

DARWIN CITY COUNCIL

THIRTY-SEVENTH ORDINARY MEETING OF THE TWENTIETH COUNCIL

TUESDAY, 24 NOVEMBER, 2009

MEMBERS: The Right Worshipful, Lord Mayor, Mr G R Sawyer (Chairman); Member J D Bailey; Member R T Dee; Member R K Elix; Member H I Galton; Member G M Jarvis; Member G A Lambert; Member R Lesley; Member F P Marrone; Member A R Mitchell; Member K M Moir; Member J L Sangster; Member H D Sjoberg.

OFFICERS: Chief Executive Officer, Mr B P Dowd; Acting General Manager Corporate Services, Mr L Carroll; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Committee Administrator, Ms L Elmer.

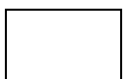
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***** I N D E X *****

PAGE

1	LORD'S PRAYER	4
2	MEETING DECLARED OPEN.....	4
3	APOLOGIES AND LEAVE OF ABSENCE.....	4
4	ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION.....	4
5	PUBLIC QUESTION TIME	5
6	MATTERS OF PUBLIC IMPORTANCE	5



7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

7.1	Ordinary Council Meetings	24/10/09 & 10/11/09.....	5
7.2	Special Council Meeting	05/11/09	5
7.3	Business Arising		5

8 CONFIDENTIAL ITEMS

8.1	Closure to the Public for Confidential Items	6
8.2	Moving Open Items Into Confidential	6
8.3	Moving Confidential Items Into Open	6

9 REPORTS OF COMMITTEES

9.1	Community & Cultural Services	09/11/09	7
9.2	Corporate & Economic Development	17/11/09	15
9.3	Environment & Infrastructure	16/11/09	17

10 MATTERS REFERRED TO COUNCIL20

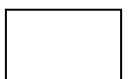
11 PETITIONS.....20

12 NOTICES OF MOTION20

13 OFFICER'S REPORTS

13.1	Policy and Procedure Framework.....	21
13.2	Elected Members' Gifts and Benefits Policy	39
13.3	Elected Members' Access to Council Information Policy	47
13.4	Regional and Local Community Infrastructure Program (RLCIP) Strategic Projects Round 2 - \$120m Grant Funding.....	56
13.5	In Principle Support from Council to Build New Defence of Darwin Museum on Council Land	57
13.6	Homeless Connect Proposal for 2010	62
13.7	Amended Development Application Lot 1462 (4) Lindsay Street Darwin City 59 Motel Suites and a 1 x 3 Bedroom Manager's Residence in an 11 Storey Building including 2 Levels of Basement Car Parking and a Roof Top Deck.....	69

14	REPRESENTATIVES REPORTS.....	85
15	QUESTIONS BY MEMBERS.....	85
16	INFORMATION ITEMS AND CORRESPONDENCE RECEIVED	
16.1	Council's Positions Authorised to Preside at Australian Citizenship Ceremonies	86
17	GENERAL BUSINESS	87
18	CLOSURE OF MEETING TO THE PUBLIC	87
19	ADJOURNMENT OF MEETING and MEDIA LIAISON.....	87
20	DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING ...	87



1 LORD'S PRAYER

2 MEETING DECLARED OPEN

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

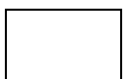
3.2 Leave of Absence Granted

- A. THAT it be noted that Member R K Elix is an apology due to a Leave of Absence being previously granted on 15 September 2009 for the period 24 October – 13 December 2009.
- B. THAT it be noted that Member R Lesley is an apology due to a Leave of Absence being previously granted on 29 September 2009 for the period 23 November – 12 December 2009.

DECISION NO.20\() (24/11/09)

3.3 Leave of Absence Requested

4 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION



5 PUBLIC QUESTION TIME

Nil

6 MATTERS OF PUBLIC IMPORTANCE**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****7.1 Confirmation of the Previous Ordinary Council Meetings**

- A. THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 27 October, 2009, be received and confirmed as a true and correct record of the proceedings of that meeting.
- B. THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 10 November, 2009, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\() (24/11/09)

7.2 Confirmation of the Previous Special Council Meeting

- A. THAT the tabled minutes of the previous Special Council Meeting held on Thursday, 5 November 2009, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\() (24/11/09)

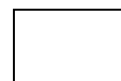
7.3 Business Arising from the Minutes of Previous Meetings

8 MOVING OF ITEMS FOR DISCUSSION**8.1 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 Confidential matters referred from Committees including Confidential Committee Items, and the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C23.1	8(c)(i)	Information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
C23.2	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

DECISION NO.20\() (24/11/09)

8.2 Moving Open Items Into Confidential**8.3 Moving Confidential Items Into Open**

9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

1 Animal Welfare Branch Thank You for Participation & Support of World Animal Day 2009

Document No. 674099 (19/10/09) Common No. 1674099

THAT the Incoming Letter from the Animal Welfare Branch dated 19 October 2009 Thanking Council for its Participation and Support of World Animal Day 2009, Document Number 1674099, be received and noted.

DECISION NO.20\() (24/11/09)

2 Young Endeavour Youth Scheme Thank You

Document Number 1674963 (15/10/09) Common No. 1674963

THAT the Young Endeavour Youth Scheme thank you letter dated 15 October 2009, to the Lord Mayor and Council for its help and assistance during the ship's visit to Darwin, Document Number 1674963, be received and noted.

DECISION NO.20\() (24/11/09)

3 Incoming Letter from Deputy Commissioner, NT Police – Walkway Policy Review & Statistical Data

Document Number 1664035 (02/10/09) Common No. 1651988

- A. THAT the incoming letter dated 2 October 2009 from the Deputy Commission, Mr Bruce Wernham of the NT Police in respect to Council's Walkway Policy Review & Request for Statistical Data, Document Number 1664035, be received and noted.
- B. THAT Council provide Northern Territory Police with Council's Walkway Numbering System and seek opportunities for identifying police action in these areas.

DECISION NO.20\() (24/11/09)

9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

4 Darwin Entertainment Centre Financial Statements for the Year Ended 30 June 2009

Document Number 1653785 (30/06/09) Common No. 1653785

- A. THAT the Darwin Entertainment Centre Financial Statements for the Year Ended 30 June 2009, Document Number 1653785, be received and noted.
- B. THAT clarification be sought from the Darwin Entertainment Centre Board in relation to the following matters contained within the financial statements.

DECISION NO.20\() (24/11/09)

5 Darwin Entertainment Centre 2009/2010 First Quarter Funding Reports July to September 2009

Document Number 1680871 (05/11/09) Common No. 1680871

THAT the Darwin Entertainment Centre 2009/2010 First Quarter Funding Reports July to September 2009, Document Number 1680871, be received and noted.

DECISION NO.20\() (24/11/09)

6 Community & Cultural Services Team Report - September 2009

Report No. 09C0190 KH:kl (02/11/09) Common No. 1517201

THAT Report Number 09C0190 entitled, Community & Cultural Services Team Report – October 2009, be received and noted.

DECISION NO.20\() (24/11/09)

9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

7 Regulatory Services Monthly Update – October 2009

Report No. 09C0188 DN:mrg (02/11/09) Common No. 1330602

THAT Report Number 09C0188 entitled, Regulatory Services Monthly Update October 2009, be received and noted.

DECISION NO.20\() (24/11/09)

8 Libraries Information Update for October 2009

Report No. 09P0015 KC:md (03/11/09) Common No. 1518200

THAT Report Number 09P0015 entitled, Libraries Information Update for October 2009, be received and noted.

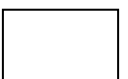
DECISION NO.20\() (24/11/09)

9 Minutes Disability Advisory Committee Meeting 22 October 2009

Report No. 09C0182 NM:es (30/10/09) Common No. 1676660

THAT Report Number 09C0182 entitled, Minutes Disability Advisory Committee Meeting 22 October 2009, be received and noted.

DECISION NO.20\() (24/11/09)



9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

10 Minutes Youth Advisory Group 7 October 2009 And Appointment Of New Member – Mr Declan Coffey

Report No. 09C0186 KL:es (30/10/09) Common No. 1677390

- A. THAT Report Number 09C0186 entitled, Minutes Youth Advisory Group 7 October 2009 and Appointment of New Member - Declan Coffey, be received and noted.
- B. THAT Council appoint Mr Declan Coffey as a member of the Youth Advisory Group (YAG) for a 3 year term from 30 October 2009 to 29 April 2012 in accordance with Section 54 of the NT Local Government Act 2008.

DECISION NO.20\() (24/11/09)

11 Youth Energy Precinct – Briefing Paper Re: Location Options November 2009

Report No. 09C0174 KL:kl (03/11/09) Common No. 1428185

- A. THAT Report Number 09C0174 entitled, Youth Energy Precinct – Briefing Paper Re: Location Options November 2009, be received and noted.
- B. THAT Council convene a Special Council Meeting for the purpose of examining the various influencing factors impacting on the selection of a site for the progression of the Youth Energy Precinct.

DECISION NO.20\() (24/11/09)



9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

12 Community Grants Program 2009/2010 – 2nd Round of Applications

Report No. 09C0184 NM:es (30/10/09) Common No. 1618405

- A. THAT Report Number 09C0184 entitled, Community Grants Program 2009/2010 – 2nd Round of Applications, be received and noted.
- B. THAT the following grant applications for the Second Round of the 2009/2010 Community Grants Program be recommended for approval and referred to Council:

a) United Nations Association of Australia Northern Territory Inc	\$1,649
b) Vietnamese Community in Australia – NT Chapter Inc	\$1,500
c) Darwin Stingers AUSSI Masters Swimming Club	\$2,601
d) Catholic Care NT	\$1,500
e) Danila Dilba Health Service	\$4,000
f) Life Without Barriers	\$3,897
g) Life! Be In It	\$1,120
h) Darwin and Districts Pipes and Drums	\$2,694
i) Charles Darwin University	\$4,000
j) Darwin Squash Association Inc	\$3,000
k) Wildcare Inc NT	\$2,000
l) Create Foundation	\$4,000
m) The Big Issue In Australia Limited	\$2,728
n) Arts Access Darwin	\$4,000
o) Rapid Creek Landcare Group Inc	\$2,400
p) Parap Village Traders Association	\$4,000
q) SIDS and Kids NT	\$2,000
r) Darwin Film Society	\$4,000
s) Corrugated Iron Youth Arts Inc	\$5,000

Total \$56,089

- C. THAT \$5,000 be offered to Corrugated Iron Youth Arts Inc for the 'Snap It Up' and 'Circus Show' projects in 2010/2011 under the 2010/2011 Community Grants Programs as per previous Council Decision Number 20\1015 dated 25/11/08.

DECISION NO.20\() (24/11/09)

9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

13 Overview of 2009 Greek Glenti, Esplanade – 6 To 7 June 2009

Report No. 09C0185 ES:es (30/10/09) Common No. 1565443

- A. THAT Report Number 09C0185 entitled, Overview of 2009 Greek Glenti, Esplanade – 6 to 7 June 2009, be received and noted.
- B. THAT Council match the funds raised by the Kalymnos Sister City Community Committee as per the Community Committee Projects Funding Policy to the amount of \$892.37.

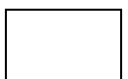
DECISION NO.20\() (24/11/09)

14 Nakara Oval Lights Installation

Report No. 09C0158 SD:kl (04/11/09) Common No. 1051840

- A. THAT Report Number 09C0158 entitled, Update on Nakara Oval Lights Installation, be received and noted.
- B. THAT subject to the fulfillment of completion of further community consultation and submission of detailed design drawings and project costs for both options, Council support the proposal received from Football Federation NT.
- C. THAT Darwin City Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer for the time being, the power to finalise this matter.

DECISION NO.20\() (24/11/09)



9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

15 Nomination for Membership to Haikou Sister City Community Committee – Mr Austin Chin and Resignation of Mr Leigh Gregory

Report No. 09C0183 ES:es (30/10/09) Common No. 1668810

- A. THAT Report Number 09C0183 entitled, Nomination for Membership to Haikou Sister City Community Committee – Austin Chin and Resignation of Leigh Gregory, be received and noted.
- B. THAT Council appoint Mr Austin Chin as a community representative of the Haikou Sister City Community Committee for a two year term, effective to 30 June 2010 in accordance with Section 54 of the Local Government Act 2008.
- C. THAT Council note the resignation of Mr Leigh Gregory from the position of Community Representative from the Haikou Sister City Community Committee.

DECISION NO.20\() (24/11/09)

16 Request to Establish Sister City Relationship With Darwin – City of Yeosu, Republic of Korea

Report No. 09C0189 KH:kl (04/11/09) Common No. 1668592

- A. THAT Report Number 09C0189 entitled, Request to Establish Sister City Relationship with Darwin – City of Yeosu, Republic of Korea, be received and noted.
- B. THAT Council explore the possibility of establishing a Sister City Relationship with the City of Yeosu, Republic of Korea, and that a further report be prepared.

DECISION NO.20\() (24/11/09)

9 REPORTS OF COMMITTEES**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

17 Sister Cities Community Committee Minutes for Meetings Held In September 2009 - With Recommendations (Amended)

Report No. 09C0159 KH:es (04/11/09) Common No. 1672117

- A. THAT Report Number 09C0159 entitled, Sister Cities Community Committee Minutes for Meetings Held in September 2009 - With Recommendations, be received and noted.
- B. THAT Council further explore the request to establish a friendship agreement with Dongfang City, Hainan Peoples Republic of China, in view of the historic military ties with the region.
- C. THAT the establishment of the Chinese Garden be referred back to the Haikou Sister City Community Committee for further consideration, in view of the cost estimates.
- D. THAT Council write to the Haikou Foreign Affairs Office to seek their assistance and support for the students participating in the Charles Darwin University Chinese In-Country Language Program being held in Haikou between 23 November to 18 December 2009.
- E. THAT a maximum amount of \$500 be provided to host an event in Haikou, on behalf of Council for the participants of the Chinese In-Country Program at Charles Darwin University.

