DARWIN CITY COUNCIL

FIFTY-FOURTH ORDINARY MEETING OF THE TWENTIETH COUNCIL

TUESDAY, 14 SEPTEMBER 2010

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 R M Knox; 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 Dowd; General Manager Corporate Services, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Committee Administrator, Ms L Elmer.

GUESTS: Mr Cos Tambling will be in attendance from 5.15 p.m. to brief the Council on the proposed development of a Sea Ranger Station at Doctors Gully.

Mr Matt Darcey, Executive Director of Environment accompanied by Dianne Rose and Amanda Jobson will be in attendance from 5.45 p.m. to brief the Council on the Implementation of the Container Deposit Legislation.

Ms Vikki Mcleod from the NT Government will be in attendance from 6.15 p.m. to brief the Council on from the NT Government on renewable and clean energy options.

Enquiries and/or Apologies*: *Linda Elmer
E-mail: l.elmer@darwin.nt.gov.au PH: 89300 685

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

4.2 Leave of Absence Granted

A. THAT it be noted that The Right Worshipful, The Lord Mayor, Mr G R Sawyer is an apology due to a Leave of Absence being previously granted on 17 August 2010 for the period 10 September 2010 to 2 October 2010.

B. THAT it be noted that Member G A Lambert is an apology due to a Leave of Absence being previously granted on 13 July 2010 for the period 1 - 30 September 2010.

DECISION NO.20\() (14/09/10)

4.3 Leave of Absence Requested

5 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

6.1 Confirmation of the Previous Ordinary Council Meeting

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 31 August 2010, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\() (14/09/10)

7 BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING/S

7.1 Business Arising

8 MATTERS OF PUBLIC IMPORTANCE

9 DEPUTATIONS AND BRIEFINGS

9.1 Proposed Development of a Sea Ranger Station at Doctors Gully.

Mr Cos Tambling will be in attendance from 5.15 p.m. to brief the Council on the proposed development of a Sea Ranger Station at Doctors Gully.

THAT the presentation from the Mr Cos Tambling, in relation to the proposed development of a Sea Ranger Station at Doctors Gully, be received and noted.

DECISION NO.20\() (14/09/10)

9.2 Implementation of the Container Deposit Legislation
Common No. 1824430

Mr Matt Darcey, Executive Director of Environment accompanied by Dianne Rose and Amanda Jobson will be in attendance from 5.45 p.m. to brief the Council on the Implementation of the Container Deposit Legislation.

THAT the presentation from the Mr Matt Darcey, in relation to the Implementation of the Container Deposit Legislation, be received and noted.

DECISION NO.20\() (14/09/10)

9.3 The Future of Renewable and Clean Energy Options.
Common No. 1845320

Ms Vikki Mcleod from the NT Government will be in attendance from 6.15 p.m. to brief the Council renewable and clean energy options.

THAT the presentation from the NT Government, in relation to renewable and clean energy options, be received and noted.

DECISION NO.20\() (14/09/10)

10 CONFIDENTIAL ITEMS

10.1 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:-

Item	Regulation	Reason
C22.1	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.
C24.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
C26.1	8(c)(i)	Information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
C26.2	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\() (14/09/10)

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICERS REPORTS

13.1 **Update: From Darwin City Council's Ambassador to the 2010 Year Of Women In Local Government January – September**

Report No. 10TS0174 (03/09/10) Common No. 1718184

Report Number 10TS0174 attached.

ENCL: YES

DARWIN CITY COUNCIL

DATE: 3/9/2010

REPORT

TO:	1ST ORDINARY COUNCIL MEETING/OPEN	**APPROVED:**	PR
FROM:	MANAGER CLIMATE CHANGE & ENVIRONMENT	**APPROVED:**	MB
REPORT NO:	10TS0174PR	**APPROVED:**	BD
COMMON NO:	1718184		

SUBJECT: UPDATE: FROM DARWIN CITY COUNCIL'S AMBASSADOR TO THE 2010 YEAR OF WOMEN IN LOCAL GOVERNMENT JANUARY – SEPTEMBER

2010 YEAR OF WOMEN IN LOCAL GOVERNMENT

CREATIVE | STRONG | INCLUSIVE | DIVERSE

ITEM NO: 13.1

SYNOPSIS:

2010 was declared the Year of Women in Local Government and 21 National Ambassadors were announced at the official launch held in at the City of Sydney on Wednesday 20 January.

Darwin City Council is a Gold Partner Sponsor of the 2010 Year of Women in Local Government.

Darwin City Council, nominated Pam Robinson, Manager Climate Change and Environment for consideration as an Ambassador.

Pam was selected as one of two Northern Territory Ambassadors within the twenty one Ambassadors appointed. The Ambassadors have been appointed to undertake the role of champions and raise awareness for the advancement of women in Local Government.

This report provides details of events and programs with the 2010 Year of Women in Local Government and those attended by Pam.

Darwin City Council is among the leading Councils who are showing a healthy gender balance in both elected members and staff. To ensure this position is supported and maintained, activities to engage staff are planned for the second half of the 2010 Year of Women in Local Government.

GENERAL:

The official launch of the 2010 Year of Women in Local Government (YoWiLG 2010) was held on Wednesday 20 January at Sydney Town Hall. Some 60 guests were on hand to hear the Hon. Anthony Albanese MP, Minister for Local Government, officially launch the year.

The Hon. Tanya Plibersek, Minister for the Status of Women and Ray Pincombe, Chair of the National Steering Committee and former National President LGMA were also present.

Darwin City Council, nominated Pam Robinson, Manager Climate Change and Environment for consideration as an Ambassador.

Pam and Sandra Cannon, CEO Victoria Daly Shire, were selected as two of the 21 Ambassadors. The Ambassadors have been appointed to undertake the role of champions and role models for the advancement of women in Local Government.

Whilst Darwin City Council is well represented by women as Elected Members and with women employees, many Councils do not have such good representation. It is important however that Darwin City Council continues to maintain this leadership position.

Council will continue to encourage women staff who are interested, available and wish to consider applying for Team Management, Middle Management and Senior Management positions.

To ensure staff in general and women in particular can achieve these positions, it requires Council's ongoing commitment to:

(a) Transparent and demonstrated encouragement for staff to consider higher level duties and

(b) Provision of positive incentives to enable staff to undertake training and study that will help them achieve the level required for such positions. In the case of women's participation this may require some additional ways of encouragement beyond the opportunity through the annual performance review process for instance, so that women employees at all levels can see they are in an organisation that encourages women as well as men in senior positions.

National data shows that less than 30 per cent of Councillors are women; 20 per cent of Senior Management roles are filled by women; and only 7 per cent of Council Chief Executive Officers are women.

This disparity is unacceptable and is why the Australian Government is working with the Local Government sector to lift the participation of women.

As part of the Australian Government's commitment they provided $490,000 for a range of projects to help improve the participation of women in the nation's Councils and Shires and are funding the following programs:

- $250,000 for a three year 50:50 *Vision: Councils for Gender Equity* program. To be conducted by the Australian Local Government Women's Association (ALGWA); this program will audit Councils and Shires to determine the status and role of women in leadership roles as well as their participation in the workplace. The program will also accredit Councils and Shires as well as establish an awards program to recognise excellence.

- $100,000 in scholarship funding to enable senior women in Local Government to participate in the new Executive Leadership Program being developed by the recently established Australian Centre of Excellence for Local Government and the Australia and New Zealand School of Government.

- $40,000 was provided to the Local Government Managers Australia for their 2010 Management Challenge, which involved around 130 Councils identifying strategies to promote gender equity in their Councils. A presentation from the leading Councils was provided at the LGMA conference in Adelaide 16-19 May.

Ambassador Role

The range of activities being undertaken by Ambassadors varies greatly – some seeing the role as carrying out duties requested by either the LGMA National Steering Committee or their Council to attend events. Most Ambassadors are taking a more proactive approach to the year that has been provided to them and their Council.

In my role as Ambassador and representing Darwin City Council, I have participated in a diverse range of activities associated with the 2010 Year of Women in Local Government during the first six months. Additionally I have created opportunities to ensure my role as Ambassador and Council's dedication as Gold Partner to YoWiLG are enhanced by taking my role out and about in the Darwin community.

Given the number of women Alderman on Council is a good representative number, unlike many other Councils across Australia, I decided to take my year in the direction of encouraging students to consider careers and jobs in Local Government. The range of opportunities within Local Government are not always considered in the final years of secondary schooling and by attending to this aspect within the Darwin area it has the potential to create more locally qualified people for positions within their Council.

Within Council I have taken the opportunity to mentor female staff who have come to me with thoughts of applying for other positions within the organisation and those interested in the YoWiLG activities.

Additionally, I took the opportunity to nominate my colleague Anne Hammond, Manager Strategies and Outcomes, for recognition under the 'Individual staff members' category of 'Recognising Councils top performers' run by Local Government FOCUS during the Local Government Managers Australia National Congress.

Over the next 6 months FOCUS will showcase the six Council Teams and 6 Individual Staff Member winners. Anne was selected from the range of quality entries received and Darwin City Council and Anne's role will be one of the feature articles in a forthcoming edition of Local Government FOCUS.

During the first six months of my Ambassador role, I have undertaken the following activities. Also listed below are some additional forthcoming opportunities:-

Participation Actioned

- ✓ *Sent letter of offer to Principals and Career Teachers of High School and Colleges in the Darwin/Palmerston and Humpty Doo areas offering a student presentation called 'Career and Job Opportunities in Local Government'.*

- ✓ *Met with District Commissioner and Guiders of the Girl Guides Association – 100 years of guiding – offering presentation ''Career and Job Opportunities in Local Government' (10 February)*

- ✓ *International Women's Day March and meeting at Civic Centre (7 March)*

- ✓ *2010 Year of Women in Local Government National e-News. First Ambassador and Council to be featured with article "What being an Ambassador means to me".*

- ✓ *Provided brief to Hon. Malarndirri McCarthy MLA - NT Minister for Local Government (March)*

- ✓ *Career and Job Opportunities in Local Government Presentation – Kormilda College (4 March.)*

- ✓ *WomenCan ALGWA 2010 State Conference – Melbourne (18 – 19 March)*

- ✓ *Career and Job Opportunities in Local Government – Taminmin College (30 April). School provided with Information Booklet about Darwin City Council and what Local Government Courses are available in Darwin.*

- ✓ *2010 LGMA National Congress and YoWiLG events – Adelaide (16 – 19 May)*

- ✓ *Successful nomination of Anne Hammond, Manager Strategies and Outcomes for Local Government FOCUS recognition of Council Teams and Individual Staff Members excelling in their professional field by improving Council's operations and enhancing services for their community.*

- ✓ *NT Branch ALGWA Sunset Soiree – Social event to publicise the NT ALGWA, the Year of Women in Local Government and introduce the two NT Ambassadors –(21 July)*

- ✓ *Participation in Ambassadors teleconferences run by the national office of LGMA*

- ✓ *YoWiLG conversation, shared information with women Middle Managers* at an informal 'get together' (*25 August).*

- ✓ *Attended the reception at Government House for Girl Guides NT Peak Achievement Awards and to celebrate 100 years of Guiding across Australia, (2 September).*

<u>Forthcoming presentations and events to date</u>

- ✓ *Darwin City Council and Manager Strategies and Outcomes feature in Local Government FOCUS*

- ✓ *Career Opportunities in Local Government Presentation – Darwin High School date to be confirmed.*

- ✓ *Career Opportunities in Local Government Presentation – Palmerston High School – confirmed.*

- ✓ *Council providing opportunity for two women staff to attend the LGASA and LGMA SA: Women in Local Government Conference. (17September).*
  Expressions of interest have been sought from all women employees from all sections across the organisation.

- ✓ *LGANT Annual Conference & NT ALGWA. Dinner Speaker, Alice Springs 23 November 2010. Airfare and accommodation provided by YoWiLG.*

- ✓ *National ALGWA Conference – Ambassador attendance, Sydney 24-26 November: going on from Alice Springs. Airfare and accommodation provided by YoWiLG.*

- ✓ *Other Darwin City Council events are being developed to mark 2010 Year of Women in Local Government.*

To celebrate the 2010 Year of Women in Local Government, Council is proposing to provide a feature article in both 'DarwinLife' and 'myDarwin' in November. The features to be included will show a diverse range of positions in Local Government and will in the first instance have a photograph of Council's Aldermen which will provide a positive image of Council's female/male elected representation.

A number of Council's women employees, holding an indoor or outdoor position will also be acknowledged. Ensuring Council's Youth portfolio is included, will also be important.

Outside immediate Council coverage, the Annual LGANT Conference and the NT ALGWA meeting which are being held in Alice Springs in November will provide an opportunity to feature other women Local Government representative in the region.

By actively promoting the Ambassador role and Darwin City Council's Gold Partner sponsorship status, Council can use the 2010 Year of Women in Local Government to advantage.

Within Council, an opportunity exists to participate in the *50:50 Vision; Councils for Gender Equity,* being undertaken with cooperation from the Australian Local Government Women's Association (ALGWA) and the Australian Centre of Excellence in Local Government who are running the program. The program is designed to be accessed by all Councils regardless of size, location or their current progress on gender equity. This program is designed to provide different outcomes from participation at a Bronze, Silver and Gold Award level over a three year period.

To gather initial information towards participation in *Councils for Gender Equity* at the Bronze level, the attachment provides a snapshot of Council employee numbers in 2006 and 2010. **Attachment A**

To further support Council's participation in the National Gender Equity program and to provide Council with what it is that our women employees believe is required to assist women in their current position and with a view to further promotion, a survey will be developed.

FINANCIAL IMPLICATIONS:

Council is a Gold Partner in the 2010 YoWiLG.
The $2,000 sponsorship is from the Operations Budget.

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

1.2.3 Engage, communicate and consult with the community including schools.

LEGAL IMPLICATIONS:

NIL

ENVIRONMENTAL IMPLICATIONS:

NIL

PUBLIC RELATIONS IMPLICATIONS:

- Darwin City Council has an opportunity to promote Council and the City of Darwin at conferences and public events.
- Promoting career opportunities in Local Government to Council staff and secondary school students.

COMMUNITY SAFETY IMPLICATIONS:

NIL

DELEGATION:

NIL

CONSULTATION:

- National Ambassadors group
- Chief Officers Group.

PROPOSED PUBLIC CONSULTATION PROCESS:

NIL

APPROPRIATE SIGNAGE

NIL

RECOMMENDATIONS:

THAT Report Number 10TS0174PR entitled Update: From Darwin City Council's Ambassador To The 2010 Year Of Women In Local Government January – September, and an outline of future activities, be received and noted.

