

DARWIN CITY COUNCIL

THIRTY-EIGHTH ORDINARY MEETING OF THE TWENTIETH COUNCIL

TUESDAY, 15 DECEMBER, 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; General Manager Corporate Services, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Manager Business Services, Mr L Carroll; Committee Administrator, Ms L Elmer.

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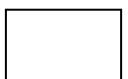
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1 LORD'S PRAYER

2 MEETING DECLARED OPEN

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

THAT the apology from Member G A Lambert, be received and a Leave of Absence be granted.

DECISION NO.20\() (15/12/09)

3.2 Leave of Absence Granted

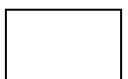
THAT it be noted that Member J D Bailey is an apology due to a Leave of Absence being previously granted on 13 October 2009 for the period 8 December 2009 – 20 January 2010.

DECISION NO.20\() (15/12/09)

3.3 Leave of Absence Requested

4 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION

5 PUBLIC QUESTION TIME



6 MATTERS OF PUBLIC IMPORTANCE



7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S**7.1 Confirmation of the Previous Ordinary Council Meeting**

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 24 November 2009, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\() (15/12/09)

7.2 Confirmation of the Previous Special Council Meeting

- A. THAT the tabled minutes of the previous Special Council Meeting held on Tuesday, 17 November 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 Special Council Meeting held on Monday, 30 November 2009, be received and confirmed as a true and correct record of the proceedings of that meeting

DECISION NO.20\() (15/12/09)

7.3 Business Arising from the Minutes of Previous Meeting/s

8 MOVING OF ITEMS FOR DISCUSSION**8.1 Closure to the Public for Confidential Items**

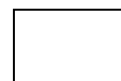
THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential matters referred from Committees including Confidential Committee Items, and the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C21.1	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.
C23.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other 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\() (15/12/09)

8.2 Moving Open Items Into Confidential**8.3 Moving Confidential Items Into Open****9 REPORTS OF COMMITTEES**

Nil



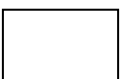
10 MATTERS REFERRED TO COUNCIL

11 PETITIONS

Nil

12 NOTICES OF MOTION

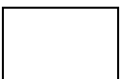
Nil



13 OFFICER'S REPORTS

13.1 Review of Constitutional Arrangements (Electoral Review) Report No. 09TC0079 BD (10/12/09) Common No. 192542

Report Number. 09TC0079 BD attached



ENCL: YES

DARWIN CITY COUNCIL

DATE: 10/12/09

REPORTTO: 2ND ORDINARY COUNCIL/OPEN

APPROVED: BD

FROM: CHIEF EXECUTIVE OFFICER

REPORT NO: 09TC0079

COMMON NO: 192542

SUBJECT: REVIEW OF CONSTITUTIONAL ARRANGEMENTS (ELECTORAL REVIEW)

ITEM NO: 13.1**SYNOPSIS:**

Council is required to undertake a review of the adequacy of constitutional arrangements (*electoral representation*) by March 2011. The Local Government Act and Electoral Regulations provide the basis and framework for the review.

This Report provides preliminary advice to Council on the scope of the review and recommends a number of preliminary steps including calling for Submissions from experienced organisations or individuals.

GENERAL:

At least once during the electoral term, Council is required to review the adequacy of constitutional arrangements presently in force and, in particular, to determine whether they 'provide the most effective representation for the area'. (Section 23 of the Local Government Act). The relevant sections of the legislation have been included in the body of this Report under the heading 'Legal Implications'. Regulation 63 of the Electoral Regulations sets forth the matters to be considered as part of the review, and sub-regulation 63(4) requires the Council to consult with the NT Electoral Commission in carrying out the review. One of the matters to be considered is the 'desirability of the number of electors of each ward being as near to equal as practicable at the next general election'.

The legislation requires community consultation as part of the process of reviewing the municipal plan however, given the importance of an electoral review a more comprehensive consultation process is recommended.

Criteria to be considered are specified in the legislation which requires the review to be complete by March 2011 at the latest.

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The electoral review may require a change to current arrangements.

Significant numbers of residential units are being built in the CBD and population projections will need to be undertaken (if Wards are retained) as boundaries must be based on the estimated number of electors as at March 2012 (the date of the next election). The new development at Lyons and possibly Muirhead will also impact on representation levels.

Any boundary changes since the last election will need to be addressed and the Council will need to have regard for future growth. Benchmarking of elector numbers and ratios will form part of the review process.

Given the range of matters to be canvassed and the specialised nature of the task, it is recommended that external assistance be sought from organisations or individuals experienced in the conduct of electoral reviews. Draft Terms of Reference are included for Council consideration (including the proposed methodology) and if the recommendations are adopted by Council, a further report will be prepared once Submissions have been received addressing:

- Cost;
- Revised terms of Reference if applicable;
- Proposed community consultation process; and
- Indicative timelines.

Draft Terms of Reference:

To conduct an assessment of the effectiveness of constitutional arrangements for electoral representation of the council area (electoral review) in accord with the requirements of Section 23(1)(c) and 23(2) of the Local Government Act and Regulation 63 of the Local Government Electoral Regulations to determine whether the arrangements presently in force provide the most effective representation possible.

It is envisaged that the consultant will undertake the following tasks:

- *Consultation with the NT Electoral Commission as required by Regulation 63(4);*
- *Preparation of a Discussion Paper on the issues being assessed – as prescribed in Regulation 63 with relevant background information, elector data, demographic trends, comparisons (elector numbers and elector ratios) with other Councils and ward structure options;*
- *Public consultation on the Discussion Paper and calling for public submissions;*
- *Review of public submissions;*
- *Identification of options;*
- *Initial briefing of Council;*
- *Preparation of an 'Options' Paper;*

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- *Public consultation on the options and calling for public submissions;*
- *Review of public submissions;*
- *Briefing of Council;*
- *Preparation of Final Report and recommendation to Council;*
- *Preparation of formal ward descriptions in consultation with the NT Electoral Commission and liaison with NT Electoral commission to facilitate finalisation of the review.*

The cost of providing an additional briefing to Council on the final report should be quoted as an addition to the base project cost.

Data

Electoral data can be accessed from the Electoral Commission; access will be facilitated by Council. It is envisaged that the initial work will be undertaken using data dated 31st March 2010 with the final report prepared after accessing later data (probably 30th September 2010).

Council will provide whatever information is required from its property database.

Council will provide information in relation to any boundary changes occurring since the last periodic election.

Timelines

Council is required to have finalised its review by March 2011. The final report and recommendation is to be submitted to Council by 15th November 2010.

For interest, a copy of a Discussion Paper by Professor Dean Jaensch AO, from Flinders University, written for the Local Government Association of South Australia entitled 'Local Government Periodic Review of Representation' is attached. **(Attachment A).**

FINANCIAL IMPLICATIONS:

Costing will be provided in a subsequent report.

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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

7.1 Effective Governance

- 7.1.6 Develop contemporary management policies

7.2 Display strong and effective leadership, within Council and across government

- 7.2.1 Display contemporary leadership and management practices within Council
- 7.2.4 Keep abreast of Australian and world trends to ensure Darwin is prepared and can make informed decisions.

LEGAL IMPLICATIONS:

Local Government Act

23 Contents of municipal or shire plan

(1) A municipal or shire plan:

- (c) must contain, or incorporate by reference, the council's most recent assessment of:

- (i) the adequacy of constitutional arrangements presently in force for the council under this Act and, in particular, whether they provide the most effective possible representation for the area; and

- (2) A council must make or revise an assessment of the matters mentioned in subsection (1)(c) at least once in the council's term;

24 Annual review of municipal or shire plan

- (1) A council must adopt its municipal or shire plan (or revisions to its municipal or shire plan) between 1 April and 31 July in each year and forward a copy of the plan (or the revised plan) to the Agency by the latter date.

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- (2) Before the council adopts its municipal or shire plan (or revisions to its municipal or shire plan) for a particular year, the council must:
 - (a) prepare a draft of the plan (incorporating any proposed revisions); and
 - (b) make the draft plan accessible on the council's website and make copies available for public inspection at the council's public offices; and
 - (c) publish a notice on its website and in a newspaper circulating generally in the area inviting written submissions on the draft plan within a period (at least 21 days) from the date of the notice; and
 - (d) consider the submissions made in response to the invitation and make any revisions to the draft the council considers appropriate in the light of the submissions.

Local Government Electoral Regulations Part 6

63 Assessment of the effectiveness of constitutional arrangements for electoral representation of the council's area

- (1) A council ***carries out an electoral review*** when it makes or revises an assessment under section 23(2) of the Act of whether the constitutional arrangements presently in force for electoral representation provide the most effective possible representation for the council's area.
- (2) In carrying out an electoral review, a council must give proper consideration to the following matters:
 - (a) community of interests in the area including economic, social and regional interests;
 - (b) types of communication and travel in the area with special reference to disabilities arising out of remoteness or distance;
 - (c) the trend of population changes in the area;
 - (d) the density of population in the area;
 - (e) the physical features of the area.

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- (3) If an area is divided into wards, the council must also consider the following matters:
 - (a) the desirability of the number of electors for each ward being as near to equal as practicable at the next general election;
 - (b) the desirability of keeping the area of each ward containing rural and remote areas as small as practicable;
 - (c) the desirability of keeping the demographic and geographic nature of each ward as uniform as practicable;
 - (d) the desirability of including an identifiable community wholly within 1 ward if practicable.
- (4) In carrying out its electoral review, the council must consult with the Electoral Commission.
- (5) The council should complete its electoral review at least twelve months before the next general election.

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

This is a positive opportunity to engage with the community and to apply best practice after bench marking comparable local governments. Demonstrates strong governance, transparency, due diligence and accountability and an opportunity to be responsive to comments received.

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Nil

CONSULTATION:

Legislative requirement for consultation with the community as part of the review process.

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Requirement for consultation with the Electoral Commission.

PROPOSED PUBLIC CONSULTATION PROCESS:

To be developed as part of the review.

APPROPRIATE SIGNAGE

Nil.

RECOMMENDATIONS:

- A. That Report Number 09TC0079 entitled 'Review of Constitutional Arrangements' be received and noted.
- B. That the Chief Executive Officer write to the Electoral Commission advising that the Council proposes to commence an electoral review pursuant to the Local Government Act and asking the Commission to advise the Council by 30th January 2010 of any requirements the Commission seeks to have considered as part of the review.
- C. That the Chief Executive Officer call for Submissions from organisations and individuals experienced in conducting electoral reviews based on the draft Terms of Reference contained in Report Number 09TC0079 entitled 'Review of Constitutional Arrangements' with authority to modify the Terms of Reference where appropriate in the light of any suggestions from the Electoral Commission, and/or parties interested in conducting the review.,
- D. That a further Report be submitted to Council containing:
 - Name of the proposed consultant
 - Cost
 - Revised Terms of Reference if applicable
 - Proposed community consultation process; and
 - Indicative timelines

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

Any queries on this report may be directed to Brendan Dowd on 89300505
 b.dowd@darwin.nt.gov.aub.dowd



Local Government Association
of South Australia

the Voice
of Local
Government

Local Government Periodic Review of Representation

Issues Paper

Written by Professor Dean Jaensch AO
School of Political and International Studies
Flinders University

October 2008

03M07 447218

1. Representation

In a broad sense, representation is the process through which a person or group of persons acts on behalf of another person or group. In relation to Local Councils, representation involves electoral and behavioural components. Some components are specified in the Act. Others are not specified, but they merit discussion as key issues of the "quantity" and "quality" of representation.

The electoral issues involve the structures and processes of the election of the representatives; the behavioural issues relate to the nature and activities of the elected representatives.

Some key components of the electoral issues are established by the Act: the right to vote; the principle of one vote, one value; and method(s) of translating votes to seats. A review of representation must apply these components.

2. "Adequate and Fair"

The Act establishes a "need to ensure adequate and fair representation". These concepts need careful consideration and application.

"Adequate"

The question of establishing the optimum number of elected Members of a Council involves balancing two opposing pressures.

First, there is a need for sufficient elected Members to:

- (1) Represent the continually growing number of roles and tasks of a Council and of its elected Members;
- (2) Provide a reasonable expectation that the various interests, groups and sectors within the population of the Council area have a voice on the Council.

Both components tend to more rather than less elected Members. Second, the means and processes of decision-making need to be taken into account in relation to balancing efficiency and effectiveness. The former suggests a smaller membership; the latter a larger membership. A large membership can bring a breadth of interests and views to Council decision-making, but it can also have a negative impact on efficiency. A large membership can be cumbersome, with protracted discussions.

As well, the Act requires that discussions of the number of elected members should take into account the situation in other Councils of similar populations.

"Fair"

This term implies that:

- (1) The Members will be elected through a democratic electoral process. This currently applies to all Local Government elections in South Australia.
- (2) The various interests, groups and sectors in the electorate will have the potential to obtain a "voice" on the Council;
- (3) The elected Members need to balance their twin roles of representing a personal/local interest parallel with representing the interest(s) of the Council-wide population.

The structure of representation is an important component in the balance between local/parochial and Council-wide foci.

An election structure based on wards has the potential to emphasize the interests of the "local", but it may lead to an under-representation of the interests of the whole Council's population. A structure based on "election at large" contains the potential for Council-wide issues to be recognized, as well as for Members to maintain a focus on a sector or interest.

A structure based on a combination of ward and at-large representation does offer a voice for both parochial/sector and whole population interests on the Council. But it may tend to a "superior/inferior" division among Council Members.

If a ward structure is established, there needs to be a discussion about the merits of single-member and multi-member representation. The former maximizes the identification of who is representing the ward, and provides a clear focus for the relevant electorate. It does provide the potential for a local/sectoral interest to have a clear channel of communication to the Council.

On the other hand, it leads to potential difficulties when the single representative is unavailable for whatever reason, and may not offer a breadth of coverage of competing interests within the ward. Multi-member constituencies offer an opportunity for representation of different/competing interests, and provide for sharing of workloads, and for absences of one Member.

An at-large system would provide more than one channel for communication from citizens to the Council, and will allow groups and interests to have a direct representation. Further, it grants to every elector the right to vote for all vacant positions on the Council.

3. Members' Roles

There are three general models of behaviour of elected representatives. Under a "trustee" model, the representative follows his or her conscience on all matters. The electorate makes a judgement of the Member at the election. Under a "delegate" model, the representative follows the majority opinion of his or her electorate on all matters.

A "partisan" follows the dictates of his or her party. In South Australia, while many elected Members are members of political parties, there is little development of disciplined party behavior. For most Council elected Members, the issue is deciding what balance should be made between the "trustee" and "delegate" modes of behaviour. This needs also to be related to issues of efficiency and effectiveness noted above.

There is a natural tension between efficient decision-making in government, and the effective representation of the various interests within the population of a Council. In the former sense, a Council and its elected members are similar to a Board of a company – charged with the responsibility of managing a business with *prima* responsibility to the shareholders.

But the elected members of a Council have a *prime* responsibility of representing – acting on behalf of the citizens – on matters which may contain conflicting parochial and Council-wide issues. The elected Members, by the nature of their roles, have to continually balance efficiency, effectiveness, representation of different interests, and responsibility to their electors. The nature of this balance can be influenced by the structures of the electoral base of the Members.

4. Community of Interest

This term is applicable to any representational system. A community is essentially a group of people with similar traits – social, economic, language, culture, race etc. – and a similar set of

interests. Some Council areas contain a socio-economic structure including urban industrial, urban commercial, residential, semi-rural, and rural. Other Councils, especially those in the metropolitan area, will have less diversity. In every case, there is a potential tension between different sub-communities within a Council area.

Electoral geography is a key component in the nature and quality of representation. In Councils based on wards, one potential method is to base ward representation on interests to establish ward boundaries to reflect a dominant community of interest – industrial, commercial, residential, etc. This would provide a strong voice for the dominant interest in the Council to have its distinct policy framework heard. But would it provide the possibility for a balanced concentration on Council-wide issues, with the issues within other, different ward communities?

An alternative is either to have an electoral geography which deliberately includes a mix of communities of interest in each ward, or to have a single "at large" system across the Council. This would encourage a focus on Council-wide issues, but may overwhelm parochial, economic and sector interests. On the other hand, "at large" elections based on proportional representation provide opportunities for representatives to be elected by separate interests, and hence to speak and act on their behalf.

5. Summary

A process of a review of representation involves a range of inter-connected issues which need discussion and resolution. Procedural issues include the structures and processes of the election system, including electoral geography, the structure of representation – Council-wide "at large", ward, or mixed, single-member or multi-member electorates, and the method of translating votes to seats.

Representation issues include the relative importance of parochial, local, sector and sub-community interests in relation to the Council-wide interest, and the model of representational behavior expected of Members. There should be a focus on the potential tension between "fair and adequate" representation and "efficient government".

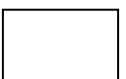
The discussions should include a consideration of how the roles and tasks of Councils and their elected members can be carried out to optimal efficiency and effectiveness within a workload expectation that recognizes the essentially "voluntary" and part-time elected membership.

13 OFFICER'S REPORTS

13.2 Policy Review – Progress Report

Report No. 09TC0078 BD:ah (09/12/09) Common No. 1612461

Report Number. 09TC0078 BD:ah attached



ENCL: NO

DARWIN CITY COUNCIL

DATE: 09/12/09

REPORT

TO: 2ND ORDINARY COUNCIL /OPEN

APPROVED: BD

FROM: CHIEF EXECUTIVE OFFICER

APPROVED: AH

REPORT NO: 09TC0078

APPROVED:

COMMON NO: 1612461

SUBJECT: POLICY REVIEW - PROGRESS REPORT

ITEM NO: 13.2

SYNOPSIS:

The Council has some 300 discrete policies. These were last reviewed in 2007 prior to the introduction of a new Local Government Act and the election of the current Council. The Policies have now been reviewed as proposed in Report 09TC0074 and reformatted into the new template adopted by Council on 24/11/2009. Decision No. 20\2298.

<p>13.1 <u>Policy and Procedures Framework</u> Report No. 09TC0074 BD:jp (18/11/09) Common No. 1612461 (Moir/Lambert)</p> <p>A. THAT Report Number 09TC0074 entitled, Policy and Procedures Framework, be received and noted.</p> <p>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.</p> <p>C. THAT the existing Policies and Procedures Framework Policy, Policy No.256, be rescinded.</p> <p>D. THAT the updating of compliance and governance policies be undertaken as a matter of priority.</p> <p>DECISION NO.20\2298 (24/11/09) Carried</p>
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The work is now being reviewed by the Chief Officers Group and will be presented to Council in January for consideration and adoption. Updating Council's governance related policies to ensure compliance with legislative changes is seen as both a

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priority and as an important contribution to the consistency, timeliness, clarity, transparency and accountability of the Council's decision making processes and in the delivery of services. The review of policies is a very large project which will be ongoing during 2010 due to the nature of the resourcing requirements.

GENERAL:

Background

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.

The Council has some 300 discrete policies. These were last reviewed in 2007 prior to the introduction of a new Local Government Act and the election of the current Council.

In addition, the Council adopted policies may be supported by further policies or procedures adopted at corporate or departmental level which 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.

A new Policies and Procedures Framework (Policy No.) was adopted by the Council at its meeting on 24/11/2009 (refer Decision No. 20\2298) and the accompanying report to Council proposed that a review of current Council adopted policies be undertaken in order to address and improve accessibility for the public, Elected Members and staff and to remove any inconsistencies, redundancies and obsolete legislative references. It is considered particularly important that Council's governance related policies be updated and made compliant with legislative changes.

Update

At the meeting on 24/11/2009 Council resolved that all new policies be presented in a standard format:

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

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As foreshadowed at that meeting the existing policies are being reviewed, edited and reformatted to match the new template. The Chief Officers Group (COG) is currently reviewing the work undertaken to date and the revised material will be presented to Council in January 2010 for consideration and adoption.

It is important to note that the existing material is not being reviewed from a policy perspective i.e. the policy content of the reformatted documents remains unchanged even where the need for change has been identified.

This further review from a 'policy content' perspective needs to be undertaken by the Elected Members after receipt of the advice of the CEO and this work is currently underway in a number of areas.

By the end of January it is proposed that the following steps will be completed:

- The Policies will have been reformatted into the new template. With some policies sections of the template dealing with 'implementation' and 'review and evaluation' have been left blank as the original policy statement did not address these elements. These sections will be addressed when the policies are next reviewed.
- Legislative references will have been updated and policies amended to reflect any new mandated requirements.
- Terminology will have been updated, for example, reflecting new departmental names and position titles.
- Obsolete or otherwise redundant material will have been omitted e.g. reference to past events and outdated fees and charges.
- Minor editing and formatting changes will have been made in an attempt to clarify the intent and improve 'readability'. It has not been possible to fully standardise the visual presentation because of the diverse nature of the originals.
- Where inconsistency between policies existed, this will have been resolved in favour of the most recently adopted or amended policy. Where inconsistency between 'administrative' procedures included in the policy and current practice existed this has been resolved in favour of the current practice. For minor administrative matters some of the procedures within the policy will be expressed in more general terms to avoid this problem in future, however, where it is clear that the Council would wish to retain a robust procedural directive to staff (e.g. in policies governing the sale or acquisition of land) this will be retained. In a few instances where very detailed procedures existed which properly belong with the administration e.g. OH&S requirements, these will be removed and will be added to the Policy and Procedure data base forthwith.

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- For ease of reference the policies will be incorporated into a manual with broad subject headings and an index. This should make the policies more accessible to all stakeholders. Minor policies will be aggregated into more comprehensive policy statements for the same reason. This framework will make it easier for the Elected Members to develop new and more comprehensive policies in a range of areas through the normal decision making processes of Council.