DECISION NO.20\() (24/11/09)

9 REPORTS OF COMMITTEES**9.2 CORPORATE & ECONOMIC DEVELOPMENT (17/11/09)****Presentation of Report by Chairman - Member K M Moir**

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 17 November, 2009

1 Corporate Services Monthly Report - October 2009

Report No. 09A0204 FC: (06/11/09) Common No. 339108

THAT Report Number 09A0204 entitled, Corporate Services Monthly Report – October 2009, be received and noted.

DECISION NO.20\() (24/11/09)

2 Listing of Cheques/ EFT Payments, October 2009

Report No. 09A0206 FC:ks (06/11/09) Common No. 339125

THAT Report Number 09A0206, Listing of Cheques / EFT Payments October 2009 be received and noted.

DECISION NO.20\() (24/11/09)

3 Financial Report to Council – October 2009

Report No. 09A0203 (06/11/09) Common No. 339122

THAT Report Number 09A0203 entitled, Financial Report to Council – October 2009, be received and noted.

DECISION NO.20\() (24/11/09)



9 REPORTS OF COMMITTEES**9.2 CORPORATE & ECONOMIC DEVELOPMENT (17/11/09)****Presentation of Report by Chairman - Member K M Moir**

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 17 November, 2009

4 Invitations Accepted or Declined by the Lord Mayor during October 2009
Report No. 09TC0070 BD:fm (10/11/09) Common No. 381402

THAT Report Number 09TC0070 entitled, Invitations Accepted or Declined by the Lord Mayor during October 2009, be received and noted

DECISION NO.20\() (24/11/09)

5 Monthly On-Street and Off-Street Parking Statistics October 2009
Report No. 09A0205 FC:lc (06/11/09) Common No. 376351

THAT Report Number 09A0205 entitled, Monthly On-Street and Off-Street Parking Statistics October 2009, be received and noted.

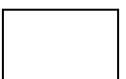
DECISION NO.20\() (24/11/09)

6 Support of Human Rights Art Award and Exhibition
Report No. 09A0212 FC:gf (06/11/09) Common No. 1650966

A. THAT Report Number 09A0212 entitled, Support of Human Rights Art Award and Exhibition, be received and noted.

B. THAT Council decline the request for sponsorship.

DECISION NO.20\() (24/11/09)



9 REPORTS OF COMMITTEES**9.3 ENVIRONMENT & INFRASTRUCTURE (16/11/09)****Presentation of Report by Acting Chairman – Lord Mayor, Mr Graeme Sawyer**

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 16 November, 2009

1 Darwin City Revitalisation - Updated November 2009 (Entire Project)

Report 09TS0195 DL (02/11/09) Common No 1486204

THAT Report Number 09TS0195 entitled, Darwin City Revitalisation - Update November 2009 (Entire Project), be received and noted.

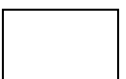
DECISION NO.20\() (24/11/09)

2 Woolner Road Black Spot Project Progress Report - November 2009

Report No 09TS0196DL (02/11/09) Common No. 497836

THAT Report Number 09TS0196 entitled, Woolner Road Black Spot Project Progress Report - November 2009, be received and noted.

DECISION NO.20\() (24/11/09)



9 REPORTS OF COMMITTEES**9.3 ENVIRONMENT & INFRASTRUCTURE (16/11/09)****Presentation of Report by Acting Chairman – Lord Mayor, Mr Graeme Sawyer**

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 16 November, 2009

3 Bagot Oval Upgrade Project Update - October 2009

Report 09TS0197 DC:dl (26/10/09) Common No 1254709

- A. THAT Report Number 09TS0197 entitled, Bagot Oval Upgrade - Update October 2009 be received and noted.
- B. THAT the appreciation of the Northern Territory Football Association in relation to the successful delivery of the Bagot Oval Upgrade by Council be noted.

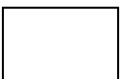
DECISION NO.20\() (24/11/09)

4 Smith Street East Connection Progress Report - October 2009

Report No 09TS0198DC (26/10/09) Common No. 316857

THAT Report Number 09TS0198 entitled, Smith Street Connection - Progress Report October 2009, be received and noted.

DECISION NO.20\() (24/11/09)



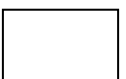
9 REPORTS OF COMMITTEES**9.3 ENVIRONMENT & INFRASTRUCTURE (16/11/09)****Presentation of Report by Acting Chairman – Lord Mayor, Mr Graeme Sawyer**

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 16 November, 2009

5 Climate Change & Environment Advisory Committee Action Plan 2009-2012
Report 09TS0205 PR (05/11/09) Common No 1575688

- A. THAT Report Number 09TS0205 entitled, Climate Change and Environment Advisory Committee Action Plan 2009-2012, be received and noted.
- B. THAT the actions identified within **Attachment A** to Report Number 09TS0205 PR be endorsed by Council.
- C. THAT the Budget requirements to implement the Climate Change and Environment Action Plan 2009-2012 be presented for consideration during the review of the 10 Year Financial Plan and development of the 2010/11 Budget.

DECISION NO.20\() (24/11/09)

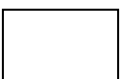


10 MATTERS REFERRED TO COUNCIL

11 PETITIONS

Nil

12 NOTICES OF MOTION



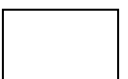
13 OFFICERS REPORTS

13 OFFICERS REPORTS

13.1 Policy and Procedures Framework

Report No. 09TC0074 BD:jp (18/11/09) Common No. 1612461

Report Number 09TC0074 BD:jp attached



ENCL: YES

DARWIN CITY COUNCIL
REPORT

DATE: 18/11/09

TO: 2ND ORDINARY COUNCIL/OPEN

APPROVED: BD

FROM: CHIEF EXECUTIVE OFFICER

REPORT NO: 09TC0074

COMMON NO: 1612461

SUBJECT: POLICY AND PROCEDURES FRAMEWORK

ITEM NO: 13.1**SYNOPSIS:**

Darwin City Council is committed to maintaining a robust and integrated Corporate Governance Framework that assures stakeholders that the Council is pursuing its objectives and fulfilling its responsibilities with due diligence and accountability.

Council's existing Policies and Procedures Framework (Policy No.256) was adopted in 2004 and it is now timely and appropriate to undertake a review and update.

A review of current Council adopted policies is proposed in order to address and improve accessibility for the public, Elected Members and staff and to remove any inconsistencies, redundancies and obsolete legislative references. One step to achieve these outcomes is to group the approximately three hundred policies into about 20 common subject areas.

As part of the review it is also proposed that Council adopt a revised Policy and Procedures Framework and establish a database of all policies and procedures. This would include Council adopted policies and those supporting policies and procedures adopted administratively as well as operating procedures, together with a hierarchy to clarify the status of each document clearly identifying the relevant reviewing authority. The database will also better allow for the timely management of the review process assigning review dates and responsibilities.

The purpose of the Policy and Procedures Framework is to contribute to the consistency, timeliness, clarity, transparency and accountability of the Council's decision making processes and in the delivery of services.

PAGE: 2
REPORT NUMBER: 09TC0074
SUBJECT: POLICY AND PROCEDURES FRAMEWORK

GENERAL:

The Council has adopted approximately 300 discrete policies. These are reviewed at least once in the term of each elected Council, the last review being on 12th June 2007.

In addition, the Council adopted policies may be supported by policies or procedures adopted at corporate or departmental level to provide further guidance to staff.

Operating policies and procedures also exist.

Whilst Council adopted policies are available on the internet, there are issues associated with the fact that they have been adopted as stand alone documents, (raising potential issues of inconsistency and redundancy), have been adopted at different times and are not written in a common format.

Although Council adopted policies are readily accessible to the public, there is room for improvement in the management of administrative policies and procedures, and there can be confusion of terminology between 'Council' adopted and 'administration' adopted policies as both are simply called 'Policies'. This, coupled with the significant legislative changes which have occurred in past years, suggest that work needs to be undertaken in this area.

This is a very large project which will be ongoing in nature due to resourcing requirements. The first elements for Council to consider are adoption of a Policy and Procedures Framework including the approval of the suggested template for new policies.

Policy Procedure Framework

As stated, it is proposed to establish a Policy and Procedures Framework incorporating a database of all Policies and Procedures together with a hierarchy to clarify the status of each document and which clearly identifies the relevant reviewing authority. The database will also better allow for the management of the review process assigning review dates and responsibilities.

The Policy and Procedures Framework will provide a mechanism whereby Elected Members and staff create and access a comprehensive collection of the current Council and administrative policies and procedures.

PAGE: 3
 REPORT NUMBER: 09TC0074
 SUBJECT: POLICY AND PROCEDURES FRAMEWORK

The framework will apply to all Council and administrative policies and procedures and includes three categories of policy being “Governance”, “Corporate” and “Departmental”.

POLICY FRAMEWORK

Category	Approval Source	Comment
Governance	Council	<p>Mandatory policies required by legislation AND, policies established by Council for the guidance or direction of the organisation and/or to complement the ‘Evolving Darwin Towards 2020’ Plan. For ease of reference these are grouped into common subject headings:</p> <ul style="list-style-type: none"> • Animal Management • Cemetery Management • Climate Change and Environment • Community and Cultural Services • Council Property • Economic Development • Elected Members • Financial Management • Governance • Human Resources • Land Use Planning • Meeting Procedures • Public Library • Recreation, Parks and Reserves • Regulatory • Roads, Traffic, Car Parking and Walkways • Sister Cities • Waste Management <p>N.B. This list is indicative and has been drawn from current Council policies; it is not intended as a holistic listing of those areas where Council policies may be potentially required now or in the future and may be varied as work progresses.</p>

PAGE: 4
 REPORT NUMBER: 09TC0074
 SUBJECT: POLICY AND PROCEDURES FRAMEWORK

Corporate	CEO or Chief Officers' Group	<p>Policies introduced by the CEO and/or adopted by COG to guide and direct staff. For convenience of use these are broken into sub-categories.</p> <ul style="list-style-type: none"> • Administrative/Financial • Human Resources • Workplace Health & Safety • Asset Management • Information Technology • Corporate Information and Knowledge • Contracts and Procurement
Departmental	General Manager in charge of a Department	Policies adopted by a GM to direct Department or work group

It is acknowledged that some policies, while administrative in nature, also fall within the ambit of Council – e.g. Policies dealing with 'Fraud' and 'Privacy'. Decisions as to whether these policies are endorsed by CEO/COG or Council will be made on a case by case basis.

It is also proposed that all new policies be presented in a standard format and will include:

- Policy Summary
- Policy Objectives
- Background
- Legislation, Terminology and References
- Implementation and Delegation; and
- Evaluation and Review.

It is intended that with all new policies, the operational aspects be separated and detailed in a procedural format to provide a consistent and accountable framework for service delivery.

Each Policy will contain a statement of objectives. Where possible these will be quantifiable to facilitate evaluation.

A copy of the proposed new Policy and Procedures Framework Policy is attached for consideration and adoption (**Attachment A**).

PAGE: 5
 REPORT NUMBER: 09TC0074
 SUBJECT: POLICY AND PROCEDURES FRAMEWORK

Review of Council Adopted Policies

In addition to the Framework, it is proposed to undertake a review of the existing Council adopted Policies to eliminate any inconsistencies, redundant policies and out-of-date legislative references. Existing brief or minor policy statements will be aggregated into common subject areas making it easier for Elected Members, staff and the public to access them.

Time Frame

Stage 1 of the project is the creation of an appropriate framework and template and its adoption by Council together with development of the database.

Stage 2 will comprise a preliminary review and edit of all existing Council policies.

Stage 3 will involve capturing all existing administrative policies and procedures in appropriate electronic format and populating the database.

Stage 4 will be a more comprehensive review of all current policies and the preparation of new policies where gaps are perceived to exist.

The initial stages will be completed over the next three to six months. The review of Council adopted policies will be completed in the New Year.

Stage 4 is ongoing in nature with policies developed or reviewed as required.

FINANCIAL IMPLICATIONS:

Nil

EVOLVING DARWIN STRATEGIC PLAN IMPLICATIONS:

The issues addressed in this Report are in accordance with the following Goals/Outcomes of the Evolving Darwin, Towards 2020 Strategic Plan:

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

PAGE: 6
REPORT NUMBER: 09TC0074
SUBJECT: POLICY AND PROCEDURES FRAMEWORK

LEGAL IMPLICATIONS:

Council must ensure compliance with the provisions of the NT Local Government Act and any other appropriate legislation.

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

Positive.

Demonstrates strong governance, due diligence and accountability.

The proposed procedures framework supports progress towards achieving the Evolving Darwin Strategic Plan.

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Nil

CONSULTATION:

Chief Officers Group.

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE

Nil

PAGE: 7
REPORT NUMBER: 09TC0074
SUBJECT: POLICY AND PROCEDURES FRAMEWORK

RECOMMENDATIONS:

- A. THAT Report Number 09TC0074 entitled Policy and Procedures Framework be received and noted.
- B. THAT the Policy and Procedures Framework contained in Attachment A to Report Number 09TC0074 entitled Policy and Procedures Framework be adopted as Council Policy.
- C. THAT the Policies and Procedures Framework Policy (Policy No.256) adopted on 30/11/2004 be rescinded.