PAM ROBINSON
MANAGER CLIMATE CHANGE & ENVIRONMENT

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

Any queries on this report may be directed to Pam Robinson on 89300618 or p.robinson@darwin.nt.gov.au

GENDER PROFILES 2006 & 2010

Total Workforce - 2006

Male: 184
Female: 129

Breakdown by Chief Officers Group

Male: 5
Female: 0

Breakdown by Middle Managers

Male: 7
Female: 7

Breakdown by Department

CEO Office

Male: 6
Female: 13

Infrastructure

Male: 123
Female: 31

Community and Cultural Services

Male: 28
Female: 48

Corporate Services

Male: 26
Female: 37

Breakdown by Type of Work – Female Employees – 2006

Admin/Office Based 66

Weighbridge 3

Middle Managers/Library Managers 12

Library 23

Regulatory Services Officers 5

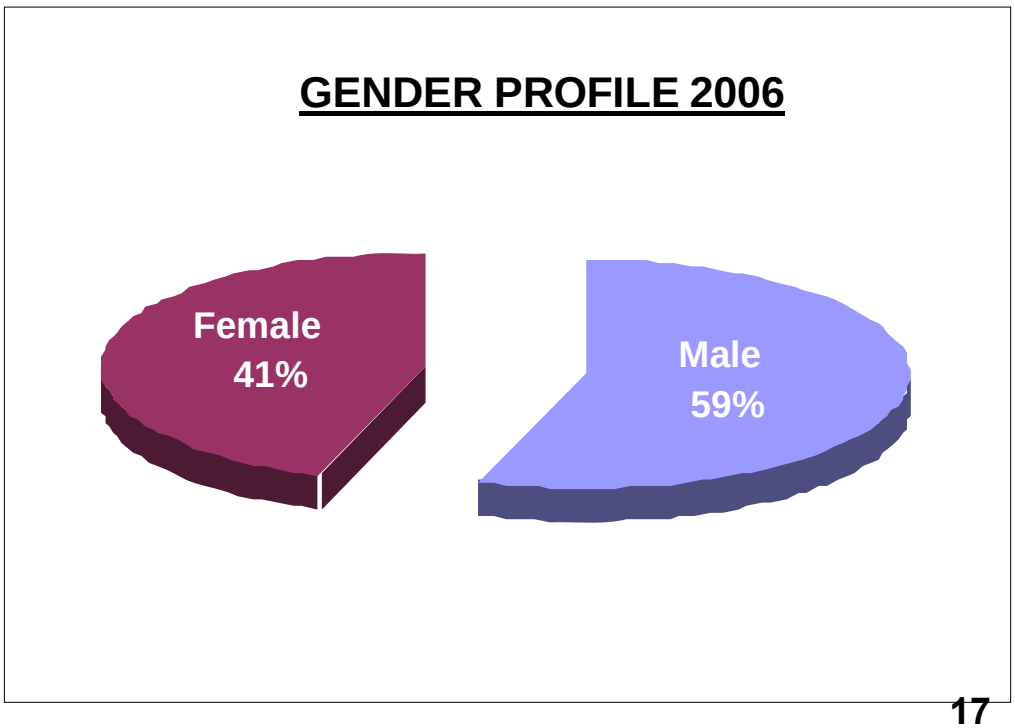
Horticulturists 13

MSWA 1

MSWB 1

Cleaners 5

Arborists 1



Total Workforce – 2010

Male: 181
Female: 121

Breakdown by Chief Officers Group

Male: 5
Female: 0

Breakdown by Middle Managers

Male: 5
Female: 7

Breakdown by Department

CEO Office

Male: 4
Female: 9

Community and Cultural Services

Male: 26
Female: 49

Infrastructure

Male: 127
Female: 31

Corporate Services

Male: 23
Female: 33

Breakdown by Type of Work – Female Employees – 2010

Middle Managers/Library Managers 26

Admin/Office Based 44

Horticulturists 13

Weighbridge 3

MSWA 2

Team Leader / Coordinator 5

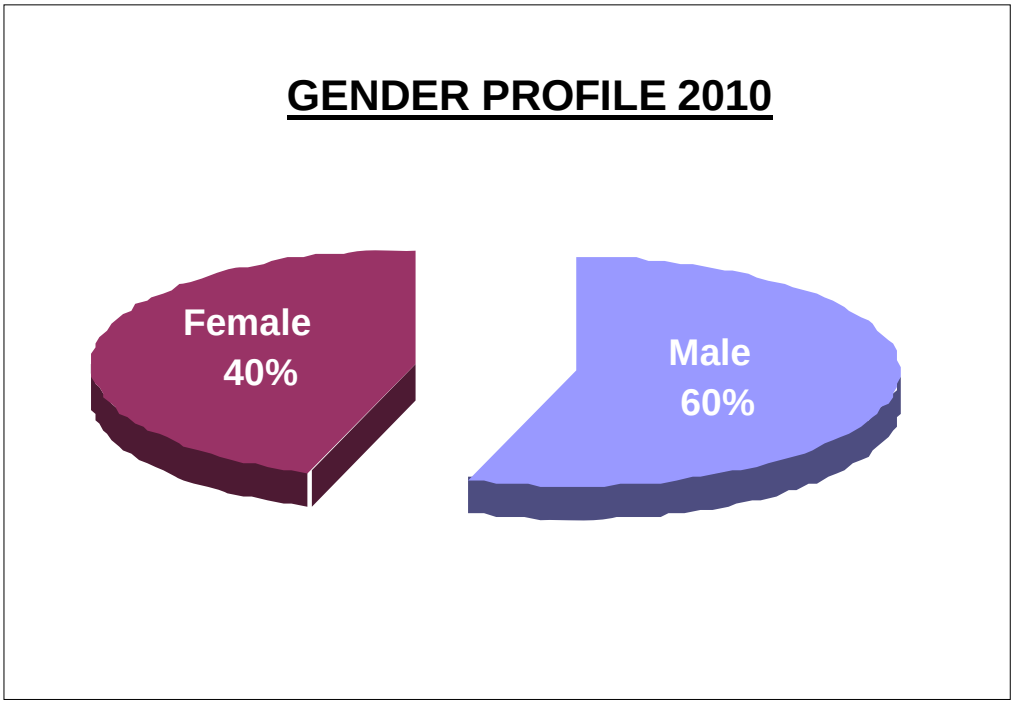
MSWB 1

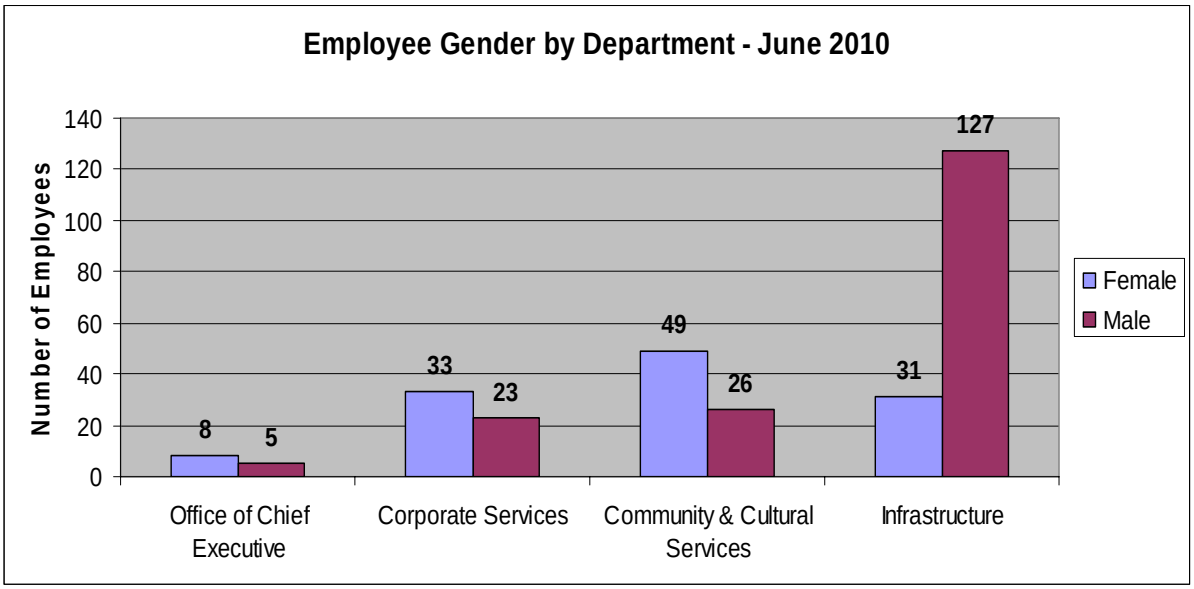
Library 23

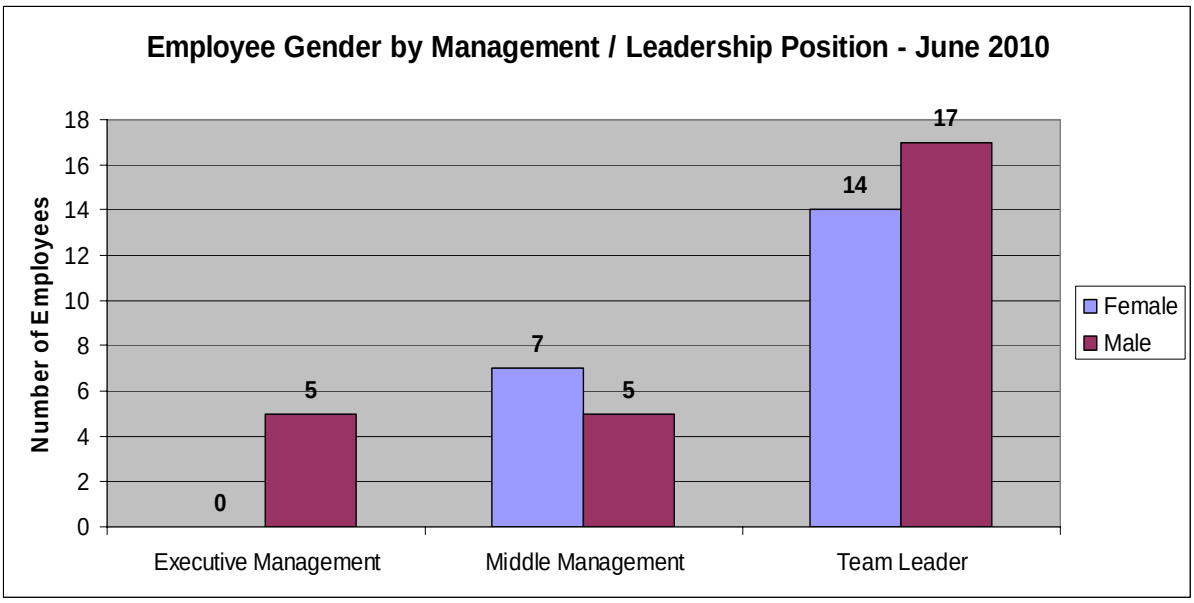
Cleaners 4

Regulatory Services Officers 4

Arborists 1




Employee Gender by Department - June 2010
Number of Employees
140
120
100
80
60
40
20
0
8
5
33
23
49
26
31
127
Office of Chief Executive
Corporate Services
Community & Cultural Services
Infrastructure
Female
Male


Employee Gender by Management / Leadership Position - June 2010
Number of Employees
18
16
14
12
10
8
6
4
2
0
0
5
7
5
14
17
Executive Management
Middle Management
Team Leader
Female
Male

13 OFFICERS REPORTS

13.2 Top End Regional Organisation of Councils (TOPROC) – Draft Meeting Minutes 22 July 2010

Report No. 10TC0055 (14/09/10) Common No. 1549468

Report Number 10TC0055 attached.

ENCL: YES

DARWIN CITY COUNCIL

DATE: 14/09/10

REPORT

TO:	1ST ORDINARY COUNCIL/OPEN	**APPROVED:**	MB
FROM:	EXECUTIVE MANAGER OFFICE OF THE CHIEF EXECUTIVE	**APPROVED:**	AH
REPORT NO:	10TC0055	**APPROVED:**	
COMMON NO:	1549468		

SUBJECT: TOP END REGIONAL ORGANISATON OF COUNCILS (TOPROC) - DRAFT MEETING MINUTES 22 JULY 2010

ITEM NO: 13.2

SYNOPSIS:

This report is an information paper which provides all Elected Members with the most current minutes of the TOPROC meeting held on 22 July 2010 (please refer to **Attachment A**).

GENERAL:

The Top End Regional Organisation of Councils (TOPROC) is a Committee which is represented by elected members and officers from the Darwin City Council, Palmerston City Council, Wagait Shire Council and the Litchfield Council.

TOPROC is committed to the sustainable development of our Greater Darwin Region and meets on a regular basis to discuss and progress common issues that impact all committee member councils.

TOPROC meets every 8 weeks with the next meeting scheduled for 23 September 2010.

TOPROC have drafted a Memorandum of Agreement (MOA) that clearly outlines TOPROC's purpose, objectives, funding models and processes. A meeting will soon be scheduled for the formal signing of the MOA as soon as a time can be organised when the Lord Mayor, Mayors of Palmerston, Wagait and Litchfield and all Chief Executive Officers are available. Darwin City Council will generate some media for this event.

FINANCIAL IMPLICATIONS:

Last year a resolution was passed that the TOPROC members will pay memberships fees in order to fund the secretariat support provided by Darwin City Council and also cover the administration costs of developing joint grant funding applications.

EVOLVING DARWIN, TOWARDS 2020 IMPLICATIONS:

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

1 EFFECTIVE PARTNERSHIPS AND COLLOBARATIVE RELATIONSHIPS
1.1 Improve relations with all levels of Government

LEGAL IMPLICATIONS:

Nil

ENVIRONMENTAL IMPLICATIONS:

TOPROC is committed to pursuing the best environmental outcomes for our communities

PUBLIC RELATIONS IMPLICATIONS:

Darwin City Council will generate media releases regarding any TOPROC actions of community importance.

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Nil

CONSULTATION:

Palmerston City Council
Litchfield Council
Wagait Shire Council

PROPOSED PUBLIC CONSULTATION PROCESS:

N/A

APPROPRIATE SIGNAGE

N/A

RECOMMENDATIONS:

THAT Report Number 10TC0055 entitled Top End Regional Organisation of Councils (TOPROC) - Draft Meeting Minutes 22 July 2010, be received and noted.

ANNE HAMMOND
MANAGER STRATEGY AND OUTCOMES

MARK BLACKBURN
EXECUTIVE MANAGER
OFFICE OF THE CHIEF EXECUTIVE

Any queries on this report may be directed to Anne Hammond on 88930 0531 or a.hammond@darwin.nt.gov.au.

ATTACHMENT A

Darwin, Palmerston, Litchfield &
Wagait Shire Councils

MINUTES OF THE TOPROC MEETING HELD ON THURSDAY 22 July 2010 AT 10:00 AM AT WAGAIT COUNCIL

PRESENT:

Wagait Shire Council
Mr Peter Clee, President
Mr John Keenan, Chief Executive Officer

Darwin City Council
Mr Graeme Sawyer, Lord Mayor
Alderman Fred Marrone
Mr Mark Blackburn, Executive Manager
Ms Rose Tyler, Secretariat

City of Palmerston
Mr Robert Macleod, Mayor

Litchfield Council
Ms Mary Walsh, President
Mr Russell Anderson Chief Executive Officer
Mr Derek Tranter, Governance Manager

1. Welcome – Meeting Declared Open

Mr Peter Clee welcomed the Minister Malarndirri McCarthy, and Mr Willem Van Holthe Member for Katherine, Members of the Chief Ministers Officer, Ms Fran Kilgariff and Mr Trevor Harris, Members of the Dept of Local Government

2. Apologies

Alderman Robyn Lesley, Darwin City Council
Anne Hammond, Darwin City Council

3. Declaration of Interests of Members

Nil

4. Confirmation of Previous Minutes

Resolved

THAT minutes of the meeting held 20 May 2010 be confirmed as a true and correct record.

Carried

5. Business Arising from Previous Minutes

Action 8 – Minister Malarndirri McCarthy to liaise with Minister Gerry McCarthy to attend a future meeting to discuss Regional Waste Management.

Action 12 – Speakers attending 22 July 2010 meeting to discuss Climate Change.

Action 13 – Write to Robert Ritchie – CEO of Port of Darwin to invite him to the next meeting.

Action 14 – Forward a copy of the letter sent to the NT Government to the Minister Malarndirri McCarthy who will liaise with Minister Gerry McCarthy. The Minister is seeking the same information about the NT Governments submission to Infrastructure Australia for another committee meeting and can forward the same to TOPROC.

Action 22 – Minister Malarndirri McCarthy to liaise with Minister Gerry McCarthy to attend a future meeting to discuss Waste Management .

Action 23 – Letter has been sent with no response to date. Second letter has been sent requesting any information for local government from the 2010/11 Federal Budget. No response to date.

Action 28 – Write to Minister Gerry McCarthy to establish a meeting to discuss issues regarding planning.

Action 29 – Letters have been sent to Chamber of Commerce and Tourism NT about a proposed tourist road around the harbour. No response to date. Will write to these organisations again after TOPROC has produced a harbour map..

Action 32 – Letter has been sent, Ian Burfitt noted that it had gone to the Minister not the Chief Minister (linked to action 31). Through a DCC Council resolution DCC to seek storm surge data under a freedom of information request. No response received to date.

Action 38 – To be noted as completed.

5.1 – Minister Malandirri McCarthy

The Minister provided a vision for the future of local government and answered questions from TOPROC members.

Future Amalgamations

Local Government Amalgamation – any amalgamation will come from the people and the NT Government would not want to see anything take place that is not of the people. Those discussions with individuals and Councils over the last three-four months have been about this. Coomalie is currently undertaking a second round of discussions. Darwin City Council has also had meetings and I will be interested to hear about the outcomes from those meetings.

Future Infrastructure Funding

Under the new model proposed by the Australian Government unless the local Governments develop long term strategic plans in partnership with State/Territory Governments there would be no funding from the Australian Government for local government. This has been an ongoing issue for TOPROC and NT local governments for quite some time.

Darwin Harbour Advisory Committee

In 2006 the Federal Government spent $3.2 million on a study of the Darwin Harbour with regards to dredging. The outcome report from this study has not been provided to local government. There needs to be better communication between NT Government Departments and local government instead of local governments spending funding on similar studies/projects.