Future Actions

After adoption by Council of the new Policy Manual it is proposed to:

- 1 As part of the review process COG will be making a risk based assessment to determine review priorities and Elected Members are advised that a number of revised policies will be brought forward for consideration in the New Year. In addition some policies are already under review – for example those dealing with management of complaints, outdoor dining and cemetery management.
- 2 Establish a database of all policies and procedures. Initially the data base will be populated with the new Council adopted policies but over time the data base will include supporting policies and procedures adopted administratively as well as operating procedures. At the moment there is no central repository for administrative policies and procedures making management – particularly of the review process – difficult. It is planned that Corporate and Departmental Policies and Procedures will be reviewed as they are added to the database.

These steps are being undertaken to contribute to the consistency, timeliness, clarity, transparency and accountability of the Council's decision making processes and in the delivery of services. This is a very large project which will be ongoing in nature due to resourcing requirements however, it is anticipated that the two actions identified above will be complete during 2010.

FINANCIAL IMPLICATIONS:

Nil.

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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

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 Towards 2020 and Beyond Strategic Plan.

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Nil

CONSULTATION:

Chief Officers Group

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

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APPROPRIATE SIGNAGE

Nil

RECOMMENDATIONS:

- A. THAT Report Number 09TC0078 entitled, Policy Review – Progress Report be received and noted.
- B. THAT the Draft Policy Manual be submitted to the Ordinary Council Meeting on 27 January 2010 for consideration.

ANNE HAMMOND
MANAGER STRATEGY AND
OUTCOMES

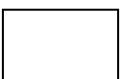
BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

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

13 OFFICER'S REPORTS

13.3 Supply and Maintenance of On-Street Car Parking Meters Report No.09A0199 FC:lc (03/12/09) Common No. 1674439

Report Number. 09A0199 FC:lc attached



ENCL: YES

DARWIN CITY COUNCIL

DATE: 03/12/09

REPORT

TO: 2nd ORDINARY COUNCIL / OPEN

APPROVED: FC

FROM: GENERAL MANAGER CORPORATE
SERVICES

APPROVED: LC

REPORT NO: 09A0199 FC:lc

COMMON NO: 1674439

SUBJECT: SUPPLY AND MAINTENANCE OF ON-STREET CAR PARKING
METERS

ITEM NO: 13.3

SYNOPSIS:

Council's on-street car parking meters in the central business district will be (8) years old next year and are due for replacement. This report provides details of the specification for supply and maintenance of 275 parking meters at an estimated cost of up to \$3.0 million dollars.

The scheduled deliverables in relation to this project are as follows:

1. Complete the tender specifications and receive approval from Council December 2009
2. Call for tenders (6 weeks tender period) February 2010
3. Select preferred tenders April 2010
4. Replacement of on-street car parking meters July 2010

This report is focused on the replacement of the on-street car parking meters and does not attempt to address off-street car parking which operates using different car parking meters, many of which are not due for replacement for a number of years.

There is debate about changing the off-street car parking system from pay and display to pay on foot, ie where the user pays on exit only for the time used. The advantages and disadvantages of each system for off-street parking will be the subject of a separate report to Council.

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GENERAL:

Some of the key decisions in relation to the specification are as follows:

- Pay and display versus multi bay payment option
- Communications system - GPRS (General Packet Radio Service) The installation of communication devices within the parking meters linked back to a Communication Management System (CMS).
- Credit card payment options.

Council at its meeting on the 10 November 2009 requested further information in relation to a number of the cost benefit scenarios for the replacement of the on street car parking meters. Several Elected Members submitted questions which are addressed below.

In 2009 Council generated revenue of \$1.56 million from on street car parking meters as follows:

REVENUE Y/E 30 June 2009

Zone A	\$925,609
Zone B	\$313,650
Zone C	\$321,593
TOTAL REVENUE	\$1,560,852

The associated direct expenditure for on street car parking includes maintenance, cash collection and paper replacement, which for 2009 was \$307,000.

Since the introduction of on-street car parking in 2003 a total of \$8.08 million has been generated from on-street car parking meters.

<i>Year</i>	<i>Annual Revenue</i>
2003	\$ 739,647
2004	\$ 954,089
2005	\$ 932,353
2006	\$ 1,128,678
2007	\$ 1,222,583
2008	\$ 1,544,441
2009	\$ 1,560,852
TOTAL	\$ 8,082,643

Whole of Life Cost

The costs of new parking technology must be viewed and compared as "whole of life" which includes the supply and installation, preventative and other maintenance, consumables including credit card and SMS charges, and spare parts.

The range of these costs are shown in the chart below, illustrating the variety of suppliers and pricing and the different methods of charging for whole of life costs.

The figures are estimated from recent tenders managed by Luxmoore Parking Consulting, who have been engaged by Council to assist in the preparation of the car parking meter tender.

Luxmoore Parking Meter Analysis							
	Supplier	1	2	3	4	5	6
INSTALLED COSTS							
Supply and install 280 machines		2,847,100	2,174,600	2,039,932	2,044,386	2,879,904	2,522,220
140 cash boxes		50,050	51,350	23,790	38,740	38,740	24,570
Supply CMS		2,000	28,376	36,847	44,928	44,928	26,000
Removal and make good		226,876	116,372	92,485	140,455	140,455	149,964
Subtotal A		3,126,026	2,370,698	2,193,054	2,268,509	3,104,027	2,722,754
5 yr RECURRENT COSTS*							
Host CMS including licence		184,448	184,448	253,092	117,900	117,900	14,500
Preventive maintenance		620,000	795,694	766,303	175,540	142,528	777,200
Tickets (2.5million)		28,847	35,714	13,773	29,305	29,305	25,302
Communication		157,200	138,598	108,992	19,388	19,388	94,320
Credit Card		23,919	28,211	7,414	40,293	40,293	32,437
Subtotal B		1,014,414	1,182,665	1,149,574	382,426	349,414	943,758
5 yr SPARE PARTS incl install							
Subtotal C		291,467	209,068	293,242	143,906	143,906	603,960
	* assume CPI 3%						
Total A + B + C		4,431,907	3,762,432	3,635,870	2,794,841	3,597,347	4,270,472
OTHER ITEMS							
Additional 1-30 machines		9,990	9,260	8,518	8,973	11,214	6,935
Reactive maintenance		0	48,440	0	646,092	646,092	0
Business hours call out fee per hour		80	120	90	68	68	90
After hours call out fee per hour		140	160	160	125	125	180

CMS – Communication Management System

As can be seen from the above table the whole of life costs will vary considerably depending on the supplier.

QUESTIONS BY ELECTED MEMBERS

This report was previously considered by Elected Members at its meeting on the 10 November 2009 where a number of questions were raised and are addressed as follows:

- Q Lord Mayor - Rolling the changes through the zones and staging the cost over several years?
- Q Ald Bailey - The saving and costs between 100 % of replacement at one time versus staged or gradual replacement over a period of time, using decommissioned unit as parts to extend life of existing meters?
- Q Ald Lambert - Phased introduction of new machines against old machines (Use of some as spare parts etc) and the opportunity costs associated with non expense of capital item?

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Q Ald Lesley - Evaluating past contract performances, including financial (income, expenditure), capital performance (life against product promises/evaluation of % of urgent or timed replacement options), R & M (as predicted and variances, impact upon estimated income), associated contracts (e.g. collections) and impact on replacement recommendations and alternative staged replacements?

Staging of installation is possible and has been undertaken by other Councils who may take up only 25% of their requirement each year. It does result in double processing for management reporting, cash collection and maintenance. Cannibalising parts of old machines to keep the old technology going is a short term solution.

This scenario will call for two separate maintenance contracts. A key issue for Darwin City Council is the lack of local maintenance contractors. In larger metropolitan areas there is access to numerous qualified contractors.

Council's current contract calls for the supply and maintenance of the car parking meters and requires the establishment a local maintenance office with a minimum of two technicians. A smaller contract will not make this option viable for the supplier. If the supplier is to make the contract viable based on this scenario, this will ultimately result in a higher maintenance contract being on charged to Council, thus reducing any cost benefits achieved from the delayed replacement.

When the current Cash Handling meters were purchased in 2002 the maintenance contract was subcontracted to a local Darwin firm, however this was terminated due to ongoing issues of dealing with a third party and resulted in the original supplier, Cash Handling Systems establishing an office in Darwin.

The key benefit to Council from the delayed capital expenditures is the increased investment income which will be received as a result.

Council will purchase the new car parking meters from reserves, which are currently invested at a weighted average return of 3.99%, and based on an average purchase price of \$9,000 per parking meter, will result in a \$359.00 saving in investment income per parking meter per annum if a staged replacement is undertaken.

If applied to 50% of Council's car parking fleet of 275 meters, this will result in a benefit of (138 x \$359) \$49,542 in the first year.

Offset against this revenue is the costs to Council of a staged replacement which would include:

- Managing more than one maintenance contract.
- Potential increased maintenance contracts as a result.
- Increased maintenance faults due to older machines.
- Increased administration in relation to procurement and installation.
- Lack of consistent reporting.
- Increasing capital cost of purchasing over time.

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The average life span of a parking meter is estimated at 6 to 8 years. The current CHS Classic meters used by Council are considered very old technology, the mother board can no longer be purchased or repaired, the cash bags have to be sewn by hand to keep them repaired, and the battery life of these old meters last for no more than one month before requiring recharging. The current maintenance regime is reactive as opposed to preventative.

Officers are of the view that the cost of a staged replacement of car parking meters outweighs any benefits.

Q Lord Mayor - setting up a space for long stay parking, maybe a floor in Chinatown?

This is quite possible with ticket parking. Long stay parking will not require machines to be as close together therefore fewer machines will be required. It is recommended this matter be dealt with in a separate report addressing off-street car parking outside the replacement of the on-street parking meters.

Q Ald Bailey - The cost benefit of adding credit card readers and or data collection with output either by remote access or in machine?

Credit card availability in Darwin is a marginal decision as a result of the current low tariffs, however the percentage of transactions will steadily grow. The cost of retrofitting credit card readers is expensive.

Data collection via remote access is essential and urgent. There is very little data provided now and the management of parking at these machines is not effective or efficient.

Data must be obtained remotely as it would be very time consuming and expensive to collect the data manually from each machine.

Q Ald Lambert - Total number of credit card units and placement (is 50% sufficient as an experiment)?

Q Ald Lambert - Analysis of capital expenditure for credit card facility based
 Scenario One 10% use?
 Scenario Two 50% credit card use?

It is believed the provision of credit card facilities will provide greater customer service and choice to motorists but will come at significant cost to Council.

Some of the advantages to providing credit card facilities are:

- Greater level of service to the community.
- Less coin and wear and tear on the meter.
- Ability to introduce debit / smart cards.
- Ability to introduce discounts.
- Greater security of revenue.

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Although initial take-up will be slow, credit card payments will improve over time as the public gains confidence in paying for parking with credit cards. The more convenient it is to pay for parking, the greater the level of compliance.

The total cost of installing credit card readers in all proposed 275 parking meters is estimated at between \$247,500 to \$375,500 (ie \$900 to \$1,300 per unit).

Assuming 10% usage by credit cards on 50% of the fleet, this will result in approximately \$75,000 in annual car parking fees being collected by credit card.

In addition, merchant fees of 1% to 3% will be charged as well as a charge for the gateway provider of 10 to 20 cents per transaction.

In this scenario the cost of providing credit card facilities is as follows:

	<u>Year one</u>
INCOME - Payment by Credit Card	\$75,000
COSTS	
Purchase of credit card readers	\$150,000
Merchant fees	\$ 3,000
Gateway Provider (say 100,000 transactions)	\$ 15,000
TOTAL COSTS	<u>\$168,000</u>

The ongoing cost will be \$18,000 annually adjusted for price increases and merchant charges.

Credit card usage of 50% is considered very unlikely based on evidence from

- Willoughby City Council collecting 25% by way of credit card based on an hourly rate of \$4.40 per hour,
- Waverly City Council collecting 10% by way of credit card based on an hourly rate of \$5.00 per hour, and
- Sydney City Council collecting 38% by way of credit card based on an hourly rate of \$8.00 per hour.

It is difficult to estimate the level of credit card usage which will occur if introduced with the new parking meters, however given the low level of parking fees it is not expected to be significant as motorists will generally prefer coin as a first option.

Current Council fees for on street car parking are as follows:

	2007/8
	<i>Per Hour</i>
Zone A	\$1.20
Zone B	\$0.80
Zone C	\$0.60

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The estimated capital cost to retrofit a credit card slot at a later date is estimated at \$2,000 per meter.

Based on the above, Council Officers do not support the introduction of credit card facilities with the new car parking meters.

It is proposed to initially trial the use of credit cards with the off-street all day car parking where the fees are higher at \$3.60 per day.

Q Ald Bailey - The individual parking spot meters, in clusters, or other systems must significantly reduce enforcement costs while increasing fine revenue compared to existing system and reduce distance walked as you don't have to return to your car with ticket. No ticket, no paper, maybe less servicing and maintenance over life of units?

The systems is not widely used and the cost associated with the installation of PODS (Parking Occupation Detection System) in the road reserve will result in greater installation costs, with only one available supplier being Duncan in Sydney. Discussions held with Glenn Caldwell of Sydney City Council demonstrated a move away from this technology to pay and display meters.

Q Ald Lesley - Maintain some functionality as replaced machines (pros and cons)?

The existing machines have very limited functionality and almost zero reporting capacity.

Q Ald Lesley - Increase functionality to include upgrade to identify remote R&M issues with same system?

The current "Classic" meters are no longer manufactured.

Q Ald Lesley - Increase functionality (as per 2) with alternative system?

This cannot be achieved with existing hardware.

Q Ald Lesley - Further increase in functionality to include ability to take credit cards (specifically addressing return on investment alongside of % estimated use and life of new machines)\?

Credit card readers are not considered viable for Darwin City Council at this time.

Q - Ald Lesley - What is happening about the off street private car parks in relation to a cost neutral basis, earlier this year? Is it proposed that existing machines or new ones will be used at these sites?

This matter will be the addressed in a further report to Council.

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Q Ald Lesley - What councils have you consulted and what specifically did they have to say?

In October 2009 the Car Park Coordinator, Manager Regulatory Service and Manager Business Services conducted on site inspections with Paul Gomez's Group Leader Infrastructure & Parking Management at Willoughby City Council, Glenn Caldwell, Manager Parking Services at Sydney City Council and Dan Joannides, Divisional Manager, Technical Services at Waverley City Council.

A number of different parking machines were inspected including the Parkeon Strada Rapide, Cash Handling Systems, Hectronic, and Rhino MX.

Waverley City Council advised against Darwin installing credit card readers on the basis of the low tariff. None of the Councils support using the multi bay proposal.

Q Ald Lesley - Efficiencies we can achieve by putting another 10 feet apart?

An additional ten feet equates to 1.6 extra parking bays (parallel). Extra walking will be involved for all users including drivers, and enforcement staff. This is achievable, but will diminish the level of service. Without conducting a detailed analysis the number of potential reduced meters has not been calculated. Should Council wish to pursue this matter a further report can be brought back to Council without delaying the tender process as the contract will ask for a schedule of rates per machine with an estimated procurement number of 275 which may be varied should Council wish to do so.

BACKGROUND

Council first purchased 294 on-street car parking meters in 2002 from Cash Handling Systems Pty Ltd at a cost of \$1.62 million. Council currently has a fleet of 275 on-street parking meters, the number of meters will change as the on-street configuration varies to allow for changes to the business sector and landscaping. After eight (8) years the meters are near their useful life and are becoming less reliable, requiring more maintenance and it is proving more difficult to source spare parts.

SUPPLIERS

The following is a list of the key suppliers of on-street car parking meters in Australia.

Meter type and place of manufacture	Supplier	Users
1. Cale (Denmark)	Traffic Technologies Ltd.	Joondalup Melbourne
2. CDS (Melbourne)	CDS Worldwide Pty Ltd	Melbourne
3. CHS/GIS (NZ)	Global Integrated Solutions	Brisbane, Parramatta, Gold Coast Willoughby
4. Duncan (Reino) (Sydney)	Duncan Solutions.	North Sydney, Sydney, Perth Hobart

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5. Hectronic (Germany)	Wilson Technology Solutions	Leichhardt Tamworth Cairns Woollahra
6. Mirco (Korea)	TTM Equipment	Uni NSW
7. Parkeon (France)	Aparc	Waverley Sydney Townsville Willoughby

PAY AND DISPLAY VERSUS MULTI BAY PAYMENT OPTION

Best practice on-street parking technology in Australia has proven to be “Pay and Display” ticket parking meter systems that use solar powered batteries with wireless communication to a Communication and Management System (CMS). However, there are several councils that have installed “pay by space” whereby the driver inserts their bay number into the meter and then makes a payment.

Pay and display and pay by space are compared in the table below:

	Advantages	Disadvantages
Pay and display	Paid time overlap (>10% revenue)	Extra walking distance
	Unlimited layout of spaces	Uses more paper
	Spaces need not be marked	
	Automatic issue of receipt (ticket)	
	Easily relocated/expanded to additional spaces	
	Alternatives available if a meter is not working	
	Can be used on and off-street	
	Easily understood by the public	
	Less queries on infringements	
	More detailed transaction data available from every ticket issued	
Pay by space	Shorter walking distance for drivers	Overlap is used, unless meter resets to zero
	Paperless, more environmentally friendly	Restricted number of spaces
	Less moving parts therefore less maintenance	Spaces must be marked and numbered
	Quicker for enforcement	Inconvenient to relocate
	Receipt can be generated on demand	No alternative if a meter is not working
		Not used off-street
		Confusing for some parkers especially elderly
		Bay numbering requires maintenance
		Fixed fee structure encourages overlap

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A key issue for Darwin City Council is the sensitivity of paper based tickets especially during the wet season. If the specifications are appropriate, and high quality paper is used, the issue of tickets in a very humid climate should not pose any additional problem.

Pay and display is used in more than 75% of on-street multi-bay systems worldwide.

Council underwent considerable debate in 2002 when it initially considered the installation of car parking meters in the CBD. At that time the most decisive evidence of the relative benefits of pay and display meters versus multi-bay meters was provided by Auckland City Council's independent in-house consultant.

The main advantages of pay and display parking meters compared with multi-bay are:

- increased turnover of parking due to reduced extended stays - actual expiry time written on the receipt appears to encourage compliance.
- fewer disagreements with customers as there is documentary evidence of money paid and expiry time.
- more vehicles can park when parking spaces are not marked increasing the availability of an extremely valuable community asset (*This would not be the case in Darwin, where parking spaces are already line-marked*).
- receipt is proof of purchase instead of a transient electronic display and can be used for expense claims, GST returns and marketing messages/promotions.
- no free time for next user but receipt is transferable by customer until it expires.
- increased revenue predicted from more vehicles, higher compliance and reduced overstay.
- meter breakdown does not stop revenue as receipt is purchased from any meter that is operational.
- reduced installation and maintenance costs as parking bay numbers are not needed.
- strong preference by Parking Officers.

The main disadvantages of pay and display meters compared with multi-bay are:

- inconvenience as customer must return to vehicle to display receipt.
- potential increase in litter from receipts no longer needed.

Maintenance Costs

Multi-bay meters appear to have generally higher maintenance costs due to vandalism more so than pay and display meters. This was quantified in an analysis carried out by the Newcastle City Council in 2001. The costs for maintenance and repairs in the case of Reino multi-bay meters amounted to 13% of revenue derived from the meters. In the case of the various pay and display meters, this figure was 8.3%. Over and above, for costs due to vandalism events, the figures for Reino multi-bay meters was 2.7% and 1.3% for pay and display meters.

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Operating Costs

The general view was that operating costs were similar for both types of meters. Pay and display meters have paper costs which multi-bay meters do not (except for those which issue receipts), while multi-bay meters have costs associated with bay numbering which pay and display meters do not.

Income

It was the general view that income received from pay and display meters is higher than for multi-bay meters in similar situations. This is due to higher compliance rates, the fact that no "free time" is available when drivers leave a bay earlier than planned, and the fact that in the case of pay and display meters, if a meter is inoperative payment can be made at the next meter.

In Darwin however, the average spacing between meters will be of the order of 40 meters as opposed to what appeared to be 60 meters and upwards in Newcastle. Thus, even if only 50% of people are prepared to walk to the next meter (when a meter is out of order), income from affected bays will still be 50% higher than for the multi-bay meter scenario when a meter is inoperative as the income would be zero.

Tickets

The general view was that potential littering problems arising from the issuing of tickets has been overstated by the proponents of multi-bay meters and that many users in fact like to have a ticket as a form of receipt. Another advantage of tickets is that advertising can be placed on the back of the ticket (either third party or Council).

Conclusion

While there are definite advantages to pay by space, pay and display is on balance preferable for Darwin City Council because:

- some streets have unmarked parking spaces.
- the same system can be used in off-street car parks.
- the paid parking overlap will generate more revenue because drivers cannot use the unused time paid for a previous ticket.
- if a meter is not working, drivers may use alternative nearby meters.
- a receipt (for tax, credit card or FBT records) is automatically generated.
- there is greater clarity of the paid parking time for drivers who query an infringement.
- local and international tourists are generally more used to this method than pay by space.

Having regard to all relevant issues and based on observation and discussions with other Councils and Council staff experience, the view is that pay and display meters should be favored above multi-bay meters.

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COMMUNICATION – GPRS

One of the greatest weaknesses of the current parking meter is the lack of meaningful management information which they provide. There is no specific information on how many tickets are used each year in each street, how much downtime occurs, what is the average level of occupancy and what are the peak demand times. The meters are incapable of providing meaningful data other than the cash collected from each cash box.

The installation of communication devices within the parking meters linked back to a Communication Management System (CMS) will improve dramatically the level of service and understanding of parking in the CBD.