ANNE HAMMOND
MANAGER STRATEGY AND
OUTCOMES

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

Any queries on this report may be directed to Anne Hammond on 5531 or
a.hammond@darwin.nt.gov.au

POLICY AND PROCEDURES FRAMEWORK

1 Policy Summary

This Policy establishes a Policy and Procedures Framework incorporating a policy hierarchy, a template for the preparation of new policies and methodology for the management of policies and procedures whether adopted by Council or introduced by the CEO and the administration.

2 Objectives

The objectives of the Council's Policy and Procedures Framework are to:

- Develop a holistic and hierarchical policy and procedural framework which logically accommodates all of Council's policies and underlying procedures to guide effective decision-making and service delivery.
- Create a common, consistent and timely process for the development and endorsement of policy and procedures which promotes alignment with the Council's values.
- Establish a common standard for the development of policy and procedure including the collection of adequate information to support implementation and review.
- Establish controls for the management and retention of the Council's policies within the Council's electronic document management system (EDMS).
- Establish a common standard for policy documents to ensure adequate information is collected to assist implementation and review through the Council's electronic document management system (EDMS).

3 Background

The purpose of the Policy and Procedures Framework is to contribute to the consistency, clarity, transparency and accountability of the Council's decision-making processes and in the delivery of services. This will be achieved by providing a mechanism whereby Elected Members and staff create and access a comprehensive collection of the current Council and administrative policies and procedures.

The Framework will apply to all Council and administrative policies and procedures.

Darwin City Council is committed to maintaining a robust and integrated Corporate Governance Framework that will assure stakeholders that the City is pursuing its objectives and fulfilling its responsibilities with due diligence and accountability.

The operational aspects of policies should be separated and detailed in a procedural format to provide a consistent and accountable framework for service delivery.

4 Policy Statement

The following Policy Framework is established.

Policy Framework

Category	Approval Source	Comment
Governance	Council	<p>Mandatory policy required by legislation AND policies established by Council for the guidance or direction of the organisation and/or to complement the 'Evolving Darwin Towards 2020' Plan.</p> <p>For ease of reference these are grouped into common subject headings:</p> <ul style="list-style-type: none"> • Animal Management • Cemetery Management • Climate Change and Environment • Community and Cultural Services • Council Property • Economic Development • Elected Members • Financial Management • Governance • Human Resources • Land Use Planning • Meeting Procedures • Public Library • Recreation, Parks and Reserves • Regulatory • Roads, Traffic, Car Parking and Walkways • Sister Cities • Waste Management <p>N.B. This list is indicative and has been drawn from current Council policies; it is not intended as a holistic listing of those areas where Council policies may be potentially required now or in the future and may be varied as work progresses.</p>

Corporate	CEO or COG	<p>Policies introduced by the CEO and/or adopted by COG to guide and direct staff. For convenience of use these are broken into sub-categories.</p> <ul style="list-style-type: none"> • Administrative/Financial • Human Resource • Workplace Health & Safety • Asset Management • Information Technology • Corporate Information and Knowledge • Contracts and Procurement
Departmental	General Manager in charge of Department	Policies adopted by the GM to direct Department or work group

It is acknowledged that some policies, while administrative in nature, also fall within the ambit of Council – e.g. Fraud and Privacy Policies. Decisions as to whether these policies are endorsed by the CEO/COG or Council are to be made on a case by case basis.

The creation of Council Policy can frequently bring about the creation of a lower level Administrative Policy to more specifically guide staff in the application of the Council's intent.

Policies may be supported by Guidelines and or Procedures which direct organisational action.

5 Writing & Reviewing Policies

5.1 Format

All policies shall be presented in a standard format and will include:

- Policy Summary
- Policy Objectives
- Background
- Legislation, Terminology and References
- Implementation and Delegation; and
- Evaluation and Review.

A policy template is attached.

5.2 Writing New Policies

Step 1 RESEARCH	Undertake research, review legislation, existing policies (which may require amending) and best practice. Informally consult with other work groups which may be affected.								
Step 2 DRAFT	Draft document. Council and Administrative Policies have a number of different audiences (i.e. Elected Members, management, staff, community, regulators, media, etc) and care will need to be taken to frame policy pronouncements in an appropriate tone and style for the respective audiences The standard template must be used. Refer Attachment to this Policy.								
Step 3 CONSULTATION	For all corporate policies and those requiring consideration by Council. <ul style="list-style-type: none"> - First, submit to relevant GM for approval to seek comment. - Second: <ul style="list-style-type: none"> - Human Resource policies to be submitted to DCC Consultative Committee for consideration - OH&S policies to be submitted to OH&S Committee for consideration. - Policies that may have an impact on other Departments to be submitted to relevant GM's for consideration. - Draft policy reviewed and updated in light of comments and resubmit to responsible GM for in principle approval. 								
Step 4 APPROVAL	The approval process is as follows: <p>Departmental policies submitted to relevant GM for final approval.</p> <ul style="list-style-type: none"> - Corporate policies submitted to COG for final approval. - Governance and Legislative policies submitted to COG for approval. If approved by COG, Governance and Legislative policies submitted to Council for formal endorsement. <p>Policies for endorsement by Council should be submitted as an attachment to a report. The report's recommendation, should include the following:</p> <p><i>"THAT the (insert subject)Policy as contained in Attachment to Report Number 09TC0074 be adopted as Council Policy".</i></p>								
Step 5 RECORDING	Once adopted, the Executive Services Unit (or relevant GM in the case of Departmental Policies) will ensure that the adopted policy has a unique identifier. <p>New policies are then to be forwarded to the Manager Strategy and Outcomes (MSO) for assignment of policy number and inclusion in the policy database.</p> <table> <tr> <th>Policy Category</th><th>Responsibility</th></tr> <tr> <td>Governance</td><td>MSO</td></tr> <tr> <td>Corporate</td><td>MSO</td></tr> <tr> <td>Departmental</td><td>Relevant GM</td></tr> </table>	Policy Category	Responsibility	Governance	MSO	Corporate	MSO	Departmental	Relevant GM
Policy Category	Responsibility								
Governance	MSO								
Corporate	MSO								
Departmental	Relevant GM								
Step 6 IMPLEMENTATION	Once adopted the CEO or relevant GM will be responsible for implementing the policy. <p>Depending upon the policy this may necessitate:</p> <ul style="list-style-type: none"> - Advice to staff - Media releases - Drafting of complementary policies, or detailed operational Procedures, etc 								

5.3 Reviewing Existing Policies

Policies will be reviewed as follows:

Governance	During each Council term in line with any reviews to the Strategic Plan or when there is a change to circumstances or legislation
Corporate	During each Council term in line with any reviews to the Strategic Plan or when there is a change to circumstances or legislation
Departmental	During each Council term in line with any reviews to the Strategic Plan or when there is a change to circumstances or legislation

Individual policies may be reviewed more frequently if circumstances warrant.

When reviewing policies, the steps set out for writing new policies should be followed.

After each Council election, the CEO will establish a program for the review of all Governance policies during the term of the new Council.

All staff will be invited to comment on current policies as part of the review process.

The review process will be initiated by the Manager Strategy and Outcomes who will maintain the Policy Database.

6 Legislation, Terminology & References

6.1 Policy

A policy is a statement of Council's philosophical position on a specific issue. It is a high-level commitment to guide present and future decisions in relation to specific issues, or, principles of acceptable behaviour and action. The policies provide the overall framework in which the Council operates.

Policies are developed at two distinct levels –

Council Policies: those policies that support the work of Council, some of which may be required by legislation and are created by a resolution of Council; and

Administrative Policies: those policies that support the work of the Chief Executive Officer (CEO) and are created by a decision of the CEO or Chief Officers Group (COG).

It should be noted, however, that some policies, while administrative in nature, also fall within the ambit of Council – i.e. the Procurement Policy. Decisions as to whether these policies are endorsed by CEO/COG or Council are to be made on a case by case basis. Some policies of this type may also include operational procedures.

The creation of Council Policy can frequently bring about the creation of a lower level Administrative Policy to more specifically guide staff in the application of the Council's intent.

Both Council and Administrative Policies have a number of different audiences (i.e. Elected Members, management, staff, community, regulators, media, etc) and care will need to be taken to frame policy pronouncements in an appropriate tone and style for the respective audiences.

6.2 Guidelines

Set parameters geared to implementing policy or complying with the law within which procedural choices may be made.

Guidelines -

- Are advisory steps;
- Must be supportive of laws and corporate policies;
- Respond to corporate policy and/or laws in a way that reflects corporate principles;
- Are a way of enhancing efficiency (best-practice and continuous improvement) and alignment (consistency).

6.3 Procedures

Procedures are more stringent rules for action. Procedures define the specific rules, steps or actions required to apply or implement a Council or Administrative Policy. Procedures will define management directives or rules, inputs, responsibilities, tasks to be completed, outputs and other elements necessary for the understanding and performance of a process.

Procedures set parameters, geared to implementing policy or complying with legislation, about which choices may not be made.

Procedures –

- Are mandatory steps (processes, templates etc);
- Must be supportive of laws and corporate policies;
- Respond to corporate policy and/or laws in a way that reflects corporate principles;
- Is a way of ensuring uniformity of behaviour across the organisation; and
- Ensures consistency and continuity of services.

6.4 Strategies

Strategies form the master plan for how objectives will be achieved. These can be developed at the corporate, business unit or functional levels e.g. Asset Management Plans. The Policy and Procedure Framework does not intend to record or classify strategies but plan developers should be aware that elements of policy and procedure are often incorporated into strategies. These elements should be distilled from the approved strategies and translated into the standard formats to maintain the completeness of the Framework.

7 Implementation & Delegation

7.1 Responsibilities:

Council

Sections 11, 12 and 13 of the Local Government Act set out the statutory 'Role, Functions and Objectives' of the Council. Establishing Policies is one of the key mechanisms by which the Council carries out its statutory responsibilities. The role of the Council is therefore to determine Council's policies and be knowledgeable of policy precedents to ensure a complementary Council policy environment.

Audit Committee

Must be satisfied that at minimum, the Council has adequate systems in place to ensure the maintenance of an appropriate control and compliance framework for the Council.

COG

Led by the CEO, determine the Council's Administrative policies and be knowledgeable of the Council and Administrative policy precedents to ensure a complementary organisational policy environment.

CEO

Section 101 of the Local Government Act provides that the CEO is responsible to the Council for, inter alia, ensuring 'that the council's policies, plans and lawful decisions are implemented'. The CEO is also responsible for ensuring that the Council has appropriate administrative policies and procedures to ensure services are delivered with accountability and due diligence.

General Managers, Managers and Staff

Ensure that Council and Administrative policies and procedures are developed and maintained in accordance with this Framework and to be knowledgeable of, and act in accordance with, the policy and procedural environment.

Records Management

Provide the EDMS system, consultancy, education and training to facilitate the classification of policies and procedures within an established file referencing hierarchy, and to establish universal accessibility and appropriate document management and retention.

Manager Strategy & Outcomes

Manage the implementation of the Framework including the policy development and review timetable and provide a quality assurance and moderation service in relation to the development of policies and procedures.

7.2 Delegation

The Council delegates to the CEO the authority to determine those matters that need to be referred to Council for adoption.

8 Evaluation and Review

Performance measures for monitoring the effectiveness of the Council Policy and Procedures Framework are:

- Extent to which the programmed policy initiatives are delivered;
- Availability and currency of strategy and Council policy documents covering all the major areas of interest on the Darwin City Council web site;
- Availability and currency on the intranet policy database of all operating procedures and guidelines necessary to give effect to Council strategies and policies; and
- Consistency of terminology and format of policy documents.

Policy Template

Title	:	Policy Name
Policy Number	:	Policy Number to be added by MSO
Adopted By	:	(Council, COG or relevant GM)
Review Date	:	Refer' Policy and Procedure Framework'
Responsibility	:	(CEO or relevant GM)
Document Number	:	Dataworks number

Version	Decision Number	Adoption Date	History

1 Policy Summary

A concise statement of the policy, its purpose and desired outcomes.

2 Policy Objectives

Include a brief statement setting forth the intended objectives. Where practicable these should be quantifiable.

3 Background

Include a brief statement indicating the events and reasoning leading to the development of a policy. This will be useful when the policy is reviewed as it will provide context.

4 Policy Statement

Clearly set out the draft Policy proposed for adoption. Remember that Council and administrative policies have different audiences – Elected Members, staff, community, regulators etc.

5 Legislation, terminology and references.

Relevant legislation (e.g. Local Government Act, Workplace Health and Safety Act, etc) should be identified and the relevant section or regulation quoted. Definitions should be included where appropriate and any references quoted.

6 Implementation and delegation

Where appropriate include a statement about how the policy is to be implemented and if it is intended that the policy is to be adopted by Council consider whether the accompanying report should include any necessary delegation to the CEO.

7 Evaluation and review

Set out how the success of the policy should be determined at the review date. Include quantifiable measures where possible.

Note : Normally Policies will not contain specific information addressing operational aspects such as costs, time frames and operating procedures as these may change from time to time and any changes to adopted policies will need to go through the same approval process as the original policy. Supporting guidelines and or procedures may need to be documented covering the detail associated with implementing the policy.

PAGE: 2
 REPORT NUMBER: 09TC0076
 SUBJECT: ELECTED MEMBERS GIFTS AND BENEFITS POLICY

The policy contained in **Attachment A** is now referred for Council's approval.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC PLAN IMPLICATIONS:

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

Key Strategies

7.1.6 Develop contemporary management policies and by-laws

LEGAL IMPLICATIONS:

This policy is complementary to the provisions of the NT Local Government Act.

ENVIRONMENTAL IMPLICATIONS:

Nil.

PUBLIC RELATIONS IMPLICATIONS:

Positive. By adopting this policy, Council is demonstrating strong and effective leadership in governance related matters.

