line)
- C. THAT Council, pursuant to Section 128 of the Local Government Act, resolves to vary the 2018/19 budget by adopting the carry forward budget variations and associated funding in **Attachment E** to Report Number 18CP0114 IF:ph entitled 4th Quarter Budget Review and Carry Forwards 2017-2018 totalling \$ 16,291,718.

DECISION NO.22\1102

(25/09/18)

Carried unanimously

ACTION: MANAGEMENT ACCOUNTANT
NOTE: MANAGER FINANCE, COO



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/11

14.1.2 Review of Committee Structure - Update September 2018

Report No. 18CE0034 MR:ph (25/09/18) Common No. 2221528

(Haslett/Arthur)

- A. THAT Report Number 18CE0034 MR:ph entitled Review of Committee Structure - Update September 2018, be received and noted.
- B. THAT Council continue the briefing session model until December 2018.

DECISION NO.22\1103

(25/09/18)

Carried unanimously

ACTION: COMMITTEE ADMINISTRATOR

NOTE: CHIEF OF STAFF

14.1.3 Review of Policy No. 022 - Statement of Significant Accounting Policy

Report No. 18CE0113 IF:ph (25/09/18) Common No. 2078949

(Palmer/Lord Mayor)

- A. THAT Report Number 18CE0113 IF:ph entitled Review of Policy No. 022 - Statement of Significant Accounting Policy, be received and noted.
- B. THAT Council rescind the current City of Darwin Policy No. 022 - Statement of Significant Accounting Policy.
- C. THAT Council adopt the amended Policy No. 022 - Statement of Significant Accounting Policy at **Attachment B** to Report Number 18CE0113 IF:ph entitled Review of Policy No. 022 - Statement of Significant Accounting Policy.

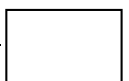
DECISION NO.22\1104

(25/09/18)

Carried unanimously

ACTION: MANAGER STRATEGY

NOTE: MANAGEMENT ACCOUNTANT, MANAGER FINANCE, COO



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/12

14.1.4 Review of Policy No. 023 – Borrowing Policy

Report No. 18CE0112 IF:ph (25/09/18) Common No. 2078949

(Glover/Pangquee)

- A. THAT Report Number 18CE0112 IF:ph entitled Review of Policy No. 023 – Borrowing Policy, be received and noted.
- B. THAT Council rescind the current City of Darwin Policy No.023 – Borrowing Policy.
- C. THAT Council adopt the amended Policy No.023 – Borrowing Policy, at **Attachment B** to Report Number 18CE0112 IF:ph entitled Review of Policy No. 023 – Borrowing Policy.

DECISION NO.22\1105 (25/09/18)

Carried unanimously

ACTION: MANAGER STRATEGY

NOTE: MANAGEMENT ACCOUNTANT, MANAGER FINANCE, COO

14.1.5 Review of Policy No. 066 – Allocation of Surplus Funds

Report No. 18CE0110 IF:ph (25/09/18) Common No. 2078949

(Bouhoris/Want de Rowe)

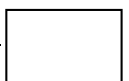
- A. THAT Report Number 18CE0110 IF:ph entitled Review of Policy No. 066 – Allocation of Surplus Funds, be received and noted.
- B. THAT Council rescind the current Policy No. 066 - Allocation of Surplus Funds.
- C. THAT Council adopt the amended Policy No. 066 - Allocation of Surplus Funds at **Attachment B** to Report Number 18CE0110 IF:ph entitled Review of Policy No. 066 - Allocation of Surplus Funds.