Rate base for Shires

Discussions around the freeze on rates until mid 2011, need to happen as soon as possible. A concerted education program to enable an understanding of rates, needs to be developed for the newly elected members of shires. When you compare of the Shires to Darwin City Council, obviously the rate base is enormous by comparison so this is a complex matter that requires considerable work.

Thorak Regional Cemetery Cremator

Thorak Regional Cemetery cremator is currently over 20 years of age and is beyond its useful life. Quotes of up to $500,000 have been received for a replacement. Litchfield Council is currently looking at funding opportunities for the replacement. A consultant's report has been commissioned and will be available in the near future.

Undertakings given by Minister Malandirri McCarthy

Minister Malandirri McCarthy agreed to

- Liaise with Minister Gerry McCarthy to attend a future TOPROC meeting to discuss the issues of Regional Waste Management and urban policy planning.
- Speak to Minister Albanese about these concerns of the future funding of infrastructure for local government.
- Provide further information to TOPROC about the investigation into rating mining leases.
- Organise for the Service Delivery Coordination Unit to provide a briefing on Land Tenure at the next TOPROC meeting.
- Consider a request for funding from Litchfield Council for a replacement of the Thorak Regional Cemetery cremator.

Resolved

Litchfield Council to prepare the letter for Minister Malandirri McCarthy requesting funding for the cremator.

5.2 – Shadow Local Government Minister Mr Willem Van Holthe

The role of Opposition can often be seen as opposed to what the Government is doing. Some of our role is the same as Government, such as the consultative process in developing policy.

One of the important things that the opposition need to do and continue to do over the next couple of years in engage with Councils to develop policy as we move forward. With an election in the NT in about two years, should our side of politics be called upon to form government at that election we would want to be hitting the ground running. My focus is to get around the Territory to talk to Councils, to get the input back from Councils on what is happening on the ground and how things are going regarding amalgamations, the federal intervention and any other issues.

5.3 – Representative from the Chief Minister's Office for Energy, Policy and Climate Change Unit

Creating a unit within the Chief Minister's Office is a commitment of the Government for action in this area. A key focus is to implement the Climate Change Strategy which has been two years in development and reflecting that nine key actions and a number of those will involve Local Government as a key stakeholder, in terms of planning issues, community engagement and the like.

The Department was investigating an energy policy which is integrated and would serve the Territory while going into the future. The Office welcomes correspondence from members on any issues regarding Climate Change.

Lord Mayor Graeme Sawyer – raised a concern that it has taken two years to get sea surge level data from the Territory Government. The Lord Mayor sought a clear timeline as to when they will become open documents? The Lord Mayor also advised that a response on the power grid, power cogeneration systems, feedback tariffs and those types of issues need to be advanced. An open invitation was provided to the Minister and all TOPROC members to tour the cogeneration system at Shoal Bay Waste Disposal.

Wagait Council has two houses that are part of the solar generation experiment and that has been overwhelming successful. At times there is much more energy going back into the grid than is being used.

5.4 – Senior Executive Director of Local Government

Fran Kilgariff outlined her new role and as a first point of reference for Local Government TOPROC members.

Lord Mayor Graeme Sawyer – Sought further background information for the review of the NT Local Government Voting System by September 2010.

Fran Kilgariff advised that questions had been raised about the equity of the current system following the first shire elections. The Minister will consider the submissions from all council to the review process.

6. Governance

Nil

7. Correspondence

In

21/05/10 - Letter received from Minister Hampton confirming 'Terms and Conditions' of TOPROC having its own seat on Darwin Harbour Advisory Council(DHAC).

10/05/10 – Standard letter from Australian Local Government Guide seeking confirmation of details.

Out

07/06/10 – Response to Minister Hampton agreeing to terms and conditions and nominating Mayor Robert Macleod JP as TOPROC's representative on DHAC.

22/06/10 – Response sent to Australian Local Government Guide with updated information regarding TOPROC.

8. Future Development in the Top End

8.1. Harbour Development (inc Planned Tourist Road)

Alderman Fred Marrone – Outlined a vision into developing a new tourist road around the Harbour that will also generate development. Investigate funding opportunities with the NT Government to do a feasibility study on the road.

Resolved

THAT Alderman Fred Marrone circulate a harbour map and TOPROC members will add details of the possible sites along a tourist road.

9. Darwin City Council – *Towards a City Strategy* - Paper from CCCLM

The Council of Capital City Lord Mayors has put in a lot of work over the last couple of years into the development of a *National Urban Policy*.

The Federal Government has had a major project around urban policy and in recent times made some major significant changes. A change from an infrastructure issue into a much broader urban policy issue. Minister Tony Burke has been commissioned to pull in a population discussion. There is a whole range of issues including an ageing population that is coming into impact on this in Canberra. Treasury and other groups have been driving the formation of a national urban policy.

Resolved

THAT the comments be received and noted.
THAT this is a major issue for TOPROC and will be placed as an action item.

10. Darwin Harbour Advisory Committee Report

Mayor Macleod reported on the importance of the Committee for every TOPROC member. Mayor Macleod advised that his first meeting emphasised the need to review and share reports to ensure we did not duplicate and waste resources. It is important that local government has access to all reports. Discussions were held in relation to sewerage discharge rates into the Harbour.

Resolved

That the comments be received and noted..

13. Confidential Items

Nil

14. Meeting Schedule for 2010

Thursday, 23 September 2010

15. General Business

Nil

Meeting closed at 12:14 pm

13 OFFICERS REPORTS

13.3 Status of Award Applications

Report No. 10TC0054 (14/09/10) Common No. 1648955

Report Number 10TC0054 attached.

ENCL: NO

DARWIN CITY COUNCIL

DATE: 14/09/10

REPORT

TO:	1ST ORDINARY COUNCIL/OPEN	**APPROVED:**	MB
FROM:	EXECUTIVE MANAGER OFFICE OF THE CHIEF EXECUTIVE	**APPROVED:**	AH
REPORT NO:	10TC0054	**APPROVED:**	
COMMON NO:	1648955		

SUBJECT: STATUS OF AWARD APPLICATIONS

ITEM NO: 13.3

SYNOPSIS:

The following report provides an update on the status of all successful award applications that Council has recently applied for including the overview of the winning project.

GENERAL:

Applying for and receiving accolades and awards is an important function in order to successfully showcase Council's innovation and achievements.

For the 2009/10 financial year Council entered submissions for the following awards:

- 2009 Awards for Local Government, for the Activate NT program
- Australasian Reporting Awards for Council's 2008/09 Annual Report
- The Heart Foundation Awards for Council's Workforce Wellbeing Committee
- The Kookaburra Awards for the Homeless Connect Program
- The Melaleuca Awards for the Protecting the Primary Dunes of Mindil Beach
- The Safer Communities Award for the Guardian "On Duty in Darwin", (inc. the Pre-Cyclone Cleanup) program
- The 20010 Awards for Local Government in the following categories:-
    - Youth Engagement – the Kaos at Karama program
    - Innovation in Natural Resource Management – for the Zero Toads and the Protecting the Primary Dunes of Mindil Beach projects
    - Infrastructure Development – Darwin City Centre Revitalisation Project
    - Indigenous Communities - for the principles and philosophies demonstrated in the Zero Toads and the Protecting the Primary Dunes of Mindil Beach projects
- 2010 Australian and New Zealand Internet Best Practice Awards for GRIND On-line.

Darwin City Council was successful in winning the following awards in 2009/10

- The Local Government LandCare Partnership Award (NT) for the Zero Toads project;
- The Australian Government CoastCare Award (NT) for the Protecting the Primary Dunes of Mindil Beach project' and
- The SA/NT Parks & Leisure Award for the Activate NT program.

The Activate NT program also received a "Highly Commended" through the 2009 National Awards for Local Government.

Council also received an award in recognition of the Read Hot Readers (RHR) and Caught Read Hander (CRH) programs from the Australian Library and Information Association of Northern Territory.

On 27 August 2010, Darwin City Council hosted the judge of the Keep Australia Beautiful – Sustainable Cities awards. Council had won the award for the Northern Territory and was being judged against the winners from all Australian states.

Council's award submission included a variety of projects and plans including the Zero Toads and the Protecting the Primary Dunes of Mindil Beach projects, the Darwin City Centre Revitalisation Project, Council's Environmental Management Plan and Action Plan Priorities, the Shoal Bay Renewable Energy Facility and Council's climate change and recycling community education programs.

FINANCIAL IMPLICATIONS:

N/A.

EVOLVING DARWIN, TOWARDS 2020 IMPLICATIONS:

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

7 OPEN AND RESPONSIBLE GOVERNANCE

7.1 Effective Governance

LEGAL IMPLICATIONS:

Nil

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

Council is pleased to have been successful in a number of our award submissions.

Whenever Council has won an award or accolade, media releases are generated, information is immediately displayed on Council's website and the framed certificates are displayed in the Civic Centre Customer Service area.

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Nil

CONSULTATION:

N/A

PROPOSED PUBLIC CONSULTATION PROCESS:

N/A

APPROPRIATE SIGNAGE

N/A

RECOMMENDATIONS:

THAT Report Number 10TC0054 entitled, Status of Award Applications, be received and noted.

ANNE HAMMOND
MANAGER STRATEGY AND OUTCOMES

MARK BLACKBURN
EXECUTIVE MANAGER
OFFICE OF THE CHIEF EXECUTIVE

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

13 OFFICERS REPORTS

13.4 Status of Grant Funding Applications

Report No. 10TC0053 (14/09/10) Common No. 1572185

Report Number 10TC0053 attached.

ENCL: YES

DARWIN CITY COUNCIL

DATE: 14/09/10

REPORT

TO:	1ST ORDINARY COUNCIL/OPEN	**APPROVED:**	MB
FROM:	EXECUTIVE MANAGER OFFICE OF THE CHIEF EXECUTIVE	**APPROVED:**	AH
REPORT NO:	10TC0053	**APPROVED:**	
COMMON NO:	1572185		

SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

ITEM NO: 13.4

SYNOPSIS:

The following report provides an update on the status of all current grant applications that Council has recently applied for including the purpose of the grant.

The status of grant applications will now be an ongoing quarterly report to Council.

GENERAL:

Successfully obtaining grant funding is an important function for Council. Sourcing additional funding provides Council a mechanism for delivering key projects that are aligned to achieving our Evolving Darwin, Towards 2020 Strategic Plan. Without this additional source of revenue many of these initiatives could not be completed within Council's approved budget.

Attachment A provides details of all grant applications either applied for throughout the 2009/10 financial year, or applied for in an earlier year that are still ongoing (i.e. the full payment has not yet been received by Council as the project is still ongoing).

As at 7 September 2010, Darwin City Council has been successful in obtaining a total of $13,118,264 in grant funding (20 projects) with a further $506,608 (3 projects) waiting to be assessed, totalling $13,624,872.

Where possible, specific efforts are made to partner with our neighbouring Councils, other Territory Government agencies or community groups when applying for grant funding.

The purpose of this report is to provide the Elected Members with a progress report on the status of all current grant applications.

FINANCIAL IMPLICATIONS:

The success rate of obtaining grant funding should outweigh the costs (staff time) of applying for the grants. Any grant applications submitted that include a Darwin City Council financial contribution are sourced from the existing budget.

EVOLVING DARWIN, TOWARDS 2020 IMPLICATIONS:

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

7 OPEN AND RESPONSIBLE GOVERNANCE

7.1 Effective Governance

LEGAL IMPLICATIONS:

Nil

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

Nil

COMMUNITY SAFETY IMPLICATIONS:

Nil

DELEGATION:

Nil

CONSULTATION:

N/A

PROPOSED PUBLIC CONSULTATION PROCESS:

N/A

APPROPRIATE SIGNAGE

N/A

RECOMMENDATIONS:

THAT Report Number 10TC0053 entitled Status of Grant Funding Applications, be received and noted.

ANNE HAMMOND
MANAGER STRATEGY AND OUTCOMES

MARK BLACKBURN
EXECUTIVE MANAGER

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

REPORT NUMBER: 10TC0053
SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

Successful Applications

Project Title	Project Description	Funding Agency	Funding $	Council's Contribution	Other funding partners		Date submitted	Section	Comments
Roads to Recovery	To upgrade roads in and around Darwin with the assistance of commonwealth funding	Dept of Infrastructure, Transport, Regional Development & Local Government Aust Govt	$3,340,625	$0				Design, Planning & Projects	$668k will be received in April 2010, with the remainder being paid over the next 5 years.
Auslink blackspot project	To improve safety measures by upgrading current black spot areas around Darwin which have been identified as potential crash locations (Woolner road).		$1,672,000	$1,208,000			06/03/2009	Design, Planning & Projects	Council has secured funding from the Australian Government.
General Purpose Funding	General Purpose Funding	Australian Government through the Northern Territory Grants Commission	$1,470,173	$0			N/A	Design, Planning & Projects	The Australian Government provides all States and Territories with general financial assistance for local government. Through the Northern Territory Grants Commnission the Northern Territories entitlement is divided between all Council's based on specific methodologies and cost adjustors.
Local Roads Funding	General purpose funding for road works throughout the municipality		$1,663,882	$0			N/A	Design, Planning & Projects	
City Centre Revitalisation Project	Specifically the project will include hard and soft landscaping, street furniture, architectural structures, public art, signage and services in key areas throughout the CBD.	Dept of Infrastructure, Transport, Regional Development & Local Government	$3,600,000	$1,150,000 + $75,518 in-kind contribution (Project Mgmt)	$1,750,000 $500,000	Dept of Planning & Infrastructure (NTG) Private Developer	06/03/2009	Design, Planning & Projects	Announced 07/05/09. $4,900,000 applied for. Rec'd $3,600,000
Gardens Road Cemetery Site Restoration	Undertake the upgrade of the drainage infrastructure in the South East corner of the cemetery where pooling of water occurs each wet season .	Heritage Branch, Dept of Natural Resources, Environment, the Arts and Sport, NTG	$20,000	$10,000	N/A		01/05/2009	Infrastructure Maintenance	Council applied for $30k and was advised on 12/08/09 that we were successful in obtaining $20k of grant funding. Shortfall can be found within existing budgets.
Pioneer Cemetery Restoration Works	Headstone and grave site restoration	Heritage Branch, Dept of Natural Resources, Environment, the Arts and Sport, NTG	$10,000	$0	N/A		01/05/2009	Infrastructure Maintenance	Council applied for $30k, however were only successful in receiving $10K.

REPORT NUMBER: 10TC0053
SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

Successful Applications

Project Title	Project Description	Funding Agency	Funding $	Council's Contribution	Other funding partners		Date submitted	Section	Comments
Public Art Professional Development Program	Mentorship which will deliver Public Art outcomes - linked with the commission of new Public Art for the The Mall	Dept of Natural Resources, Environment, The Arts and Sport	$10,000	$0				Community Services	
Sports and Recreation Grants Program	A feasibility study into the Parap Recreation Area Masterplan	Depart of Sports and Rec	$32,500	$32,500			25/09/2009	Community Services	There was no grant application as such, but a request in writing from Council's GM Community and Cultural Services to Sport and Recreation.
Connecting Darwin: Building New Cycle Linkages	This project will deliver the installation of new bike pods, new signage and the development of new bikes paths connecting key points within Darwin	Cycle Path Fund, Dept of Infrastructure, Transport, Regional Development & Local Govt, Aust Govt	$1,050,000	$1,160,000	N/A		22/05/2009	Design, Planning & Projects	Council applied for $1.16m (GST inclusive), the $1.05m received is the full amount minus the GST component.
Pods and Vods Program	To conduct a series of workshops on creating vodcasts and podcasts	Office of Youth Affairs	$2,000	$0			31/08/2009	Community Services	
Read em the Riot Act Program	Youth quiz night to follow on from previous year	Office of Youth Affairs	$2,000	$0			31/08/2009	Community Services	
Various projects	$50,000 will go towards the demolition and construction of the pump house at the Nightcliff Swimming Pool, with DCC contributing an additonal $50k. $69,000 will be spent in the Casuarina Library courtyard	Dept of Infrastructure, Transport, Regional Development & Local Government Aust Govt	$119,000	$50,000			01/03/2010	Community Services and Infrastructure Maintenance	All Councils will receive once off funding based on a specific calculated methodology.