COMMUNITY SAFETY IMPLICATIONS:

Nil.

DELEGATION:

Nil.

13 OFFICERS REPORTS

13.2 Elected Members' Gifts and Benefits Policy

Report No. 09TC0076 BD:jp (17/11/09) Common No. 1612461

Report Number 09TC0076 BD:jp attached



ENCL: YES

DARWIN CITY COUNCIL

DATE: 17/11/09

REPORT

TO: 2ND ORDINARY COUNCIL/OPEN

APPROVED: BD

FROM: CHIEF EXECUTIVE OFFICER

REPORT NO: 09TC0076 BD:jp

COMMON NO: 1612461

SUBJECT: ELECTED MEMBERS' GIFTS AND BENEFITS POLICY

ITEM NO: 13.2**SYNOPSIS:**

Darwin City Council strives to continuously improve its governance systems and processes. Indeed, Key Strategy 7.1.6 within Council's Evolving Darwin, Strategic Directions : Towards 2020 and Beyond is to "Develop contemporary management policies and by-laws."

In support of this strategy, Council held a workshop on 12 October 2009 which in part focussed on development of a policy in relation to Elected Members' Gifts and Benefits(**Attachment A**).

The objectives of this policy are to:

- Provide guidance to Elected Members in relation to offers of and receipt of gifts and benefits;
- Complement provisions of the NT Local Government Act.

Existing Policy No.166 covers gifts to the Lord Mayor and Council and is as follows:

"Where a gift is given to the Lord Mayor

- as a personal gift, the Lord Mayor will have the right to retain the gift if s/he so wishes.
- On behalf of the Council and/or City, the gift shall be retained by Council, or exhibited in a suitable place in the city, for a period determined by Council."

For reasons of simplicity and consistency, these policy statements have been included in the proposed gifts and benefits policy and therefore it is recommended that Policy No.166 be rescinded.

PAGE: 2
 REPORT NUMBER: 09TC0076
 SUBJECT: ELECTED MEMBERS GIFTS AND BENEFITS POLICY

The policy contained in **Attachment A** is now referred for Council's approval.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC PLAN IMPLICATIONS:

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

Key Strategies

7.1.6 Develop contemporary management policies and by-laws

LEGAL IMPLICATIONS:

This policy is complementary to the provisions of the NT Local Government Act.

ENVIRONMENTAL IMPLICATIONS:

Nil.

PUBLIC RELATIONS IMPLICATIONS:

Positive. By adopting this policy, Council is demonstrating strong and effective leadership in governance related matters.

COMMUNITY SAFETY IMPLICATIONS:

Nil.

DELEGATION:

Nil.

PAGE: 3
REPORT NUMBER: 09TC0076
SUBJECT: ELECTED MEMBERS GIFTS AND BENEFITS POLICY

CONSULTATION:

Elected Members.
Blackadder & Associates – Mr Stephen Blackadder
Chief Officers Group

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil.

APPROPRIATE SIGNAGE

Nil.

RECOMMENDATIONS:

- A. THAT Report Number 09TC0076 BD:jp entitled Elected Members Gifts and Benefits Policy, be received and noted.
- B. THAT Council adopt the Elected Members' Gifts and Benefits Policy contained in Attachment A to Report Number 09TC0076 BD:jp entitled Elected Members Gifts and Benefits Policy.
- C. THAT Policy No.166, Gifts to the Lord Mayor and Council, be rescinded.

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

Any queries on this report may be directed to Brendan on 5505 or
b.dowd@darwin.nt.gov.au



Elected Members Gifts and Benefits Policy

1 Policy Statement

The purpose of this policy is to provide guidance to Elected Members in relation to offers of and the receipt of gifts or benefits; to ensure that in dealing with the offer of gifts or benefits or the receipt of gifts or benefits, Elected Members are not influenced in the performance of their duties; and that there is no perception of undue influence.

2 Policy Objectives

The objectives of this policy are to:

- Provide guidance to Elected Members in relation to offers of and the receipt of gifts or benefits.
- Complement the provisions of the NT Local Government Act.

3 Background

From time to time, Elected Members may be offered gifts or benefits. This policy has been developed to provide guidelines for the appropriate, consistent and transparent treatment of offers of or receipt of gifts and benefits by Elected Members of Darwin City Council.

4 Policy Statement

This policy applies to the Elected Members of Darwin City Council. It operates in addition to all other obligations under the NT Local Government Act 2008 (the Act) and any other legislation or relevant codes and policies.

An Elected Member must not:

- solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from Darwin City Council
- seek or accept a bribe or other improper inducement
- by virtue of his or her position, acquire a gift or benefit which has a monetary value, other than one of a nominal or token value

An Elected Member must not seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence an Elected Member to:

- act in a particular way (including making a particular decision)
- fail to act in a particular way
- otherwise deviate from the proper exercise of his or her statutory duties

An Elected Member may accept gifts or benefits of a nominal or token value that:

- do not create a sense of obligation on his or her part and
- that would not be reasonably perceived by an impartial observer to be intended to or likely to influence him or her in carrying out their statutory duty.

An Elected Member must never accept an offer of money, regardless of the amount.

Where a protocol gift is given to the Lord Mayor:

- as a personal gift, the Lord Mayor has the right to retain the gift if he or she so wishes
- as a gift to the Council and/ or City, the gift shall be retained by Council and exhibited in a suitable place for a period of time determined by the CEO.

5. Elected Members Voluntary Gifts and Benefits Register

An Elected Members Voluntary Gifts and Benefits Register has been established pursuant to this policy.

Elected Members may make entries on the voluntary Register by completing the Elected Members Gifts and Benefits Disclosure Form (**Attachment A**) and forwarding them to the Lord Mayor's Executive Assistant who is responsible for maintaining the Register.

The Register will contain the following:

- Name of Elected Member receiving the gift or benefit.
- Details of person/organisation giving the gift or benefit.
- Description of the gift or benefit.
- Estimated value.

- Reason for presentation of the gift or benefit.
- Comments in relation to disclosure.
- Date of receipt.
- Signature of the recipient.
- Date of Disclosure

The Elected Members Voluntary Gifts and Benefits Register is available for public inspection upon request.

A separate Register is in place for Protocol Gifts which are received by the Lord Mayor.

6 Legislation, Terminology and References

Part 7.4 of the Local Government Act requires Council's to have a Code of Conduct. Darwin City Council utilises Schedule 2 of the NT Local Government Act as its Code of Conduct.

Clause 8 of Schedule 2 contains the following requirement:

A member must not solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.

ATTACHMENT A



ELECTED MEMBERS GIFTS AND BENEFITS DISCLOSURE FORM

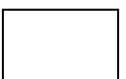
This form is for use by Elected Members of Darwin City Council pursuant to Council's Elected Members Gifts & Benefits Policy.

Name of Elected Member (Recipient)	
Received from (Provider)	Name: Organisation:
Description of Gift(s) and/or Benefit(s)	
Estimated Value	
Reason for Presentation of Gift(s) or Benefit(s)	
Comments	
Date Gift(s) or Benefit(s) Received	
Signature of Recipient	
Date of Disclosure	

13 OFFICERS REPORTS

13.3 Elected Members' Access to Council Information Policy Report No. 09TC0073 BD:jp (17/11/09) Common No. 1612461

Report Number 09TC0073 BD:jp attached



ENCL: YES

DARWIN CITY COUNCIL
REPORT

DATE: 17/11/09

TO: 2ND ORDINARY COUNCIL/OPEN

APPROVED: BD

FROM: CHIEF EXECUTIVE OFFICER

REPORT NO: 09TC0073

COMMON NO: 1612461

SUBJECT: ELECTED MEMBERS' ACCESS TO COUNCIL INFORMATION POLICY

ITEM NO: 13.3**SYNOPSIS:**

Darwin City Council strives to continuously improve its governance systems and processes. Indeed, Key Strategy 7.1.6 within Council's Evolving Darwin, Strategic Directions : Towards 2020 and Beyond is to "Develop contemporary management policies and by-laws."

In support of this strategy, Council held a workshop on 12 October 2009 which in part focussed on development of a policy for Elected Members' Access to Council Information (**Attachment A**).

The objectives of this policy are to:

- Provide a standard approach by which Elected Members can access Council information;
- Ensure timely access for Elected Members to all documents required by them to undertake their statutory responsibilities pursuant to the NT Local Government Act and other Acts;
- Complement the provisions of the NT Local Government Act.

This policy is now referred for Council's adoption.

FINANCIAL IMPLICATIONS:

Nil.

PAGE: 2
 REPORT NUMBER: 09TC0073
 SUBJECT: ELECTED MEMBERS ACCESS TO COUNCIL INFORMATION POLICY

STRATEGIC PLAN IMPLICATIONS:

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

Key Strategies

7.1.6 Develop contemporary management policies and by-laws

LEGAL IMPLICATIONS:

Section 200 of the Local Government Act identifies the information that is required to be publicly available. This policy is compliant with Section 200.

ENVIRONMENTAL IMPLICATIONS:

Nil.

PUBLIC RELATIONS IMPLICATIONS:

Positive. By adopting this policy, Council is demonstrating strong and effective leadership in governance related matters.

COMMUNITY SAFETY IMPLICATIONS:

Nil.

DELEGATION:

This policy requires the Chief Executive Officer to make decisions in relation to the provision of information against the background of the policy objectives and policy statements.

CONSULTATION:

Elected Members.
 Blackadder & Associates – Mr Stephen Blackadder
 Chief Officers Group

PAGE: 3
REPORT NUMBER: 09TC0073
SUBJECT: ELECTED MEMBERS ACCESS TO COUNCIL INFORMATION POLICY

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil.

APPROPRIATE SIGNAGE

Nil.

RECOMMENDATIONS:

- A. THAT Report Number 09TC0073 entitled, Elected Members Access to Council Information Policy, be received and noted.
- B. THAT Council adopt the Elected Members' Access to Council Information Policy contained in Attachment A to Report Number 09TC0073 entitled Elected Members Access to Council Information Policy.

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

Any queries on this report may be directed to Brendan on 5505 or
b.dowd@darwin.nt.gov.au



Elected Members' Access to Council Information Policy

Policy Summary

Elected Members of Darwin City Council need appropriate access to information in order to carry out their role as described in Section 35 of the Northern Territory Local Government Act (NT LGA):

- to represent the interests of residents and ratepayers
- to provide leadership and guidance
- to facilitate communication
- to participate in council deliberations
- to ensure that council acts honestly, efficiently and appropriately

This policy establishes the protocols to be followed to enable Elected Members to gain access to information through appropriate channels.

Policy Objectives

The objectives of this policy are to:

- Provide a standard approach by which Elected Members can access council information.
- Ensure timely access for Elected Members to all documents required by them to undertake their statutory responsibilities pursuant to the NT Local Government Act and other Acts.
- Complement the provisions of the NT Local Government Act.

Background

From time to time Elected Members seek access to Council Information. Not all Council information is accessible to some or all Elected Members for reasons of privacy, confidentiality, legal restraint or conflict of interest. A lack of a documented policy has the potential to cause inconsistencies in the way that requests for information are processed.

Policy Statement

1. Access to Information

Elected Members access to information

- 1.1 The CEO must provide Elected Members with sufficient information to enable them to carry out their role. Elected Members have a right to inspect any record of the Council provided that it is relevant to the exercising of the Elected Member's responsibility in his or her civic office and is not subject to privacy, confidentiality or legal restraint. This right does not extend to matters about which an Elected Member is merely curious.
- 1.2 Each request will be treated on its merits but as a general rule, those records immediately seen as relevant to the exercising of a Elected Member's responsibility of civic office are:
 - Matters before a Council meeting, either currently or within the current term of the Council, and/or
 - Matters known by the CEO to come before Council in the near future.
- 1.3 Elected Members can also request access to other documents of the Council either by a request to the relevant General Manager of CEO, Notice of Motion to the Council, a Freedom of Information application or a Section 200 request for access to information. Staff will expedite access to the requested document providing the request is in accordance with 1.1 and 1.2 above. Any recommendation to deny access will be referred to the CEO.
- 1.4 Elected Members shall have access to office productivity tools in the computer system to assist in word processing, email, internet, etc, but do not include access to Council records databases.

Subject to the establishment of appropriate internal controls and IT security and functionality, every effort will be made to provide an appropriate level of electronic access to enable Elected Members to carry out their role. Privacy, confidentiality or legal restraint reasons prevent unrestricted Elected Member electronic access to Council information.

- 1.5 Elected Members who have a personal or pecuniary interest in a document of Council have the same rights of access as any other person as stipulated by the Code of Conduct.
- 1.6 Information sought by and provided to an Elected Member in relation to an item to be considered at a council or committee meeting will be distributed to all Elected Members irrespective of whether the original request was marked private or confidential.
- 1.7 Elected Members who have a private interest (as distinct from their role as an Elected Member) in information have the same rights of access as any member of the public (Refer to Section 200 of the NT Local Government Act and the Information Act).
- 1.8 Access will be provided to documents and files necessary for the Lord Mayoral role. This includes files relevant to correspondence received directly by the Lord Mayor and is subject to the same viewing rules. As an Elected Member, the Lord Mayor is subject to the same requirements of access as apply to other Elected Members.