The current system suffers from several significant deficiencies:

- The meters do not communicate back to base.
- They provide no statistical data on times of use, average ticket value, effective uptime and percentage utilisation.

This information is essential for Council to understand:

- how the meters are performing.
- the level of vacancy during the day.
- the peak times of occupancy.
- the number of vehicles that park each day.
- the most (and least) popular parking zones.
- the level of compliance.

Once this information is available, Council can far better:

- respond to queries or criticism about the shortage of parking.
- determine which zones should have parking fees reviewed (up/down).
- where time limits should be changed.

Global Packet Radios Services (GPRS) is mobile phone technology which will address these issues.

PAYMENT BY CREDIT CARD OPTION

This has been addressed above and is not recommended to be included in the new parking meters.

COMPLIANCE

The success of a paid parking system which is not controlled by boom gates can only be assessed with an accurate understanding of the level of compliance. Darwin has 1,837 on-street bays controlled by meters and a further 2,111 in surface lots and in multi-storey carparks.

Compliance is “the proportion of parkers that correctly pay for their parking”. Parkers who do not pay, or overstay the expiry of their paid time are said to be non-compliant. It is important that Darwin accurately measures (by regular annual survey) the actual level of compliance with paid parking in the city. Currently this information can only be estimated.

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Parking restrictions on-street throughout Darwin is enforced by a team of 7 (FTE) officers who are responsible for inspecting 4,000 parking bays. This department issued approximately 19,000 enforcement notices in 2008/9 in the on-street parking metered zones.

It is submitted that a \$20 fine is not a sufficient deterrent for many drivers. It is clear that a more effective incentive for enforcing compliance would be a substantial penalty, for example a \$50 fine. Surveys have not been undertaken on the level of compliance with parking restrictions. If conducted, these would show the effectiveness of the parking enforcement regime and can be compared from year to year to assess whether compliance is improving.

The benefits of more effective levels of parking enforcement flow through to improved turnover of parking spaces, increased availability of short term parking, and better management of demand. The extra income raised from more effective patrolling will contribute to the cost of new technology and permit the employment of additional staff. This will increase the perception that illegal parking will attract a fine, thereby providing a greater likelihood that parking regulations will be observed.

The greater the perception that an infringement will be issued for illegal parking, the greater the level of compliance by drivers. The benefit of more efficient and simplified parking enforcement is the creation of additional capacity and improvement in the turnover of parking bays.

FINANCIAL IMPLICATIONS:

In 2009 Council generated \$1,560,853 in revenue from 1,837 on-street parking bays and \$1,610,208 revenue from 2,137 off-street parking bays.

Council has budgeted \$2.3 million for the replacement of on-street car parking meters, based on 280 meters at \$8,000 each, however depending on the specifications and brand of meter the potential cost could be up to \$10,000 per meter.

Council's current car parking reserve balance as at June 2009 is:

CBD Carparking Shortfall Reserve	\$4,576,919
Other Carparking Shortfall Reserve	\$ 235,918
Highway/Commercial Carparking Shortfall Reserve	\$ 49,989
Off-Street Car Parking Reserve	\$4,844,109

Total	<u>\$9,706,935</u>
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Installation

It is planned to install the new meters on the same footprint as the existing meters where possible. This may involve excavating the old footing and will form part of the tender process. This will allow for the same numbering on the meters as per the existing plan. It is planned to remove and replace one meter at a time to minimise disruption to patrons and to avoid any loss of revenue during the planned replacement in July 2010.

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Maintenance

The maintenance of the new meters will be incorporated into the tender process for a period of three years with a three year option. The maintenance contract will provide for the supply of all parts, labour, repairs, upgrades and any tariff changes or customisations not including any vandalism.

Paper

The specifications of the paper rolls are critical to reliable operation of the meters due to the tropical weather conditions. A poly (plastic) type paper has proven successful in the past and is the preferred option. The supply of paper will be included in the maintenance contract.

Cash Collection

Cash collection of the meters will be a separate independent process ensuring segregation of duties. With the new GPRS communication technology Council will now be able to monitor the cash levels of the meters at any given time and determine when and where cash is collected.

STRATEGIC PLANNING:

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':-

Key Strategies

3.2.1 Review transport and parking needs

Goal

3 Assist Individuals and the Community Stay Connected with the Darwin Region

Outcome

3.2 Enhance transport systems

LEGAL IMPLICATIONS:

The purchase of the meters will be through an open tender process. An independent probity auditor will be appointed to oversee the tender process.

ASSESSMENT PROCESS:

Luxmoore Parking Consulting, an independent parking expert has been engaged to assist in the tender specification development and assessment. The assessment will consist of the following members of staff:

- Manager Business Services
- Manager Regulatory Services
- Car Park Co-ordinator
- Contract Administrator
- Luxmoore Parking Consulting

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 REPORT NUMBER: 09A0199
 SUBJECT: Supply and Maintenance of On-Street Car Parking Meters

GENERAL CONDITIONS

Council require a “Pay and Display” ticket parking machine system that uses solar powered batteries with wireless communication to a Communication and Management System (CMS). The solar panel is to be integrated with the machine. It must accept payment by coins.

The machines must be:

- easy to use and operate.
- compliant with the requirements of the Disability Discrimination Act as it applies to on-street pay parking machines¹.
- able to operate as a stand alone unit, as well as part of an integrated system.
- convenient for access, for maintenance and for coin collection.
- constructed from a low maintenance and corrosion free material.
- vandal resistant and waterproof.
- fit for Darwin’s coastal environment and climate, in particular during the wet season.
- environmentally supportive using biodegradable tickets.
- solar powered charged batteries.
- using a wireless communication system between the machine and the CMS.
- supportive of the principles of Environmentally Sustainable Development.

Council requires the Contractor to carry out a maintenance program during the Defects Liability Period and then enter into a 3 year Maintenance Contract commencing at the completion of the Defects Liability Period, with Council having an option to extend the Contract for a further 3 years for the:

- Maintenance and repair of the ticket parking machines.
- The reporting and recording of every and any fault whether reported or detected.
- The objective is for 100% of the machines supplied to be operating at all times.

The Scope of Maintenance Works is set out in detail in below.

The machines must be maintained in such a way that:

- Machines are kept clean and in full working condition at all times.
- Machines are maintained in a cost effective fashion for Council.
- The communication and management system (CMS) is kept secure and in full working condition; and is regularly maintained with its software updated when available.
- The CMS is able to produce statistical reporting on each machine and show parking trends.
- Maintenance works are carried out efficiently with attention to customer satisfaction.
- Maintenance works are carried out within a pre-determined time of the Contractor becoming aware of the fault or warning notification no matter what the cause or the method of communication to the Contractor.

¹ Australian Standards for disabled accessibility (AS 1428.2 Clauses 28 and 29)

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SUBJECT: Supply and Maintenance of On-Street Car Parking Meters

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

Potentially significant

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Nil

CONSULTATION:

Chief Officers Group
Manager Business Services
Manager Regulatory Services
Car Park Co-ordinator
Manager Infrastructure Projects
Capital Works Co-ordinator
Contract Administrator
Luxmoore Parking Consulting
Various other local government councils

PROPOSED PUBLIC CONSULTATION PROCESS:

Car Parking Advisory Committee

APPROPRIATE SIGNAGE:

A comprehensive review of all signage will need to be undertaken following a review of Zones A, B & C.

PAGE: 17
REPORT NUMBER: 09A0199
SUBJECT: Supply and Maintenance of On-Street Car Parking Meters

RECOMMENDATIONS:

- A. THAT Report Number 09A0199 FC:lc entitled, Supply and Maintenance of On-Street Car Parking Meters, be received and noted.
- B. THAT a tender be called for 275 pay and display meters with a communication management system, and 3+3 years maintenance component.
- C. THAT credit card facilities not be provided with the meters.
- D. THAT credit card facilities be trialled within the off-street car parks when those machines are replaced

LIAM CARROLL
MANAGER BUSINESS SERVICES

FRANK CRAWLEY
GENERAL MANAGER
CORPORATE SERVICES

Any queries on this report may be directed to Liam Carroll on 8930 0559 or l.carroll@darwin.nt.gov.au

Draft Report
2 September 2009



Darwin City Council

Replacement of On-Street Parking Machines

Prepared by: Larry Schneider

Report No. 001181



Introduction

Darwin currently has installed on-street, 280 parking machines comprised of 3 different brands. Most of these machines are approximately 8 years old. While they perform reasonably effectively, and have not had major problems with vandalism, they are lacking in two major areas.

Firstly they do not provide convenient payment for parkers. Coins must be carried by the driver as no other forms of payment are offered. Secondly, and more importantly, the machines provide little meaningful management information. There is no specific information on how many tickets are used each year in each street, how much downtime occurs, what is the average level of occupancy and what are the peak demand times.

A business which generates >\$1.5m per annum warrants the provision of much more detailed data than is currently available.

The most significant reason for Darwin to replace its ageing fleet of parking machines is the lack of worthwhile information from the machines. The machines are incapable of providing meaningful data other than the cash collected from each cash box.

The current system suffers from several significant deficiencies:

- The machines do not communicate back to base.
- They provide no statistical data on times of use, average ticket value, effective uptime and percentage utilisation.

This information is essential for Council to understand:

- how the machines are performing
- the level of vacancy during the day
- the peak times of occupancy
- the number of vehicles that park each day
- the most (and least) popular parking zones
- the level of compliance.

Once this information is available, Council can far better:

- respond to queries or criticism about the shortage of parking
- determine which zones should have parking fees reviewed (up/down)
- where time limits should be changed.

As most of the machines are nearing their time for replacement, it is worthwhile for Darwin to consider the technical functionality and commercial issues and options that are available from sophisticated technology which is being used elsewhere in Australia. Darwin has trialled a few of the newer machines in its deck car parks and has been satisfied with the performance of some of these to date.

This report summarises the machine types available in Australia and the areas where each is installed. It then critically assesses Darwin's parking technology and parking management, estimates whole of life costs and then details specification for the supply installation and maintenance of new machines. This will assist Darwin in preparing to tender for new equipment.

Availability and usage of parking technologies

Best practice on-street parking technology in Australia is the “Pay and display” ticket parking machine system that uses solar powered batteries with wireless communication to a Communication and Management System (CMS).

However there are several councils that have installed “pay by space” whereby the driver inserts their bay number into the machine and then makes a payment.

Pay and display and pay by space

Pay and display and pay by space are compared in the table below.

	Advantages	Disadvantages
Pay and display	Paid time overlap (>10% revenue)	Extra walking distance
	Unlimited layout of spaces	Uses more paper
	Spaces need not be marked	
	Automatic issue of receipt (ticket)	
	Easily relocated/expanded to additional spaces	
	Alternatives available if a machine is not working	
	Can be used on and off-street	
	Easily understood by the public	
	Less queries on infringements	
	More detailed transaction data available from every ticket issued	
Pay by space	Shorter walking distance for drivers	Overlap is used, unless machine resets to zero
	Paperless, more environmentally friendly	Restricted number of spaces
	Less moving parts therefore less maintenance	Spaces must be marked and numbered
	Quicker for enforcement	Inconvenient to relocate
	Receipt can be generated on demand	No alternative if a machine is not working
		Not used off-street
		Confusing for some parkers especially elderly
		Bay numbering requires maintenance
		Fixed fee structure encourages overlap

One of the issues for Darwin is the sensitivity of paper for tickets especially during the wet season. If the specifications are appropriate, and high quality paper is used, the issue of tickets in a very humid climate should not pose any additional problem. Following on from this are the complaints from infringed drivers who did not display their ticket in the correct fashion. Pay and display is used in more than 75% of on-street multi-bay systems worldwide. A zero tolerance approach to this ‘excuse’ will ensure conformity and compliance with the pay and display system.

While there are definite advantages to pay by space, pay and display is on balance preferable for Darwin because:

- some streets have unmarked parking spaces

- the same system can be used in off-street car parks
- the paid parking overlap will generate more revenue because drivers cannot use the unused time paid for a previous ticket
- if a machine is not working, drivers may use alternative nearby machines
- a receipt (for tax or FBT records) is automatically generated
- there is greater clarity of the paid parking time for drivers who query an infringement
- local and international tourists are generally more used to this method than pay by space.

There are many other optional features available from modern on-street parking technology, such as more convenient methods of payment, wireless transmission of faults and data, and more detailed financial and management reporting. These are discussed further on in this report, but they are common to both pay and display and pay by space technologies.

Suppliers in Australia

There are currently 7 suppliers of recognised on-street parking machines in Australia. A few of these are manufactured in Australia. The overseas makes are supplied to many countries on all continents.

Machine type and place of manufacture	Supplier	Contact	Other users
1. Cale (Denmark)	Traffic Technologies Ltd. 31 Brisbane Street PO Box 828 Eltham VIC 3095	P: +61 3 9430 0222 F: +61 3 9430 0299 W: www.trafficltd.com.au	Joondalup Melbourne
2. CDS (Melbourne)	CDS Worldwide Pty Ltd 4/132 Albert Road South Melbourne Victoria 3205 Australia	P: +61 3 9696 0622 F: +61 3 9696 2443 E: cgs@majestic.net.au	Melbourne
3. CHS/GIS (NZ)	Global Integrated Solutions PO Box 100 890 North Shore City Auckland, NZ	P: +64 9 415 6588 F: +64 9 415 6599 E: enquiries@gisonline.com	Brisbane, Parramatta, Gold Coast Willoughby
4. Duncan (Reino) (Sydney)	Duncan Solutions 15/39 Herbert Street St Leonards, NSW 2065 Australia.	P: +61 2 9432 0552 F: +61 2 9432 0501 W: www.duncansolutions.com.au	North Sydney, Sydney, Perth Hobart
5. Hectronic (Germany)	Wilson Technology Solutions Gateway @ Port 97 Cook Street Port Melbourne	P: +61 3 9224 0353 F: +61 3 9224 0395 M: +61 401 149 088 E: www.wilsontechsolutions.com.au	Leichhardt Tamworth Cairns Woollahra
6. Mirco (Korea)	TTM Equipment 579 Coronation Drive Toowong QLD 4066 PO Box 1120 Toowong BC 4066	P: +61 7 3327 9500 F: +61 07 3327 9501 E: ttmbris@ttmgroup.com.au	Uni NSW
7. Parkeon (France)	Aparc Unit 2, 2 Bishop Street St Peters NSW 2044	P: 1300 307 441 F: 1300 307 282 M: 0401 648 282 W: www.aparc.com.au	Waverley Sydney Townsville Willoughby

Assessment of Darwin Council's parking technology needs

Management of pay parking

This is the area that is most important to the success of any pay parking system, yet it is often under resourced and under estimated. Unfortunately, once the equipment is installed, it is usually left to the conscientious effort of a few staff who takes the trouble to learn the system and make full use of the available information.

In some pay parking systems the sole concern of the organisation after commissioning, has been to ensure that there are a minimum of customer complaints, that the supplier honours its obligations in terms of the contracts, and that the cash collected matches what is banked. As the income is often large, this is regarded as an indication that the system has been successful.

Organisations that are satisfied with this follow up do not undertake detailed reconciliation on whether the system has achieved what it set out to do. Pay parking in Darwin is designed largely as a Travel Demand Management tool, to ensure that the right users (short and medium-term parkers) can rely on spaces being available in the central CBD area. However Council should also be concerned with maximising the income, minimising downtime and leveraging the control available from a pay parking system.

A professionally operated pay parking system requires accurate and timely information, very little of which is available from the current machines.

On-street pay parking in Darwin is currently managed separately to off-street car parks. There seems to be no logical reason for this, as they both provide the same service to the public, use the same technology, require the same enforcement and require the same management information. It is recommended that management of the provision of parking is combined into a single Parking Management team, but with specific technical duties and responsibilities still performed by Planning and Development, Engineering and Traffic Management, Corporate Services and Community Development.

Compliance

The success of a pay parking system which is not controlled by boom gates, can only be adjudicated with an accurate understanding of the level of compliance. Darwin has 1,837 bays on-street controlled by meters and a further 2,111 in surface lots and in deck car parks.

Compliance is "the proportion of parkers that correctly pay for their parking". Parkers who don't pay, or overstay the expiry of their paid time are said to be non-compliant. It is important that Darwin accurately measures (by regular annual survey) the actual level of compliance with pay parking in the city. Currently this information can only be guessed at.

Parking restrictions on-street throughout Darwin is enforced by a team of 7 (FTE) officers who are responsible for inspecting 4,000 parking bays. This department issued approximately 19,000 enforcement notices in 2008/9 in the on-street parking metered zones.

A parking infringement notice (PIN) has a penalty of \$20. The objective of parking fines for these offences is usually to act as a deterrent for overstaying time limited parking, to change behaviour and to recover the cost of parking enforcement activities.

It is submitted that a \$20 fine is not a sufficient deterrent for many drivers. It is clear that a more effective incentive for enforcing compliance would be a substantial penalty, for example a \$50 fine. Surveys have not been undertaken on the level of compliance with parking restrictions. These will show the effectiveness of the parking enforcement regime and can be compared from year to year to assess whether compliance is improving.

Parking occupancy detection systems (PODS) are an innovative measure to reduce the need for chalking in unmetered areas. These unobtrusive in-ground devices detect the presence of a vehicle in a space and then wirelessly communicate any overstay to an enforcement centre.

Several thousand are installed in Australian district centres including Campaspe, Maribyrnong, Yarra, Victoria Park and Cottesloe. They have many benefits:

- less exposure to moving traffic and to potential abuse
- no more bending over to mark tyres in areas where meters are not installed
- permit traffic engineers to better understand how spaces are used at all times
- permit the monitoring of the effectiveness of enforcement
- increase the effectiveness of infringements inspection.

The benefits of more effective levels of parking enforcement flow through to improved turnover of parking spaces, increased availability of short term parking, and better management of demand. The extra income raised from more effective patrolling will contribute to the cost of new technology and also permit the employment of additional staff. This will increase the perception that illegal parking will attract a fine, thereby providing a greater likelihood that parking regulations will be observed.

The greater the perception that an infringement will be issued for illegal parking, the greater will be the level of compliance by drivers. The benefit of more efficient and simplified parking enforcement is the creation of additional capacity and improvement in the churn (turnover) of parking bays.

Uptime

After compliance, machine uptime has a significant influence on the success of a pay parking system.

Uptime is defined as “the time, during normal operating hours, when the parking machine is available for use by the public”.

As soon as a machine is “down” this provides a reason for drivers not to pay and reduces the opportunity for the city to generate income from either parking or enforcement. A 3% downtime may not sound much, but is equivalent to more than 8 days a year when none of the 280 parking machines is capable of being used. A 3% parking revenue loss, based on current fees in Darwin, exceeds \$46,000.

It is therefore important to install reliable machines which are supported by capable technical back up and a responsive maintenance team.

While some councils such as Perth, have an in-house parking equipment maintenance team, the smaller scale of the Darwin parking operation does not warrant this. It is therefore essential that Darwin purchases reliable equipment that is backed up by locally based service and spares, in order to ensure downtime is kept to a minimum. This requires dealing with a reputable supplier and purchasing technology that is proven to be reliable and durable.

The maintenance contract should be “outcomes based” with fixed KPI’s for responding to different types of call outs, combined with the payment of liquidated damages if targets are not achieved. This type of contract is in place in many cities.

Training

There is always a concern for initial training to ensure new machines work and cash collection and banking is reconciled. While this is necessary, it is also important to ensure subsequent training after the system has bedded down. Staff involved in finance, enforcement, marketing and especially, proactive management of the pay parking system, need annual refresher training on what the system is capable of providing and how the data and software can be better used to make it more effective. This must be incorporated in the equipment supply contact.

Data from the machines

A central management system (CMS) is capable of providing considerable data, but only a few suppliers have converted the figures into useful management information. It is important to clarify this prior to purchase because the chances of Council subsequently obtaining the desired reports will be slim and probably expensive. It is better to specify in detail all that is required and more importantly, to collate this data into weekly and monthly and annual trends.

Payment by parkers

Darwin's coin only payment system is not convenient for parkers and causes irritation for retailers regularly asked to supply change. The change-giving machines in the car parks are a good service, but add an extra dimension of maintenance and security. They are not available on-street.

Darwin's parking fees vary from 80c per hour to \$3.60 on-street. These rates have not been reviewed for many years and are likely to increase.

Technical and functional specification

Based on observation in Darwin and discussions with Parking, Enforcement and Business Unit staff, the attached schedule is a specification of minimum functionality that is required for new machines that are expected to provide a high level of service and reporting for at least 7 years. This specification can be used as part of an invitation to tender.

Costs

The costs of new parking technology must be viewed and compared as "whole of life" which includes the supply and installation, preventative and other maintenance, consumables including SMS charges, and spare parts.

The range of these costs as shown in the chart below, illustrates the variety of suppliers and pricing and the different methods of charging for whole of life costs. The figures are estimated from recent tenders managed by Luxmoore.