REPORT NUMBER: 10TC0053
SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

Successful Applications

Project Title	Project Description	Funding Agency	Funding $	Council's Contribution	Other funding partners		Date submitted	Section	Comments
The BIG GIG	Funding to cover wages, venue hire, hire of equipment and posters for the staging of the BIG GIG event.	Office of Youth Affairs	$2,000	$15,000			13/11/2009	Community Services	Grants will go towards presenting THE BIG GIG, the closing celebration for National Youth Week 2010. A drug and alcohol free event featuring live bands, arts activities and information stalls - organised by YAG and GRIND. THE BIG GIG will also
The BIG GIG	Funding to cover wages, venue hire, hire of equipment and posters for the staging of the BIG GIG event.	Office of Youth Affairs & BeyondBlue	$10,000	$0					
Recycled Art Festival & Wearable Arts Workshops and Fashion Parade	DCC in partnership with the Darwin community Arts will hold its inaugrual Recycled Arts Festival which coincides with the National Recycling Week.	Dept of the Environment, Water, Heritage and the Arts Aust Govt	$9,284	$10,000				Community Services	
Seniors Month	Guided Bus Tour of Darwin & Lunch	Dept of Health & Families	$800	$1,415			24/03/2010	Community Services	A letter from the Minister for Senior Territorian was received on 25/05/10 advising Council had been successful had received $800 - applied for $1,000.
The Mall - Light Pole Commissions	Design for lighting elements for 8 light poles in The Mall. This will supplement the MY0800 project by providing further opportunities for additional pulbic art in The Mall.	Dept of Natural Resources, Environment, The Arts & Sport (NRETAS)	$50,000	$0			15/03/2010	Community Services & Desing, Planning and Projects	Letter received from Minister fro Arts and Museums on 25/06/10 advised that Council was successful.
Governance Development Program	A suite of courses delivered by the AICD for Elected Members and Senior Managers specifically in relation to governance matters.	Special Purpose Grant, Dept of Local Govt & Housing, NTG	$24,000	$0			08/04/2010		

REPORT NUMBER: 10TC0053
SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

Successful Applications								
Project Title	**Project Description**	**Funding Agency**	**Funding $**	**Council's Contribution**	**Other funding partners**	**Date submitted**	**Section**	**Comments**
NT heritage - Gardens road fencing	To fence Gardens road	Dept of Natural Resources, Environment, The Arts & Sport (NRETAS)	$30,000	$30,000		16/04/2010	Infrastructure Maintenance	Letter received on 11 August advised grant was successful in obtaining $30,000 (Council had tried to apply for 3 years x $30k = $90k).
TOTALS	**20 PROJECTS**		**$13,118,264**	**$37,424,222**	**$2,250,000**			

REPORT NUMBER: 10TC0053
SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

Applications currently being assessed								
Project Title	**Project Description**	**Funding Agency**	**Funding $**	**Council's Contribution**	**Other funding partners**	**Date submitted**	**Section**	**Comments**
Protecting Darwin environs from invasive coffee bush	This is to seek funding to assist with the removal of the coffee bush in order to conserve natural areas within the Darwin municpality and restore currently degrading ecosystems for the benefit of the environment and the community.	Dept of Natural Resources, Environment, The Arts & Sport (NRETAS)	$10,000	$0		09/04/2010	Parks and Reserves	EOI only. Decision expected by June 2010. Advised on 29/04/10 that we can proceed to a full application (submitted 18/06/10). As at 1 Sept 2010 - still no further information.
Restoration of Darwin's Urban Bushland	Reduce the impact of weeds through the removal, spraying and clearing. Council would contract some of the works to community groups such as Larrakia Ranger and Conservation Australia. Project also includes 'control work' and the development of an ongoing management plan.	Caring for Our Country	$377,608	$445,792		15/04/2010	Parks and Reserves	
RLCIP - Darwin Botantical Gardens Amphitheatre - Protection of a cultural centre	Seeking funding for the upgrade of the stone wall entrance to the amphitheatre and also replcement of the fencing.	Dept of Infrastructure, Transport, Regional Development & Local Government Aust Govt	$119,000	$0		30//07/10	Infrastructure Maintenance	All Councils will receive once off funding based on a specific calculated methodology.
TOTALS	**3 PROJECTS**		**$506,608**	**$445,792**	**$0**			

REPORT NUMBER: 10TC0053
SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

Unsuccessful Applications									
Project Title	**Project Description**	**Funding Agency**	**Funding $**	**Council's Contribution**	**Other funding partners**		**Date submitted**	**Section**	**Comments**
Respectful Relationships	Mobile youth service	FaCHSIA	$400,000				15/10/2009	Community Services	
Rockin the Suburbs	Rockin the Suburbs is a mobile service that can go directly into the community and provide drug and alcohol free entertainment and a community connection point for young people.	Dept of Health and Ageing	$250,000	$27,000	$4,400 $7,400 $8,400 $5,072	Corrugated Iron Youth Arts Music NT Happy Yess Mission Australia	21/09/2009	Community Services	Advised on 5 March 2010 that application was unsuccessful.
Darwin: *Leading the Way for Sustainability*	Funding to cover consultants to update the Building Energy Audit and the subsequent implementation of a range of energy efficiency activities on Council owned facilities (inc installation of solar panels to China Town car park) plus consultancies and ensuing implementation of water efficiency & storage activities.	Dept of Infrastructure, Transport, Regional Development & Local Govt Aust Govt	$3,100,000	$400,000			15/01/2010	Climate Change & Environment and Design, Planning and Projects	Expecting a decision by May 2010.
Strategic Coastal Management Plan for the Darwin Harbour region	The project is to seek expert assistance to develop a long term, comprehensive "Strategic Coastal Management Plan for the Darwin Harbour region.	Special Purpose Grant, Dept of Local Govt & Housing, NTG	$110,000	$40,000			08/04/2010		

REPORT NUMBER: 10TC0053
SUBJECT: STATUS OF GRANT FUNDING APPLICATIONS

Unsuccessful Applications								
Project Title	**Project Description**	**Funding Agency**	**Funding $**	**Council's Contribution**	**Other funding partners**	**Date submitted**	**Section**	**Comments**
The Rapid Creek Riparian Zone	Planting and maintaining the riparian zone through the planting of locally grown native species of plant (approximately 7,000 new plants), erect appropriate fencing with vehicle access, removal of all invasive weeds, set up fire break zones and install irrigation, allowing the native species a better chance of survival.	NRM Board (NT)	$41,000	$33,000		02/03/2010	Parks and Reserves + Climate Change & Enviroment	Unsuccessful, however from this application Council did receive $5,000 to assist with the community planting day.
NT Heritage - Sidney Williams Hut	To get a quote on restoration works	Dept of Natural Resources, Environment, The Arts & Sport (NRETAS)	$5,000			16/04/2010		Letter received on 20 August 2010 advising that Council was unsuccessful in this instance.
TOTALS	**6 PROJECTS**		**$9,179,193**	**$596,350**	**$35,272**			

13 OFFICERS REPORTS

13.5 2009/2010 Carry Forward Budget Review and Reserve Balances

Report No. 10A0146 (07/09/10) Common No. 1859682

Report Number 10A0146 attached.

ENCL: YES

DARWIN CITY COUNCIL

DATE: 07/09/2010

REPORT

TO: ORDINARY COUNCIL MEETING / OPEN **APPROVED:** FC

FROM: FINANCE MANAGER **APPROVED:** KS

REPORT NO: 10A0146

COMMON NO: 1859682

SUBJECT: 2009/2010 CARRY FORWARD BUDGET REVIEW AND RESERVE BALANCES

ITEM NO: 13.5

SYNOPSIS:

This report provides information on program budgets requiring variation due to carry forward projects from the 2009-10 financial year. It will recommend that a number of 2009-10 capital and operational budget allocations be carried forward to 2010-11. It also requests that Council vary the budget in accordance with Section 128 of the *Local Government Act*.

In addition, the report lists the reserve balances calculated as at 30 June 2010. These have been reconciled in line with the carry forward budget recommendations.

GENERAL:

Carry forward Budget Variations

The 2009-10 carry forward requests total $11.2M consisting of $10.3M in capital and $0.9M in operational carry forwards.

The carry forwards are funded as follows:

	General Revenue	Reserve	Grant	Total
Operational	$799,284	$26,500	$43,284	$869,068
Capital	$4,267,378	$2,752,905	$3,271,705	$10,291,988
Total	$5,066,662	$2,779,405	$3,314,989	$11,161,056

These balances are reflected in the reserve balances calculated as at 30 June 2010.

A list of carry forward projects can be found in **Attachment A**.

In the operating carry forward list an amount of $241,885 has been set aside for the Darwin Entertainment Centre as a contingency. The available funding relates to an insurance adjustment related to works on the verandah that was quarantined in 2008-09 but not required and an unspent allocation for air conditioning maintenance from 2008-09 with actual expenditure being lower than budget.

Also included in the attachment is the 2010-11 actual and committed year to date expenditure that has been incurred against the carry forward budgets to date. Year to date **66%** of the budget proposed to be carried forward has been expended or had funds committed against it.

The carry forward requests In 2008-09 totalled $8.1M funded as follows:

- General Revenue $4.9M
- Reserve $1.3M
- Grant $1.9M

The 2009-10 carry forwards represent an increase of $3.1M over the previous year predominantly due to an increase in reserve and grant funded projects. Reserve projects still to be completed include the on street parking meter replacement $2M and grant funded projects include the City Centre revitalisation $3.3M.

Reserve Balances

The reserve balances calculated as at 30 June 2010 total $33.7M. This represents an increase over the previous year of $5.5M predominantly due to an increase in parking reserves of $5.3M and waste management reserve of $0.9M.

The resulting total parking reserves balance as at 30 June 2010 is $15M. As Council is aware, the planned Cavenagh Street Multi-Storey Carpark Development will fully utilise these reserves. This is planned for the 2011-12 financial year.

A list of reserve balances can be found in **Attachment B**.

FINANCIAL IMPLICATIONS:

Carry forward budgets totalling $11.2M will be brought forward into the 2010-11 financial year.

Reserve balances as at 30 June 2010 total $33.7M and this will be reflected in the financial statements prepared covering the 2009-10 financial year.

CONSULTATION:

Chief Officer's Group
Managers
Relevant Officers responsible for budgets.

LEGAL IMPLICATIONS:

Adoption of the recommendations in this report will result in Council varying the budget in accordance with Section 128 of the *Local Government Act*.

STRATEGIC PLAN IMPLICATIONS:

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

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

Key Strategies

7.1.3 Manage Council's affairs based on a sustainable financial strategy

RECOMMENDATIONS:

THAT it be a recommendation to Council:

A. THAT Report Number 10A0146 entitled 2009/2010 Carry Forward Budget Review and Reserve Balances, be received and noted.

B. THAT Council resolve to carry forward the items listed in Attachment A of Report Number 10A0146 entitled 2009/2010 Carry Forward Budget Review and Reserve Balances, by their inclusion in the 2010/2011 Budget.

C. THAT Council resolve to adopt the reserve balances listed in Attachment B of Report Number 10A0146 entitled 2009/2010 Carry Forward Budget Review and Reserve Balances as at 30 June 2010.

KELLY STIDWORTHY
FINANCE MANAGER

FRANK CRAWLEY
GENERAL MANAGER CORPORATE SERVICES

Any queries on this report may be directed to Kelly Stidworthy on 8930 0523 or k.stidworthy@darwin.nt.gov.au

ATTACHMENT A

2009-10 CARRY FORWARD BUDGET REQUESTS

		CARRY FORWARD BUDGET				Actual + Committed Expenditure YTD
	Budget	Amount	Revenue	Reserve	Grant	
Operating Carry Forwards						
Governance Development Program (grant funded program)	120040	24,000			24,000	-
Interplan committed costs upgrade	140040	8,600	8,600			-
Rating ICV Review	421000	25,000	25,000			-
Long term Financial Plan Software	421040	15,000	15,000			-
Offstreet parking; chip changes to parking meters	453000	26,500		26,500		25,852
Internal Audit; PCI DSS Self Assessment	431000	23,000	23,000			23,000
Staff training and development program	441004	42,103	42,103			-
Disposal Schedule and Records Management Strategy	432040	60,000	60,000			-
Child Care Consultancy	210040	5,680	5,680			5,680
Lyons Community Centre establishment and mntc costs	210040	30,000	30,000			-
New murals and signage for Fun Bus	210040	8,500	8,500			-
Darwin Entertainment Centre Contingency Fund	210001	241,885	241,885			-
Darwin Festival in-kind support	210040	26,000	26,000			-
Community Development operational projects	221042	13,000	13,000			-
Face Painting Workshops held in July	221042	6,000	6,000			4,620
Larrakia Nation Conference Sponsorship	221042	10,000	10,000			10,000
Festivals Australia Wearable Arts (grant funded program)	221042	9,284			9,284	2,818
Youth Energy Precinct consultancy	221040	104,478	104,478			21,204
Community Safety Projects Operational Funding	221007	117,000	117,000			7,500
Timor Leste Sister City Community Committee Projects	224001	5,000	5,000			-
Sister Cities Community Committees unspent initiatives	224001	20,669	20,669			-
Casuarina Library Operational Funding	235000	24,410	24,410			-
Asset Management; Road Assessment	312000	12,959	12,959			12,959
Heritage Grant Program; Pioneer Cemetery	343000	10,000			10,000	-
Total Operating Carry Forwards		**$ 869,068**	**$ 799,284**	**$ 26,500**	**$ 43,284**	**$ 113,633**

2009-10 CARRY FORWARD BUDGET REQUESTS

Capital Carry Forwards

	Budget	CARRY FORWARD BUDGET Amount	Revenue	Reserve	Grant	Actual + Committed Expenditure YTD
Plant Trade In Income	335031	- 235,454		- 235,454		- 221,967
Roads to Recovery Grant Income	322031	- 172,500			- 172,500	-
City Centre Revitalisation Grant Income	322032	- 540,000			- 540,000	-
City Centre Revitalisation Private Sector Contribution	322032	- 500,000			- 500,000	- 375,000
Masterplan; Aquatic Facilities	221060	27,028	27,028			-
Parap Recreational Facility Consultation Works	221060	32,850	32,850			-
Public Art Development Strategy	221061	8,000	8,000			-
Display Poles for Cultural Village	221061	9,360	9,360			280
Replica Beagle Ship Bell	221061	10,000	10,000			-
Playground Equipment	223060	7,683	7,683			327
Regional Playground Strategy	223060	179,280	179,280			6,400
City Centre Revitalisation	311060	4,521,309	1,184,390		3,336,919	4,521,309
Nightcliff Foreshore Exercise Stations	322061	42,791			42,791	19,200
Minor Capital Works Program	322064	14,544	14,544			14,544
Roads to Recovery; Cavenagh Street	322064	671,938			671,938	11,002
Black Spot Audits	322064	23,200	23,200			23,200
Land purchase Woolner Road	322064	137,499	137,499			48
LATM	322067	59,407	37,329		22,078	-
National Bike Paths Project; East Point Extension Stage 2	322068	394,717	394,717			-
Footpath Construction	331061	147,713	147,713			-
Disability Access	331062	27,590	27,590			-
Road Resealing and Rehabilitation Program	331065	76,856	76,856			-
Laneway Lighting Upgrade	331067	197,258			197,258	-
Walkways Lighting Upgrade	331067	3,200			3,200	-
Playground Lighting Upgrade	331067	50,000			50,000	-
Upgrade Meeting Space Casuarina Library	332060	45,455			45,455	32,777
Bishop Street Security Card Access	332060	18,500	18,500			16,480
Upgrade Shade Structures Casuarina Library	332060	17,273			17,273	17,273
East Point Signage	332063	54,315	54,315			23,600
Asbestos Management Program	332064	51,010	51,010			-
Esplanade Exeloo	332083	67,154	67,154			61,855
Boom Gate Operations Centre	332084	50,000	50,000			-
Oil Storage Shed Operations Centre	332084	30,000	30,000			20,300
Washdown Bay Operations Centre	332084	20,000	20,000			-
Emergency Gen Set Civic Centre	332084	50,000		50,000		-
Childcare Centre Program Maintenance	332085	88,349	88,349			-
Nightcliff Family Centre Bathroom Upgrade	332085	23,318			23,318	-
Parap Family Centre Bathroom Upgrade	332085	17,350	4,351		12,999	17,350
Nightcliff Community Centre Air Conditioner	332085	5,000	5,000			-
Darwin Entertainment Centre Refurbishment	332089	312,846	312,846			1,636
Gross Pollutant Traps	334060	93,976	69,999		23,977	3,813
Relocate Drainage Lot 5184 Benison Rd, Winnellie	334060	21,320	21,320			18,160
Waters Ward Walkways	334065	100,000	100,000			-
Mosquito Control Erosion Structures	334068	22,273			22,273	22,273
Plant Replacement Program	335003	854,760		854,760		854,760
Lake Alexander Inlet Pipe and Pump Replacement	341060	43,984	43,984			6,364
Cavenagh Street Revitalisation	341062	149,400	149,400			24,600
Irrigation Infrastructure	341065	47,480		47,480		26,500
Darwin General Cemetery Grave Numbering Restoration	341065	20,000	20,000			-
Infrastructure Development Nightcliff (Chan Ward)	341065	51,201	51,201			-
Gardens Cemetery Drainage	341065	34,725	19,999		14,726	-
Darwin General Cemetery Upgrade	341065	14,762	14,762			-
Cullen Bay Landscaping Upgrade	341065	100,000	100,000			-
IT Steering Committee Implementation and Testing	431060	13,127	13,127			5,515