2 Use of Information

- 2.1 It is recognised that Elected Members have a role both as a member of the governing body of the Council and as an elected person. While it is desirable in the public interest to maintain open government, not all information available to Elected Members is available to members of the public.
- 2.2 Elected Members are made privy to information of a confidential nature the disclosure of which is specifically prohibited in certain circumstances. The right of Elected Members to have access to records is for the purpose of exercising the office of Elected Member. It does not carry with it the right to disclose any information obtained by an Elected Member to another person, unless it is already in the public domain. An Elected Member has no authority to release documents on behalf of Council.
- 2.3 In regard to information obtained in the Elected Member's role, the Elected Member must:
 - a) only access council information needed for council business
 - b) not use that council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for themselves, or any other person or body, from any information to which they have by virtue of their role with council
 - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation
 - e) protect confidential information not disclose any information discussed or viewed during a confidential session of a council meeting

- f) only release confidential information if the Elected Member has authority to do so
- g) only use confidential information for the purpose it is intended to be used
- h) not use confidential information gained through the Elected Member's role for the purpose of securing a private benefit for the Elected Member or for any other person
- i) not use confidential information with the intention to cause harm or detriment to council or any other person or body

2.4 The Lord Mayor shall not cause the by-passing of the general access provisions by providing to Elected Member information made available through the Lord Mayoral role.

2.5 Elected Members shall not cause the by-passing of Information Act provisions by providing to a member of the public information made available to Elected Members as an elected representative.

3 Refusal of Access to Information

3.1 Where the CEO determines to refuse access to information sought by an Elected Member, the CEO must act reasonably. In reaching this decision, the CEO must take into account whether or not the document sought is required for the Elected Member to perform their role. The CEO must, in writing, state the reasons for the decision if access is refused.

3.2 If the CEO decides that access to a document or other information held by the Council should not be given to a Elected Member, and the matter is not a Section 200 request, then the Elected Member has a number of options:

- Take no further action;
- Seek a review by the CEO;
- Seek Council support for the requested access by lodging a Notice of Motion;
- Lodge an Information Act application or Section 200 request, as appropriate.

3.3 If the Council passes a motion for the production of a Council record, then the CEO must allow such access and the inspection is carried out.

Legislation, Terminology and References

Section 200 of the NT LGA 2008 provides for the information that is required to be publicly available on council's website and at council's public office:

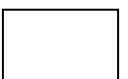
- (a) a draft regional management plan for the region in which the council's region is situated and the notice inviting written representations (See section 19(3));*
- (b) the regional management plan for the region in which the council's area is situated (See section 21(2));*
- (c) the council's draft and final municipal or shire plans (sections 22(3) and 24(2));*
- (d) the constitution of a local government subsidiary for which the council is a constituent council (See section 29);*
- (e) the notices and minutes of meetings of the council, local boards, council committees and doctors (See sections 59(4) and 63(3));*
- (f) a statement of the level of allowances and expenses to be paid to members under this Act (See sections 71 and 72);*
- (g) the register of members' interests (See section 74(2));*
- (h) the council's code of conduct (See section 77(3));*
- (i) an approved rating proposal (See section 142(6));*
- (j) notice of the declaration of rates (and charges) for the current financial year (See section 158(1));*
- (k) notice of the council's intention to sell land, by auction, for non-payment of rates (See section 175(3));*
- (l) notice of the council's assumption of the care, control and management of land (See section 179(4));*
- (m) notice of an application by the council to the Supreme Court for variation of a trust (See section 181(4)) and notice of an order made on such an application (See section 181(6));*
- (n) notice of a proposed by-law the council intends to make (See section 190(1));*
- (o) the register of by-laws (See section 192(3));*
- (p) the council's annual reports (See section 199(4));*
- (q) a list setting out each category of reviewable decisions (See section 227(?)).*

13 OFFICERS REPORTS

13.4 **Regional and Local Community Infrastructure Program (RLCIP) Strategic Projects Round 2 - \$120M Grant Funding**

Report No. 09TC0075 BD:ah (19/11/09) Common No.

Report Number 09TC0075 BD:ah has been distributed separately with the Business Papers.

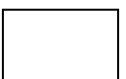


13 OFFICERS REPORTS

13.5 In Principle Support from Council to Build New Defence of Darwin Museum on Council land

Report No. 09C0196 JB:kl (17/11/09) Common No. 1477575

Report Number 09C0196 JB:kl attached



ENCL: YES

DARWIN CITY COUNCIL**DATE:** 17/11/09**REPORT****TO:** 2ND ORDINARY COUNCIL/OPEN**APPROVED:** JB**FROM:** GENERAL MANAGER COMMUNITY &
CULTURAL SERVICES**REPORT NO:** 09C0196 JB:kl**COMMON NO:** 1477575**SUBJECT:** IN PRINCIPLE SUPPORT FROM COUNCIL TO BUILD NEW DEFENCE
OF DARWIN MUSEUM ON COUNCIL LAND**ITEM NO: 13.5****GENERAL:**

The Department of Natural Resources, Environment, The Arts and Sport has written to Council seeking in principle approval to build the new Defence of Darwin Museum facility on the parcel of land owned by Council at East Point Reserve (Lot 5775), **Attachment A.**

Previous Decisions

The following Council reports have thus far been presented in relation to the re-development:

- Report 09C0152 – Special Council meeting on 22 September 2009 titled Overview of the Re-Development of the East Point Reserve Military Museum Decision No. 20\2010. The decision was:
 - A. That Report Number 09C0152 entitled, Overview of the Development of the East Point Military Museum, be received and noted.
 - B. That this decision be moved into Open.
- Report 09C0131 - 1st Ordinary on August 11 2009 titled Overview of the Status of the Re-development of the East Point Military Museum Decision No 20\1425). The decision was:
 - B. *THAT Council request the development of a comprehensive project brief in relation to the East Point Military Museum re-development.*

PAGE: 2
 REPORT NUMBER: 09C0196 JB:kl
 SUBJECT: IN PRINCIPLE SUPPORT FROM COUNCIL TO BUILD NEW DEFENCE
 OF DARWIN MUSEUM ON COUNCIL LAND

- Report 09C0064 - 1st Ordinary on April 14 2009 titled Report to Council on the East Point Museum Re-development. The decisions were:
 - A. *THAT Council request that the NT Government provide a presentation to Council on the proposed East Point Military Museum.*
 - B. *THAT Council participate in the proposed East Point Military Museum Workshop.*

RECOMMENDATIONS:

- A. THAT Report Number 09C0196 JB:kl entitled In Principle Support from Council to Build New Defence of Darwin Museum on Council Land, be received and noted.
- B. THAT Council provide in principal support to the development of the Defence of Darwin Museum on the parcel of land owned by Council at East Point Reserve, Lot 5775, subject to reaching agreement on appropriate tenure arrangements.

JOHN BANKS
GENERAL MANAGER COMMUNITY &
CULTURAL SERVICES

Any queries on this report may be directed to John Banks on 89300633 or Email:
j.banks@darwin.nt.gov.au



Northern
Territory
Government

DEPARTMENT OF NATURAL RESOURCES, ENVIRONMENT, THE ARTS AND SPORT

Our ref: ANBP2009/0039-0001
Your ref:

Chief Executive
Gaynor Centre
25 Chung Wah Terrace, Palmerston
Postal address: PO Box 496
PALMERSTON, NT 0831
Tel: 08 8998 3652
Fax: 08 8932 3849
Email: j.m.prand@nt.gov.au

Mr Graeme Sawyer
The Right Worshipful the Lord Mayor of Darwin
Darwin City Council
GPO box 84
DARWIN NT 0801



Dear Graeme

My Department presented at the 15 September Council meeting an overview of the Defence of Darwin Museum project to be built on East Point Reserve. On 22 September, the elected Council members participated in a workshop with staff from my Department to discuss options for the location of the new facility on the Reserve.

The Darwin City Council manages and controls most of the land on East Point Reserve, with the exception of Lot 5434 held by the Northern Territory as a separate title for the purpose of protecting a place of historical interest, namely an artillery museum.

The preferred location for the future Museum is located on the parcel of land owned by the Darwin City Council (Lot 5775) opposite the command post (currently the East Point Military Museum on Lot 5434).

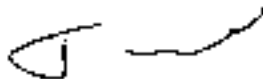
This particular location will draw visitors to explore and experience the other heritage sites located nearby. The East Point Reserve Plan of Management and Master Plan prepared for the Darwin City Council also recommends the building of a new Museum facility on this location as it is close but separate from the key heritage sites. It also provides the opportunity to redevelop the interpretative element of the existing command post within the big picture of the future Museum.

As discussed at our meeting on 13 October 2009, the future facility to house the core exhibition will consist of a modest in size building that will not dominate the landscape. The future design will take into account the overall visual integrity of the heritage precinct. Once the location is confirmed, design process for the new facility will commence. I can reassure you that your Council will be consulted in this critical phase of the project to ensure that we achieve the best possible design for the proposed location. Additionally, as previously outlined during meetings, there is no financial implication for the Darwin City Council in the building project or future operations of the Museum.

I am writing to seek approval in principle from your council to build the new Defence of Darwin Museum facility on this parcel of land owned by the Darwin City Council at East Point Reserve, subject to reaching agreement on appropriate tenure arrangements. Once my Department has received the Council response to go ahead with the planning of building the new facility on a parcel of Darwin City Council Land, my Department in collaboration with your Council staff will prepare a formal agreement which will outline terms and conditions of use of this parcel of land. I would envision something in the nature of a long term lease to the Territory, but welcome your suggestions and comments on how the Darwin City Council envisages such agreement and its specifics.

Please do not hesitate to contact Apolline Kohan on 89244055 or via email apolline.kohan@nt.gov.au if you need to further discuss scope of the project.

Yours sincerely



JIM GRANT

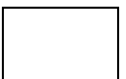
5th November 2009

13 OFFICERS REPORTS

13.6 Homeless Connect Proposal for 2010

Report No. 09C0197 KH:kl (18/11/09) Common No. 1449928

Report Number 09C0197 KH:kl attached



ENCL: NO

DARWIN CITY COUNCIL

DATE:18/11/09

REPORT

TO: 2nd ORDINARY COUNCIL /OPEN

APPROVED: JB

FROM: GENERAL MANAGER COMMUNITY &
CULTURAL SERVICES

APPROVED: KH

REPORT NO: 09C0197 KH:kl

COMMON NO: 1449928

SUBJECT: HOMELESS CONNECT PROPOSAL FOR 2010

ITEM NO: 13.6

SYNOPSIS:

This report re-presents the "Homeless Connect" program initiative, initially presented to Council in October 2008. Although the concept was positively received, the recommendations to conduct Homeless Connect events in Darwin were not endorsed at the time.

The Homeless Connect concept is an initiative of the Council of Capital City Lord Mayors (CCCLM) and has been implemented in all other territories and states. The program aims to service the needs of the homeless population by bringing services together for one day, twice a year, to offer practical support and information/advice to this client group. The National Homeless Connect program will be enhanced by Darwin's participation.

PREVIOUS DECISION:

DECISION No. 20/1008 (25/11/08)

- B. THAT Council decline the opportunity to implement the Homeless Connect program at this time and that a further report be prepared regarding Council's options to address homelessness situation within Darwin.

GENERAL:

At its September 2008 meeting, the Council of Capital City Lord Mayors (CCCLM) considered the *Homeless Connect* initiative and made a commitment to the Australian Government to roll out *Homeless Connect* events from November 2008. Every region with the exception of the Territory has embraced the program and through the work of the CCCLM, and there is now a move to have a national approach to implementing common activities that respond to homelessness and affordable housing, including the Homeless Connect program delivery.

PAGE: 2
REPORT NUMBER: 09C0197 KH:kl
SUBJECT: HOMELESS CONNECT PROPOSAL FOR 2010

Council considered the implementation of a local program for the City of Darwin in October 2008, which was well received however there was an absence of resources at that time. In November 2009, the CCCLM reviewed the program in the context of homelessness as a national issue and the possible development of 10 year plans to end homelessness.

Given the growing breadth of the problem nationally, the CCCLM are seeking a more coordinated approach to homelessness, including the development of 10 year homelessness plans in each state and Territory and the need for creative and locally responsive interventions. Council is well positioned as a provider to host grass roots community support activities that collaborate with complimentary agencies and voluntary commercial services.

Over the past year Council has been involved in a number of Affordable Housing forums and sector discussions resulting in some policy development concerned with homelessness, advocacy and affordable housing within the community of Darwin.

The Homeless Connect program has its roots in a similar program initiated in San Francisco in 2004 and has since been adopted in over 100 cities around the world. It aims to service the needs of the homeless population by bringing services together for one day, twice a year, to offer practical support, information and advice to this target group.

The "Homeless Connect" program was first trialled by Brisbane City Council in November 2006, and attracted around 300 clients. A second event was held in June 2007 in partnership with Volunteering Queensland and supported by the Queensland State Government, businesses and community groups. This event involved approximately 180 volunteers, 48 service providers and 400 clients, and was deemed a resounding success, with volunteers reporting that clients were empowered and had the opportunity to access services they may not have otherwise. "Homeless Connect" is now held twice yearly in Brisbane.

Around Australia, the number of people who are homeless or in housing stress is increasing. The National Shelter Policy Platform 2007 reports that on census night in 2001, 100,000 people were homeless. Today "1.2 million households are in housing stress" (i.e. Housing costs more than 30% gross income), which is "up 20% from 10 years ago", with a third of those, or 400,000 households, in "extreme housing stress" (i.e. Housing costs more than 50 % of gross income).

The Northern Territory has the highest rate of homelessness in Australia (NT Shelter Response to the Australian Government's Green Paper – "Which Way Home: A New Approach to Homelessness", 27 June 2008). In the Top End, the homelessness rate in 2001 was 265 people per 10,000. In Darwin, the rate was 312 people per 10,000.