DECISION NO.22\1106 (25/09/18)

Carried unanimously

ACTION: MANAGER STRATEGY

NOTE: MANAGEMENT ACCOUNTANT, MANAGER FINANCE, COO



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/13

14.1.6 Revision of the Decision to Sell Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah

Report No. 18CO0045 JW:jg (25/09/18) Common No. 2853055

(Want de Rowe/Young)

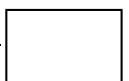
- A. THAT Report Number 18CO0045 JW:jg entitled Revision of the Decision to Sell Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah, be received and noted.
- B. THAT Council approve in principle the subdivision and consolidation of parts of Lots 5246 and 8107 and the sale of the land subject to compliance with the Local Government Regulations and the satisfactory resolution of all issues associated with that compliance and that the sale be subject to:
- a. The parts of Lots 5246 and 8107 as depicted in Report Number 18CO0045 JW:jg entitled Revision of the Decision to Sell Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah.
 - b. The purchase price be set at \$120,000 as per the Independent Valuation obtained by Council.
 - c. The Purchaser preparing and lodging with any relevant Authority all necessary documents which are required to give effect to the Agreement.
 - d. The Purchaser is to identify any Power and Water Corporation and Telstra easements over the land and identify those easements on a Survey Plan to the satisfaction of the Surveyor General. It is the Purchaser's responsibility to provide final Survey Plan for the transfer of land to the satisfaction of the Surveyor General.
 - e. The land being consolidated into the purchaser's Lot after the sale of the land.
 - f. All costs associated with the sale of the land, including but not limited to, advertising, survey plans, Local Government road closure process, legal and other associated fees be borne by the proponent.
- C. THAT Council pursuant to Section 32 (2) of the Local Government Act hereby delegates to the Chief Executive Officer the power to finalise the terms and conditions of the contract of sale for the portion of land on, Lots 5246 and 8107, Town of Darwin.
- D. THAT pursuant to Section 26(2) Council approve the affixing of the common seal to all associated documentation for the closure and sale of land adjacent to lot 3781(13) Larrakeyah Terrace, Larrakeyah, Town of Darwin and that documentation be attested by the signatures of the Chief Executive Officer and the Lord Mayor.

DECISION NO.22\1107

(25/09/18)

Carried unanimously

ACTION: TEAM LEADER DEVELOPMENT
NOTE: ACTING GENERAL MANAGER ENGINEERING



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/14

14.1.7 Governance and Operating Structure for Thorak Regional Cemetery

Report No. 18CE0033 MR:ph (25/09/18) Common No. 3790381

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

(Lord Mayor/Bouhoris)

- A. THAT Report Number 18CE0033 MR:ph entitled Governance and Operating Structure for Thorak Regional Cemetery, be received and noted.
- B. THAT Council endorse the report at **Attachment B** to Report Number 18CE0033 MR:ph entitled Governance and Operating Structure for Thorak Regional Cemetery.
- C. THAT Council jointly write to the Minister for Housing and Community Development to support the Top End Regional Organisation of Councils' business case to change the governance and operating structure for Thorak Regional Cemetery to a Ministerial Appointed Board with appropriations.
- D. THAT this decision be moved into Open.

DECISION NO.22\1108

(25/09/18)

Carried unanimously

ACTION: CHIEF OF STAFF
NOTE: CHIEF EXECUTIVE OFFICER

14.2 OFFICERS REPORTS (RECEIVE & NOTE)

14.2.1 Monthly Financial Report - August 2018

Report No. 18CP0115 IF:ph (25/09/18) Common No. 2476534

(Palmer/Haslett)

THAT Report Number 18CP0115 IF:ph entitled Monthly Financial Report - August 2018, be received and noted.

DECISION NO.22\1109

(25/09/18)

Carried unanimously



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/15

15. TOWN PLANNING REPORT/LETTER

15.1 Council Responses to Planning Applications - September 2018

Report No. 18CF0085 BS:jdb (25/09/18) Common No. 2547669

(Palmer/Lord Mayor)

- A. THAT Report Number 18CF0085 BS:jdb entitled Council Responses to Planning Applications - September 2018, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachment A** to Report Number 18CF0085 BS:jdb entitled Council Responses to Planning Applications - September 2018.