2009-10 CARRY FORWARD BUDGET REQUESTS

		CARRY FORWARD BUDGET				Actual + Committed Expenditure YTD
	Budget	Amount	Revenue	Reserve	Grant	
IT Storage and Backup	431060	270,000	270,000			-
IT Switches	431060	117,367	117,367			81,785
Operations Centre Training Room Upgrade	431060	19,261	19,261			-
IT Server Replacement	431060	144,864	144,864			-
IT Desktop PC and Laptop Replacement	431060	92,530	92,530			-
Parking Study	453065	48,594		48,594		-
On Street Parking Meter Replacement	453065	1,974,025		1,974,025		1,974,025
Parap Markets Electricity Supply Works	455060	13,500		13,500		-
Total Capital Carry Forwards		**$ 10,291,988**	**$ 4,267,378**	**$ 2,752,905**	**$ 3,271,705**	**$ 7,208,409**
TOTAL CARRY FORWARDS		**$ 11,161,056**	**$ 5,066,662**	**$ 2,779,405**	**$ 3,314,989**	**$ 7,322,042**
% YTD ACTUAL & COMMITTED		**66%**				

RESERVES

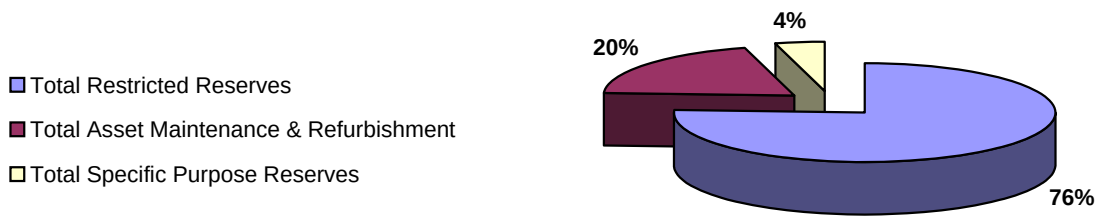
Summary of Reserve Position

Restricted Reserves	Opening Balance	Operating Transfers (to)/from Reserve	Capital Transfers (to)/from Reserve	Closing Balance
Waste Management	-5,836,527	-1,026,952	91,909	-6,771,570
Environmental	-104,320	-55,680	-	-160,000
Prepaid Subdivisional Works	-247,458	101,418	4,070	-141,970
CBD Carparking Shortfall	-4,576,919	-4,028,680	-	-8,605,599
Other Carparking Shortfall	-235,918	-11,455	1,406	-245,967
Off & On Street Carparking	-4,844,109	-1,463,701	206,929	-6,100,881
Highway/Commercial Carparking Shortfall	-49,989	-2,434	-	-52,423
Developer Contributions	-77,000	-55,882	-	-132,882
CBD Revitalisation	-2,579,524	-	2,579,524	-
Unexpended Grants	-1,903,897	-48,284	-1,395,786	-3,347,967
Total Restricted Reserves	**-20,455,662**	**-6,591,649**	**1,488,052**	**-25,559,259**

Asset Maintenance/Refurbishment Reserves	Opening Balance	Operating Transfers (to)/from Reserve	Capital Transfers (to)/from Reserve	Closing Balance
DEC Air-conditioning Replacement	-167,634	-36,000	-	-203,634
Market Site Development	-124,352	-41,100	-	-165,452
Nightcliff Community Hall	-31,844	-11,024	-	-42,868
Roads Reseal and Overlay	-377,980	-	377,980	-
Asset Maintenance & Refurbishment	-106,206	-	106,206	-
Coastal Foreshore Management	-	-	-189,065	-189,065
Computer Residual	-975,193	-	975,193	-
Unexpended Capital Works	-4,390,801	-557,399	-118,462	-5,066,662
Plant Replacement	-99,345	-2,054,166	1,146,147	-1,007,364
Total Asset Maintenance & Refurbishment	**-6,273,354**	**-2,699,689**	**2,297,999**	**-6,675,045**

Specific Purpose Reserves	Opening Balance	Operating Transfers (to)/from Reserve	Capital Transfers (to)/from Reserve	Closing Balance
Disaster Contingency	-953,531	84,000	32,712	-836,819
Graffiti Management	-0	-262,843	70,000	-192,843
Election Expense	-127,465	-	-	-127,465
Watering	-400,965	9,565	112,520	-278,880
Total Specific Purpose Reserves	**-1,481,961**	**-169,278**	**215,232**	**-1,436,007**
TOTAL ALL RESERVES	**-28,210,977**	**-9,460,616**	**4,001,282**	**-33,670,311**

Reserves by Category



13 OFFICERS REPORTS

13.6 Australian Hotels Association NT Branch - Appeal of Council's Decision- Outdoor Dining Policy

Report No. 10C0122 (07/09/10) Common No. 370508

Report Number 10C0122 attached.

ENCL: YES

DARWIN CITY COUNCIL

DATE: 7/09/2010

REPORT

TO: 1st ORDINARY COUNCIL/OPEN A **APPROVED:** JB

FROM: GENERAL MANAGER COMMUNITY & CULTURAL SERVICES

REPORT NO: 10C0122 JB:kl

COMMON NO: 370508

SUBJECT: AUSTRALIAN HOTELS ASSOCIATION NT BRANCH - APPEAL OF COUNCIL'S DECISION - OUTDOOR DINING POLICY

ITEM NO: 13.6

SYNOPSIS:

The Australian Hotels Association (AHA) NT Branch has written requesting that Darwin City Council reconsider its decision of 25 May 2010 in respect to Council's Alfresco Dining Permit Policy which is:

> That Council retains the existing Outdoor Dining Policy which requires that patrons consuming alcohol are required to be seated.

A copy of the letter from the AHA is contained in attachment A.

GENERAL:

A copy of Council's decision of 25 May 2010 and the accompanying Council report is contained in attachment B

In point one of the correspondence from the AHA a question is raised as to whether or not the AHA were provided due process. The following table provides an overview of the process.

16 March 2010	Report 10C0033, 8/3/10 entitled Overview of NT Government Tobacco Legislative Reform and its Implications for Council's Outdoor Dining Policy	Submitted to the 1st Ordinary meeting held on 16/3/10.
16 March 2010	Council Decision No. 20/2544	That this matter lay on the table until Council receives a submission from the NT Brach of the Australian Hotel Association (AHA).
22 March 2010	John Banks & Amy Williamson meet	Discuss Tobacco Legislation & Outdoor Dining
21 April 2010	Email from John Banks to Amy Williamson, AHANT	Advises that Council is going to consider outdoor dining and tobacco legislation in May and asks if AHA is going to put in a submission.
21 April 2010	Email from Amy Williamson, AHANT to John Banks	Advises that AHANT intends to put in a submission
29 April 2010	Letter from AHANT	Requests for Change to Council's Alfresco Dining Policy - Tobacco Control Reform
10 May 2010	Report 10C0061, 5/5/10 entitled Overview of NT Government Tobacco Legislative Reform and its Implications for Council's Outdoor Dining Policy	Submitted to the Community & Cultural Services Committee meeting held on 10/5/10
25 May 2010	Council Decision No. 20\2825	That Council retains the existing Outdoor Dining Policy which requires that patrons consuming alcohol are required to be seated. That Council writes to the Director of Colemans Group and the operator of Shenannigans declining his request to amend Council's Outdoor Dining Policy.
28 May 2010	DCC Letter to AHANT	Advises Council's decision. CC'd to Mr Justin Coleman

RECOMMENDATIONS:

THAT it be a recommendation to Council:-

A. THAT Report Number 10C0122 JB:kl entitled Australian Hotels Association NT Branch - Appeal of Council's Decision - Outdoor Dining Policy, be received and noted.

B. THAT the incoming letter from the Australian Hotels Association Northern Territory Branch dated 31 August 2010, document number 1862418, be received and noted.

C. THAT Council advise the Australian Hotels Association NT that it has reconsidered the Decision of 25 May 2010, Decision No. 20\2825, and confirms the existing Outdoor Dining Policy which requires that patrons consuming alcohol are required to be seated will remain unchanged.

JOHN BANKS
GENERAL MANAGER COMMUNITY & CULTURAL SERVICES

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

Darwin City Council
01 SEP 2010

ATTACHMENT A

Northern Territory Branch
AUSTRALIAN HOTELS ASSOCIATION
Telephone: (08) 8981 3650 Facsimile: (08) 8981 5754
20/24 Cavenagh Street Darwin Northern Territory 0800
GPO Box 3270 Darwin Northern Territory 0801
admin@ahant.com.au
www.ahant.com.au

31 August 2010

By email

Lord Mayor of Darwin
His Right Worshipful, Mr Graeme Sawyer
Darwin City Council
GPO Box 84
DARWIN NT 0801

Copy:
Minister for Racing Gaming & Licensing, Hon Delia Lawrie
Minister for Health, Hon Kon Vatskalis
Commissioner of Police, John McRoberts APM
Alderman Helen Galton
Alderman Heather Sjoberg
Alderman Rodger Dee
Alderman Bob Elix
Chief Executive Officer of DCC, Mr Brendan Dowd
Chairman of the NT Licensing Commission, Mr Richard O'Sullivan
Executive Director, Licensing Regulation & Alcohol Policy, Mr Micheil Brodie
Director of Licensing, Mr Gary Moriarty
Proprietor, Shenannigans, Mr Justin Coleman

Dear Lord Mayor,

Appeal - Decision of Council - Alfresco Dining Permit Policy – NT Tobacco Reforms

I refer to the decision of Council dated 25 April 2010 in which it resolved to "retain the existing Outdoor Dining Policy which requires patrons who are consuming alcohol to be seated".

The AHA (NT Branch) wishes to appeal that the decision of Council and request Council's reconsideration of that decision on the following basis:

1. The AHA(NT) may not have been provided due process. Prior to receiving submissions from the AHA (NT), John Banks, General Manager, Community & Cultural Services, provided the AHA(NT) with his report to Council which already made recommendations to Council not to change the alfresco dining

FOSTER'S GROUP
CCA COCA-COLA AMATIL
LION NATHAN
AUSTRALIAN LIQUOR MARKETERS PTY LTD
HOSTPLUS expect more

DataWorks Document Number: 1862418

policy. The AHA(NT) is concerned that our submissions were not fully considered given the recommendations had already been finalised.

2. The *Tobacco Control Amendment Act* which brings into effect the new outdoor smoking regulations was not enacted until June 2010. Now with the new laws finalised, the AHA (NT) is in a position to provide a fully informed submission to Council in regards to the urgent need for changes to the Alfresco Dining Policy.

3. The AHA (NT) is concerned that Council may not have properly taken into account the significant risk to public safety if the Alfresco Dining Policy is not amended.

The AHA (NT) submits that Council needs to reconsider the current Alfresco Dining Policy to overcome the direct conflict with the new legislation enacted by the Northern Territory Government. It is our view that this can be achieved without jeopardising Council's original concept for alfresco dining.

Alfresco Dining Permit Policy

Currently under Council's current Alfresco Dining Permit Policy (**"the Policy"**) the following pertinent conditions apply:

A. Council will allow the serving of alcohol *without a meal* during the period of 8.00pm – 2.00am the following day.

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

   1. patrons shall only consume alcohol whilst seated at a table (bar stools and raised tables will not be approved);
   2. the alfresco area is clearly delineated;
   3. adjacent <u>footpaths are controlled</u> in such a manner as to minimise disruption to the public;
   4. <u>substantial meals</u> and non-alcoholic drinks will be <u>available on request</u>;
   5. the area is to at all times have <u>the appearance of and trade predominantly as an outdoor dining area</u>;
   6. <u>noise levels</u> shall be limited to a level which would <u>not cause unreasonable disturbance</u> to the amenity of the ordinary residents of any nearby residential property.

Change Required to Alfresco Dining Policy

The AHA (NT) submits that the above Policy should be maintained for 50% of the alfresco dining area ensuring that the dining concept is maintained. This area must be non-smoking as meals are not permitted to be consumed under the new laws in outdoor smoking areas (**OSAs**).

In regards to the other 50% of the alfresco dining area, we propose that a licensee could set aside some or all of the area as an outdoor smoking area (OSA), with the following alternate conditions to apply:

DataWorks Document Number: 1862418

A. Council will allow the serving of alcohol *without a meal* in an OSA during the period of 10.00am – 2.00am the following day provided the following criteria are met:

1. patrons may consume alcohol whilst seated at a table or standing at a raised table;
2. the OSA of the alfresco area is clearly delineated;
3. adjacent footpaths are controlled in such a manner as to minimise disruption to the public;
4. pre-packaged food and non-alcoholic drinks will be available on request (in line with the *Tobacco Control Act*);
5. the area is to at all times have the appearance of a seated area;
6. table seating is provided for at least 80% of the permitted patron capacity of the OSA at all times; and
7. noise levels shall be limited to a level which would not cause unreasonable disturbance to the amenity of the ordinary residents of any nearby residential property.

Changes to Tobacco Control Legislation

As at 2 January 2010, smoking in enclosed areas in licensed venues has been banned.

From 2 January 2011, licensed venues will need to ensure that at least 50% of their outdoor areas are smoke-free. The outdoor smoking areas (**"OSA"**) will be subject to the following pertinent restrictions:

1. meals cannot be consumed in the OSA (pre-packaged food will be permitted);
2. OSA must have buffers of at least 2 m wide or an impervious barrier of 2.1 m high;
3. entertainment in OSA is limited; and
4. the OSA may not be of any greater amenity than any other outdoor area of the licensed venue.

I bring your specific attention to point 1 above that meals cannot be served in OSAs under the new laws. This means that the new legislative provisions directly conflict with the current Alfresco Dining Policy and licensees with alfresco areas will not be able to benefit from the exemptions provided by the legislation to allow for an outdoor area for smoking patrons.

Submission to change the Alfresco Dining Policy in respect to 50% of the Alfresco Area

The reasons that the new legislation provided an exemption for licensed venues to have an outdoor smoking area (OSA) within their venue is to:

- ensure patrons who smoke can be catered for within the licensed venue in a regulated environment;
- ensure patron safety; and
- alleviate some of the significant negative financial impact that smoking reforms have on licensed venues.

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By not allowing these local licensed businesses to take advantage of this very important exemption, puts these businesses at an immense disadvantage including both financial hardship and the inability to ensure the safety of their smoking patrons.

We respectfully request that Council reconsider amending the Alfresco Dining Policy slightly to ensure that a practical and sensible outcome is reached that will appease both the community and small business owners within its municipality.

The benefits of this minor change to Council's policy will be:

1. **The alfresco areas will still predominantly be outdoor dining areas**

   At least 50% of the Alfresco Ding Area will be smoke-free on the current conditions. The other 50% or less will require patrons to be seated however meals will not be required to be served to the tables and therefore an area is available to these seated patrons to smoke within the licensed area.

   Therefore despite the minor changes to the policy, the alfresco area will continue to have the appearance of, and trade predominantly as, an outdoor dining area in accordance with the current policy.

2. **Greater safety for patrons and pedestrians**

   Patrons will not have to move on to footpaths in front of licensed alfresco dining areas in order to have a cigarette. ***Sending patrons out onto footpaths brings with it significant safety concerns as these people will be totally unsupervised by licensed security because they are not within the licensed venue.***

   Not only will it cause some congestion issues on the footpath for pedestrians but it is also likely to cause a dangerous traffic hazard as people may step out onto the street if the footpath is congested.

   Pushing people out onto the street will impose greater pressure on already stretched Police resources.

   Allowing patrons to smoke within an OSA in a licensed venue will mean that Council will *maintain the primary role and function of the footpath as a public thoroughfare for pedestrians* and not a place for people to congregate to smoke, pursuant to Council's Central Darwin Streetscape Strategy.

   Safety of the public who come into Darwin City is paramount and we respectfully believe that Council has not fully considered the ramifications of having large numbers of people out on the footpaths and streets to smoke.