PAGE: 3
 REPORT NUMBER: 09C0197 KH:kl
 SUBJECT: HOMELESS CONNECT PROPOSAL FOR 2010

Council currently provides in-kind and grant support to various community groups and agencies through in-kind, grants and sponsorship activities. Council has provided support to the Street Soccer (Big Issue initiative) and contributed to Street Swags, a not-for-profit organisation, through its Community Grants program. Street Swags works with non-government agencies including Salvation Army, Mission Australia, Larrakia Nation and St. Vincent de Paul to distribute swags to people who are sleeping rough.

The Homeless Connect event, like that held in Brisbane and in other states and territories, can have a positive focus if delivered in partnership locally and would include an appropriately scaled program delivered within current resource allocations. Council staff could draw upon its established community sector networks in coordinating the event and involve people who are homeless in the program planning by consulting with the target group by assertive outreach through the Public Places program and partner agencies.

Homeless Connect works from a volunteer base, which ideally includes dentists, optometrists, podiatrists, GP's and other medical staff. Participants may access showers, haircuts, new clothes and shoes, and are given sample bags including bottles of shampoo and conditioner, soap, pens and notebooks, water bottles and other donated items. Participants may also access health and wellness check ups including natural therapies like massage and aromatherapy. Services who may wish to be involved in the day include non-government organisations such as Australian Red Cross, Anglicare, Mission Australia, Youth services, Indigenous services, Multicultural services, Refugee services, Drug and Alcohol services, Justice services, Centrelink, The Big Issue, Advocacy and Legal services, and the Registry of Births, Deaths and Marriages.

Council's community services staff can be tasked with organizing an appropriately scaled event to be achieved within existing operational budget allocations. It is suggested that a practical outcome focussed working group be convened to encourage and organize volunteers, sponsors and services. This approach would foster community ownership of the program and ensure the program retains a holistic and grassroots focus. The Brisbane events are advertised as a "community needs driven event" and it is likely that the Darwin program, if well promoted, would be similarly successful.

FINANCIAL IMPLICATIONS:

The Community Services Budget Item No 05/221040/300/104 currently holds funds earmarked for the progression of a number of community initiatives prioritized by Council. Should Council endorse the hosting of a biannual series of Homeless Connect events, associated expenditure can be managed within this budget item. Council should note that the Homeless Connect model draws upon the goodwill and voluntary participation of a number of not for profit and commercial service providers working in partnership in the spirit of the event. This model has worked successfully in many other regions and overseas.

PAGE: 4
 REPORT NUMBER: 09C0197 KH:kl
 SUBJECT: HOMELESS CONNECT PROPOSAL FOR 2010

Sponsorship and donations would be actively sought and advertising and event promotion will need to be innovative and outreach in focus and event participation by people who are homeless will also require some expenditure such as transport support.

Council can host an appropriately scaled and resourced Homeless Connect event in early 2010 within existing budget allocations with the view to evaluating resource implications following the first event.

ACTION PLAN IMPLICATIONS:

Goal

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

Outcome

1.2 Effectively engage with community

Key Strategies

1.2.1 Increase involvement of the Business Community for developing solutions to local issues

Goal

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

Outcome

1.2 Effectively engage with community

Key Strategies

1.2.2 Develop ways in which Council can enhance relationships and work collaboratively with Community Groups

Goal

5 Facilitate and Maintain a Cohesive Community

Outcome

5.1 Facilitate community access and inclusion

Key Strategies

5.1.1 Create more opportunities for the community to access services and facilities

Goal

5 Facilitate and Maintain a Cohesive Community

Outcome

5.1 Facilitate community access and inclusion

Key Strategies

5.1.2 Encourage employment opportunities within the Council for marginalised members of the community

PAGE: 5
 REPORT NUMBER: 09C0197 KH:kl
 SUBJECT: HOMELESS CONNECT PROPOSAL FOR 2010

LEGAL IMPLICATIONS:

Nil pertaining to this report.

The conduct of Council activities and events are provided for under its existing corporate insurance protections. As the event seeks to bring together multiple agencies and volunteers, the Risk & Safety Officer would be pre advised should additional insurance cover be required.

ENVIRONMENTAL IMPLICATIONS:

Nil pertaining to this report.

PUBLIC RELATIONS IMPLICATIONS:

A "Homeless Connect" event is likely to generate significant public interest and media attention. Creative and diverse promotional tools will also be required in order to engage with a diverse population group.

It is also noted that there is potential media interest in any Council activity. Council's Chief Officers review all reports and potential issues or any media interest is brought to the attention of the General Manager, Cultural & Community Services.

COMMUNITY SAFETY IMPLICATIONS:

Nil pertaining to this report.

DELEGATION:

Nil.

CONSULTATION:

CCLM Briefing Paper November 2009, Homelessness and Homeless Connect
 General Manager Cultural & Community Services
 Manager Community Services
 Brisbane City Council website
 NT Shelter Response to the Australian Government's Green Paper – "Which Way Home: A New Approach to Homelessness" (27 June 2008)

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil pertaining to this report.

APPROPRIATE SIGNAGE

Nil pertaining to this report.

PAGE: 6
REPORT NUMBER: 09C0197 KH:kl
SUBJECT: HOMELESS CONNECT PROPOSAL FOR 2010

RECOMMENDATIONS:

- A. THAT Report Number 09C0197 KH:kl entitled Homeless Connect Proposal for 2010, be received and noted.
- B. THAT Council establish a local Homeless Connect program.

KATIE HEARN
MANAGER COMMUNITY SERVICES

JOHN BANKS
GENERAL MANAGER COMMUNITY
& CULTURAL SERVICES

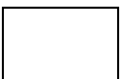
Any queries on this report may be directed to Katie Hearn on 89300560 or by email k.hearn@darwin.nt.gov.au

13 OFFICERS REPORTS

13.7 Amended Development Application Lot 1462 (4) Lindsay Street Darwin City 59 Motel Suites and a 1 x 3 Bedroom Manager's Residence in an 11 Storey Building including 2 Levels of Basement Car Parking and a Roof Top Deck

Report No. 09TS0213 PL:lm (16/11/09) Common No. 1619275

Report Number 09TS0213 PL:lm attached



ENCL: YES

DARWIN CITY COUNCIL**DATE:** 17/11/09**REPORT****TO:** 2ND ORDINARY COUNCIL/OPEN**APPROVED:** JB**FROM:** GENERAL MANAGER COMMUNITY &
CULTURAL SERVICES**REPORT NO:** 09C0196 JB:kl**COMMON NO:** 1477575**SUBJECT:** IN PRINCIPLE SUPPORT FROM COUNCIL TO BUILD NEW DEFENCE
OF DARWIN MUSEUM ON COUNCIL LAND**ITEM NO: 13.7****GENERAL:**

The Department of Natural Resources, Environment, The Arts and Sport has written to Council seeking in principle approval to build the new Defence of Darwin Museum facility on the parcel of land owned by Council at East Point Reserve (Lot 5775), **Attachment A.**

Previous Decisions

The following Council reports have thus far been presented in relation to the re-development:

- Report 09C0152 – Special Council meeting on 22 September 2009 titled Overview of the Re-Development of the East Point Reserve Military Museum Decision No. 20\2010. The decision was:
 - A. That Report Number 09C0152 entitled, Overview of the Development of the East Point Military Museum, be received and noted.
 - B. That this decision be moved into Open.
- Report 09C0131 - 1st Ordinary on August 11 2009 titled Overview of the Status of the Re-development of the East Point Military Museum Decision No 20\1425). The decision was:
 - B. *THAT Council request the development of a comprehensive project brief in relation to the East Point Military Museum re-development.*

PAGE: 2
 REPORT NUMBER: 09C0196 JB:kl
 SUBJECT: IN PRINCIPLE SUPPORT FROM COUNCIL TO BUILD NEW DEFENCE
 OF DARWIN MUSEUM ON COUNCIL LAND

- Report 09C0064 - 1st Ordinary on April 14 2009 titled Report to Council on the East Point Museum Re-development. The decisions were:
 - A. *THAT Council request that the NT Government provide a presentation to Council on the proposed East Point Military Museum.*
 - B. *THAT Council participate in the proposed East Point Military Museum Workshop.*

RECOMMENDATIONS:

- A. THAT Report Number 09C0196 JB:kl entitled, In Principle Support from Council to Build New Defence of Darwin Museum on Council Land, be received and noted.
- B. THAT Council provide in principal support to the development of the Defence of Darwin Museum on the parcel of land owned by Council at East Point Reserve, Lot 5775, subject to reaching agreement on appropriate tenure arrangements.

JOHN BANKS
GENERAL MANAGER COMMUNITY &
CULTURAL SERVICES

Any queries on this report may be directed to John Banks on 89300633 or Email:
j.banks@darwin.nt.gov.au

Please quote: 1619275 PL:lm

24 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

AMENDED PLANS

Lot 1462 (4) Lindsay Street Darwin

Amended Proposed Development - 59 Motel Suites and a 1 X 3 Bedroom Manager's Residence in an 11 Storey Building Including 2 Levels of Basement Car Parking and a Roof Top Deck

I refer to your request for formal confirmation from Darwin City Council on its acceptance of amended plans for the site and ground floor of the proposed development of Lot 1462 (4) Lindsay Street.

Council supports in principle the granting of a Development Permit as a result of the following technical issues being addressed in the amended plans:

Bus Drop Off Facility

The applicant has provided amended plans which address the issue of providing a 'bus drop off' facility and 75% of the frontage as an active pedestrian component. The 'bus drop off' facility is located within Council's road reserve. Council has recently approved a 'bus drop off' facility in its road reserve as part of the redevelopment of the former Commonwealth Bank building in Bennett Street. Council's road reserve on this side of Lindsay Street is wide enough to accommodate the bus drop off as well as maintaining the pedestrian footpath. The applicant has provided a design for the bus drop off facility that demonstrates the pedestrian footpath along Lindsay Street in front of the proposal can be maintained as a functional pedestrian link.

Loading Bay

A motel use requires 1 loading bay for a single occupation of a net floor area of 10,000 or less. A loading bay has been included in the proposal.

Car Parking Contribution

The Northern Territory Planning Scheme requires that the development of a motel as proposed would require the provision of 29 bays on site and 45 provided in the proposal. The applicant has agreed to pay a car parking contribution for the loss of two car spaces on Lindsay Street due to the provision of the 'bus drop off' facility.

Traffic Management

The Traffic Management Strategy by MFY estimates the maximum traffic generated by the proposal in the AM peak to be around 9 vehicles per hour and approximately 21 vehicles per hour in the afternoon peak. The study comments that the afternoon peak of the motel is unlikely to take place at the same time as the afternoon peak period associated with the school's pick-up movements. In relation to traffic management, the provision of the 'bus drop off area' located in Council's road reserve will take pressure of the traffic flows in the two lane road reserve of Lindsay Street. The provision of the 'bus drop off' will cause the loss of two on-street car spaces. The provision of the 'bus drop off' however is considered to outweigh the loss of on-street car spaces. A recent survey of the use of CBD car spaces indicates a significant under utilisation of on-street car spaces north of McLachlan Street.

Stormwater Drainage

Proposals for on-site stormwater collection and discharge underground to street stormwater mains have not been included on development application plans. Stormwater plans are to be requested from the applicant.

Council also requests that the Authority places a condition on any Development Permit issued regarding developer contributions for stormwater drainage. Developer Contribution Plans for Stormwater Drainage Works were gazetted by Council in 2007. Contribution Plan GP2006/03D – Darwin Zone F covers the site.

Sight Lines

Council requests the Authority requires amended plans demonstrating clear vehicle sight lines to Lindsay Street in accordance with the relevant Australian Standard and to the satisfaction of the General Manager of Infrastructure, Darwin City Council. No wall, fence or tree exceeding 0.6 metres in height shall be constructed or planted in front of the sight line to protect the safety of other road users and pedestrians and on Lindsay Street.

Waste Management

Council requests that the Authority places a note on any Development Permit issued to state the following:

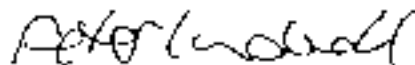
"In no circumstances will Council permit the temporary storage of garbage and recycling waste bins on the Lindsay Street road reserve for servicing purposes. The bins must always be serviced from the designated waste storage area within the property, with collection vehicles only permitted to enter and exit the property in a forward gear."

The applicant has provided Council with information from 3 different waste service providers to confirm that they would be able to access and service the podium level waste storage area of the proposed development. As such, Council officers are satisfied that the waste storage and collection arrangements for the site are acceptable.

Should this application be approved, the conditions pursuant to the Planning Act and Council's responsibilities under the Local Government Act included in Council's letter of 12 August 2009 are still relevant for inclusion in any Development Permit issued by the Development Consent Authority for this proposal.

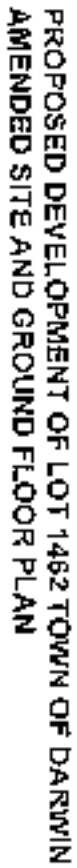
If you require any further discussion in relation to this application please contact me on 89300 528.