Luxmoore Parking Meter Analysis								
	Supplier	A	B	C	D	E	F	
INSTALLED COSTS								
Supply and install 280 machines		2,847,100	2,174,600	2,039,932	2,044,386	2,879,904	2,522,220	
140 cash boxes		50,050	51,350	23,790	38,740	38,740	24,570	
Supply CMS		2,000	28,376	36,847	44,928	44,928	26,000	
Removal and make good		226,876	116,372	92,485	140,455	140,455	149,964	
Subtotal A		3,126,026	2,370,698	2,193,054	2,268,509	3,104,027	2,722,754	
5 yr RECURRENT COSTS*								
Host CMS including licence		184,448	184,448	253,092	117,900	117,900	14,500	
Preventive maintenance		620,000	795,694	766,303	175,540	142,528	777,200	
Tickets (2.5million)		28,847	35,714	13,773	29,305	29,305	25,302	
Communication		157,200	138,598	108,992	19,388	19,388	94,320	
Credit Card		23,919	28,211	7,414	40,293	40,293	32,437	
Subtotal B		1,014,414	1,182,665	1,149,574	382,426	349,414	943,758	
5 yr SPARE PARTS incl install								
Subtotal C		291,467	209,068	293,242	143,906	143,906	603,960	
	* assume CPI 3%							
Total A + B + C		4,431,907	3,762,432	3,635,870	2,794,841	3,597,347	4,270,472	
OTHER ITEMS								
Additional 1-30 machines		9,990	9,260	8,518	8,973	11,211	6,935	
Reactive maintenance		0	48,440	0	646,092	646,092	0	
Business hours call out fee per hour		80	120	90	68	68	90	
After hours call out fee per hour		140	160	160	125	125	180	

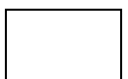
Darwin can budget on a capital cost of between \$7,500 - \$10,000 per machine, plus ongoing annual costs of \$3,000 - \$8,400 over 5 years plus spare parts.

13 OFFICER'S REPORTS

13.4 **MY0800 City Revitalisation Project – Update December 2009 (Entire Project)**

Report No. 09TS0222 DC:lm (24/11/09) Common No. 1486204

Report Number. 09TS0222 DC:lm attached



ENCL: YES

DARWIN CITY COUNCIL
REPORT

DATE: 24/11/2009

TO:	2ND ORDINARY COUNCIL MEETING/OPEN	APPROVED:	DC
FROM:	GENERAL MANAGER INFRASTRUCTURE	APPROVED:	DL
REPORT NO:	09TS0222 DC:lm	APPROVED:	LC
COMMON NO:	1486204		
SUBJECT:	MY0800 CITY REVITALISATION PROJECT – UPDATE DECEMBER 2009 (ENTIRE PROJECT)		

ITEM NO: 13.4**SYNOPSIS:**

The Darwin City Centre Revitalisation Project 2009 is the result of a successful submission for Federal Government funding under the Community Infrastructure Program-Strategic Projects.

As the result of the submission, \$3.6 million in Federal funding was secured towards the construction of the following key project components:

- A. Knuckey Street Connection 1;
- B. Smith Street Connection 2 (The Mall);
- C. Smith Street Connection 3 (Knuckey Street to Peel Street); and
- D. Raintree Park.

The remainder of the project budget of \$7.0 million is made up of contributions from the Darwin City Council, Northern Territory Government and the private sector totalling \$3.4 million.

In August 2009, Council resolved to proceed with design, documentation and construction of Knuckey street component as well as to undertake consultation on the balance of the project.

This report provides the results of the public consultation process for the MY0800 City Centre Revitalisation Project as well as highlighting significant aspects of the concept design (Knuckey excluded), in order to proceed to final documentation, tender and construction of the project.

A brief update is also provided on the overall project.

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 SUBJECT: MY0800 CITY REVITALISATION PROJECT – UPDATE DECEMBER 2009
 (ENTIRE PROJECT)

GENERAL:

OVERVIEW

The Darwin City Centre Revitalisation Project 2009 is a collaboration of the Australian Government, the Darwin City Council, the Northern Territory Government and elements of the Private Sector.

A description of each key component of the Darwin City Centre Revitalisation Project 2009 is provided below:

A. The key philosophies driving the Darwin City Centre Revitalisation Project 2009 are:

- Improving the streetscape design of the city streets;
- Greening these streets and providing more shade;
- Building better pedestrian connections – less clutter, more movement;
- Establishing a safe pedestrian environment; and
- Creating a framework for a combination of public and private sector investment; and
- Provide a “kick start” for the revitalisation of Darwin’s City Centre.

B. Smith Street Connection 2 (The Mall):

- Removing clutter within The Mall to open it up to increased pedestrian traffic; (existing seats and raised planters).
- Upgrading existing shade structures in The Mall so that they become key “event” spaces in the Darwin Central Business Zone;
- Introduction of a central row of tree clusters, including large trees shade trees (eventually) with new seating nodes; and
- Introduction of additional compact children’s’ play equipment, as part of the Public Art strategy.
- New way finding and tenancy signage.
- Improved lighting and furniture.

C. Knuckey Street Connection 1:

- Introduction of lit tree build-outs and large shade trees; with stone and timber seating nodes.
- Upgrading of a tourist bus set-down area, incorporating seating and information panels; and a new upgraded footpath in front of Raintree Park.
- Opportunity for a secure taxi set down area.
- Promotion of alfresco dining opportunities in the Darwin Central Business Zone; and
- Improving the ground works and aesthetics of the Smith Street/Knuckey Street intersection, thereby promoting pedestrian movement along Smith Street and Knuckey Street,

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D. Smith Street Connection 3 (Knuckey Street to Peel Street):

- Removal of existing landscaping elements such as raised planter beds and shrubbery, to create a safer and more inclusive pedestrian environment;
- Creation of and enhanced Wet Season covered link between the Chinatown Car Park to The Mall;
- Promotion of alfresco dining opportunities in the Darwin Central Business Zone;
- Promotion of a diverse and active retail edge; and
- Introduction of large shade trees.
- Improved lighting.

E. Raintree Park:

- Creation of a vibrant “city square”
- Expansion of soft landscape (ground cover and turf) around the base of the Rain Trees to improve tree health.
- Incorporation an enhanced retail promenade to the park edge.
- Creation of a new ‘stage’ area to improve the ability of the overall park structure to cope with key community events; and
- Promotion of disabled-compliant and stronger cross-city pedestrian connections.

This project is an example of a high profile project involving all three tiers of Government and has generated widespread private sector interest, having already lead to a private sector monetary contribution towards the Raintree Park component, with the possibility of further private sector contributions.

The aims of this project are to create a *sustainable, event friendly, retail friendly and 24 hour city*.

The outcomes of the projects are anticipated to include:

- Improvement in the Darwin Central Business Zone infrastructure for the greater Community of Darwin;
- Encourage greater use of the City Centre;
- Create a stronger identity for the capital city of the Northern Territory;
- Attracting more interstate and international visitors;
- Stimulation of the local economy and creation of local employment through Public and Private sector investment; and
- Strengthening of inter-governmental partnerships at a local, state/territory and federal level.

PROJECT PROGRESS

Regular monthly reports regarding the progress of this project have been considered by Council’s Environment and Infrastructure Committee.

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A brief overview on the progress and planned milestones in relation to each component of the project is described below:

Smith Street Connection 2 (The Mall): currently:

Community consultation completed awaiting Council endorsement to proceed to detailed design, documentation, tender and construction.

Knuckey Street Connection 1:

The tendered price for Knuckey Street works, KSC1 was in excess of the available budget. The Northern Territory Government was approached for additional funds though declined. Several actions were undertaken to bring the project scope into budget:

- Three tree pits were removed from the scope of works. It should be noted that services to these tree pits remain in the scope and so they can be easily retro fitted if and when additional funding becomes available.
- The delivery source for irrigation and electricity was identified at two places instead of one. This significantly reduced the amount of trenching required and resulted in significant savings.

A contract has been awarded to Wolpers Grahl. Procurement of materials has commenced by the contractor. Council has secured all trees and ground covers and construction of pre-cast elements has also commenced.

Raintree Park:

Community consultation completed awaiting Council endorsement to proceed to detailed design, documentation, tender and construction.

Smith Street (West):

Community consultation completed awaiting Council endorsement to proceed to detailed design, documentation, tender and construction.

Public Art:

Public Art Consultant commissioned and commenced work on development of a Public Art for the project has commenced.

End of Project Audit:

To be undertaken at end of project.

Public Consultation

Council conducted an extensive public consultation process for the MY0800 project elements of The Mall, Smith Street (West) and Raintree Park.

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 (ENTIRE PROJECT)

The results of the consultation process are shown in **Attachment A**.

As expected, the results canvassed a number of different and often opposing views. However, the results were largely positive and many suggestions will be accommodated as the project moves into the Design Development Phase for the purpose of provision of infrastructure and cost estimates. Key suggestions to be incorporated into detailed design for costing and analysis include:

- Covered bicycle parking facilities under the proposed Spillett House awning,
- Community Notice Boards in The Mall,
- Sister City recognition,
- Better tourist / wayfinding signage
- Provision for LCD entry signage & clock to the mall,
- Refill stations (for water bottles),
- Solar panels (refer additional comments below), and
- Retention and upgrade of existing playground equipment in it's current location.

There were a significant number of submissions with regard to bicycle connectivity throughout the CBD, though many of these were beyond the scope of the MY0800 project and should be addressed via the cycle path strategy currently underdevelopment.

A number of submissions referenced improved shade along The Mall. This may have been enhanced by the timing of the consultation process being late in the year when the humidity and temperature are high. Shade will be delivered through the establishment of *Allosyncarpia ternata* (native street trees) and *Bismarkia Noblis* palm groves over seating nodes along the length of The Mall.

Other themes that arose through the consultation process were the number and identification of public toilets. This will be addressed as part of the signage component.

As part of the Council's commitment to greenhouse gas reduction and sustainability, Council Project staff have identified and included solar panels as part of the scope for detailed design and costing of this project. It is proposed that solar panels be established on top of the existing shade structures to supply power to either lighting fixtures or art elements.

Tree Assessment

As part of the works, it has always been identified that a number of trees will be removed for various reasons.

Council commissioned an arboricultural assessment of trees within the project site in order to fully understand the risks and benefits of retaining/removing individual trees as well as providing a benchmark of the health of the trees so they can be monitored during construction. The trees identified for removal exist within the Smith Street

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Connection (SCC3) and The Mall (SCC2) components of the MY0800 project as previously identified in concept designs.

Smith Street (West) – Two Mahogany's along this section of Smith Street (West) are proposed to be removed. The Mahogany's exist within the failing raised planter beds and exhibit poor health with a risk of complete failure being highlighted in the arboricultural report. These trees are identified in the report as trees number 5 and 6 and are recommended to be removed. **Attachment B** is a section of the arboricultural report that assesses the specific species.

The Mall – One Mahogany in The Mall is identified for removal. This specimen is located in front of the Victoria Hotel. The specimen is identified in the report as being in average to good health with a useful life of approximately 15 years. It is suffering from poor husbandry practices in its early life and is surrounded by hardscape up to the tree's trunk. The report identifies that there is no arboricultural reason for it to be removed, however, the removal of the tree and associated raised planter are necessary to achieve the principles of 'de-cluttering' and establishing locally endemic replacement species (*Allosyncarpia ternata*). The two Mahoganys located over the Monty's on The Mall raised area will not be recommended for removal as part of this stage of works due to the existing lease agreement with Monty's on The Mall.

The forementioned locations of trees recommended for removal are shown on **Attachment C**.

As part of The Mall works, it is also proposed that the previously identified existing, poorly performing *Minmusops elengi* be removed. These have been identified in the report as poor specimens that should be removed and these will be removed and replaced with an alternative species.

The conclusion of the public consultation process and arboricultural assessment have allowed the finalisation of the Concept Design stage of the MY0800 Project. The document has been updated, **Attachment D**.

It will be recommended that:

- Council adopt the concept designs as per **Attachment D** of this report as a result of community consultation and that Council proceed with design, documentation, costing, tendering and construction of the MY0800 component being The Mall, Smith Street (West) and Raintree Park.
- That Council endorse the removal of trees as identified in this report and the concept designs as part of the MY0800 project.

FINANCIAL IMPLICATIONS:

The estimated costs of the key components of the Darwin City Centre Revitalisation Project 2009 are as follow:

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A. Smith Street Connection 2 (The Mall):	\$3,055,404;
B. Knuckey Street Connection 1:	\$1,508,770;
C. Smith Street Connection 3 (Knuckey St to Peel St):	\$1,144,741;
D. Raintree Park:	\$1,000,515.

A Public Art allowance (4% of total budget) of \$228,722 an End of Project Audit allowance of \$26,000 and miscellaneous cost are additional to the key component estimated costs.

The total project budget is \$7,000,000.

The \$7,000,000 project budget is comprised of the following contributions:

- Federal Government Contribution: \$3,600,000;
- Northern Territory Government Contribution: \$1,750,000
 (\$1,500,000 towards Knuckey Street Connection 1 and \$250,000 towards Smith Street Connection 3);
- Darwin City Council Contribution: \$1,150,000; and
- Private Sector Contribution to date: \$500,000 (towards Raintree Park).

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

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

Outcome

1.1 Improve relations with all levels of Government

Key Strategies

1.1.1 Effectively engage with Territory and Australian Government officials, particularly in the Darwin region

Key Strategies

1.1.3 Develop partnerships and joint projects with other levels of government

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.2 Continue to implement the CBD Streetscape Strategy

Goal

7 Demonstrate Effective, Open and Responsible Governance

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Outcome

7.2 Display strong and effective leadership, within Council and across Government

Key Strategies

7.2.2 Display Council's leadership across all levels of Government

LEGAL IMPLICATIONS:

There are no legal implications relating to this report.

ENVIRONMENTAL IMPLICATIONS:

Positive with the inclusion of:

- more trees that are locally endemic;
- consideration of solar panels as alternative power;
- pit designs to encourage strong and healthy tree growth and stormwater re-use;
- provision of more natural shade;
- provision of bicycle parking areas which may encourage higher use of alternative transport means.

PUBLIC RELATIONS IMPLICATIONS:

Significant resources have been put in to public consultation and this has received largely positive feedback.

This consultation has included but not been limited to:

- Property Owners forum
- Manned stalls within The Mall
- One on one meetings with various stakeholders
- The MY0800 Website and electronic feedback
- Media releases
- Articles in various newsletters and magazines
- Adverts on the radio and in the NT News.

Some positive coverage has been received through the media.

Some negativity may occur once works commence with project components such as traffic management, tree removal and colour selection. A separate communication strategy will be developed for the construction phase.

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(ENTIRE PROJECT)

COMMUNITY SAFETY IMPLICATIONS:

The project will improve safety issues identified by the use of CPTED principles throughout the design including things such as de-cluttering, improved lighting and pedestrian linkages.

DELEGATION:

Nil.

CONSULTATION:

Tract Consulting
Creative Territory

PROPOSED PUBLIC CONSULTATION PROCESS:

Extensive consultation has been undertaken with property owners, the general public and other stakeholders.

A communications strategy will now be developed for the implementation phase of the project.

APPROPRIATE SIGNAGE

The Australian Government Stimulus signage has been erected in The Mall as required by the funding agreement. Additional signage will be installed as the project progresses.

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 (ENTIRE PROJECT)

RECOMMENDATIONS:

- A. THAT Report 09TS0222 DC:lm titled MY0800 City Revitalisation Project – Update December 2009 (Entire Project) be received and noted.
- B. THAT Council proceed with detailed design and documentation, cost estimate, tender and construction for works in The Mall, Smith Street (West) and Raintree Park in accordance with the MY0800 Concept Design The Mall, Smith Street (West) and Raintree Park December 2009 document **Attachment D** to Report Number 09TS0222 DC:lm and details outlined within this report.
- C. THAT Council endorses the removal of trees as part of the MY0800 City Revitalisation Project as identified in Report Number 09TS0222 DC:lm.

DROSSO LELEKIS
MANAGER INFRASTRUCTURE
PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to David Cash on 89300 5623 or email
 d.cash@darwin.nt.gov.au

13 OFFICER'S REPORTS

13.5 MY0800 City Revitalisation Project – Colour Palette

Report No. 09TS0223 DC:lm (24/11/09) Common No. 1486204

Report Number. 09TS0223 DC:lm attached



ENCL: YES

DARWIN CITY COUNCIL
REPORT

DATE: 24/11/2009

TO:	2ND ORDINARY COUNCIL MEETING/OPEN	APPROVED:	DC
FROM:	GENERAL MANAGER INFRASTRUCTURE	APPROVED:	DL
REPORT NO:	09TS0223 DC:lm	APPROVED:	LC
COMMON NO:	1486204		
SUBJECT: MY0800 CITY REVITALISATION PROJECT – COLOUR PALETTE			

ITEM NO: 13.5**SYNOPSIS:**

This report identifies and illustrates the colour palette for MY0800. The colours have been developed by Tract Consulting (the leading project consultant for the MY0800 Project) in consultation with Council staff. These colours have been selected due to their relevance to Darwin and the Top End and in keeping with the MY0800 objectives.

GENERAL:

The colour scheme and materials for upgraded surfaces and infrastructure under the MY0800 Darwin City Revitalisation Project (CCRP) are summarised below–

a. In situ Concrete

The largest amount of new ground works will occur in and around Raintree Park however smaller ground works will occur along the Mall and Knuckey Street (as part of tree buildouts to both areas) and Smith Street (to the footpath area in front of Spillett House). The following three colours will be used for insitu concrete surfaces to the MY0800 Darwin City Revitalisation Project:

1. CCS raffia beige
2. CCS kelp
3. CCS eucalyptus

The colours for the proposed ground works have been inspired by:

- The rock escarpments along the Darwin coastline,
- The bark of local eucalypt species, and
- The foliage of local flora.

These colours will also feature complimentary and local aggregates (Katherine Quartz and Mt Bundy Granite) and will vary in surface finish (exposed, broomed and honed finishes) to give subtle contrasting textures. All colours have been carefully

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 SUBJECT: MY0800 CITY REVITALISATION PROJECT – COLOUR PALETTE

selected to compliment existing materials which will not be replaced as part of the MY0800 CCRP such as the paving in The Mall. This colour range will also be used in the precast seating and walling nodes to be used throughout the project area. Some of the colours have already been utilised in the tree build out recently completed on Knuckey Street adjacent to the Mantra Pandanus.

b. Precast pavers and stone

Local stone (‘porcelanite’) and milled urbanstone pavers will be used as key feature inserts in addition to the three insitu concrete colours,

c. Seating nodes

Seating will be constructed from Australian hardwood and steel (Hot Dip Galvanising (HDG) and stainless steel) frames. There will be elements of the feature colour included in various nodes. The future colour being red.

d. Existing Structures

The three existing shade structures will be repainted in a silver/HDG steel colour to reduce visual prominence and to reinforce the “tropical urban” style developed in other CBD public spaces such as the Darwin Entertainment Centre. The opportunity may exist to use a stronger highlight colour (red) to key structural elements.

Summary

This colour range compliments other key public spaces in the City such as the Darwin Entertainment Centre, Darwin Waterfront and the Smith Street Connection (East). This new colour palette will set a style for future works in Darwin, ensuring that the look and feel of future developments are complimentary and coordinated.

Please see **Attachment A** for the sample board of colours for the MY0800 City Centre Revitalisation Project. Surplus of the palette will be available for viewing at the meeting.

FINANCIAL IMPLICATIONS:

NIL additional to existing project scope.

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

2 Enhance Darwin’s Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.2 Continue to implement the CBD Streetscape Strategy

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Key Strategies

2.1.3 Support the NT Government's Ribbons of Green and CBD entry node upgrade initiatives

Key Strategies

2.1.4 Provide a clean and liveable municipality

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.2 Display strong and effective leadership, within Council and across Government

Key Strategies

7.2.2 Display Council's leadership across all levels of Government

LEGAL IMPLICATIONS:

There are no legal implications relating to this matter.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications.

PUBLIC RELATIONS IMPLICATIONS:

Any prominent colour palette is expected to stimulate opinion with both positive and negative feedback.

COMMUNITY SAFETY IMPLICATIONS:

There are no safety implications.

DELEGATION:

NIL

CONSULTATION:

Tract Consulting

PROPOSED PUBLIC CONSULTATION PROCESS:

The website will be updated with the colour palette and explanatory notes.

APPROPRIATE SIGNAGE

Signage of the project in accordance with funding conditions and Council's normal practice.

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SUBJECT: MY0800 CITY REVITALISATION PROJECT – COLOUR PALETTE

RECOMMENDATIONS:

- A. THAT Report Number 09TS0223 entitled, MY0800 City Revitalisation Project – Colour Palette, be received and noted.
- B. THAT Council endorse the colour palette for the MY0800 City Revitalisation Project as per **Attachments A** to Report 09TS0223 DC:lm.

DROSSO LELEKIS
MANAGER INFRASTRUCTURE PROJECTS

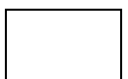
LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to David Cash on 89300 623 or email d.cash@darwin.nt.gov.au

13 OFFICER'S REPORTS

13.6 Licence Agreement for the Installation and Maintenance of CCTV between Darwin City Council and the Northern Territory Government
Report No. 09TS0218 LC:ks (17/11/09) Common No.1461949

Report Number. 09TS0218 LC:ks attached



ENCL: YES

DARWIN CITY COUNCIL

DATE: 17/11/09

REPORT**TO:** 2ND ORDINARY COUNCIL/OPEN**APPROVED:** LC**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** KS**REPORT NO:** 09TS0218 KS**COMMON NO:** 1461949**SUBJECT:** LICENCE AGREEMENT FOR THE INSTALLATION AND MAINTENANCE OF CCTV BETWEEN DARIWN CITY COUNCIL AND THE NORTHERN TERRITROY GOVERNMENT**ITEM NO: 13.6****SYNOPSIS:**

The Northern Territory Government in liaison with Council has been working towards the installation of a Closed Circuit Television System with the CBD and Casuarina areas. The installation as commenced.

The Northern Territory Government and Council representatives are seeking a Licence deed agreement (Attachment A) for the Closed Circuit Television Cameras (CCTV) on land and facilities owned by Darwin City Council as has been agreed. The report recommends signing and sealing of the agreement.

GENERAL:

The Northern Territory Government has a programme to install and monitor CCTV cameras throughout Darwin's CBD, Casuarina commercial centre and Palmerston CBD.