3. **Council will provide much needed support to local businesses**

   Managing the "no standing" policy on alfresco areas is, and has always been, extremely difficult and in our view the suggested amendment to the policy will provide a common sense solution. Examples include; a patron walking

DataWorks Document Number: 1862418

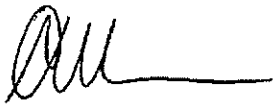
past and stopping to have a chat with seated friends or patrons walking outside to speak on their mobile telephone. The current policy is near impossible to adhere to and manage. It causes not only management and security significant frustration but patrons as well as they simply do not comprehend its purpose.

This is very confusing and confrontational for patrons, particularly tourists, who do not understand the difference between Council owned land and privately owned land and where you can and can't stand.

I would be happy to meet with Council to discuss our position further.

Please contact me if you have any queries regarding our submission or to discuss this matter generally.

Yours sincerely,



Amy Williamson
Chief Executive Officer

DataWorks Document Number: 1862418

14 COMMITTEE REPORTS

14.1 COMMUNITY & CULTURAL SERVICES (10/06/10)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 10 May 2010

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17 Overview of NT Government Tobacco Legislative Reform and its Implications for Council's Outdoor Dining Policy
Report No. 10C0061 JB:kl (05/05/10) Common No. 370508

(Lesley/Moir)

A. THAT report Number 10C0061 JB:kl entitled, Overview of NT Government Tobacco Legislative Reform and its Implications for Council's Outdoor Dining Policy, be received and noted.

B. THAT Council retains the existing Outdoor Dining Policy which requires that patrons consuming alcohol are required to be seated.

C. THAT Council writes to the Director of Colamena Group and the operator of Shenanigans declining his request to amend Council's Outdoor Dining Policy.

DECISION NO.20\2825 (25/05/10) Carried: General Consent

ACTION: GM COMM & CULTURAL

CityWorks Document Number: 1944177

ENCL: YES

DARWIN CITY COUNCIL

DATE: 5/5/2010

REPORT

TO: COMMUNITY & CULTURAL SERVICES/OPEN A

APPROVED: JB

FROM: GENERAL MANAGER COMMUNITY & CULTURAL SERVICES

REPORT NO: 10C0061 JB:kl

COMMON NO: 370508

SUBJECT: OVERVIEW OF NT GOVERNMENT TOBACCO LEGISLATIVE REFORM AND ITS IMPLICATIONS FOR COUNCIL'S OUTDOOR DINING POLICY

ITEM NO:

SYNOPSIS:

This report presents a previous report which provided Council with an overview of the NT Government's legislative changes to the Tobacco Control Regulations and the implications, if any, for the administering of Council's Outdoor Dining Policy.

GENERAL:

Previous Decision No. 20\2544 (16/3/10)

THAT this matter lay on the table until Council receives a submission from the NT Branch of the Australian Hotel Association (AHA).

Council has received the NT Branch of the Australian Hotel Association's submission which is attached.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC PLAN IMPLICATIONS:

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

Goal

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

Outcome

1.1 Improve relations with all levels of Government

Key Strategies

1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

Key Strategies

7.1.6 Develop contemporary management policies and by-laws

LEGAL IMPLICATIONS:

Nil

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

Potentially favourable public relations in view of Council's continued commitment to the amenity of the municipality including community safety.

COMMUNITY SAFETY IMPLICATIONS:

The potential for compromised community safety in the vicinity of licensed premises should the requirement for patrons consuming alcohol to be seated be waived.

DELEGATION:

Nil

CONSULTATION:

Nil at this stage

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE

Nil

RECOMMENDATIONS:

THAT it be a recommendation to Council:-

A. THAT report Number 10C0061 JB:kl entitled Overview of NT Government Tobacco Legislative Reform and its Implications for Council's Outdoor Dining Policy, be received and noted.

B. THAT Council retains the existing Outdoor Dining Policy which requires that patrons consuming alcohol are required to be seated.

C. THAT Council writes to the Director of Colemans Group and the operator of Shenannigans declining his request to amend Council's Outdoor Dining Policy.

ANNIE FARRELL
PRINCIPAL POLICY OFFICER

JOHN BANKS
GENERAL MANAGER COMMUNITY & CULTURAL SERVICES

Any queries on this report may be directed to Annie Farrell on 89300404 or a.farrell@darwin.nt.gov.au

Report 10C0061 - Community & Cultural Services - Attachment - Overview…

ENCL: YES

DARWIN CITY COUNCIL

DATE: 8/3/2010

REPORT

TO: 1st ORDINARY COUNCIL/OPEN **APPROVED:** JB

FROM: GENERAL MANAGER COMMUNITY & CULTURAL SERVICES **APPROVED:** AF

REPORT NO: 10C0033 AF:kl

COMMON NO: 370508

SUBJECT: OVERVIEW OF NT GOVERNMENT TOBACCO LEGISLATIVE REFORM AND ITS IMPLICATIONS FOR COUNCIL'S OUTDOOR DINING POLICY

ITEM NO:

SYNOPSIS:

This report provides Council with an overview of the NT Government's legislative changes to the Tobacco Control Regulations and the implications, if any, for the administering of Council's Outdoor Dining Policy.

GENERAL:

Exemptions to indoor smoking bans for licensed premises ceased on January 2 2010 as a result of changes to the *Tobacco Control Regulations* on December 14 2009.

On January 2 2011 the introduction of outdoor restrictions will take effect with the required legislative amendments to be introduced to Parliament in March/April 2010.

Overview of Outdoor Smoking Area (OSA) requirements

The requirements forming the framework under which licensed premises can designate an outdoor smoking area (OSA) when the new outdoor restrictions are introduced in 2011 are:

- food cannot be consumed in the OSA.
- an OSA must be not more than 50% of the whole outdoor area of the premises.
- each OSA must have buffers on its perimeter wherever it is adjacent to other parts of the premises' outdoor area.

- a buffer surrounding an OSA includes an impervious barrier or 2 metres in width where a barrier is not present.
- entertainment such as bands, poker machines or pool tables cannot be provided within the OSA whilst electronic items such as speakers, TV screens and jukeboxes may be permissible.
- the OSA can not be of greater amenity that any other outdoor area within the premises.
- the licensee must maintain an up-to-date smoking management plan that is available for perusal by government officers and patrons on request.
- the OSA must comply with all other Northern Territory *Tobacco Control Act* requirements.

Council's Outdoor Dining Policy

The requirements for Council's Alfresco and Sidewalk Café permit holders under the Outdoor Dining Policy are as follows:

- 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 an 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.[1]

[1] This Policy will be amended In accordance with Council's current commitment to a general policy review including reformatting and updating.

Relationship between the requirements of the OSA and the Outdoor Dining Policy

The implications of the new legislation operating in conjunction with Council's Outdoor Dining Policy (such as the requirement for patrons to be seated whilst consuming alcohol) will likely result in required changes to the modes of operation of some Council permit holders.

In March 2009, Council received correspondence from one licensed operator concerning the impact of the existing Policy combined with the pending legislative requirements. Council's response to this letter has been delayed due to the requirement to fully consider the nature and impact of the tobacco legislation reforms which Council did not receive from the NT Government until mid-January 2010.

The operator asserts that the requirement for patrons to be seated whilst consuming alcohol coupled with the new structural prescriptions will render the operation to be at a commercial disadvantage to licensed operations on non-Council or privately owned land.

To mitigate this disadvantage, the operator suggests that Council's Policy be amended to reflect specifications for private property licensed operations, namely that "seating must be available for 80% of maximum patron numbers in a licensed outdoor area" as prescribed by the Liquor Licensing Commission.

To properly consider this request, the following research provides insights into how other local governments are responding, via a contemporary approach, to regulating smoking. To further assist the consideration of this request, the report also reiterates Council strategies in relation to the management of alcohol in the municipality.

Local Government smoking reform initiatives

Whilst there is no question that licensed operators in Darwin will be compelled to conform with the OSA prescriptions in 2011, it is significant to note that local governments across Australia have participated in innovative initiatives to support the healthy, smoke-free amenity of their municipalities beyond the requirements of legislative reform.

According to the Australian Council On Smoking and Health, local governments can make a significant difference to the health, safety and cleanliness of the community by making areas under council control smokefree. This includes areas such as beaches, sporting facilities, parks, playgrounds, outdoor alfresco areas and public events like concerts.

NSW was one of the first jurisdictions where a number of councils, including Manly, Mossman, and Warringah introduced comprehensive outdoor smoking bans prohibiting smoking in all outdoor eating and drinking (or alfresco dining) areas and in public places such as malls and on footpaths.[2]

A number of city councils in Western Australia such as Fremantle, Rockingham and Perth also introduced similar restrictions and, in November 2008, Joondalup City Council voted to ban both smoking in alfresco areas on public property and smoking within five metres of the entrances and exits of all Council-owned buildings.[3]

Council's alcohol management strategies

To retain the current Outdoor Dining Policy accords with the key assertions and recommendations of Council's recent submission to a Liquor Licensing Inquiry into cheap and "problem" alcohol products designed to address the adverse impact of alcohol upon the municipality including the revocation of 4am liquor licenses to 2am.

Aside from the submission to the Inquiry, the Policy also accords with a raft of Council's alcohol management strategies including the design and development of an Alcohol Management Plan in conjunction with the NT Government, a Liquor Accord in the Casuarina Business Precinct also in conjunction with the NT Government and business operators and the implementation and funding of a secure taxi rank in the CBD, etc.

Summary

In view of the research cited above, it is evident that Council's current Outdoor Dining Policy reflects a contemporary approach to mitigating the adverse impacts of the consumption of alcohol in licensed premises. To this end, Council could consider that no amendments to the current Outdoor Dining Policy are required ensuring that the current ambience and amenity of outdoor dining in the municipality is retained.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC PLAN IMPLICATIONS:

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

[2] http://www.cancercouncil.com.au/editorial.asp?pageid=1046 viewed on March 3 2010
[3] http://www.acosh.org/news/ viewed on March 3 2010

Goal

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

Outcome

1.1 Improve relations with all levels of Government

Key Strategies

1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin

Goal

7 Demonstrate Effective, Open and Responsible Governance

Outcome

7.1 Effective governance

Key Strategies

7.1.6 Develop contemporary management policies and by-laws

LEGAL IMPLICATIONS:

Nil

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

Potentially favourable public relations in view of Council's continued commitment to the amenity of the municipality including community safety.

COMMUNITY SAFETY IMPLICATIONS:

The potential for compromised community safety in the vicinity of licensed premises should the requirement for patrons consuming alcohol to be seated be waived.

DELEGATION:

Nil

CONSULTATION:

Nil at this stage

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE

Nil

RECOMMENDATIONS:

THAT it be a recommendation to Council:-

A. THAT report Number 10C0033 AF:kl entitled Overview of NT Government Tobacco Legislative Reform and its Implications for Council's Outdoor Dining Policy, be received and noted.

B. THAT Council retains the existing Outdoor Dining Policy which requires that patrons consuming alcohol are required to be seated.

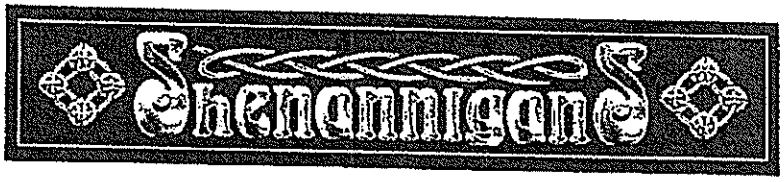
C. THAT Council writes to the Director of Colemans Group and the operator of Shenannigans declining his request to amend Council's Outdoor Dining Policy.

ANNIE FARRELL
PRINCIPAL POLICY OFFICER

JOHN BANKS
GENERAL MANAGER COMMUNITY & CULTURAL SERVICES

Any queries on this report may be directed to Annie Farrell on 5404 or a.farrell@darwin.nt.gov.au

Report 10C0033 - 1st Ordinary - Attachment - Overview of NT Government...



COPY

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.

Shenannigans 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.

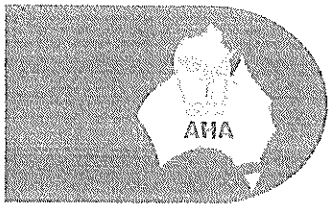
Although we have operated our alfresco dining area for six years now, we have always had difficulties enforcing one of the requirements placed on us by Council and liquor licensing; which is the rule that "patrons must be seated whilst consuming alcohol".

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.



Northern Territory Branch
AUSTRALIAN HOTELS ASSOCIATION

Telephone: (08) 8981 3650 Facsimile: (08) 8981 5754
20/24 Cavenagh Street Darwin Northern Territory 0800
GPO Box 3270 Darwin Northern Territory 0801
admin@ahant.com.au
www.ahant.com.au

29 April 2010

By email

Mr John Banks
Darwin City Council
GPO Box 84
DARWIN NT 0801

Copy:
Minister for Racing Gaming & Licensing, Hon Delia Lawrie
Minister for Health, Hon Kon Vatskalis
Chairman of the Licensing Commission, Richard O'Sullivan
Superintendent NT Police, Darwin Operational Service Division, Jamie Chalker

Dear John,

Request for Change to Alfresco Dining Permit Policy – Tobacco Reforms

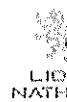
Thank you and Liam Carroll for meeting with Justin Coleman and me on 22 March 2010 to discuss the impending legislative tobacco control changes and the implications of those changes to Council's current Alfresco Dining Permit Policy.

At that meeting you provided us with a draft Report, dated 8 March 2010, which has been prepared for the purposes of consideration by Council. Thank you for the opportunity to consider that draft Report and to provide our feedback and submissions in regards to the same.

Alfresco Dining Permit Policy

Currently under Council's current Alfresco Dining Permit Policy (**"the Policy"**) the following pertinent conditions apply:

A. Council will allow the serving of alcohol *without a meal* during the period of 8.00pm – 2.00am the following day.
B. Council will allow the serving of alcohol *with a meal* during the period 11.30am until 8.00pm provided the following criteria are met:
   1. patrons shall only consume alcohol whilst seated at a table (bar stools and raised tables will not be approved);
   2. the alfresco area is clearly delineated;



3. adjacent footpaths are controlled in such a manner as to minimise disruption to the public;
4. substantial meals and non-alcoholic drinks will be available on request;
5. the area is to at all times have the appearance of and trade predominantly as an outdoor dining area;
6. noise levels shall be limited to a level which would not cause unreasonable disturbance to the amenity of the ordinary residents of any nearby residential property.

I note that under Council's Central Darwin Streetscape Strategy, one objective states that alfresco dining policy is to "facilitate and encourage a unique outdoor dining environment *while maintaining the primary role and function of the footpath as a public thoroughfare for pedestrians*.

Proposed Changes to Tobacco Control Legislation

As at 2 January 2010, smoking in enclosed areas in licensed venues has been banned.

From 2 January 2011, licensed venues will need to ensure that at least 50% of their outdoor areas are smoke-free. The outdoor smoking areas (**"OSA"**) will be subject to the following pertinent restrictions:

1. meals cannot be consumed in the OSA (pre-packaged food will be permitted);
2. OSA must have buffers of at least 2 m wide or an impervious barrier of 2.1 m high;
3. entertainment in OSA is limited; and
4. the OSA may not be of any greater amenity than any other outdoor area of the licensed venue.

AHA Submission to Amend the Alfresco Dining Policy

The AHA is extremely concerned that the draft Report provided to us for our comment currently recommends to Council that there be no changes made to the Alfresco Dining Policy. This is despite one of the biggest reforms our industry has seen to date, being the indoor smoking bans which took effect on 2 January 2010 and the impending smoking reforms in outdoor areas to take effect on 2 January 2011.

We respectfully request that Council consider amending the Alfresco Dining Policy slightly to ensure that a practical and sensible outcome is reached that will appease both the community and small business owners.

The implementation of smoking bans in enclosed areas of hotels and clubs on 2 January 2010 has already had a significant adverse financial impact on the licensed venues. With further outdoor smoking regulations being implemented in 2011, licensed venues need as much assistance as possible from Government and Local Government to cushion the inevitable further blow.

With patrons not being able to smoking inside licensed premises and soon not in outdoor dining areas of licensed venues, the current alfresco dining policy will have

some significant unintended consequences for those hotels that have outdoor areas under Council's Alfresco Dining Permits.

The AHA submits that Council vary the Alfresco Dining Policy by adopting similar restrictions imposed by the Northern Territory Licensing Commission in the decision of Brewhouse Pty Ltd, dated 3 March, being:

- table seating for at least 80% of the permitted patron capacity for the licensed area be available; and
- the balance, being 20% of the permitted patron capacity, may stand or sit at high tables.