Yours faithfully

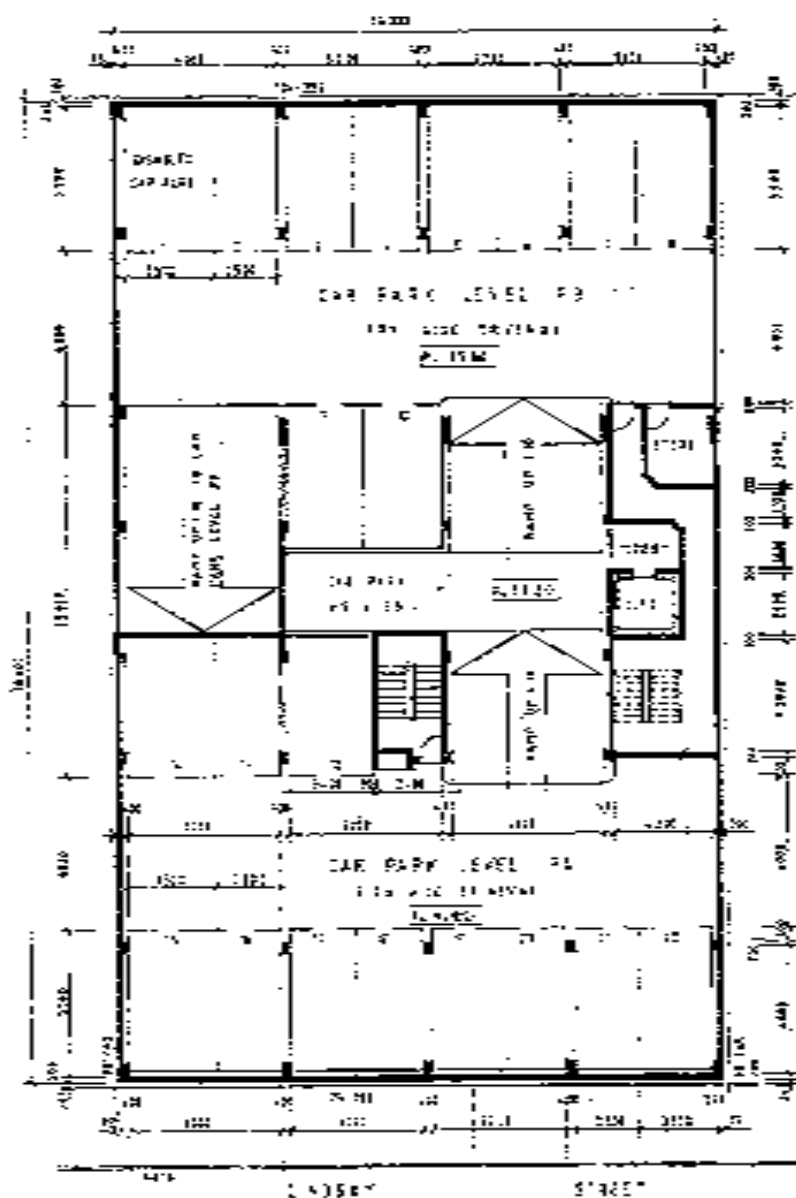


PETER LINDWALL
STRATEGIC TOWN PLANNER

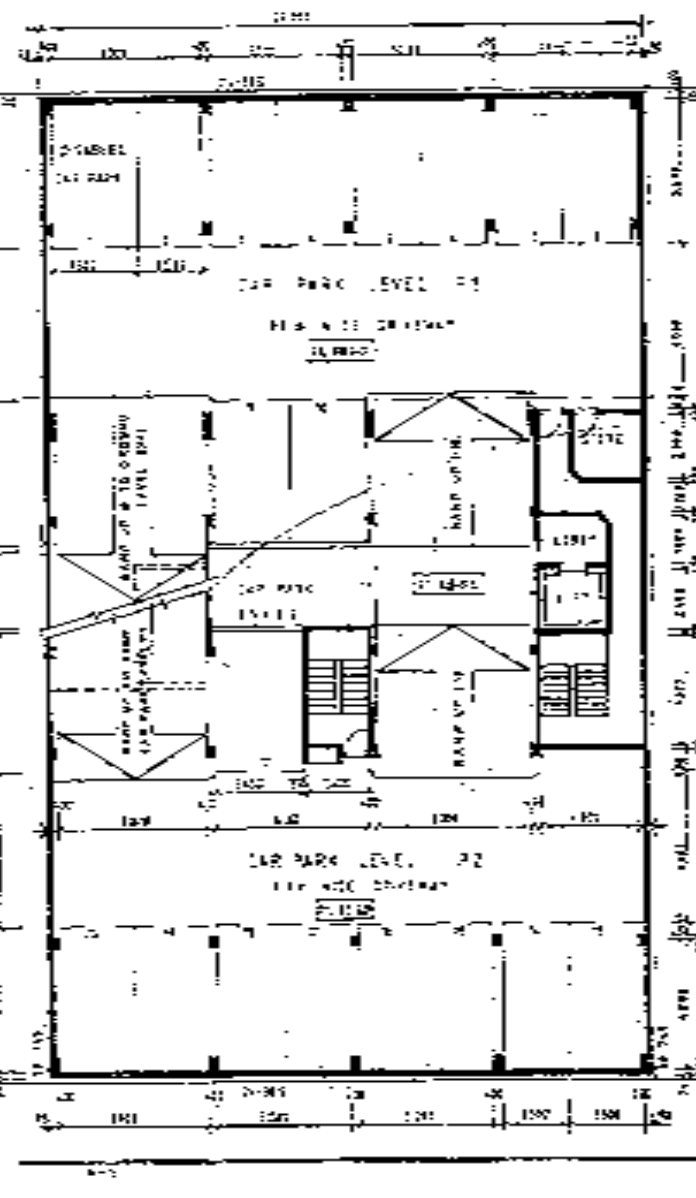
cc: June D'Rozano & Associates Pty Ltd



CON CONSONANCE EFFECT
PROJECT NO 170307 SHELL TP 010
Submitted by JUNE BRADY
October 2000



PLAN-BASEMENT CAR PARK
LEVELS P3 & P4



PLAN-BASEMENT CAR PARK
LEVELS P1 & P2

NOTES

DO NOT SCALE DRAWING
EXTRACT FROM THE PLAN

BASEMENT CAR PARK
LEVELS P1/P2/P3/P4

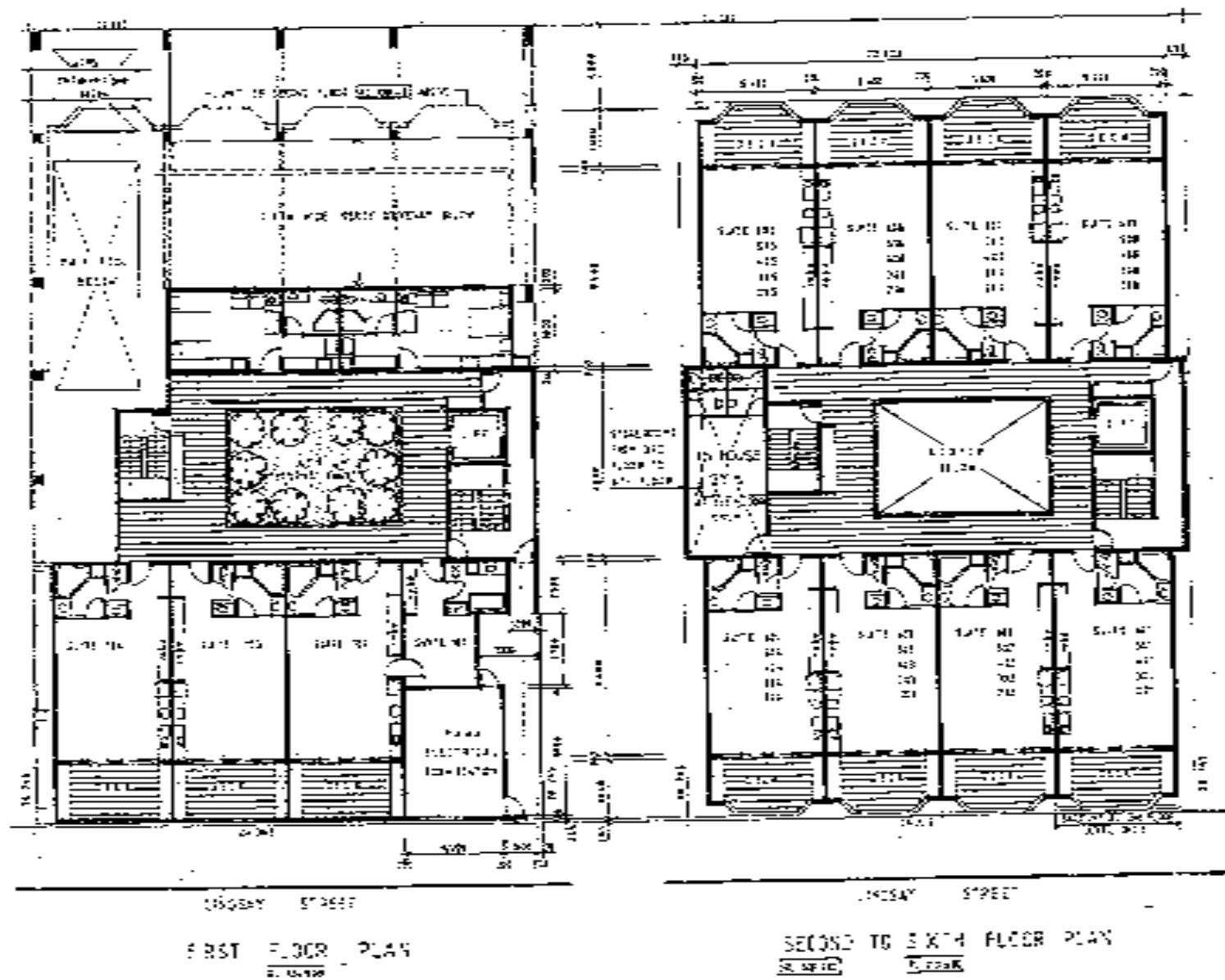
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PROPOSED 5 KEY HOTEL DEVELOPMENT WITH GYMNASIUM AND SWIMMING POOL IN A 10 STOREY BUILDING INCLUDING
GROUND FLOOR & TERRACE LEVEL AT LOT NO 1452 1454 LINDSAY STREET, DARWIN CBD

NOTES

DO NOT SCALE DRAWINGS
FOLLOW DIMENSIONS ONLY



FIRST FLOOR PLAN
SECOND TO SIXTH
FLOOR PLAN

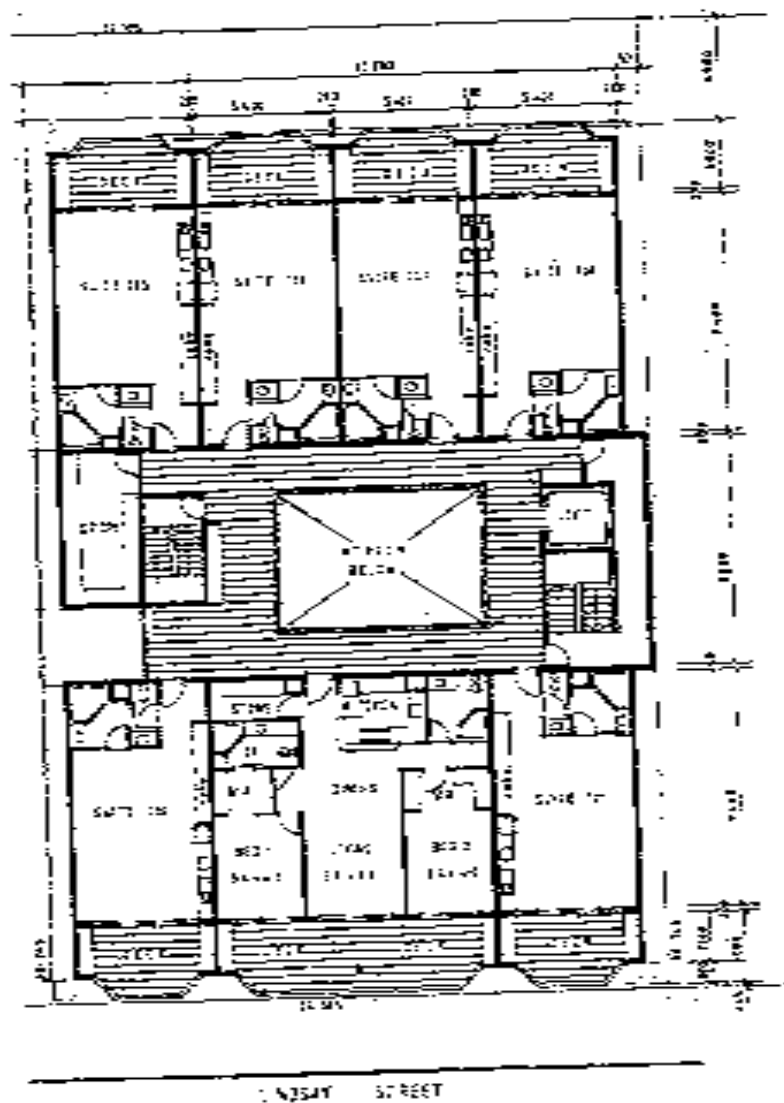
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DO NOT SCALE DRAWINGS
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PROPOSED 10 KEY MOTEL DEVELOPMENT WITH GYMNASIUM AND SWIMMING POOL IN A 10 STOREY BUILDING INCLUDING
GROUND FLOOR & TERRACE LEVEL, AT LOT 15/1/100 (FAC) LINDSAY STREET CARWON 190

NOTES

ED NOT SCALE DRAWINGS
 DIMENSIONS SHOWN



SEVENTH & EIGHTH FLOOR PLAN

1/2" = 1' 0"