The cameras to be located within Darwin and Casuarina will be located on street light poles at particular locations to provide constant video monitoring of streets and businesses for public security.

The cameras will be located approximately four metres above footpath level on light poles, with one camera mounted on the front of the Darwin Entertainment Centre, and will feed constant video streaming to the police headquarters in Berrimah.

The cameras have been planned to focus to cover key mass gathering areas and potential known "hotspots". The video stream will be monitored 24/7 to deter antisocial or criminal behaviour and to assist Police and emergency services to respond to incidents or diffuse potential incidents quickly.

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 SUBJECT: LICENCE AGREEMENT FOR THE INSTALLATION AND MAINTENANCE
 OF CCTV BETWEEN DARIWN CITY COUNCIL AND THE NORTHERN
 TERRITORY GOVERNMENT

The ongoing maintenance and management of the CCTV system will be undertaken by the Territory. Council will provide the power and have a reasonably minor maintenance requirement in under pruning of trees but the agreement has been written to ensure this obligation is minor in terms of resources required and amount of pruning to each tree. Tree planting will not be restricted in the foreseeable future as relocation of cameras is the preferred option when landscape upgrades occur in The Mall and other streets to receive landscape upgrades including Knuckey and Smith streets are not affected. Council and Government representatives have been liaising in relation to the MY0800 and other Council works and CCTV locations to minimise issues. The CCTV system is wireless therefore relocation if required is possible.

Council Access to CCTV images

During discussions regarding the drafting of the agreement, Council asserted that it would be necessary from time to time for Council to access CCTV footage for the purpose of the administration of its By-laws and the Local Government Act. This provision has been incorporated into the agreement.

Location of Cameras

Darwin CBD

- The Mall (Bennet Street to Knuckey Street)
- Mitchell Street – Knuckey Street to Darwin Entertainment Centre
- McLachlan Street
- Cavenagh Street X Daly Street Intersection

Casuarina Shopping Centre

- Dripstone Road – Trower Road to Bradshaw Terrace
- Bradshaw Terrace – Dripstone to Trower
- Scaturchio Street – Bradshaw to Trower
- Trower Road – Dripstone to Bradshaw

The development of the licence deed has been discussed with Council staff and the final document is now ready to put before Council to endorse and sign and seal.

FINANCIAL IMPLICATIONS:

Minor costs associated with power and tree maintenance. These costs are not seen as significant and the activities are existing Council programs.

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 REPORT NUMBER: 09TS0218KS
 SUBJECT: LICENCE AGREEMENT FOR THE INSTALLATION AND MAINTENANCE
 OF CCTV BETWEEN DARIWN CITY COUNCIL AND THE NORTHERN
 TERRITORY GOVERNMENT

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

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

Outcome

1.1 Improve relations with all levels of Government

Key Strategies

1.1.3 Develop partnerships and joint projects with other levels of government

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.5 Participate and partner in activities that contribute to a safer Darwin

LEGAL IMPLICATIONS:

The agreement forms a legal document between the Northern Territory Government and Council.

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

The community are generally very supportive of these type of systems operating in urban environments.

COMMUNITY SAFETY IMPLICATIONS:

Community safety will be enhanced in areas where antisocial or criminal activity has previously been an issue. The presence of the cameras are seen as one tool to managing antisocial and criminal behaviour.

There needs to be ongoing discussions with the Northern Territory Government about developing and implementing a suite of programs and measures to address the antisocial issues including the possible expansion of the CCTV program to other key areas within the municipality.

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 OF CCTV BETWEEN DARIWN CITY COUNCIL AND THE NORTHERN
 TERRITORY GOVERNMENT

DELEGATION:

Authorise the Lord Mayor and Chief Executive Officer to sign and seal.

CONSULTATION:

General Manager Cultural and Community Services
 Infrastructure Department Staff
 Cultural and Community Services Staff

PROPOSED PUBLIC CONSULTATION PROCESS:

All public consultation to date and future consultation will be undertaken by Northern Territory Government.

APPROPRIATE SIGNAGE

An extensive list of sign locations advising of the presence of the cameras is currently being reviewed by staff.

RECOMMENDATIONS:

- A. THAT Report Number 09TS0218 KS Licence Agreement for the Installation and Maintenance of CCTV Between Darwin City Council and the Northern Territory Government, be received and noted.
- B. THAT Darwin City Council, hereby authorises the Lord Mayor and Chief Executive Officer to sign under the common seal the Licence Agreement for the Installation and Maintenance of CCTV Between Darwin City Council and the Northern Territory Government, **Attachment A** to Report 09TS0218 KS.

KERRY SMITH
MANAGER INFRASTRUCTURE
MAINTENANCE

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to Kerry Smith on 08 8980 3654 or
k.smith@darwin.nt.gov.au

**LICENCE DEED
FOR THE INSTALLATION AND MAINTENANCE
OF CLOSED CIRCUIT TELEVISION**

BETWEEN:

NORTHERN TERRITORY OF AUSTRALIA

AND:

DARWIN CITY COUNCIL

Substituted for the Northern Territory
68 The Esplanade, Darwin
Telephone, 08 8929 7343 Facsimile, 08 8935 7810
File reference: [insert file number]
Document reference: [Licence Agreement - DCC] (2003/28314)

DETAILS

PARTIES

NORTHERN TERRITORY OF AUSTRALIA represented by the Northern Territory Police, Fire and Emergency Services (ABN 84 085 734 992) ("the Territory")

Address for service of notices:	Attention: Graham Tribe
	Physical address: Level 1 Darwin Central
	Postal address: PO Box 39/04, Winnellie NT 0821
	Facsimile: (08) 8981 1283
	Email: graham.tribe@pfas.nt.gov.au

AND

DARWIN CITY COUNCIL (ABN 11 503 313 301) ("DCC")

Address for service of notices:	Attention: Kerry Smith
	Physical address: 65 Bishop Street, Stuart Park
	Postal address: GPO Box 84, Darwin NT 0801
	Facsimile: 08 89817361
	Email: k.smith@darwin.nt.gov.au

BACKGROUND

- A. The Territory is to install, operate and maintain a closed circuit television system in the Darwin Central Business District and the Casuarina Precinct ("the CCTV System").
- B. CCTV System hardware and infrastructure, such as cameras, wireless equipment, mounting equipment and interconnecting elements, will be located on land, roads and infrastructure owned, controlled or managed by DCC.
- C. The Territory requires access and a right of non-exclusive occupation to install, operate and maintain the CCTV System.
- D. The parties seek to set out their commitments and obligations in this Deed and the DCC agrees to provide the Territory with a licence on the terms and conditions set out in this Deed.

AGREED TERMS

1. DEFINITIONS AND INTERPRETATION

1.1 Defined Terms

- (a) In this Deed, unless the contrary intention appears:
- (i) **"Business Day"** means a day which is not a Saturday, Sunday or Public Holiday in Darwin in the Northern Territory;
 - (ii) **"CCTV System"** means the closed circuit television system, incorporating the CCTV Infrastructure, to be installed by the Territory in the Darwin Central Business District and the Casuarina Precinct;
 - (iii) **"CCTV Infrastructure"** means the CCTV System hardware, such as cameras, wireless equipment, mounting equipment and interconnecting elements on the Land;
 - (iv) **"Emergency Maintenance"** means unscheduled Maintenance determined solely in the discretion of the Territory to be urgent in nature as a matter of public safety or to maintain law and order;
 - (v) **"Installation"** means the purchase, integration, connectivity, configuration, interfacing and installation of CCTV Infrastructure on the Land;
 - (vi) **"Land"** means the land and infrastructure owned, controlled or managed by DCC on which the CCTV System will be located and includes roads, buildings, light poles and other land or infrastructure;
 - (vii) **"Limited Pruning"** means underpinning, foliage removal or branch pruning where the structure or form of the tree is not compromised;
 - (viii) **"Maintenance"** means the operation, monitoring, repair and maintenance of the CCTV System on the Land, which includes activities necessarily related to maintenance of the CCTV System, such as trenching, cabling, traffic management, concreting and the like and if the context requires, also includes maintenance of DCC or third party assets (such as Limited Pruning of trees, etc) performed as Emergency Maintenance;
 - (ix) **"Party"** or **"Parties"** means a Party or the Parties to this Agreement and a reference to a Party includes the officers, employees, contractors, sub-contractors and agents of that Party

1.2 Interpretation

- (a) In this Deed, unless the contrary intention appears:
 - (i) words importing the singular number include the plural number and vice versa;
 - (ii) words importing any gender include all other genders;
 - (iii) "person" includes a corporation;
 - (iv) all references to statutes also refer to statutes amending or re-enacting or replacing the statutes referred to and include a reference to all proclamations, orders in council, regulations, rules by-laws, ordinances and any other instruments and directions (if any) made thereunder;
 - (v) all covenants warranties undertakings and agreements herein are, if entered into by more than one (1) person, deemed to be joint and several;
 - (vi) headings and sub-headings have been included for ease of reference only and this Deed is not to be construed or interpreted by reference to such headings or sub-headings;
 - (vii) any Schedules to this Deed are to be read and construed as part of this Deed.

2. COMMITMENT BY THE PARTIES

2.1 The Parties will have regard to the following principles in the application of this Deed:

- (a) The Parties each have a common interest in, and responsibility for, public safety in the municipality of Darwin.
- (b) The Parties are committed to adopting a constructive, collaborative and cooperative approach in their common pursuit of enhancing public safety through the presence of the CCTV System.
- (c) Subject to the terms of this Deed, the Parties will share general information about public safety that may assist or inform the other Party to promote public safety.
- (d) The Parties agree to promote the CCTV System and the relationship between the Parties in respect to the CCTV System.

3. GRANT OF LICENCE

3.1 Licence

- (a) The DCC grants to the Territory a fee free irrevocable and perpetual licence to access and occupy the Land for the purpose of the installation and Maintenance of the CCTV System subject to the terms and conditions of this Deed.
- (b) Save for Emergency Maintenance, the Territory will, a minimum of 5 Business Days prior to the date on which the Territory intends to access the Land for the purpose of Installation or Maintenance, give notice to the DCC:
 - (i) specifying the day or days on which access is required, and

- (ii) identifying the part or parts of the Land to which access is required; and
- (iii) identifying the type of Installation or Maintenance required

3.2 Third Parties

- (a) Where a third party has, as at the date of this Deed, exclusive possession of the Land or part of it (for example the Land has been leased by DCC to a third party), the DCC will support the Territory in efforts to procure a fee free irrevocable and perpetual licence in favour of the Territory to access that part of the Land for Installation and Maintenance.
- (b) The DCC must ensure that the terms of any agreement entered into with a third party after the date of this Deed in relation to the Land is not inconsistent with this Deed.

4. RESPONSIBILITIES & OBLIGATIONS

4.1 The Territory

- (a) The Territory acknowledges that it is responsible for:
 - (i) supplying, installing, maintaining and monitoring the CCTV System including providing data and power, connectivity and replacement or repair of CCTV infrastructure damaged by accident, acts of vandalism or acts of God;
 - (ii) costs of Installation and Maintenance;
 - (iii) signage in connection with the presence of CCTV cameras;
 - (iv) obtaining all necessary consents, approvals, permits and licences from relevant authorities in connection with Installation or Maintenance;
 - (v) liaising with the Power and Water Corporation (PWC) for the purpose of maintaining or providing sufficient lighting for the effective operation of the CCTV System;
 - (vi) ensuring that the CCTV System employs zone blanking to protect the privacy of residents;
 - (vii) recording and investigating complaints by the public in connection with the CCTV System;
 - (viii) maintaining a disposal schedule for the CCTV System.
- (b) In undertaking Installation and Maintenance, the Territory will:
 - (i) act diligently, effectively and in a proper and workmanlike manner;
 - (ii) ensure its personnel are suitably qualified and experienced; and
 - (iii) leave the Land clear of rubbish and refuse resulting from the carrying out of the works.
- (c) The Territory acknowledges that it will be liable for loss of or damage to any property, or injury or death to any person, arising directly from the Territory's negligent, unlawful or wilful act or omission in the course of Installation or Maintenance, except to the extent that the

loss, damage, injury or death was caused by or contributed to by another person, including the DCC.

- (d) Prior to installation of the CCTV System or part of it, the Territory will consult with the DCC concerning the numbers, location and installation of the CCTV Infrastructure.
- (e) Nothing in this Deed obliges the Territory to operate, maintain or monitor the CCTV System for the benefit of or on behalf of the DCC.

4.2 Darwin City Council

- (a) DCC acknowledges it is responsible for:
 - (i) doing all things reasonably necessary to facilitate ongoing Installation and Maintenance by the Territory;
 - (ii) subject to clause 4.1(c), replacement or repair of damaged Infrastructure and equipment owned, controlled or managed by DCC, however caused, where the damage may impact the effective operation of the CCTV System;
 - (iii) costs of power usage of the CCTV Infrastructure (up to a maximum of 50 cameras) located on DCC owned Land or lighting poles located on DCC Land;
 - (iv) refer to the Territory complaints by the public in connection with the CCTV System;
 - (v) on written request from the Territory, take such action as is necessary to ensure the continued effective operation of the CCTV System on the Land, including without limitation:
 - A. Limited Pruning of trees, shrubs or vegetation on DCC controlled Land. In cases where Limited Pruning will not achieve the desired outcome for the CCTV System, and DCC determine that the form or structure of the particular tree cannot be compromised, then camera relocation shall be the preferred option.
 - B. Consulting with the Territory in relation to the planting of trees in the general proximity of CCTV System equipment
 - C. Removing any other obstruction or impediment owned or controlled by DCC, on DCC controlled Land.
- (b) If the DCC fails to take action within 20 Business Days of notification under clause 4.2(a)(v), the Territory may perform the activities referred to in clause 4.2(a)(v) itself to ensure the continued effective operation of the CCTV System.
- (c) The DCC releases, to the full extent permitted by law, the Territory from all responsibility or liability for loss of or damage to any property, or injury or death to any person, arising out of works undertaken by the Territory pursuant to clauses 4.2(b) and (c).
- (d) the DCC will promptly notify the Territory:
 - (i) of any relevant matter that may affect the Territory's ability to undertake Installation or Maintenance;
 - (ii) of any works on the Land that may affect the operation of the CCTV System.

- (iii) of any inappropriate street lighting in the vicinity of the CCTV Infrastructure that may impact the effective operation of the CCTV System;
 - (iv) of loss, theft, damage or unauthorised use of the CCTV Infrastructure on the Land or part thereof,
- of which the DCC is or becomes aware,
- (e) Notwithstanding clauses 4.2(a)(v) and 4.2(b), the Territory may perform the activities referred to in clause 4.2(a)(v) itself without giving DCC written notice and/or without allowing DCC 20 Business Days to take action, if the Territory reasonably believes such action is necessary as Emergency Maintenance.

5. OWNERSHIP OF THE CCTV SYSTEM

- (a) The Parties acknowledge that the CCTV Infrastructure is owned by, and at all times remains the property of, the Territory.

6. INFORMATION SHARING

6.1 Application of the Information Act

- (a) The Parties acknowledge that they are subject to the requirements of the *Information Act*.
- (b) Nothing in this Deed obliges the Parties to use or disclose information other than in accordance with the *Information Act*.

6.2 Disclosure of information

- (a) The Parties acknowledge that images and footage of persons derived from the CCTV System ("the Images") are personal information for the purpose of the *Information Act*.
- (b) On written application by the DCC, the Territory will release relevant Images to the DCC where the Territory, in its sole discretion, is satisfied that the Images are necessary to investigate, prosecute or punish the commission of an offence against a law (including statutes, regulations and by-laws) administered by the DCC.
- (c) Nothing in this Deed obliges the Territory to release information, documentation or Images to the DCC other than in accordance with this clause.

6.3 Intellectual property

- (a) Any intellectual property rights and title to or in relation to the Images (including copies of the Images in whatever form and by whomsoever made) remains with the Territory.

7. DISPUTES

- (a) The Parties agree to promptly and in good faith, address any dispute between them in connection with the CCTV System or this Deed ("the Dispute") and endeavour to resolve the Dispute by way of negotiated resolution.
- (b) If the Dispute is not resolved within ten (10) Business Days, or such further period as the Parties may agree, then Dispute shall be referred

to the Chief Executive Officers of the Parties who will meet to seek to resolve the Dispute or agree upon a process for resolving the Dispute.

- (c) The Parties will not make public comment in connection with or relevant to the Dispute until such time as the process in this clause is complete.

8. TERMINATION

8.1 Mutual termination

The Parties may mutually terminate this Agreement at any time.

8.2 Termination for breach

A Party may terminate this Deed immediately by notice in writing if the other Party breaches any provision of this Deed and such breach is not remedied within 5 Business Days of receipt of a written notice by the offending Party of such breach.

9. NOTICES

9.1 Form and Service of Notices

- (a) All notices, approvals, consents, demands or other communications ("Notices") required or permitted to be given under this Deed must be in writing, and signed by a person duly authorized by the sender and served:

- (i) personally; or
- (ii) by pre-paid certified post; or
- (iii) by facsimile transmission; or
- (iv) by email,

at the recipient's address for the service of notices specified in the Details, as varied by any notice given by the recipient to the sender.

9.2 Receipt of Notices

- (a) Notices are deemed to be given by the sender and received by the recipient, if:

- (i) given by delivery in person, when delivered to the recipient;
- (ii) sent by mail, on the second Business Day from and including the date of posting; or
- (iii) sent by facsimile, on receipt of a complete and correct transmission report by the sender; or
- (iv) if sent by email, when the email is received at the specified email address,

but if the delivery, receipt or transmission is not on a Business Day or is after 4.00pm (recipient's time) on a Business Day, the Notice is taken to be received at 9.00am on the next Business Day.

10. CONFIDENTIAL INFORMATION

10.1 Interpretation

- (a) For the purposes of this clause "Confidential Information" means any information or material relating to this Deed provided by or for one Party to the other Party, including but not limited to:
 - (i) any information that by its nature is confidential;
 - (ii) any information designated as confidential by the Party by or for whom the information is provided; and
 - (iii) any information that the recipient of the information knows is confidential.

10.2 Use of Confidential Information

- (a) Each Party must hold all Confidential Information of the other Party in confidence and must not make any use of it, except for the purposes of performing its obligations or exercising its rights under this Deed and must not disclose or permit or cause the Confidential Information of the other Party to be disclosed to any person, except:
 - (i) as authorised by the other Parties under this Deed or otherwise;
 - (ii) to its employees or contractors, to the extent needed to perform their obligations under this Deed;
 - (iii) which is required to be disclosed by law or the rules and requirements of a stock exchange; and
 - (iv) in the case of the Territory, to the Parliament, the Administrator, Cabinet, a Minister or any Parliamentary, Ministerial or Cabinet Committee of the Territory.

11. MISCELLANEOUS

11.1 Compliance with laws

The Parties must comply with all laws, regulations and by-laws in force in the Territory from time to time.

11.2 No merger

Notwithstanding the termination of this Deed, all provisions of this Deed which are capable of taking effect after termination shall continue to remain in full force and effect.

11.3 Entire Agreement

This Deed constitutes the entire agreement between the Parties and overrules any previous agreement or understandings between the Parties.

11.4 Variation

This Deed may be varied in writing signed by the Parties.

11.5 Costs

The Parties will each pay their own costs of and incidental to this Deed.

11.6 Further acts

Each Party will promptly do and perform all acts and execute and deliver all documents (in a form and context reasonably satisfactory to that Party) required by law or reasonably requested by the other Party to give effect to this Deed.

Executed as a Deed.

SIGNED by **BRUCE WERNHAM** for and on)

behalf of the **NORTHERN TERRITORY**)

OF AUSTRALIA pursuant to a)

delegation under the *Contracts Act*)

in the presence of:)

.....

DATE:

.....
Witness

The **COMMON SEAL** of the **DARWIN**)

CITY COUNCIL is hereunto affixed)

in pursuance of a resolution of the)

Council and in accordance with the *Local*)

Government Act in the presence of:)

.....
Mayor

.....
Chief Executive Officer

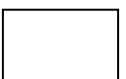
.....
Date

13 OFFICER'S REPORTS

13.7 **CBD Parking Advisory Committee - Community Representatives**

Report No. 09TS0227LC:kb (08/12/09) Common No. 428253

Report Number. 09TS0227LC:kb attached



ENCL: YES

DARWIN CITY COUNCIL
REPORT

DATE: 08/12/09

TO: 2ND ORDINARY COUNCIL/OPEN

APPROVED: LC

FROM: GENERAL MANAGER INFRASTRUCTURE

REPORT NO: 09TS0227LC:KB

COMMON NO: 428253

SUBJECT: CBD PARKING ADVISORY COMMITTEE - COMMUNITY REPRESENTATIVES

ITEM NO: 13.7**SYNOPSIS:**

Council recently called for nominations to it's CBD Parking Advisory Committee. Nominations for all positions with the exception of the one (1) Community representative was filled. No nominations were received for the community position and the position was readvertised.

This report seeks endorsement of a nomination for the one (1) position of Community representative for the term concluding on 30 June 2011.

GENERAL:

Nominations for the one (1) community representative on the Darwin City Council CBD Parking Advisory Committee were re-sought after no nominations were received following the first call for nominations.

Advertisements seeking nominations were placed in the NT News and on the Council website. A total of five (5) nominations were received.

The nominations are as follows:

- Martin Jeffrey Blakemore
- Richard Kenneth Bowman JP
- David Cvirn
- Brendan Dunn
- Robin Knox

The nomination forms are attached (**Attachment A**).

PAGE: 2
 REPORT NUMBER: 09TS0227LC:kb
 SUBJECT: CBD PARKING ADVISORY COMMITTEE - COMMUNITY REPRESENTATIVES

Correspondence received by the President of the Urban Development Institute of Australia Northern Territory (UDIA NT) indicates that the nomination is to represent UDIA NT. The advertised position was for a community member.