The benefits of this minor change to Council's policy will be:

1. **The alfresco areas will still predominantly be outdoor dining areas**

   Requiring 80% of patrons to have a seat will mean that the alfresco area will continue to have the appearance of, and trade predominantly as, an outdoor dining area in accordance with the current policy.

2. **Greater safety for patrons and pedestrians**

   Patrons will not have to move on to footpaths in front of licensed alfresco dining areas in order to have a cigarette. Sending patrons out on to footpaths brings with it safety concerns and will place added pressure on hotel security to manage more numbers of people outside the venue rather than primarily concentrating on patrons inside.

   Allowing patrons to smoke within licensed areas of a venue will mean that Council will *maintain the primary role and function of the footpath as a public thoroughfare for pedestrians* and not a place for people to congregate to smoke, pursuant to Council's Central Darwin Streetscape Strategy.

3. **Council will provide much needed support to local businesses**

   Managing the "no standing" policy on alfresco areas is, and has always been, extremely difficult and in our view the suggested amendment to the policy will provide a common sense solution. Examples include; a patron walking past and stopping to have a chat with seated friends or patrons walking outside to speak on their mobile telephone. The current policy is near impossible to adhere to and manage. It causes not only management significant frustration but the patrons as well as they simply do not comprehend its purpose.

   Further, the indoor smoking reforms have had a significant negative financial impact on industry. It is expected that the outdoor smoking regulations will cause even further problems for industry. By not allowing these small businesses to provide an outdoor area within their venue for people to smoke, would result in even greater adverse financial consequences for those businesses.

I would be happy to meet with Council to discuss our position further.

Please contact me if you have any queries regarding our submission or to discuss this matter generally.

Yours sincerely,

Amy Williamson
Chief Executive Officer

13 OFFICERS REPORTS

13.7 Response to the Draft Environmental Impact Statement for the Ichthys Gas Field Development Project Proposal (INPEX)

Report No. 10TS0168 (26/08/10) Common No. 1377129

Report Number 10TS0168 attached.

ENCL: YES

DARWIN CITY COUNCIL

DATE: 26 August 2010

REPORT

TO: CHIEF OFFICERS GROUP/OPEN **APPROVED:** MB

FROM: EXECUTIVE MANAGER **APPROVED:** PR

REPORT NO: 10TS0168

COMMON NO: 1377129

SUBJECT: RESPONSE TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE ICHTHYS GAS FIELD DEVELOPMENT PROJECT PROPOSAL (INPEX).

ITEM NO: 13.7

SYNOPSIS:

Darwin City Council has kept a keen watch on the development of the INPEX case for environmental acceptability of undertaking the Ichthys Gas Field Development Project proposal for Blaydin Point, Darwin Harbour.

In August 2008 Council responded to the Draft Guidelines for the 'Preparation of a Draft Environmental Impact Statement' for the Ichthys Gas Field Development Project (**Attachment A**). Council acknowledges that since 2008 and through the submissions received to the Draft Guidelines for the Draft EIS, INPEX has undertaken extensive additional work to provide responses to match the issues that were raised at that time.

This Report provides information for Council in terms of the above project and recommends a written submission to INPEX seeking them to address matters of concern with their "DRAFT Environmental Impact Statement" (Draft EIS) for the Ichthys Gas Field Development Project proposal (**Attachment B**).

Some responses in this report are in the form of posing a question when there has not been adequate information provided or where a matter has not been raised by INPEX.

The DRAFT EIS has been available for public review and comment for a period of eight weeks. During this time INPEX has provided public stakeholder consultation sessions as well as sessions for specific interest groups.

Council endorsement is sought for the response to the Inpex Draft EIS contained in (**Attachment B**).

GENERAL:

In 2008 Darwin City Council responded to the Draft Guidelines for the Preparation of a Draft Environmental Impact Statement for the Ichthys Gas Field Development Project proposal. (**Attachment A**)

Council is now responding to the invitation by INPEX to comment on their DRAFT Environmental Impact Statement. (**Attachment B**)

Council has the approach taken of addressing a wide range of matters of importance with off shore and on shore environmental management issues including climate change, marine and terrestrial impacts and management, risk assessments, waste management and socio-economic impacts and management.

Each matter raised in this report is not necessarily in order of importance but rather is in sequential order of issues raised in the INPEX document and by page number of the Draft EIS. This is the format that INPEX has requested that submissions be structured in their return to them.

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

Key Strategies

1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle

Goal

4 Create and Maintain an Environmentally Sustainable City

Outcome

4.4 Enhance, preserve and protect the Darwin environment

Key Strategies

4.4.1 Preserve the Darwin Harbour

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS:

Council is of the understanding that the Draft Environmental Impact Statement was prepared in accordance with requirements of Northern Territory and Federal Legislation

ENVIRONMENTAL IMPLICATIONS:

There is potential significant and long term environmental implications as a result of the proposed development – please refer to the matters raised within this report.

PUBLIC RELATIONS IMPLICATIONS:

There may be significant media interest in Council's response to the Environmental Impact Statement.

COMMUNITY SAFETY IMPLICATIONS:

There are potentially significant community safety impacts for the Inpex development as outlined in this report.

DELEGATION:

Nil

CONSULTATION:

Nil

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE

Nil

RECOMMENDATIONS:

A. THAT Report Number 10TS0168 entitled Response to the DRAFT Environmental Impact Statement for the Ichthys Gas Field Development Project Proposal (INPEX), be received and noted.

B. THAT Council endorse the response contained in Attachment B to Report Number 10TS0168 entitled Response to the Draft Environmental Impact Statement for the Ichthys Gas Field Development Project Proposal (Inpex) as its response to the Draft Environmental Impact Statement for the Ichthys Gas Field development.

PAM ROBINSON
MANAGER CLIMATE CHANGE & ENVIRONMENT

MARK BLACKBURN
EXECUTIVE MANAGER

Any queries on this report may be directed to Pam Robinson on 89300530 or p.robinson@darwin.nt.gov.au

ATTACHMENT A

Draft Guidelines for Preparation of a Draft environmental Impact Statement
ICHTHYS GAS FIELD DEVELOPMENT PROJECT
BLAYDIN POINT, DARWIN HARBOUR,NT
INPEX BR
AUGUST 2008

DARWIN CITY COUNCIL RESPONSE TO DRAFT GUIDELINES

PART A INFORMATION FOR THE PUBLIC

The Northern Territory Minister for Natural Resources, Environment and Heritage has determined that the proposal requires assessment under the *Environmental Assessment Act* at the level of an EIS
Similarly, the proposal will also be assessed by the Australian Government under the *Environment Protection and Biodiversity Conservation Act.*

NRETA and the Commonwealth DEWHA have determined that the proposal will be assessed cooperatively. This is due to the fact that the proposal cannot be assessed under the usual bilateral agreement as the proposal is located partly in Commonwealth waters where such agreement does not apply.

It is our opinion that Draft EIS Information should have allowed for an extended consultation period to allow time for the public to get involved and provide meaningful comment on a project of this scale and significance.

Provision of General Comments
These initial comments are provided to add to your issues lists and to assist you with your considerations for the preparation of the EIS.
We will be better able to respond with comments on the 'actual' EIS when it is becomes public and is available for comment.
We trust that a more appropriate length of time is made available for public comment on the 'actual' EIS. We recommend the EIS be open for public comment for the period of one calendar month.
:

Page 3

- Social impacts of the additional (mainly male) construction workforce in Darwin .
- Impacts on services and infrastructure from this workforce, particularly in terms of accommodation, medical services, power and potable water.
- Options and opportunities for waste water treatment and reuse should be pursued in preference to discharge of waste water into Darwin Harbour.
- Effects of Climate change and sea level rise on the proposal both during construction and when plant in place.
- Post operation land use.

Page 6
Questions relating to ***construction activities***,

- 1 What is the fate of material collect from dredging operations; where is it to be deposited.
- 3 What are the implications of dredging and increased shipping activities on aquatic flora and fauna
- 4 Importance of Mangroves in Darwin Harbour and their protection
- 6 Increase in demand for potable water supplies is a concern. How much extra pressure on this resource can be sustained. What measures will be in place for Itchthys Gas Field Development to capture, reuse and recycle rainwater.
- 8 What measures are envisaged to address the current, already stressed road infrastructure and to meet future requirements to adequately mange increased traffic.
- 9 Construction Waste – What are the estimated amounts of increased packaging, waste oils, steel off cuts, putrescibles to be and what impact and financial burden will this be on the Shoal Bay Landfill operations run by Darwin City Council.

Page 7
The draft Guidelines 14 day review period was too short for public comment.
The proposed 20 business days will also be too short for public review and comment on EIS.
We recommend that the EIS is open for public comment for one calendar month.

PART B

Page 3
2.1 2nd *paragraph understand the environmental,* ***Economic*** / **and Social** *consequences* of the proposed development.

Page 5
2.3.1

The EIS should be made available for public review at:
Please add

- Darwin City Council Libraries (City, Casuarina, Nightcliff and Karama.)

NB. Whilst this Project is located in the Darwin Harbour Region it is a NT Government initiative. Therefore an opportunity for all communities in the Northern Territory to comment should be made available.
For that reason, we would recommend that the Library at Katherine,Alice Springs and other locations should be given equal attention..

Page 8
4.7

- 1: Supporting infrastructure...add after camps, **waste disposal** etc.

Page 9
4.8.2

- 1 should read - …and by-products generated from construction, operations and decommissioning.

Page 11
6.2 Hazards & Risks to Humans and Facilities:
Under 'The risk assessment should, as a minimum, address
Final dot points should include

- Effects of Climate Change
- Project failure.

Page 14 - 23
Table 1
Additions to be included.

Page	Factor	Baseline	Potential Impacts	Safe Guards Management and Monitoring
14	***Oceanic prcess and natural features***	Details of impacts of sea level rise	Increased turbidity from dredging opp's on marine environment	
15	***Water***	Take into effects account Climate change when using ARI event figures		
16	***Air Quality***	Dot point 1 indentify sensitive receptors over **entire air shed** not just adjacent to project area		
18	***Ecological Values***		Dot point 2Describe impacts on species from: should include the freezing of the area surrounding the submerged gas pipeline.	
20	***Visual amenity***	Community values need to be taken into account	Impacts Post operations need to be describe	
20	***Historic and Cultural values***	Local community values not need to be taken into account		

Page	Factor	Baseline	Potential Impacts	Safe Guards Management and Monitoring
23	**Waste & Hazardous Materials Management**		Discuss impacts on Shoal bay infrastructure and other users	

Page 25

- 8 Project Environmental Management.

Dot point 1 *Define the management structure of both construction and operational phase…..* should also include decommissioning phase.

- 9 Public Involvement and Consultation

Consultation needs to definitely extend further than the Darwin Harbour Advisory Committee. Other interested groups need to be identified and included in the consultation process.

Page 26

2nd paragraph A stakeholder communication plan should be required, not merely recommended.

Page 30

Emission estimates

1. estimate of GHG emissions should take into account decommissioning of the project as well as emissions' caused as a result of the transportation of gas to the various markets and the emissions resulting from the burning of the gas produced.

NB Response sent via email from Kerry Berry, Technical Services to Roderick Johnson on 5 September 2008 on behalf of Pam Robinson, Acting Environment Manager.

ATTACHMENT B

INPEX DRAFT ENVIRONMENTAL IMPACT STATEMENT – PROPOSED COMMENTS OF RESPONSE

General Comments:

There are many uncertainties on what will be the effects on the marine environment with the proposed INPEX development, particularly long term. This fact is acknowledged in the draft EIS.

The document is essentially based on a risk assessment approach with limited supporting specific research, data and scientific from the Darwin Harbour.

The application of the precautionary principle is limited throughout the Draft EIS.

Reference to specific sections

3.3 Near Shore Environment

3.3.2 Oceanography and hydrodynamics

Storm surge levels appear to be based on the Northern Territory Government's 2003 edition of the map for the "Municipality of Darwin – Darwin Storm Surge Zones" which does not take into account current sea level rise estimates and predictions.

To work off the NT Government 2003 map may be a major underestimation. Any response to the Draft EIS and the project that does not take in the updated Storm Surge Zone data of 2010 as a starting point, l is limited.

Within the document there is only partial reference to climate change information including sea level rise and predicted rises for either the early development of Ichthys Gas Field Development Project or the 40 year life of the project.

Council has previously provided information in regards to several sources of Australian and International research.

3.3.3 Underwater Noise

It is stated that noise levels below 20Hz is below the hearing range of most marine animals. The Baleen whales are just one species which is able to hear these low frequencies but because the report claims they only rarely visit the harbour it is assumed that this level of noise is not an issue. More research is required in order to assess the impacts of noise on a wider range of marine life that live in and pass through the harbour. The impact on the biodiversity of Darwin Harbour is based on modelling and incomplete research.

3.3.4 Water Quality

Darwin Harbour's declared Beneficial Uses under the Water Act NT are defined as the Protection of Aquatic Ecosystem, Recreation and Water Quality. It is possible that this project may impact on many of these parameters.

There is a need to better understand the effects of increased turbidity from construction operations on Phytoplankton in the harbour and the short and long term consequence of these impacts on other marine organisms.

The Draft EIS states that no algal blooms have been recorded in Darwin Harbour. This information is incorrect. Apart from general algae found in this region at specific times of the year, recent water quality issue in the harbour included for the first time an algal bloom consisting of *Lyngbya s*p on Darwin Beaches in June 2010.

Potential source of hydrocarbon contamination should include the areas associated with the old WW2 storage tanks around Stokes Hill and Fort Hill Wharfs and the now removed storage facility at Stuart Park. These areas seem to have been overlooked in the assessment.

It is unclear what the effects of disturbing sediments containing reported levels of 356 mg/kg N and a <u>mean</u> total P of 315kg/mg will be? This raises further questions that require clarification such as - Will these nutrients be bio-available once disturbed and in suspension and will this initiate further algal blooms in Darwin Harbour?

Also, what is the fate of other contaminates detected in the sediment such as heavy metals and hydrocarbons once they are disturbed and potentially exposed?

Section 4: Project Description

4.4.4: Preliminary Dredging Program

What effect will dredging operations running 24/7 have on marine life particularly the cumulative effects of other noise and vibration associated with the project i.e. blasting, pile driving, shipping, dumping of rock over the pipeline extension? How will the noise, generated from 24 hour dredging operations affect Darwin residents?

Reference made in public presentations indicating a greater area of dredging carried out in Victoria with work undertaken in Port Phillip Bay is not a reasonable comparison. Work in Victoria was not a new lane, did not require blasting and was a process of deepening an already existing channel.

The blasting at Walker Shoal will result in the loss of habitat which may be significant in the context of Darwin Harbour, especially with this project but also as future developments are anticipated the cumulative effect will also have the potential to diminish habitat. It is difficult to assess how well represented the habitat is at Walker Shoal and in Darwin Harbour due to the lack of available data.

Alternative options to the destruction of Walker Shoal should be pursued along with all potentials for a more suitable location for on the shore development which would allow for an easier traffic route for shipping – one that could be achieved more readily.

A more comprehensive study on the benthic zone of Darwin Harbour should be undertaken to fully understand the impacts of the proposed disturbances on the habitats and biodiversity of the harbour.

4.5 Onshore Infrastructure

p196 Dot Point 5

Require definition of the term 'upset condition' in reference to the separation of processes areas.

Dot Point 6.

Do *the Future facilities* mentioned in this paragraph form part of the Draft EIS?
If not, further details are required.

Council requires an understanding of how Mercury contained in the absorbent beds will be managed and disposed of. This and other hazardous materials will not be accepted at Shoal Bay Waste Disposal Site.

4.5.2 Utilities

What are the predicted effects of increased demands on Darwin's potable water supply, and in the context of sustainability? How will the increased demand for water in both the construction and operating phase effect Darwin's potable water supply?

What plans are being developed to assess and manage the impacts of the borrow pits which are currently being investigated in Middle Arm. Council requests that this information is made available for public comment.

Section 5: Discharges and Waste

There are many sources of discharge that will come into the harbour from this project which could be of concern. INPEX will further add to these. Inpex is encouraged to manage their discharge and waste 'on site' through new technologies.

5.3.4 Particulates:

What are the effects of particulate matter generated from operations in the wet season or during extended periods of heavy cloud cover? What is the extent and make up of pollution which occurs when processes and emissions vent through gas turbines when the incinerators are not operating?