DECISION NO.22\1110 (25/09/18)

Carried unanimously

ACTION: MANAGER CITY PLANNING
NOTE: CHIEF EXECUTIVE OFFICER

15.2 Town Planning Delegations

Report No. 18CF0088 CR:hd (25/09/18) Common No. 2481144

(Bouhoris/Haslett)

- A. THAT Report Number 18CF0088 CR:hd entitled Town Planning Delegations, be received and noted.
- B. THAT Council adopt the proposal to modify planning delegations as outlined in this report and **Attachment B**, as amended, to Report Number 18CF0088 CR:hd entitled Town Planning Delegations

DECISION NO.22\1111 (25/09/18)

Carried unanimously

ACTION: MANAGER CITY PLANNING
NOTE: CHIEF EXECUTIVE OFFICER



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/16

15.3 Rapid Creek Flood Response Specific Use Zone PA2018/0243

Report No. 18CF0087 DB:hd (25/09/18) Common No. PA2018/0243

(Glover/Want de Rowe)

- A. THAT Report Number 18CF0087 DB:hd entitled Rapid Creek Flood Response Specific Use Zone PA2018/0243 be received and noted.
- B. THAT Council endorse the letter, dated 26 September 2018, to the Reporting Body within **Attachment A** to Report Number 18CF0087 DB:hd entitled Rapid Creek Flood Response Specific Use Zone PA2018/0243.

DECISION NO.22\1112 (25/09/18)

Carried 9/1

ACTION: MANAGER CITY PLANNING
NOTE: CHIEF EXECUTIVE OFFICER

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

17. REPORTS OF REPRESENTATIVES

Common No. 1735503

(Want de Rowe/Young)

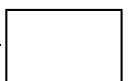
THAT the following Reports of Representatives be received and noted.

DECISION NO.22\1113 (25/09/18)

Carried

17.1 Tree Re-establishment Advisory Committee

Member P Pangquee reported his attendance at the Tree Re-establishment Advisory Committee meetings. The committee has met four times and work is well underway on the tree planting list, which is going to go out to public consultation, from Friday, for 2 weeks. Member Pangquee noted that best practice guideline for trees in Darwin is also going to be developed.



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
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ORD09/17

17.2 Canberra

The Lord Mayor reported on his trip to Canberra in September 2018. He reported that he met with the new Prime Minister and the new Minister City Deal. Lord Mayor noted that he took part in the Facing North event in Canberra, which was also attended by the Mayor of City of Palmerston and Mayor of Litchfield Council.

17.3 Milikapiti

The Lord Mayor noted that he will visit City of Darwin's domestic sister city, Milikapiti, on the Tiwi Islands tomorrow.

18. QUESTIONS BY MEMBERS

Nil

19. GENERAL BUSINESS

19.1 Appreciation to Katie Hearn

(Want de Rowe/Palmer)

THAT Council thank the outgoing Manager Vibrant Communities, Ms Katie Hearn, for her hard work and dedication to City of Darwin and the community.

DECISION NO.22\1114 (25/09/18) Carried unanimously

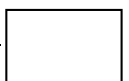
21. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

Common No. 2695130

(Want de Rowe/Young)

THAT the next Ordinary Meeting of Council be held on Tuesday, 9 October 2018, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.22\1115 (25/09/18) Carried



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 25 SEPTEMBER 2018

ORD09/18

22. CLOSURE OF MEETING TO THE PUBLIC

Common No. 2695131

(Want de Rowe/Palmer)

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

DECISION NO.22\1116 (25/09/18) Carried

23. ADJOURNMENT OF MEETING AND MEDIA LIAISON

Common No. 2695132

(Want de Rowe/Palmer)

THAT the meeting be adjourned at 6.25pm for 15 minutes to enable the Media to liaise with the Lord Mayor.

DECISION NO.22\1117 (25/09/18) Carried

The meeting moved to the Confidential Section at 6.40pm.

**THE RIGHT WORSHIPFUL, LORD
MAYOR, K VATSKALIS (CHAIR) –
ORDINARY COUNCIL MEETING –
TUESDAY, 25 SEPTEMBER 2018**

Confirmed On: Tuesday, 9 October 2018

Chair: _____