UDIA NT is a recently formed group in the Northern Territory. The President of UDIA NT states that they “represent the interest of Property Developers and Associated industries in the Northern Territory.”

Council's endorsed composition of the Committee does not include a specific position for UDIA NT. It will be recommended that Council modify the composition of the Advisory Committee to allow for one (1) representative from UDIA NT given the representation of the group.

FINANCIAL IMPLICATIONS:

There are no financial implications at this stage.

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

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

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.3 Support the NT Government's Ribbons of Green and CBD entry node upgrade initiatives.

Goal

3 Assist Individual and the Community Stay Connected with the Darwin Region

Outcome

3.2 Enhance transport systems

Key Strategies

3.2.1 Review transport and parking needs.

PAGE: 3
 REPORT NUMBER: 09TS0227LC:kb
 SUBJECT: CBD PARKING ADVISORY COMMITTEE - COMMUNITY REPRESENTATIVES

3.2.3 Provide parking facilities and management systems which meet the needs of the community.

LEGAL IMPLICATIONS:

Nil

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

Nil

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Not applicable

CONSULTATION:

Not applicable

PROPOSED PUBLIC CONSULTATION PROCESS:

Not applicable

APPROPRIATE SIGNAGE

Not applicable

PAGE: 4
 REPORT NUMBER: 09TS0227LC:kb
 SUBJECT: CBD PARKING ADVISORY COMMITTEE - COMMUNITY REPRESENTATIVES

RECOMMENDATIONS:

- A. THAT Report Number 09TS0227 LC:kb entitled, CBD Parking Advisory Committee - Community Representatives, be received and noted.
- B. THAT Council endorses (Insert Name)..... as the Community representative to the Darwin City Council CBD Parking Advisory Committee for a period of 15 December 2009 to 30 June 2011.
- C. THAT the composition of Darwin City Council CBD Parking Advisory Committee be modified to include one (1) representative from the Urban Development Institute of Australia Northern Territory.
- D. THAT Council endorse the nomination of Mr David Cvirn or their delegate as the representative of UDIA NT for a period of 15 December 2009 to 30 June 2011.

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to Luccio Cercarelli on 898300581 or l.cercarelli@darwin.nt.gov.au



NOMINATION FOR MEMBERSHIP OF DARWIN CITY COUNCIL'S CBD PARKING ADVISORY COMMITTEE

RECEIVED RECORDS
25 NOV 2009
FILED

Please complete this nomination form for membership of the Darwin City Council's CBD Parking Advisory Committee. Nominations should be received by 30 September 2009.

Advisory Committee: CBD Parking Advisory Committee

Organisation Represented: (if applicable) NIL
(Please note if you are representing an organisation a letter of support is required from the relevant organisation)

Nominee's Name: MARTIN JEFFREY BLAKEMORE

Address for correspondence: Postcodes

Contact Phone No: Home: Work: Mobile:
E-mail:

Community Member Nomination: Yes ☒ No ☐ (Circle)

Please provide details as to the experience, knowledge and skills you feel you could bring to the Advisory Committee.
(Please feel free to attach to this document, nomination might like to consider this in relation to the terms of reference for the Advisory Committee)

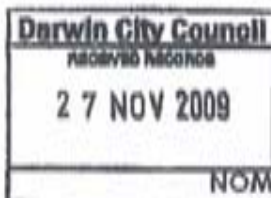
I have previous experience working with Local Council Advisory Committees, also I have evaluation & monitoring skills, budgeting, program development and communication skills.

What is your reason for wanting to nominate for membership of the CBD Parking Advisory Committee?

I want to be more actively involved with the community and contribute my skills and experience to this committee. I currently work in the CBD (Darwin) and would like to be an independent voice for this issue.

Signature: M. Blakemore (Date: 24/11/09)

Please return nominations by 30 ~~September~~ ^{November} 2009
Darwin City Council, GPO Box 84 DARWIN NT
Email: ccc@darwin.nt.gov.au



**NOMINATION FOR MEMBERSHIP OF
DARWIN CITY COUNCIL'S
CBD PARKING ADVISORY COMMITTEE**

Please complete this nomination form for membership of the Darwin City Council's CBD Parking Advisory Committee. Nominations should be received by 30 September 2009.

Advisory Committee: CBD Parking Advisory Committee

Organisation Represented: (if applicable) TAXI COUNCIL OF THE NORTHERN TERRITORY
(Please note if you are representing an organisation a letter of support is required from the relevant organisation)

Nominee's Name: RICHARD KENNETH BOWMAN JP

Address for correspondence:

..... Postcode:

Contact Phone No Home:

Work:

Mobile:

E-mail:

Community Member Nomination: ☒ Yes / No (Circle)

Please provide details as to the experience, knowledge and skills you feel you could bring to the Advisory Committee.

(Please feel free to attach to this document, nominees might like to consider this in relation to the Terms of Reference for the Advisory Committee)

I am a retired qualified accountant with a great variety of Accounting experience. I have many years of involvement in Community Organisations including.....

Chairman of Darwin Regional Crime Prevention Council, Director/Secretary/Treasurer of Crime Stoppers NT, Director of Crime Stoppers Australia and I am currently a Board member of the Freemantle Village precinct at Stokes Creek Parap.

What is your reason for wanting to nominate for membership of the CBD Parking Advisory Committee?

As an owner/driver of a Darwin Taxi, I see both day and night the parking problems that occur in the Darwin CBD. I feel my input to this committee will be of great value in arriving at a workable solution.

Signature: R Bowman

Date: 26th November 2009

Please return nominations by 30 September 2009
Darwin City Council GPO Box 84 DARWIN NT

TAXI COUNCIL of N.T.

25th November 2009

Darwin City Council
G.P.O. Box 84
Darwin N.T. 0801

Reference; Darwin C.B.D Parking Advisory Committee;

Dear Sir,

I am writing to confirm the Taxi Council N.T.'s
Endorsement of one of our Board of Management members;

Mr. Richard Bowman B. Bus. Acc.
of

As an applicant for a position on the above Advisory Committee,
Richard is a long time Territorian and is an owner operator of a
Taxi in Darwin.

Should he be appointed he will bring an informed and educated,
wealth of knowledge to your committee, and has undertaken to
represent the views of the Taxi Council of the N.T.

Should you require any further information regarding Richard
Bowman please don't hesitate to make contact with the Taxi
Council N.T.

Yours sincerely,



Collin Newman.
Executive Officer.

FREECALL

1800 444 304

P.O. Box 930

PARAP N.T.

0804



B & A DISPATCH SERVICES PTY LTD trading as

DARWIN RADIO TAXI

Incorporating YELLOW CABS NT, TAXIS AUSTRALIA

A.C.N. 089 044 217 A.B.N. 78 089 044 217

GPO Box 801, Darwin, NT 0801

Ph - 08 8985 0799

Fax - 08 8948 4895

Email - drtaxi@westnet.com.au

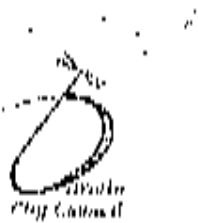
TO WHOM IT MAY CONCERN

I wish to support the application of **RICHARD BOWMAN** for his application for membership to the City Council's CBD Parking Advisory Committee.

Richard is a well respected member within our taxi fleet and is also a Committee Member of the Taxi Council NT.

Richard's input for the CBD Parking Advisory Committee would be an asset.

Ray Waters
Managing Director



NOMINATION FOR MEMBERSHIP OF DARWIN CITY COUNCIL'S CBD PARKING ADVISORY COMMITTEE

Please complete this nomination form for membership of the Darwin City Council's CBD Parking Advisory Committee. Nominations should be received by 30 September 2009.

Advisory Committee: CBD Parking Advisory Committee

Organisation Represented (if applicable) Urban Development Institute of Australia (NT Branch)

(Please note if you are representing an organisation a letter of support is required from the relevant organisation)

Nominee's Name: David Cavin

Address for correspondence:

Contact Phone No: Home:
Work:
Mobile:

E-mail:

Community Member Nomination: No (Circle)

Please provide details as to the experience, knowledge and skills you feel you could bring to the Advisory Committee.

(Please find how to attach to this document. Nominees might like to consider this in relation to the Terms of Reference for the Advisory Committee)

David is the General Manager of Toga Developments in the Northern Territory
David is responsible for the design and construction of the new Waterfront Development

What is your reason for wanting to nominate for membership of the CBD Parking Advisory Committee?

David will be representing the UDIA NT. The UDIA represents Property Developers and associated business in Darwin

Signature:

Date:

Please return nominations by 30 September 2009
Darwin City Council, GPO Box 84 DARWIN NT
Email dcg@darwin.nt.gov.au
Tel: 08 8930 0561 Fax: 08 8930 0311



17th November 2009

Darwin City Council
GPO Box 84
Darwin NT 0801

Re : CBD Parking Advisory Committee

Dear Sir / Madam,

We have recently formed the Northern Territory branch of the Urban Development Institute of Australia. We represent the interests of Property Developers and Associated Industries in the Northern Territory,

In response to your advertisement seeking nominations for a CBD advisory committee we have formed a sub-committee of three members and would like to nominate Mr. David Olyn as our representative on your committee.

David is the General Manager of Toga Developments who are responsible for the delivery of medium and high density residential and commercial building at the new waterfront.

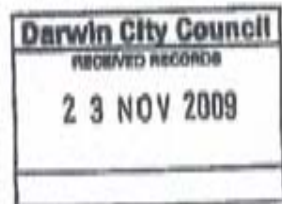
David has no direct conflict of interest in relation to CBD parking but has extensive knowledge of the relative issues.

Yours sincerely

Kerry Osborne
President UDA NT



**NOMINATION FOR MEMBERSHIP OF
DARWIN CITY COUNCIL'S
CBD PARKING ADVISORY COMMITTEE**



Please complete this nomination form for membership of the Darwin City Council's CBD Parking Advisory Committee. Nominations should be received by 30 September 2009.

Advisory Committee: CBD Parking Advisory Committee

Organisation Represented: (if applicable)

(Please note if you are representing an organisation a letter of support is required from the relevant organisation)

Nominee's Name: Brendan Dunn.....

Address for correspondence:

.....

Contact Phone No Home:
 Work:
 Mobile:
 E-mail:

Community Member Nomination: Yes / No (Circle)

Please provide details as to the experience, knowledge and skills you feel you could bring to the Advisory Committee.

(Please feel free to attach to this document, nominees might like to consider this in relation to the Terms of Reference for the Advisory Committee)

LJH Commercial manages a number of car parking facilities throughout the CBD. As the General Manager of LJH Commercial Darwin I have hands on experience in the letting and management of car bays within these facilities and as such have a sound understanding of the market for CBD car parking.

As I move constantly around the CBD each day as part of my daily work I also understand car parking from a user's perspective.

What is your reason for wanting to nominate for membership of the CBD Parking Advisory Committee?

I was a member of the previous CBD Parking Advisory Committee and want to continue to contribute to what I believe is an important issue for the future of Darwin City.

Signature: 

Date: 

Please return nominations by 30 September 2009

Darwin City Council, GPO Box 84 DARWIN NT

Email dcc@darwin.nt.gov.au

08 8920 0311



NOMINATION FOR MEMBERSHIP OF DARWIN CITY COUNCIL'S CBD PARKING ADVISORY COMMITTEE

Please complete this nomination form for membership of the Darwin City Council's CBD Parking Advisory Committee. Nominations should be received by 30 September 2009.

Advisory Committee: CBD Parking Advisory Committee

Organisation Represented: (if applicable) ...COOLmob., a project of the Environment Centre NT.
(Please note if you are representing an organisation a letter of support is required from the relevant organisation)

Nominee's Name: Robin Knox

Address for correspondence:

Contact Phone No Home:
Work:
Mobile:

E-mail:
.....

Community Member Nomination: Yes / No (Circle)

Please provide details as to the experience, knowledge and skills you feel you could bring to the Advisory Committee.
(Please feel free to attach to this document, nominees might like to consider this in relation to the Terms of Reference for the Advisory Committee)

As a long term Darwin resident (since 1979) I have the following experience:-

- Served on numerous committees from school councils, to sports club's and refugee committees
- Financial and project management experience and qualifications in business and many years work experience
- An interest in the planning and development of Darwin city as an efficient working city
- Have an historical perspective of the cities development and change over 30 years, including the expansion to the waterfront area
- As a city worker, as well as someone who frequents the city after hours, I understand the varied parking needs for the many different ways people use Darwin city
- As a community organisation representative, (of COOLmob) I have an obligation to put forward the many perspectives presented to COOLmob from businesses, developers, city users, residents and commuters
- COOLmob has links with other organisations such as Palmerston City Council and NT Government Transport Department and community groups such as Bicycles NT (who also need parking, as do scooters, motor bikes and commercial vehicles)
- COOLmob is aware of the need for a variety of adequate parking, appropriately located, in order for Darwin City to grow and remain vibrant and to complement other means of transport.

What is your reason for wanting to nominate for membership of the CBD Parking Advisory Committee?

As a long term resident of Darwin I love the city and care about its development and functionality.

Through my work as COOLmob Project Manager I am frequently informed by the public of their opinions in relation to the built and natural environment, transport, new development and energy consumption. The public and business people frequently consult and put forward their opinions to COOLmob in the hope that through COOLmob their voice will be heard.

I have a working relationship with Darwin City Council on a number of issues such as waste and recycling, vegetation, cycling, planning and climate change issues. Therefore I think I can bring the views of city users, businesses, residents, planners and developers to be taken into consideration for future parking planning.

Signature:

Date: .17 Nov 2009

Please return nominations by 30 September 2009

Darwin City Council, GPO Box 84 DARWIN NT

Email dcc@darwin.nt.gov.au

Tel: 08 8930 0581 Fax: 08 8930 0311

From: COOLmob
Sent: Friday, 20 November 2009 10:28:08 AM
To: Darwin City Council
Subject: Parking Committee

I am posting my signed application but attached is a digital copy,
Cheers Robin



Robin Knox, COOLmob Project Manager

If you would like to receive the bimonthly COOLmob email newsletter or get involved with COOLmob activities please email or phone COOLmob.



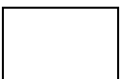
Please consider the environment before printing this e-mail

13 OFFICER'S REPORTS

13.8 Shenannigans Irish Pub – Alfresco Dining Permit

Report No. 09A0222 FC:lc (13/12/09) Common No. 370508

Report Number. 09A0222 FC:lc attached



ENCL: YES

DARWIN CITY COUNCIL

DATE: 13/12/09

REPORT

TO: ORDINARY COUNCIL MEETING

APPROVED: FC

FROM: GENERAL MANAGER CORPORATE
SERVICES

APPROVED: LC

REPORT NO: 09A0222 FC:lc

COMMON NO: 370508

SUBJECT: SHENANNIGANS IRISH PUB – ALFRESCO DINING PERMIT

ITEM NO: 13.8

SYNOPSIS:

This report recommends supporting a request from Mr Justin Coleman to extend Shenannigans Irish Pub Alfresco Dining Permit to 21 August 2016 with a five (5) year option to 21 August 2021.

The report also supports a request from Mr Coleman to vary the Alfresco Dining Policy to allow patrons to stand within the alfresco area provided sufficient seating is available for 80% or more of patrons.

Mr Coleman has requested this amendment to Council's Alfresco Dining Policy following the NT Government's recent announcement in relation to smoking legislation banning smoking within licensed hotels from the 2nd January 2010. Mr Coleman has stated that to continue to comply with Council's Alfresco Dining Policy requiring ***"Patrons shall consume alcohol only whilst seated at a table"*** will become very problematic, making Shenannigans less competitive compared to other alfresco dining areas on Mitchell Street and will prove difficult to enforce.

GENERAL:

Shenannigans Irish Pub commenced their alfresco dining permit with Council in May 2003 comprising an area of 128m² directly adjacent to their licensed premises at 69 Mitchell Street. Their current permit is due to expire on the 15 May 2013.

In December 2008, De Silva Hebron acting on behalf of Shenannigans Irish Pub wrote to Council requesting to amend the permit to extend the terms to reflect the period of the leased premises, i.e. commencing on the 21 August 2011 for five (5) years to 2016 with a further five (5) year option to 21 August 2021.

PAGE: 2
 REPORT NUMBER 09A0222
 SUBJECT: SHENANNIGANS IRISH PUB – ALFESCO DINING PERMIT

In January 2009, Council Officers responded supporting the proposal, however deferred referring the matter to Council pending a review of Council's Alfresco Dining Policy and the implications of any smoking legislation introduced by the NT Government.

In September 2009, the NT Government announced that indoor areas in NT pubs and clubs will be smoke free from the 2 January 2010 and by 2011 50% of all outdoor venues will become smoke free.

A condition of Council's Alfresco Dining Policy requires that all patrons must be seated while consuming alcohol within Council controlled land.

Mr Coleman has written to Council (Attachment A) seeking a review of this condition on the basis that the new smoking legislation will make the enforcement of such a condition very problematic and uncompetitive for those pubs that occupy Council controlled land.

Mr Coleman states that this condition of the Alfresco Dining Policy is extremely difficult to enforce and creates confusion for patrons. The basis of his argument is that this condition does not apply to non alcoholic drinks and does not apply to similar alfresco dining venues along Mitchell Street which are not within Council controlled land. Venues such as Wisdom Bar and the Tap Bar have a distinct competitive advantage as a result.

Mr Coleman states these issues will be further exacerbated with the new smoking legislation as patrons migrate outside to smoke, most of whom will carry an alcoholic drink but may not wish to be seated.

A condition of the Licensing Commission in relation to the use of private property for alfresco dining provides that "seating must be available for 80% of the maximum number of potential patrons" within that area. This condition applies to all licensed premises within Mitchell Street and works effectively, achieving the desired objectives to encourage patrons to be seated.

Mr Coleman has requested that Council's Alfresco Dining Policy be varied to reflect this condition of the Licensing Commission.

In addition Mr Coleman has requested a limited number of bar stools and raises tables also be allowed.

ALFRESCO DINING POLICY

A copy of Council's Alfresco Dining Policy is attached for information, Attachment B.

The key conditions are contained within ***Decision 18\2571 (13/11/01)***

Council will allow the serving of Alcohol without a meal during the period 8.00 pm to 2.00 am the following day.

PAGE: 3
 REPORT NUMBER 09A0222
 SUBJECT: SHENNANNIGANS IRISH PUB – ALFESCO DINING PERMIT

Council will allow the serving of Alcohol with a meal during the period 11.30 am until 8.00 pm .provided the following criteria are met:

- *Patrons shall consume alcohol only whilst seated at a table (bar stools and raised tables will not be approved).*
- *The area shall be clearly delineated with the use of barriers to the satisfaction of the Director of Technical Services.*
- *Adjacent footpaths shall be controlled in such a manner to minimise disruption to the Public.*
- *Substantial meals and non-alcoholic drinks shall be available on request.*
- *The area shall at all times have the appearance of and trade predominantly as a outdoor dining area.*
- *Prior approval of Council and the NT Liquor Commission.*
- *Noise Levels should be limited to a level that would not cause unreasonable disturbance to the ordinary comfort of ordinary occupiers of any residential premises.*

In considering Council's policy position in relation to the consumption of alcohol and tobacco within Council's alfresco dining areas, Council Officers contacted a number of interstate Councils to determine their policy position. The majority stated that they imposed no direct permit conditions on the permit holder in relation to the consumption of alcohol. The consumption and control of alcohol was exercised through the respective State Liquor Licence Authorities. Council's ability to influence social policy was exercised through the formal liquor license application process.

On the broader issue of the consumption of alcohol across the cities, Adelaide and Sydney have extensive policies addressing the matter and have various alcohol free zones across the city - "Adelaide City Council – Liquor Licensing Policy, Sydney City Council – Drug and Alcohol Strategy". However there is debate in relation to the success of these policies due to the difficulties of enforcement.

In relation to the consumption and control of tobacco in public places those Council's contacted advised that it is the States responsibility for the regulation and enforcement of smoke free areas. The majority of local government Councils contacted stated they made no provision within their alfresco dining permit to regulate or control the consumption of tobacco. Other than implementing butt free programs within the city, no local Council advised they were taking a lead role in this area.

In Hobart the State Government was approached to consider introducing state legislation deeming alfresco areas as smoke free, however the Premier advised that the Government had already introduced a significant range of measures in relation to smoke free legislation. Consultation undertaken with local businesses identified issues of concern in relation to marginalisation of customers, imposition or regulation, enforcement responsibility and loss of profits.

Any changes to Council's Alfresco Dining Policy will have a direct impact on the following permit holders:

- Duck Nuts
- The Fox

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 SUBJECT: SHENNANNIGANS IRISH PUB – ALFESCO DINING PERMIT

- Shenannigans
- Wisdom Bar
- Monsoons
- Outback Jacks
- Montys on the Mall
- Chianti's Café Restaurant
- Coffee Club
- East West Restaurant
- Istanbul Café
- Garam Masala
- Pizza Pasta Pasta Pizza
- Takagi
- The Deck Bar
- The Groove Cafe

FINANCIAL IMPLICATIONS:

The permit is reviewed annually to the consumer price index.

STRATEGIC IMPLICATIONS:

Goal

3 Assist Individuals and the Community Stay Connected with the Darwin Region

Outcome

3.1 Promote the use of public spaces

Key Strategies

3.1.1 Enhance public spaces and encourage greater use by the community

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

LEGAL IMPLICATIONS:

The issue of new permit for five (5) years to 21 August 2016 and a further option to 21 August 2021.