SEVENTH AND EIGHTH
 FLOOR PLAN

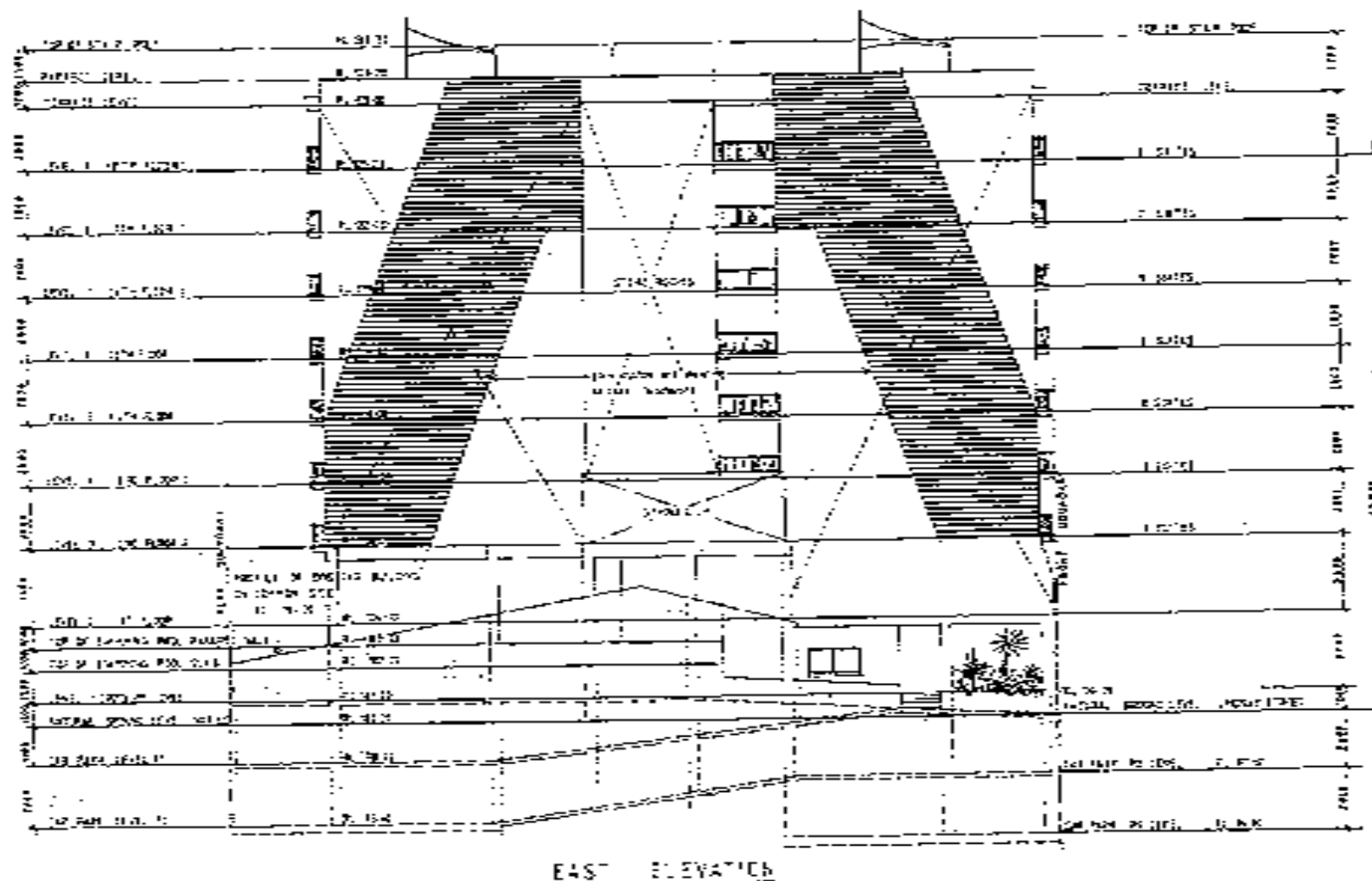
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PROPOSED SEVEN HOTEL DEVELOPMENT WITH GYMNASIUM AND SWIMMING POOL, IN A 10 STOREY BUILDING, INCLUDING
 GROUND FLOOR & TERRACE LEVEL, AT LOT NO 162 IN LINDSAY STREET BARRA V 190.

1/2" = 1' 0"

YES

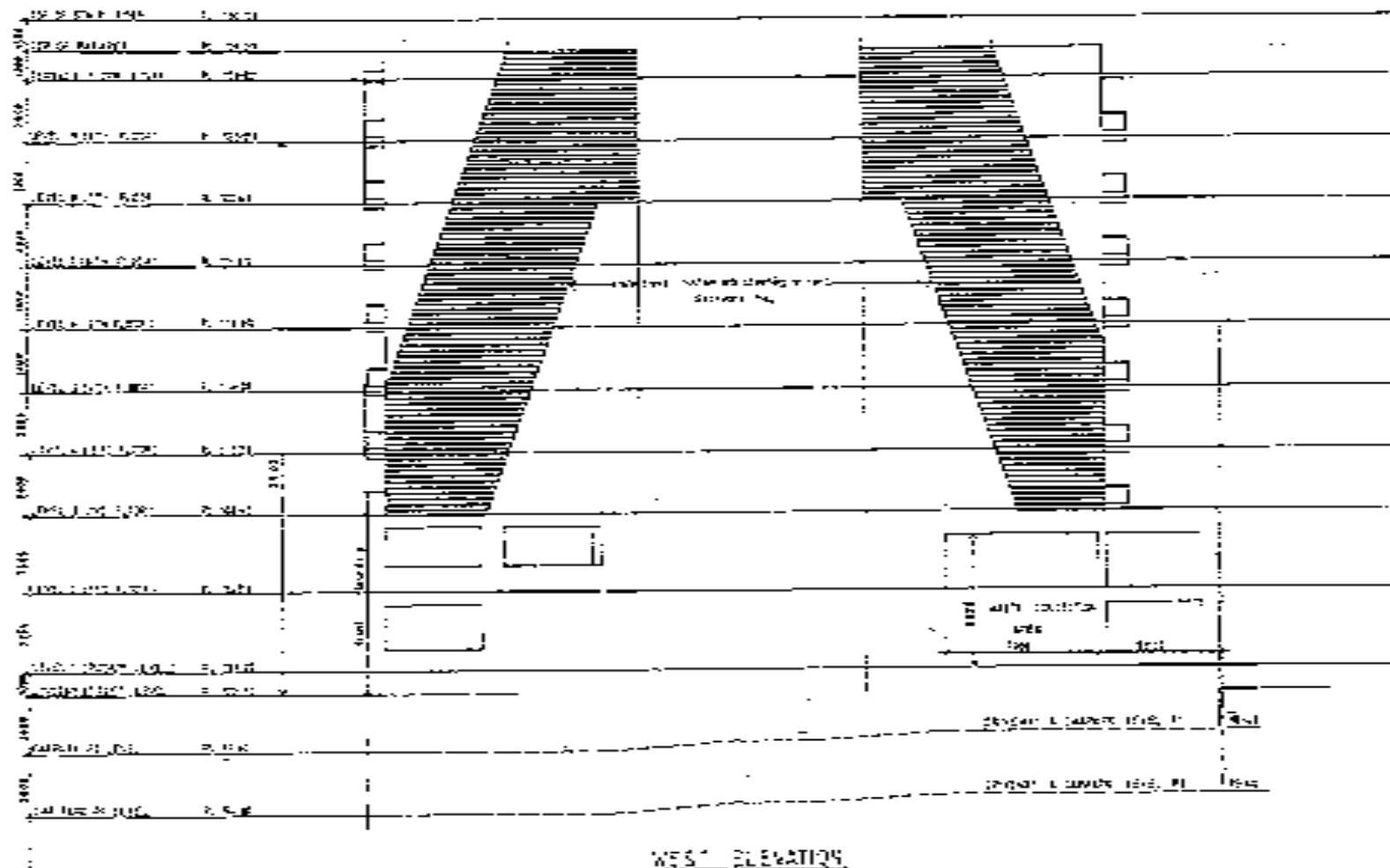
DO NOT SCALE
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FOLLOW DIMENSIONS
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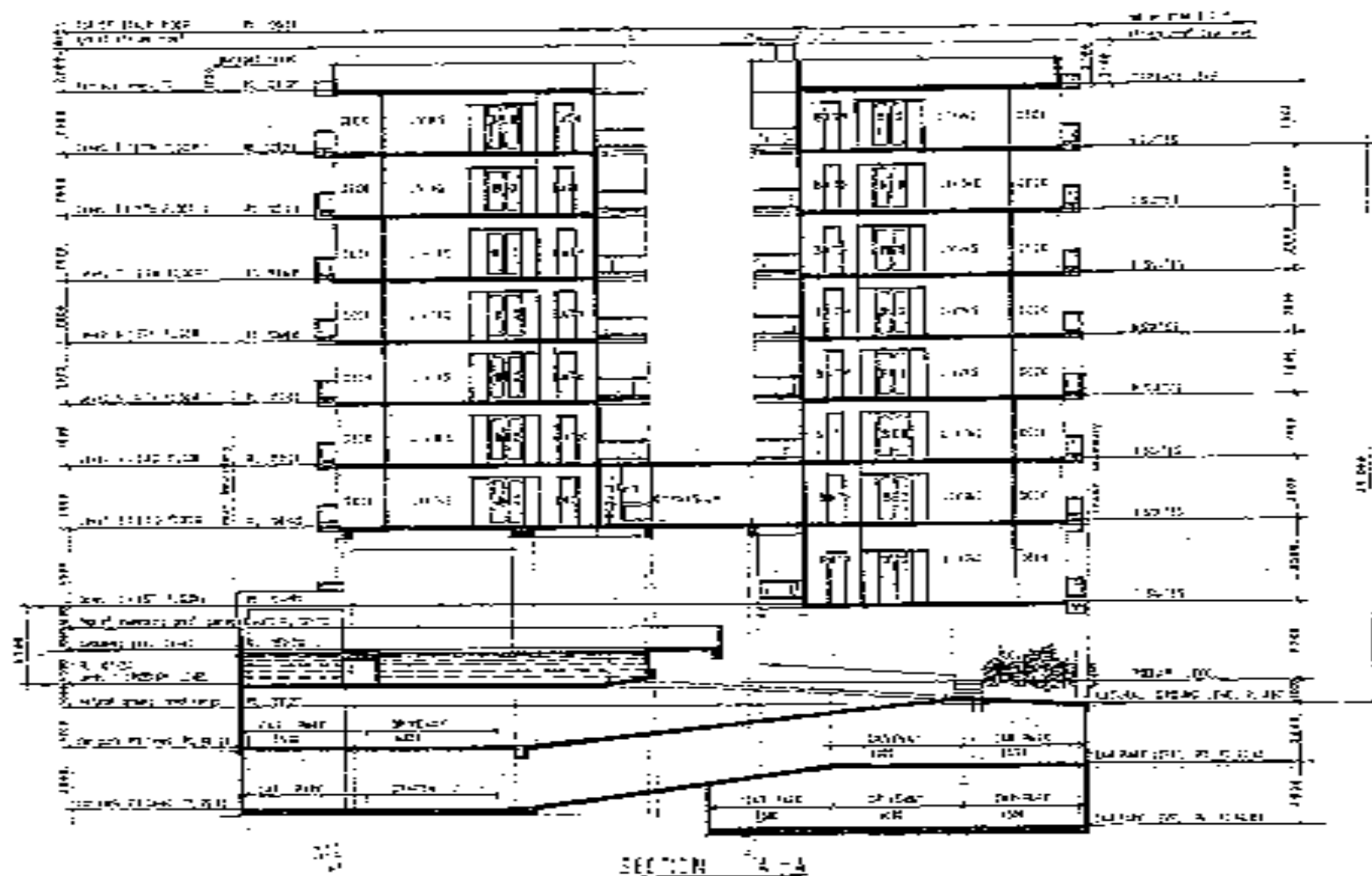
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PROPOSED 30 KEY MOTEL DEVELOPMENT WITH GYMNASIUM AND SWIMMING POOL. A 4 & 5 STOREY BUILDING INCLUDING GROUND FLOOR AND TERRACE LEVEL AT LOT NO 1452 LINDSAY STREET, DARWIN 080



WEST ELEVATION		
NO.	REVISION	DATE
1	ISSUED FOR TENDER	10/10/00
2	REVISED TO SHOW CHANGES	11/10/00
3	REVISED TO SHOW CHANGES	12/10/00
4	REVISED TO SHOW CHANGES	13/10/00
5	REVISED TO SHOW CHANGES	14/10/00
6	REVISED TO SHOW CHANGES	15/10/00
7	REVISED TO SHOW CHANGES	16/10/00
8	REVISED TO SHOW CHANGES	17/10/00
9	REVISED TO SHOW CHANGES	18/10/00
10	REVISED TO SHOW CHANGES	19/10/00

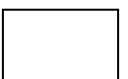


SECTION A-A

DATE: 11/11/11
 PROJECT: 11/11/11
 DRAWN BY: 11/11/11
 CHECKED BY: 11/11/11
 APPROVED BY: 11/11/11
 SCALE: 1:100
 SHEET: 1 OF 1

14 REPRESENTATIVES REPORTS

15 QUESTIONS BY MEMBERS

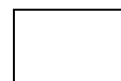


16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**16.1 Council's Positions Authorised to Preside at Australian Citizenship Ceremonies**

Document No. 1685773 (12/11/09) Common No. 1685773

THAT the incoming letter from the Minister for Immigration and Citizenship, Senator Chris Evans dated 12 October 2009, advising of the reviewed Australian Citizenship Ceremonies Code (The Code) regarding Council's positions authorised to preside at Australian Citizenship Ceremonies, Document Number 1685773, be received and noted.

DECISION NO.20\() (24/11/09)



17 GENERAL BUSINESS**18 CLOSURE OF MEETING TO THE PUBLIC**

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

DECISION NO.20\() (24/11/09)

19 ADJOURNMENT OF MEETING and MEDIA LIAISON**20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**

THAT the next Ordinary Meeting of Council be held on Tuesday, 15 December 2009, at 5.00 p.m. (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.20\() (24/11/09)