ENVIRONMENTAL IMPLICATIONS:

Smoking laws

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SUBJECT: SHENNANNIGANS IRISH PUB – ALFRESCO DINING PERMIT

PUBLIC RELATIONS IMPLICATIONS:

Competitiveness of venues

COMMUNITY SAFETY IMPLICATIONS:

Smoking legislation

PLANNING:

Nil

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE:

Nil

RECOMMENDATIONS:

- A. THAT Report Number 09A0222 entitled, Shenannigans Irish Pub – Alfresco Dining Permit, is received and noted.
- B. THAT Council approve the renewal of Shenannigans Irish Pub Alfresco Dining Permit to 21 August 2016 with a five year option to 21 August 2021.
- C. THAT Council approve the attached varied Alfresco Dining Policy to reflect the current conditions of the Liquor Licensing Commission to allow patrons to stand within the alfresco dining area provided seating is available for a minimum of 80% of patrons within the licensed area and that a limited number of bar stools and raises tables also be allowed comprising no more than 10% of the total required seating.

LIAM CARROLL
MANAGER BUSINESS SERVICES

FRANK CRAWLEY
**GENERAL MANAGER CORPORATE
SERVICES**

Any queries on this report may be directed to Liam Carroll on 8930 0559 or
l.carroll@darwin.nt.gov.au

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Page 1 of 1

Liam Carroll

From: Justin Heath [Justin.Heath@nt.gov.au]
Sent: Tuesday, 5 October 2009 9:22 AM
To: Liam Carroll
Subject: Tobacco reforms

Dear Mr. Carroll

I have been asked by Warwick to provide some information on the changes to the Tobacco Control legislation and regulation. The press release on the changes to tobacco control legislation provided by the Minister for Health on 10 September 2009 can be viewed at:

<http://newsroom.nt.gov.au/index.cfm?fuseaction=viewRelease&id=5994&d=5>

In essence, the changes to smoking in public areas include:

- A ban on smoking in all enclosed public areas including pubs and clubs.
- A ban on smoking in outdoor dining and drinking areas to commence on 2 January 2010, with an exemption to liquor licensed premises until 2 January 2011.
- After January 2011, liquor licensed premises will be able to exempt up to 50% of the outdoor area from the ban in accordance with the 'Outdoor Smoking Area' (OSA) guidelines (in development).

A Tobacco Action Taskforce has been established to advise on the implementation of the legislative and regulatory amendments. This taskforce comprises of representatives from the AHA, peak health groups, Department of Health and Families and Department of Justice.

Regards,

Justin Heath Senior Policy Officer, Alcohol and Other Drugs Program
Department of Health and Families, Northern Territory Government
Health House 87 Mitchell Street Darwin NT 0800, PO Box 40596 Casuarina NT 0811
p 61 8 8999 2729 f 61 8 8999 2420 e justin.heath@nt.gov.au www.nt.gov.au/health

06/10/2009

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Northern Territory Government - Breathe Easier in Pubs and Clubs from 2010

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Kon Vatskalis
 MINISTER FOR HEALTH



10 September 2009

Breathe Easier in Pubs and Clubs from 2010

Indoor areas of NT pubs and clubs will be made smoke-free from 2 January 2010, and 50% of these venues' outdoor areas will become smoke free by 2011, Health Minister Kon Vatskalis said today.

Mr Vatskalis said this was in line with NT Government policy announced last year to ban smoking inside pubs and clubs.

"Additionally all outdoor facilities of these venues must be fifty per cent smoke-free by 2 January 2011, allowing enough time for pubs and clubs to make any necessary modifications to comply with the new legislation," he said.

"These new tobacco laws will provide a range of measures aimed at protecting staff and patrons from the harmful effects of cigarette smoke, and making it more enjoyable for everyone to have a night out," Mr Vatskalis said.

"Surveys consistently show that whilst the majority of Territorians do not smoke there are still high rates of smoking in both the Aboriginal and the non-Aboriginal populations," said Mr. Vatskalis.

"Twenty per cent of adult deaths in the NT and a significant number of hospital admissions are directly attributed to smoking, and the harmful effects of smoking are evident before birth, with consequences that span a lifetime."

The new reforms add to current bans that prohibit smoking in restaurants and cafes, shopping centres, underage music and dance events and all NT Hospitals and health centres.

To help make these transitions as smooth as possible, the NT Government will work closely with the newly formed Tobacco Action Taskforce. Representatives from the Australian Hotels Association (AHA) and the Good Health Alliance NT (GHANT) have been invited to join the Taskforce.

"Led by an independent chairperson, local solicitor Alan Woodcock, the Taskforce was established to advise on and oversee implementation of all new restrictions affecting licensed premises throughout the NT.

"There's no doubt this government's reform package will improve healthy and recreational lifestyles of Territorians," added Mr Vatskalis.

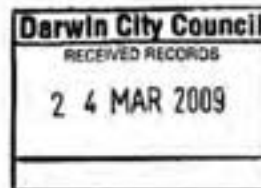
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 REPORT NUMBER: 09A0222
 SUBJECT: SHENNANNIGANS IRISH PUB – ALFRESCO DINING PERMIT



A name easy to remember – An atmosphere hard to forget

23 March 2009

Liam Carroll
 Darwin City Council
 GPO Box 84
 DARWIN NT 0801



Dear Liam,

RE: ALFRESCO DINING POLICY

Thank you for your response to our recent correspondence, and willingness to support our application for an extension to our Alfresco Dining Permit.

You mentioned in your response that Council are currently reviewing the Alfresco Dining Policy, so I thought it timely to write to council to ask if it might consider some key changes that I believe are vital to the continued success of alfresco dining on Council land.

Shennannigans Irish Pub was one of the first venues to introduce alfresco dining on council land. We believe it has been a successful partnership and has helped shape and improve this city's look and feel. It has enabled premises like ours (and others) to take advantage of our largely outdoor lifestyle; and has helped shape Mitchell Street into one of the best and well known entertainment/dining precincts in Australia.

Although we have operated our alfresco dining area for six years now, we have always had difficulties enforcing one of the requirements placed on us by Council and liquor licensing; which is the rule that "patrons must be seated whilst consuming alcohol".

As you could imagine, this is quite a difficult requirement to enforce, given people often walk past a table of someone they know and want to stop and talk whilst they have a drink. People often walk outside to speak on a mobile phone with a drink in their hand and try to consume the drink while standing. We find a number of people also go outside to enjoy a cigarette and like to take their drink with them.

In addition, patrons are allowed to stand and drink other non-alcoholic drinks such as soft drink, water and coffee, they are often confused as to why there should be a difference. Many visitors to Darwin – both regular and not – find the rule quite difficult to understand, particularly in recent times where some newer Venues such as Wisdom Bar, Tap Bar, The Deck Bar and so on, where the outdoor areas are on private land and they are able to stand up and consume alcohol.

As an example of where this regulation has also caused us some difficulty is our annual local sponsorship of the NT Rugby Union, through the Darwin Mosquitoes team. Each year for the past 4-5 years we have held a function for visiting teams and players and this one regulation has caused us embarrassment due to the perceived inflexibility of the rule.

With the introduction of a total ban on smoking inside licensed premises due to come into force on 1st January 2010, and further restrictions set to be placed on outside areas after that; the functionality of licensed venues outdoor areas becomes vital. It would be fair to say that those venues where smokers are allowed to stand and consume alcohol and smoke will have a decided competitive advantage over those where you can't.

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SUBJECT: SHENANNIGANS IRISH PUB – ALFESCO DINING PERMIT

2

I believe the simple solution to resolving the difficulties we face in enforcing the seating requirement in the alfresco dining area is to adopt the similar restrictions that have been placed on outside areas on private property by liquor licensing. Specifically, that is "seating must be available for 80% of maximum patron numbers in a licensed outdoor area". In other words, if an outdoor area is licensed to hold 100 people, then seating must be available for minimum 80 people.

I believe this is a condition on most new licenses in the CBD on private property, including Wisdom Bar, The Deck Bar, The Tap Bar and so on. In the two years since being in operation, it has proven to be quite a successful condition, achieving the required result of having the majority of people seated, whilst allowing the flexibility for people to move around with their drinks and talk to people and/or smoke or talk on their phone. I believe this regulation will also prove to be very effective when the new anti-smoking laws come into play; allowing the venues to have outside smoking and non-smoking areas.

I have discussed this matter with the Chairman of The Liquor Commission, Richard O'Sullivan and he is in support of changing the condition provided Council are also supportive.

As an operator of both styles of venues; particularly The Deck Bar which was the first licence to incorporate the new seating rule, I can categorically say that this approach better suits Darwin's lifestyle and makes for a more relaxed, informal experience for all concerned.

I wish you well in your deliberations and I would be more than happy to meet with you further; or alternatively address Council to provide a personal insight into this issue.

Yours sincerely



JUSTIN COLEMAN
Director

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 REPORT NUMBER 09A0222
 SUBJECT: SHENANNIGANS IRISH PUB – ALFESCO DINING PERMIT

Title: Alfresco Dining - **ORIGINAL**
Policy No: 11
Responsibility: Director Technical Services

Version	Decision Number	Decision Date	History
1	17\2824	16/02/98	Adopted
2	18\2571	13/11/01	Amended
3	18\3034	12/03/02	Amended (deletion of final dot point)
4	19\4604	12/06/07	Reviewed

Overview

The objective of the Alfresco Dining Policy is to facilitate outdoor dining, and in so doing, to improve the amenity of streets and public places, while providing added convenience and economic benefit to the community.

Outdoor dining involves the sale and/or consumption of food at an outdoor eating area or a footpath, road (including roads under the control of Northern Territory Government) or other public place under the care and control of the Darwin City Council.

The Alfresco Dining Policy is applicable across the Darwin Municipal area and has been prepared in consultation with:

- Darwin City Council Aldermen and Staff
- Existing Traders
- Property Owners
- Interested Organisations and Individuals

Alfresco Area Agreements

This policy outline is to be read in conjunction with the standard agreement document (see Attachment A). Alfresco Area Agreements are required for outdoor dining where some fixed infrastructure is involved, ie: fixed shade structures, tables and chairs or other street furniture.

Application Procedures

The procedure to be used in making an application for Alfresco Area Agreements is as follows. The application must be in writing and accompanied by supporting material:

- A dimension drawing indicating the frontage of the site, the position of the tables and street furniture in relation to any existing features such as planter boxes, and the size of the proposed Alfresco Area.
- A photograph or brochure detailing furniture, accessories and fittings intended to be placed in the area.

The Applicant must, if so required, furnish any further relevant information or documents that the Council may need to decide the application.

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 REPORT NUMBER 09A0222
 SUBJECT: SHENANNIGANS IRISH PUB – ALFESCO DINING PERMIT

Where the proposed Alfresco Area will be serviced by adjacent premises, the written permission of the owner of these premises must be provided with the application for the Alfresco Area Agreement.

An application for an Alfresco Area Agreement is not duly made until the applicant has complied with all requirements.

Key Criteria to be Used in Determining an Application

A key determinant will be adjacency to premises that provide access to appropriate toilet facilities to service the Alfresco Area.

The length of the Alfresco Area Agreement will depend on the level of investment. 3 x 3 years for lower levels of infrastructure investment and 5 x 5 years for higher levels when applicable. Where applicable, consideration will also be made for some consistency in the period of the Alfresco Area Agreement and the lease period of the applicant's premises.

The annual rental value of the Alfresco Area Agreement shall be at market value, with consideration for the value of capital improvements made by the person or Company making the agreement.

A Public Liability Policy for not less than \$20m which lists Darwin City Council as an interested party is to be maintained for the Alfresco Area.

A high standard of fittings, such as shade and rain shelters, that meet Building Code requirements where appropriate, is required. These fittings are to be maintained in good state of repair at all times. Darwin City Council must approve the design and materials used. All fittings, including chairs and tables, planter boxes and umbrellas must be in keeping with the character of the area.

Use of quality reusable crockery and cutlery must be in keeping with the standard of furniture and fittings, no disposable containers or cutlery to be used in the food delivery.

Cooking and/or storage of food within the area covered by the Alfresco Area Agreement must relate to the nature of the activity and the size and location of the space provided. Alfresco Area Agreement holders will need to address health and safety issues involved.

The Alfresco Area Agreement will set out a minimum spread of hours of operation with the intent of encouraging the maximum hours of operation, taking into account the trading hours of surrounding businesses and seasonal conditions.

The Alfresco Area is to be kept clean, disposal of generated waste is to be carried out to the satisfaction of the Director Technical Services.

Specific Darwin City Council approval is required for any entertainment or amplified music within the Alfresco Area.

Decision 18\2571 (13/11/01)

PAGE: 12
 REPORT NUMBER 09A0222
 SUBJECT: SHENANNIGANS IRISH PUB – ALFESCO DINING PERMIT

Council will allow the serving of Alcohol without a meal during the period 8.00 pm to 2.00 am the following day.

Council will allow the serving of Alcohol with a meal during the period 11.30 am until 8.00 pm .provided the following criteria are met:

- *Patrons shall consume alcohol only whilst seated at a table (bar stools and raised tables will not be approved).*
- *The area shall be clearly delineated with the use of barriers to the satisfaction of the Director of Technical Services.*
- *Adjacent footpaths shall be controlled in such a manner to minimise disruption to the Public.*
- *Substantial meals and non-alcoholic drinks shall be available on request.*
- *The area shall at all times have the appearance of and trade predominantly as a outdoor dining area.*
- *Prior approval of Council and the NT Liquor Commission.*
- *Noise Levels should be limited to a level that would not cause unreasonable disturbance to the ordinary comfort of ordinary occupiers of any residential premises.*

Outdoor in “The Mall” and Raintree Park will only be permitted under the provisions of the Alfresco Area Agreement.

Schedule of Potential Alfresco Areas - The Mall and Raintree Park

	<u><i>Site</i></u>	<u><i>Seating Capacity</i></u>
1.	Raintree Park	Seating approximately 40
2.	ANZ area	Seating approximately 48
3.	Raised Dias Galleria area	Seating approximately 48
4.	Vic Complex area	Seating approximately 32
5.	Bennett Street area	Seating approximately 60

Underground services exist within reasonably proximity to all sites, however, connection to services will be at the applicants expense.

35



1 105m^2

3 118m²

4 40m²

5 99m²

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 REPORT NUMBER 09A0222
 SUBJECT: SHENANNIGANS IRISH PUB – ALFESCO DINING PERMIT

Title: Alfresco Dining - **AMENDED**
Policy No: 11
Responsibility: Director Technical Services

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4	19\4604	12/06/07	Reviewed
5		15/12/09	Amended (Allow patrons to stand)

Overview

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 REPORT NUMBER 09A0222
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 REPORT NUMBER 09A0222
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Council will allow the serving of Alcohol with a meal during the period 11.30 am until 8.00 pm .provided the following criteria are met:

- ***Patrons shall consume in accordance with Liquor Licensing Regulation and may stand provided a minimum of 80% seating is available within the licensed area (a limited number of bar stools and raised tables comprising no more than 10 % of seating will be allowed).***
- *The area shall be clearly delineated with the use of barriers to the satisfaction of the Director of Technical Services.*
- *Adjacent footpaths shall be controlled in such a manner to minimise disruption to the Public.*
- *Substantial meals and non-alcoholic drinks shall be available on request.*
- *The area shall at all times have the appearance of and trade predominantly as an outdoor dining area.*
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- *Noise Levels should be limited to a level that would not cause unreasonable disturbance to the ordinary comfort of ordinary occupiers of any residential premises.*

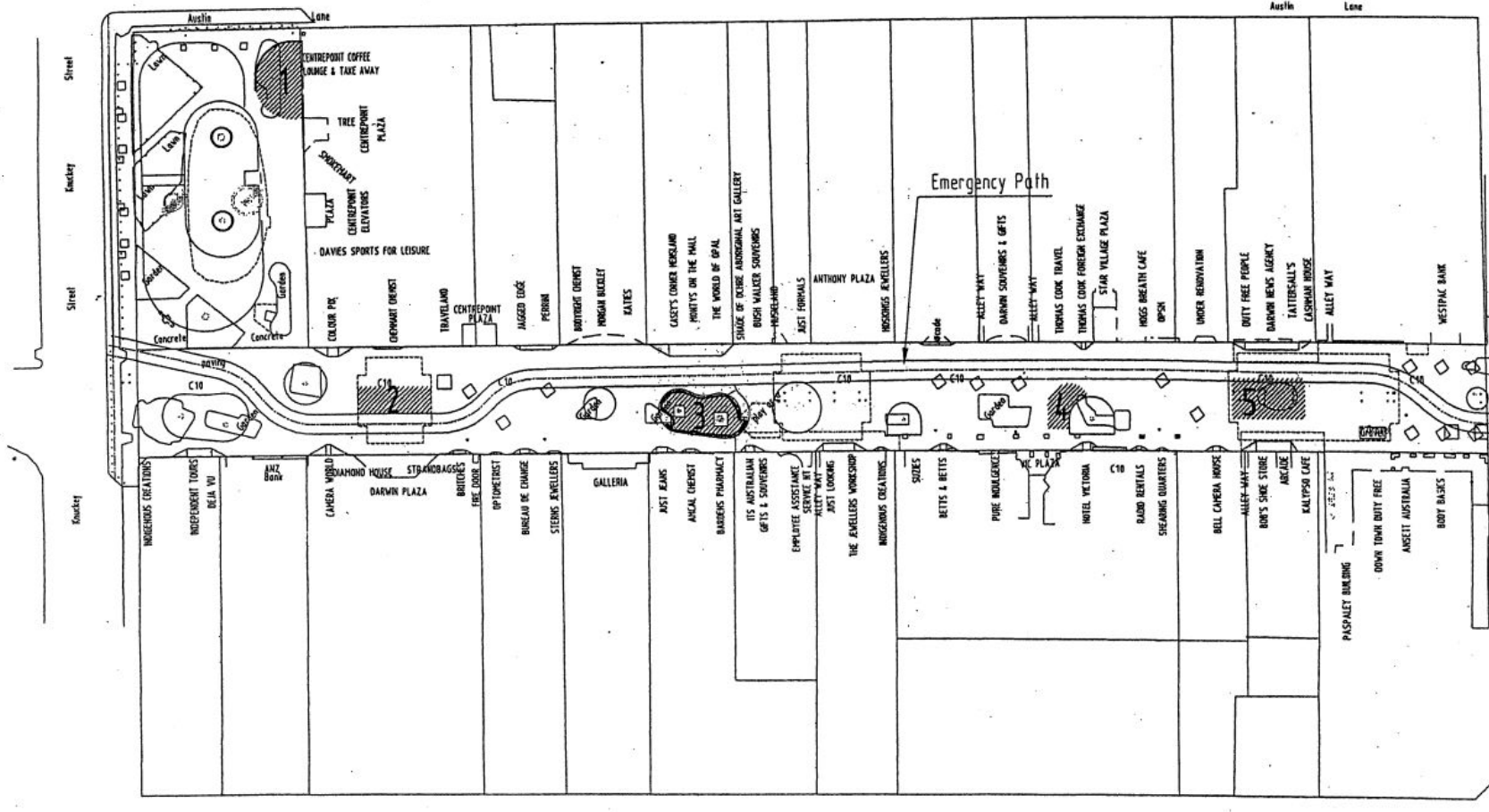
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	<u><i>Site</i></u>	<u><i>Seating Capacity</i></u>
1.	Raintree Park	Seating approximately 40
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3.	Raised Dias Galleria area	Seating approximately 48
4.	Vic Complex area	Seating approximately 32
5.	Bennett Street area	Seating approximately 60

Underground services exist within reasonably proximity to all sites, however, connection to services will be at the applicant’s expense.

ALFRESCO AREAS - THE MALL/RAINTREE PARK



Approximate Areas:

1 105m²

2 70m²

3 118m²

4 40m²

5 99m²

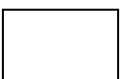
Potential areas for Alfresco Dining as shown numbered 1-5

13 OFFICER'S REPORTS

13.9 Petitions – Bicycle Path Lee Point Road

Report No. 09TS0229 LC:kb (09/12/09) Common No. 1596231

Report Number 09TS0229 LC:kb attached



ENCL: YES

DARWIN CITY COUNCIL
REPORT

DATE: 09/12/2009

TO: 2ND ORDINARY COUNCIL/OPEN

APPROVED: LC

FROM: GENERAL MANAGER INFRASTRUCTURE

REPORT NO: 09TS0229LC:KB

COMMON NO: 1596231

SUBJECT: PETITIONS - BICYCLE PATH LEE POINT ROAD

ITEM NO: 13.9

SYNOPSIS:

This report relates to two petitions tabled at Council on the 29 September 2009 and 24 November 2009 regarding the provision of a safe bicycle path along Lee Point Road.

GENERAL:

Two petitions have been received (**Attachment A**) and tabled at Council regarding a safe bike path, Lee Point Road. The Council resolved:

Petition - Request for a Safe Bike Path, Lee Point Road, North

Document No.1652632 (24/08/09) Common No. 1596231

Alderman G A Lambert presented the petition.

- A. THAT the Petition, Document Number 1652632, in relation to a request for a safe bike path along Lee Point Road, North, be received and noted.
- B. THAT the Petition, Document Number 1652632, be referred to the next Environment & Infrastructure Committee Meeting.

DECISION NO.20\2059 (29/09/09)

Carried

PAGE: 2
 REPORT NUMBER: 09TS0229LC:KB
 SUBJECT: PETITIONS - BICYCLE PATH LEE POINT ROAD

Petition - Development of Bike Path – Lee Point Road

Document No. 1696215 (24/11/09) Common No. 1596231

Alderman G A Lambert presented the Petition

THAT the petition regarding the Development of Bike Path – Lee Point Road, be received and referred to Council on 15 December 2009.

DECISION NO.20\2297 (24/11/09)

Carried

The provision of a bicycle path on Lee Point Road has been reviewed as a result of the first petition. A section of Lee Point Road from Tambling Terrace north to the Lee Point Reserve currently is a rural cross section road and does not contain any formal cycleways in this portion.

The section of road contains a caravan park and in recent years the residential subdivision of Lyons has developed on the western side with the future suburb of Muirhead to be developed in the near future on its eastern side.

As a result of these developments Council officers have been reviewing the status and design of this portion of Lee Point road in order to service future demands. This will be subject of a future report. However, the need for the development of a path network has been identified in the early body of work.

In addition to this work the Northern Territory Government in partnership with Council is undertaking a Cycleway Strategy Study which will assist in identifying needs and gaps in the network. This work has not been finalised to date.

It is likely outcome that as a result of the development of Muirhead that Lee Point will need to be upgraded and this will include a pathway network. The timing of this however is still uncertain but it is likely to be at least 1-2 years away and may not include the entire length of Lee Point Road.

An upgrade of Lee Point Road is unlikely to occur within the next 4 – 5 years as draft assessments indicate it is not required until the Muirhead development is well established.

Discussions are occurring with Lyons and Muirhead developers regarding financial contributions to infrastructure upgrades of Lee Point Road.

On receipt of the first petition it was the intention of Council staff to incorporate a path as part of already programmed shoulder maintenance works.

Following site survey, detailed design and initial estimates received from contractors it became apparent that this would not be easily achieved or financial viable as estimates were in excess of several hundred thousand dollars.

The area being considered is approximately 1.8 Km long and shown on **Attachment B**.

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 REPORT NUMBER: 09TS0229LC:KB
 SUBJECT: PETITIONS - BICYCLE PATH LEE POINT ROAD

Council staff have undertaken numerous site visits and investigations in order to reduce costs and deliver a cyclepath. Most recent work has reduced the costs to be in the order of \$180,000 this has been achieved by utilising Council's day labour force for construction and design modifications. Staff are reviewing to see what if any other savings can be made.

Contributing further to the high cost is the need to expand several stormwater systems to accommodate the path. Every effort is being made to undertake this component in a manner that will be permanent and not lost as a result of any future upgrades.

It must be noted that any works undertaken in the near future would be sacrificial and lost when the final upgrade of Lee Point Road is undertaken. There are currently too many unknowns and variables to be able to place the path in a location which would result in it being retained as part of any future upgrade of the road.

It will be recommended that Council continue its investigation into reducing costs and delivery of a cyclepath and that a further report be prepared on completion of this investigation, receipt of the GHD Cyclepath Strategy and the completion of contribution and infrastructure upgrade plans for Lee Point Road.

It is anticipated that a report would be presented to the February 2010 Environment & Infrastructure Committee Meeting.

FINANCIAL IMPLICATIONS:

The current estimated cost of this project is in the order of \$180,000. the subject of funding will be further explored in the future report.

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

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.1 Manage and maintain the municipal landscaping and infrastructure to a standard that meets community needs

Outcome

2.2 Increase recreational, cultural and heritage experiences

Key Strategies

2.2.3 Provide facilities to encourage safe cycling and walking

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 REPORT NUMBER: 09TS0229LC:KB
 SUBJECT: PETITIONS - BICYCLE PATH LEE POINT ROAD

Goal

3 Assist Individuals and the Community Stay Connected with the Darwin Region

Outcome

3.2 Enhance transport systems

Key Strategies

3.2.2 Continue to manage and maintain the municipal road network and infrastructure to a standard that meets the needs of the community

LEGAL IMPLICATIONS:

There are no legal implementations relating to this matter.

ENVIRONMENTAL IMPLICATIONS:

The provision of a well connected path network may encourage the use of alternative transport modes and depending of cars.

PUBLIC RELATIONS IMPLICATIONS:

The provision of improved cycle network and safety would be viewed positively however, there is the potential for negative perception due to the temporary nature of the works.

COMMUNITY SAFETY IMPLICATIONS:

Currently cyclist ride within the traffic lane the works would provide a separate on-road area for cyclist improving safety.

DELEGATION:

Nil

CONSULTATION:

Two petitions have been received.

PROPOSED PUBLIC CONSULTATION PROCESS:

Should the works proceed Council would undertake advertising within the NT News advising of the project.

APPROPRIATE SIGNAGE

Standard Council Project Signage.

PAGE: 5
REPORT NUMBER: 09TS0229LC:KB
SUBJECT: PETITIONS - BICYCLE PATH LEE POINT ROAD

RECOMMENDATIONS:

- A. THAT Report Number 09TS0229 LC:kb entitled, Petitions - Bicycle Path Lee Point Road, be received and noted.
- B. THAT Council continue to investigate the provision of a cycle path along Lee Point Road from Tambling Terrace North bound with a further report to Council's Environment and Infrastructure Committee Meeting in February 2010.

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

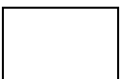
Any queries on this report may be directed to Luccio Cercarelli on 89300581 or email l.cercarelli@darwin.nt.gov.au

13 OFFICER'S REPORTS

13.10 Tree Removal Freshwater Road Jingili

Report No. 09TS0228KS (09/12/09) Common No. 1698539

Report Number. 09TS0228KS attached



ENCL: YES

DARWIN CITY COUNCIL

DATE: 09/12/2009

REPORT

TO: 2ND ORDINARY COUNCIL/OPEN

APPROVED: KS

FROM: GENERAL MANAGER INFRASTRUCTURE

APPROVED: LC

REPORT NO: 09TS0228KS

COMMON NO: 1698539

SUBJECT: TREE REMOVAL FRESHWATER ROAD - JINGILI

ITEM NO: 13.10**SYNOPSIS:**

A large Mahogany tree (*Kaya senegalesis*) on Freshwater Road Jingili has recently been inspected and assessed by Council arborist staff, the result being a recommendation for immediate removal due to ongoing decline of the tree, likely imminent failure and safety concerns.

This report provides an overview of the tree assessment procedure for trees on Councils reserves and recommends this tree be removed without delay due to safety concerns.

GENERAL:

A letter received from Dr Chris Burns MLA on behalf of residents of 66 Freshwater Road Jingili requesting an inspection be carried out on a large Mahogany tree opposite their home due to concerns that the tree had started to drop branches consistently and that the tree may fail in the coming storm season.

Council arborist's from the Urban Forest Management (UFM) team inspected the tree and found it to be in rapid decline due to termite damage (**Attachment A**). The termites had effectively ring barked the tree cutting off the vascular tissue which is the mechanism the tree uses to distribute water and nutrient throughout its system. This damage is irreversible and the next stages of decline will be the self pruning of branches predominantly from the top of the tree. Being a large tree this next stage of decline will be rapid and will result in major branch failure (**Attachment B**). the state of the tree and likely decline raise a number of safety concerns,

Due to the coming holiday season and many contract companies closing down the tree removal has been tentatively booked to occur within two days of this report being considered by Council as staff are concerned with safety issues as well as the possibility of storms adding to concerns of stability of the tree.

PAGE: 2
 REPORT NUMBER: 09TS0228KS
 SUBJECT: TREE REMOVAL FRESHWATER ROAD - JINGILI

The Urban Forest Management team have been very proactive over the past year to identify and implement a system for analysis of mature trees under Councils control. This procedure includes an assessment by two qualified arborists using a tree Hazard Evaluation Form recommended by The International Society of Arboriculture and a photograph file stored in Council's database. This tree evaluation procedure has been put in place as an effective and contemporary method to evaluate mature trees on the basis of community safety, amenity, biodiversity value and anticipated remaining life of the tree. The procedure has proven to be very effective in identifying trees that are at risk of failure as well as those that are not and allowed Council to implement strategies to help preserve the trees.

Council's Urban Forest Management team have implemented a programme of tree replacement along Freshwater Road over the past two years. This verge of the road had a large number of Black Wattles (*Accacia auriculiformis*) and Mahogany trees that had started to fail due to age and as these trees have been removed replacement plantings of Tamarind trees (*Tamarindus indicus*) have been installed to preserve the avenue of large trees.

It is recommended that the Mahogany tree opposite 66 Freshwater Road be removed due to it's decline and safety concerns and that Council replant two Tamarind trees in the vicinity in accordance with it's policy. Removal will occur on the 18 December 2009.

FINANCIAL IMPLICATIONS:

The cost to remove this tree and replant with two Tamarind trees is estimated at \$10,000. Funding is available within the Council's normal operating budget under the tree maintenance program.

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

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.1 Manage and maintain the municipal landscaping and infrastructure to a standard that meets community needs

PAGE: 3
 REPORT NUMBER: 09TS0228KS
 SUBJECT: TREE REMOVAL FRESHWATER ROAD - JINGILI

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

Key Strategies

7.1.2 Minimise exposure of Council through effective risk management practices

LEGAL IMPLICATIONS:

Risk management indicates a high or extreme risk of personal or property damage.

ENVIRONMENTAL IMPLICATIONS:

Some biodiversity loss due to the removal of such a large mature tree until replacement trees provide habitat for insects and animals.

The loss of this tree will be replaced by two new trees within the vicinity.

PUBLIC RELATIONS IMPLICATIONS:

Public reaction may be mixed as some see mahogany trees as inherently dangerous while others will see this as the loss of a large mature tree.

COMMUNITY SAFETY IMPLICATIONS:

There is no doubt that this tree, if left where it is, will continue to pose a serious risk to the community.

DELEGATION:

Nil

CONSULTATION:

Parks and Reserves staff

PROPOSED PUBLIC CONSULTATION PROCESS:

A letter drop to residents of Freshwater Road will be provided prior to the works. Explaining why the tree is being removed and that new trees will be replanted. An advert will be placed in the NT News public notices prior to removal works. A letter will be sent to Dr Chris Burns MLA.

APPROPRIATE SIGNAGE

Nil

PAGE: 4
 REPORT NUMBER: 09TS0228KS
 SUBJECT: TREE REMOVAL FRESHWATER ROAD - JINGILI

RECOMMENDATIONS:

- A. THAT Report Number 09TS0228KS entitled, Tree Removal Freshwater Road - Jingili, be received and noted.
- B. THAT Council approves the removal of the Mahogany tree opposite 66 Freshwater Road Jingili without delay due to it's decline in health and safety concerns and that two Tamarind trees be planted within the verge in near proximity.

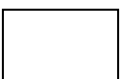
KERRY SMITH
MANAGER INFRASTRUCTURE
MAINTENANCE

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to Kerry Smith on 89803655 or email k.smith@darwin.nt.gov.au

14 REPRESENTATIVES REPORTS

15 QUESTIONS BY MEMBERS

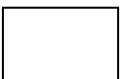


16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**16.1 Call for Nominations for the NT Weeds Advisory Committee (LGANT)**

Document No. 1706136 (30/11/09) Common No. 1706136

- A. THAT the incoming Email from the Local Government Association of the Northern Territory (LGANT), regarding nominations for the NT Weeds Advisory Committee, Document Number 1706136, be received and noted.
- B. THAT Council advise LGANT that Alderman has been nominated by Council for the position on the NT Weeds Advisory Committee.

DECISION NO.20\() (15/12/09)



Jeanette Perry

From: Cassie Cook [cassie.cook@lgant.asn.au]
Sent: Monday, 30 November 2009 2:08 PM
To: info@belyuen.nt.gov.au; Alison Doyle; Brendan Dowd; David Bond; Geoff Brooks; Graham Taylor; Ian Bodill; Ian Burfitt; Jeff Sowiak; Lisa Wain; Mark Griffioen; Michael Berto; Paul Hockings; Rex Mooney; Roydon Robertson; Russell Anderson; Sandra Cannon; Wally Lenyszyn
Cc: Cheryl King; David Kirikino; Deb Fox; Deborah Gillard; Deborah Simon; Fiona Murphy; Harriet Geater-Johnson; Jeanette Elliott; Jeanette Perry; Levina Phillips; Linda Heidstra; Marlene Watt; Rose Peckham; Sophie Henderson; Taryn Hogan-Reid
Subject: Call for nominations to NT Weeds Advisory Committee
Attachments: Nomination form-NT Weeds Advisory Committee.doc; Information for member's profile.pdf; TOR.pdf

Hi everyone,

We have a vacancy on the NT Weeds Advisory Committee and are now calling for nominations.

Please find attached the nomination form, the TOR and member's profile document.

The next meeting of the committee is scheduled for 22 February 2010 in Darwin. Could you please have nominations in to the Association by Friday 29 January 2010 so that nominations can be included in the Executive meeting agenda scheduled to be held after the Strategic Planning meeting on the weekend of 6-7 February 2010.

Many thanks.

--

Cassie Cook
Executive Assistant to CEO
Local Government Association of the Northern Territory
PO Box 2017, Parap, NT 0804
21 Parap Road, Parap, NT 0820
Ph: (08) 8936 2880; Fax: (08) 8941 2665
Email: cassie.cook@lgant.asn.au

LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY

NOMINATION FORM

NT Woods Advisory Committee

COUNCIL NAME: _____

1. Agreement to be nominated

I, _____ agree to be nominated as a delegate to the
NT Woods Advisory Committee.

Signature: _____

Dated this _____ day of _____ 2008.

2. Council Confirmation of Nomination

I, _____ the Chief Executive Officer

hereby confirm that _____

was approved by resolution of Council to be nominated as delegate to the NT Woods
Advisory Committee at a meeting held on _____ / _____ /2008.

Signature: _____

Dated this _____ day of _____ 2008.



Northern Territory Weed Advisory Committee

Information for Member's profile

Northern Territory Weed Advisory Committee

Section 18 of the *Weeds Management Act* (the Act) provides for the establishment of Weed Advisory Committees to advise the Minister on a range of weed issues; on the progress of weed management plans in a region, district, catchment area; and to develop weed management plans in consultation with key stakeholder groups and those people whose land may be affected by a declared weed infestation.

In 2008 the Minister approved the establishment of the Northern Territory Weed Advisory Committee to provide high level advice on the full range of weed-related matters impacting, or with the potential to impact, on land throughout the Northern Territory (NT). This Committee will be tasked with fostering acceptance of weed management plans and promoting integrated best practice weed control throughout industry and the wider community. The Committee will consist of industry and stakeholder representatives with appropriate expertise and Territory-wide interests such as the Department of Defence, NT Cattlemen's Association and Local Government, the horticulture, nursery, and agricultural industries and environmental groups.

To support the activities of the NT Committee, a number of Regional Reference Groups will also be established and will comprise hands-on land managers, land owners and other stakeholders with an interest and expertise in local weed management issues. Regional Reference Groups are non-statutory bodies and are not subject to remuneration.

Terms of Reference

The Northern Territory Weed Advisory Committee will comprise a maximum of 12 members and a Chair, appointed by the Minister for Natural Resources, Environment and Heritage.

The Committee will:

- develop draft weed management plans in consultation with the community and affected land managers;
- advise the Minister on the progress of weed management issues throughout the NT and on other matters as the Minister may request from time to time;
- provide advice and recommendations in regard to proposed weed declarations;
- provide community based forums for strategic management of weeds on a regional basis; and
- Review the Northern Territory Weed Strategy.

A quorum will consist of 7 members. Member substitutions are welcome; however substitute members are not entitled to vote. Pursuant to section 18 of the *Weeds Management Act*, the Chair has, in addition to his or her deliberative vote, a casting vote in the event of an equality of votes.

The Committee will:

- review its membership regularly to ensure adequate representation of stakeholder groups; and
- establish operating procedures for the Committee at the earliest opportunity.

Strictly Confidential

1

Remuneration of members

The Northern Territory Weed Advisory Committee is recognized as a Statutory Committee under the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act*.

Members will be remunerated at a rate of \$240 (Chair) and \$180 (Member) per day for meetings in accordance with that Act. Reasonable travel expenses will also be reimbursed.

Membership criteria

Membership will include a balanced representation of interested persons with personal and professional qualifications and experience in order to contribute to the functions of the Committee.

Members will:

- bring experience and/or involvement with land or weed management for various land tenures in the Northern Territory or represent a Territory-wide industry or stakeholder group;
- bring unique knowledge and skills to the weed management planning process;
- demonstrate established networks for information dissemination;
- inform, educate and involve stakeholders through frequent contact;
- synthesize input from stakeholder groups and effectively represent their viewpoints and interests over own personal opinions;
- demonstrate a genuine desire and ability to collaborate with others who may have competing interests or opposing viewpoints; and
- seek to understand the perspectives and interests of other stakeholders.

Term of appointment

Members will be appointed for a term of 3 years and will be eligible for reappointment.

Members will be required to commit to a minimum of 4 working days per year for quarterly meetings in addition to time spent liaising with and seeking the viewpoints of relevant industry groups.

Member details for appointment to the Northern Territory Weed Advisory Committee

The information on these forms is collected for the primary purpose of preparing member profiles. The information may also be used for a related secondary purpose in circumstances where you would reasonably expect such use or disclosure. These include processing your entitlements; corresponding with you; complying with legislative reporting requirements; attending to administrative matters; preparing statistical analysis; and use the information as otherwise permitted by the privacy laws.

1. Group nominating member

.....

2. Personal details

Full Name:

Residential Address:

Postal Address:

(01) Phone: Fax:

Email:

Drivers Licence: Yes / No Licence number:

3. Employment details

3.1 Are you currently employed by the NT Government? Yes / No

3.2 If so, by whom and in what capacity:

.....

.....

.....

3.3 List any NT Government Boards and Committees of which you are a member:

Committee/Board name:	Term of Appointment:	Remunerated:	Yes / No
.....	YES / NO
.....	YES / NO
.....	YES / NO
.....	YES / NO

Strictly Confidential

3

4. Industry involvement

4.1 Detail the industry and/or stakeholder groups you represent.

.....

.....

.....

4.2 What are your established networks for information dissemination?

.....

.....

.....

4.3 How will you inform, educate and involve stakeholders and how you will be able to synthesise the input from stakeholder groups and effectively represent their viewpoints and interest over your own personal opinions?

.....

.....

.....

5. Land management experience

5.1 What is your experience and/or involvement with land management or weed management for various land tenures in the NT?

.....

.....

.....

5.2 What knowledge and skills do you bring to the weed management planning process?

.....

.....

.....

Information collected on this form will be used for the purposes as stated. In collecting this information the Weed Management Branch adheres to Department of Natural Resources, Environment, the Arts and Sport Privacy Statement and with the relevant provisions of the Information Act. The Privacy Statement can be found at www.nt.gov.au.

*Strictly confidential***Registration of personal interests form****To: Northern Territory Wood Advisory Committee**

Particulars of my personal pecuniary and other relevant interest of which I am aware are set out in the following form.

Should my appointment to this Committee be successful, I undertake to advise you should a situation arise where an interest of mine of which I am aware, whether that interest is pecuniary or otherwise, conflicts, or may reasonably be thought to conflict, with my public duty.

.....
Name (black letters)

.....
Signature

Date: / /

1. Directorship in Companies

In regard to any directorships, whether remunerated or not:

1.1 Name of Company (including activities of Company whether public or private):

.....

1.2 Partnerships etc. (Nature of Operations including nature of Business Interest)

.....

1.3 Other Interests including membership of office holding of an organisation other than an industrial or professional organisation

.....

Strictly Confidential

5

Northern Territory Weed Advisory Committee

WEEDS MANAGEMENT ACT 2001

17. Functions of weed advisory committees

The functions of a weed advisory committee are --

- (a) to develop draft weed management plans in consultation with appropriate persons, groups or organisations, and with persons whose land may be affected by a declared weed infestation;
- (b) to advise the Minister on the progress of weed management in the region, district, catchment area or the specific purpose for which it was established; and
- (c) to advise the Minister on other matters as the Minister may request from time to time.

TERMS OF REFERENCE

- Develop draft weed management plans in consultation with the community and affected land managers
- Advise the Minister on the progress of weed management issues throughout the NT
- Advise the Minister on other matters as the Minister may request from time to time
- Provide support for the enforcement of legislation should the Department be required to take such action
- Provide advice and recommendations in regard to weed declarations
- Provide community based forums for strategic management of weeds on a regional basis
- Aid in the formulation and updating of the relevant Regional Weed Strategy.

MEMBERSHIP CRITERIA

- * Membership will include a balanced representation of interested persons with personal and professional qualifications and experience in order to contribute to the functions of the Committee
- * Represents an industry or stakeholder group
- * Demonstrate established networks for information dissemination
- * Experience and/or involvement with land or weed management for various land tenures in the NT
- * Bring unique knowledge and skills to the weed management planning process
- * Inform, educate, and involve stakeholders through frequent contact
- * Synthesize input from stakeholder groups and effectively represent their viewpoints and interests over own personal opinions
- * Demonstrate a genuine desire and ability to collaborate with others who may have competing interests or opposing viewpoints
- * Seek to understand the perspectives and interests of other stakeholders
- * Demonstrated ability to be open to various perspectives on weed management
- * Support departmental actions for the enforcement of legislation
- * Without financial or legal conflict of interest
- * Able to commit to the term of office and activities
- * Time commitment of at least 8 working days per year for meetings, and additional time allotted for tasks related to committee work, such as reading, communication, responding to and representing committee issues and recommendations to stakeholder groups.
- * Committee members may also be asked to serve on committee subcommittees that are formed to work on issues and tasks before the Committee.
- * Initial appointments may be staggered at one, two and three years in order to ensure continuity of committee membership
- * Members may be eligible for reappointment
- * The Committee will review its membership regularly in order to ensure adequate representation of relevant issues and constituencies
- * Independent Chair may be nominated or Committee will nominate a Chair for the Minister's approval
- * A quorum would be 10+1 (Chair).

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\() (15/12/09)

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 Wednesday, 27 January, 2010, 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\() (15/12/09)