5.5.1 Marine Noise and Vibration:

How will marine noise be monitored and reported (noise from construction, shipping, blasting, vertical seismic profiling, drilling, dredging operations etc.)? What plans are in place to monitor the impacts of the noise on marine species be monitored and reported pre post and during operations?

How is hydro test water going to be treated and/or disposed of? Do these contain biocides, corrosion inhibitors?

How are the impacts of the cumulative effects of produced water discharges being monitored?

5.6.3 Darwin Harbour Discharges

The chemicals which may be used in hydro test water have not been identified so the impacts of discharges into the harbour can not be adequately assessed or commented on.

Table 5.7

The contaminates associated with the liquid discharges from the onshore facilities do not indicate the presence of biocides, anti fowling agents contained in the hydro test water or any other potential contaminates and physiochemical parameters which have the potential to occur in the waste water. It is questioned that detail contained in the table is somewhat understated.

Questions which arise are:

What is the expected impact of discharging contaminated hydro test water into the harbour in the case of emergency?

A similar question arises for reject water and waste water from descaling and cleaning of filters. What other options are available managing this water.

What volumes of co-mingled waste water are expected to be discharged into the harbour?

What arrangements will be put in place for INPEX to fully attend to the treatment and discharge of sewage into the Harbour? The Draft EIS indicates that INPEX will not manage their sewerage through any new ‘best practice’ technologies that could be put in place with ‘on site’ arrangements and which would provide themselves and Darwin with a contemporary response to the water quality of Darwin Harbour.

Treated waste water will be discharged into Darwin Harbour via a combined outfall on the loading jetty. This is also cause for concern as the deposit may be after the macerator point at the loading jetty. Clarification is sought as to the way of disposal and at what point it will be made to the outfall site.

It is unclear as to how sediment runoff from the site will be managed and what the expected quantities of sediment and silt are that will be carried off site particularly during construction.

INPEX should be required to provide a full treatment plant for their sewage.

5.6.4 Near Shore Discharge Characteristics.

Concern over the effects of discharging unknown quantities of contaminates into the harbour. Further information and clarification is required.

5.7.2 Waste Generated Onshore

What locations are being considered for the disposal of offshore waste?

Reference is made to the Shoal Bay Waste Management Facility as being a Northern Territory facility which conveys a sense of it being a Northern Territory Government landfill.

Given Shoal Bay is a facility provided by Darwin City Council a strong indication of this should be sought in documentation so that the matter is clear to Governments, Industry and the public.

Shoal Bay Waste Management Facility does not accept waste generated from outside the greater Darwin area. Darwin City Council does not accept heavy industry waste therefore Inpex will need to enter into further discussions with Darwin City Council on the matters of waste management.

Marine Impacts and Management

7.3 Impacts near shore marine impacts and management

Table 7-28 Summary of impact assessment and residual risk for marine mega fauna offshore.

The *Management Controls and Mitigating Factors* state that, general noise and activity would deter marine animals from entering the area. Why does this differ from the reported impacts of noise for near shore environments i.e. in Darwin Harbour?

How long will it take for benthos to recover from disturbance? Discussion and information in this section is based on assumption, not research or contemporary data.

To imply that a particular species or habitat is well represented in the harbour and therefore some loss would be not be considered a problem, is questionable. Particularly in view of the lack of data for Darwin Harbour, along with the potential for more new harbour developments taking the same line of thinking.

Threats to Darwin's Marine Environment and Industries through pest invasions and lack of monitoring require special attention.

7.3.2 Dredging

Disturbance of sea bed sediments will cause sediment transport and deposition to adjacent parts of the harbour as well as increased turbidity over a period of time.

The Draft EIS requires further information on the fate and impacts of the contaminates contained in the sediments once disturbed and the impacts on water quality and biodiversity of increased turbidity over an extended period of time.

It is not clear how long the elevated levels of turbidity in the harbour will be sustained and how long for.

Water quality objectives for Darwin Harbour state: 10mg/l suspended sediment concentrations in the dry season. Given this, the amounts quoted in the EIS means this figure will be exceeded.

What is the management arrangement for this situation and is it anticipated that there is some special dispensation for INPEX in this regard by the NT Government?

The sediment accumulation along the shoreline and in the tidal creeks will increase areas where water will pond. This in turn this has the potential to add to the availability of mosquito breeding habitat. How will this be monitored and managed? Ref. **Table 7-23**

The effects of sediment smothering on invertebrate fauna and mangrove habitats need to be appropriately monitored. Desk top analysis of mangrove density and coverage does not provide the detail required to fully understand these impacts. Stringent monitoring and control measures will need to be in place to measure the actual impacts.

The effects of increased turbidly and sediments on the coral communities in the harbour need to be quantified as the assumption made in the Draft EIS is that what is quoted is appropriate. The “Precautionary Principle” should be applied to these habitats as these communities do not appear to be well represented in the harbour. Again due to the lack of available data these habitats should be considered as an important part of the biodiversity of the harbour and protected and monitored closely.

Acid Sulphate Soils may not remain submerged in the tidal zone as suggested but can be expected to be exposed to the atmosphere at low tide. This would then increase the likelihood of generating acid leachate and mobilising heavy metals contained in the sediments.

7.3.4 Our discharges

The discharge of more contaminated waste water into the harbour cannot be supported. Council requires clarification as to what arrangements have been made to ensure adequate and satisfactory arrangements are being made by INPEX with the Northern Territory Government on this important issue.

Ballast water even though collected from the open ocean still has possibility of introducing marine pests that are already in the ballast tanks picked up from elsewhere.

7.3.5 Accidental Hydrocarbon Spills

Earthquakes were not taken into consideration as a possible cause of damage to the pipeline even though they are common in northern waters.

What would be the impact of a significant earthquake event on the submarine pipeline and the onshore facilities and are contingency plans in place to deal with such a catastrophic event?

7.3.6 Waste

The draft EIS reports that waste generated from off shore will be brought onshore for disposal. Shoal Bay Waste Management Facility is a municipal landfill and Council does not accept large quantities of industrial waste.

Has INPEX considered alternative locations for waste disposal?

8 Terrestrial Impacts and Management

8.3.1 Vegetation Clearing

The clearing of 4% of Monsoon Vine Forest is significant particularly in view of its Biodiversity values and the cumulative effects of further clearing for other developments which will occur in the harbour.

8.4 Air Emissions

The National Environment Protection Measures Ambient Air Quality (NEPM) does not take into account the cumulative impacts on air quality in a particular air shed. Therefore it would not address additional point and diffuse sources of air pollution, particularly in the dry when air quality is mostly compromised by smoke from bush fires.

It is also noted that NEPM will be exceeded in some instances.

The impacts of these larger amounts and the cumulative effects on the air quality over Darwin, particularly in the dry season and during extended periods of overcast days in the wet need to be thoroughly monitored.

8.5 Waste

There are no details provided on volumes of waste expected to be disposed of except for what has been identified in Table 4-7 page 207 Assumed Average Peak Daily Road Traffic Generated by Construction.

The reported estimated vehicle movements to Shoal Bay suggest large quantities of waste are expect to be disposed of at Shoal Bay during construction.

Origin	Approx number of round trips per day	Cargo
Blaydin Point	30	Waste
Blaydin Point	80	ASS
Accommodation village	2	Waste

* Information obtained from the Shoal Bay Weighbridge Office, suggests that approximately 300 vehicles a day currently pass over the weighbridge. Therefore further discussions are required to be held with Darwin City Council to address a potentially significant increase in traffic.

* It should be noted that Darwin City Council does not accept Acid Sulphate Soil as waste, until it has been remediated.

Annexe 16- Provisional Waste Management Plan

1.2 Listed Waste:

Darwin City Council landfill is referred to as 'Northern Territories Shoal Bay Waste Disposal Site';

> This landfill is owned and operated by Darwin City Council and is a municipal landfill servicing the Darwin municipality and near neighbours.
>
> It is not a regional /Territory facility and clarification in this regard needs to be made to both INPEX and the Northern Territory Government for further discussion.

The classification of non hazardous waste includes liquids and sewerage, both of which are not accepted currently at Shoal Bay Waste Management facility...

7 Applicable Legislation, Standards and Guidelines

Whilst Northern Territory Government legislation, standards and guidelines are mentioned there is no reference to Darwin City Council requirements for disposing of waste at Shoal Bay.

Hazardous Waste

Shoal Bay Waste Management does not accept commercial hazardous waste or liquid waste.

INPEX needs to makes alternate arrangements to dispose of these materials?

9: Green House Gas Management (GHG)

GHG emissions objectives state that INPEX will comply with the recommendations contained in the Northern Territory Government EIA Guide which states the requirements for the proponent to *minimise emissions to a level as low as practical*. This should be viewed as a minimum requirement not a target. The Northern Territory Government EIA Guidelines are only a guide and nothing short of current best practice to achieve the best possible emission reduction targets should be accepted.

9.7 Project GHG Emissions Relative to Aust. and NT. Emissions

280 Mt CO2 over 40 years is quoted. Is this CO_2-e or CO_2? If it is j $C0_2$ - what are the estimated volumes of CO_2-e?

NT emissions 17.2 Mt/a CO2-e Ichthys project 7 Mt/a CO2-e

Emissions will be in excess of 8Mt/a for 9 years and will peak at 9Mt/a for the ongoing years.

Total emissions from the project will contribute to 40% of the total Green House Gases (GHG) for the Northern Territory in a year. INPEX calculations do not add up to this percentage, so the question of total emissions needs to be clarified.

11: Environmental Management Program

What are the times lines for the development of Core Environmental Marine Monitoring Program (CEMP) and Operations Environment Management Precautions (OEMP)?

Will they be made available for public comment?

11.4 Monitoring programs for the receiving environment

Ongoing comprehensive, post and pre condition water quality monitoring programs need to be conducted in conjunction with the development of a suite of suitable triggers and management actions. Recent issues with poor water quality and algal blooms in Darwin Harbour have highlight the short falls of inadequate monitoring regimes and the reliance of only complying with conditions of waste discharge licences in order to appease the requirements of the regulatory body.

There is also a clear need for greater resources to provide adequate information and monitoring in tropical waters.

Table 11-5 Summery of Monitoring Programs

Darwin Harbour water quality monitoring program - does not include Bacto sampling. This will need to be done, as it is proposed to discharge sewerage co-mingled with waste water.

Intertidal sediment monitoring is required. Invertebrate species which inhabit these zones should be monitored; sediments should also be sampled for heavy metals and nutrients. Monitoring for potential mozzie breeding sites resulting from siltation and ponding water is required. Shell fish in the intertidal zone should also be monitored in order to better understand the effects of increased sediment loads on this intertidal habitat. Mangrove community species richness and abundance should also be monitored.

11.5 Environmental offsets

Offsets could include conservation outcomes related to the preservation of the environmental and community values of Darwin Harbour and not protected by the Environment Protection and Biodiversity Act (1999) which is the Australian Government's central piece of Environmental Legislation.

INPEX report they have undertaken extensive biological surveys in Commonwealth waters and along the West Australian Coast Line. A similar level of research has not been undertaken in Darwin Harbour.

Matters of identifying offsets should be undertaken following consultation with all stakeholders, once all the issues associated with the project and its impacts have been assed and understood. The views and concerns of the Darwin Harbour Advisory Committee (DHAC) also need to be fully taken into account in this regard.

Advice as to how INPEX plans to approach offsetting its greenhouse gas emission liabilities in relation to either a Carbon Pollution Reduction Scheme or a Price on Carbon scheme is sought.

Annex 1 - Provisional Acid Sulphate Soil Management Plan

Shoal Bay Landfill may not be able not accept Acid Sulphate Soils - How will INPEX dispose of this waste? If the plan is to remediate the soil prior to disposal where will this occur and how will it be managed?

Annex 2 - Provisional Air Emissions Management Plan

Diffuse air quality monitoring should go beyond the NT Government's proposed Darwin Airport monitoring station. This location would only provide relevant air quality data during the dry season. Yet in the wet season the prevailing winds tend to blow from west to east.

Stack emissions should be monitored continually in order to identify potential issues before they become a problem. Periodic monitoring would not instil a sense of confidence with the community.

Annex 5 – Provisional Decommissioning Management Plans

Consideration should be given to determine the volume and type of waste generated from the decommissioning phase and its disposal location.

Annex 8 – Provisional Greenhouse Gas Management Plan.

The Provisional Plan does not make any firm commitments and has not determined how, if or what types of offsets it will pursue nor the benefit these offsets will have for Darwin community and the Northern Territory.

Annex 10 – Provisional Liquid Discharge Surface Water Run off and Drainage Management Plan.

There should be no discharge of polluted water into Darwin Harbour. Waste water should be treated on site.
Only water with a minimum water quality of the receiving water should be discharged into the harbour. The technology is available and should be utilised.

In order to ensure the near pristine values of the harbour are maintained for future generations it should not be subjected to any spills and discharges. Clarity around emergency arrangements needs to be much tighter and these arrangements should be communicated with the public. Assurance of updated safety measures being put in place should be written into an agreed timeframe.

The cumulative effects of waste water discharge from the gas plant as well as the associated industries that will develop as a result of the gas plant over the life of the project have the potential to severely impact on the water quality in Darwin Harbour. The community would expect a pristine harbour beyond INPEX's 40 years and the life of the project

What contingency plans for major pollution incidents have been developed and what are the worst case scenarios being considered for a catastrophic incident both onshore and off shore?

In conjunction with and in addition to the raft of environmental impact issues is a host of potential social, cultural and economic impacts which also require accounting for in view of the scope and breadth of the proposed development.

- **status of Traditional Owner (Larrakia) – Inpex negotiations**

Council requests an apprising of the nature, scope and status of the negotiations between Inpex and Larrakia peoples in terms of:

- arrangements for compensation, if any
- the breadth and nature of engagement with Larrakia people and organisations
- the engagement of Larrakia peoples in land use issues to ensure particular site protection and mitigation strategies for land degradation
- employment and economic development prospects for Larrakia people as a result of the project

- **work force influx management**

Council requests a qualitative and quantitative assessment of the social planning impacts of significant numbers and demographic types of workers recruited by Inpex from elsewhere in terms of:

- social mix
- likelihood of enhanced or compromised social cohesion as a result of the introduction of the project's workforce
- potential impact of a rotating (fly in/out) cohort of workers
- proposed strategies for the management of work force influxes

- **impact on housing stress**

In view of the acute lack of affordable housing in Darwin, Council requests an assessment of the potential impact of the project upon the municipality in affordable housing terms.

- **economic benefits to Darwin and the region**

Council requests an assessment of the forecasted economic benefits, or otherwise, to Darwin as a result of the project.

- **transport**

Council is aware that Inpex may be planning to provide accommodation for its workforce in Howard Springs.

Council requests an account of how Inpex will provide or facilitate transport for its workforce from Howard Springs to the project site in consideration of traffic congestion and any other traffic management issues.

14 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

14.1 Lights for University Oval

Document No. 1857983 (20/08/10) Common No. 1849761

A. THAT the incoming letter from the Member for Casuarina, The Hon Kon Vatskalis MLA, dated 20 August 2010, regarding the installations of Lights for University Oval for after hours training, Document Number 1857983, be received and noted.

B. THAT prior to making a decision, Council request that community consultative be carried out and the results be submitted to Council.

DECISION NO.20\() (14/09/10)

Kon Vatskalis MLA
Member for Casuarina

ATTACHMENT A

SERVING THE COMMUNITY - LISTENING TO YOU

Council
Records
25 AUG 2006

Mr Brendan Dowd
CEO, Darwin City Council
PO Box 84
Darwin NT 0801

Dear Brendan

RE: LIGHTS FOR UNIVERSITY OVAL

I refer to our recent meeting held at the Council Chambers, which was also attended by the Lord Mayor and Mr.George Lambrinidis from University Azzurri Football Club, to discuss the installation of lights in the University oval for after hours training.

As you are aware during the 2005 election campaign the NT Government had proposed the installation of low intensity lights at the Nakara oval to be utilised for after hours training by various clubs in the area. Despite overwhelming support for the project indicated via a DCC survey, assurances that the lights would be used for training purposes only and that no competition matches will be held at the Nakara oval, reaction by some local residents led us to re-think where the lights could be installed within the Casuarina area.

Following amalgamation between Nakara Azzurri FC and the University Rangers FC this year, Mr. Lambrinidis approached me and suggested that the lights now be installed at the CDU Oval No 3, next to the Alawa Community Hall.

I visited the oval with University Grounds Manager, Daniel Clark and Mr.Lambrinidis and I now believe this to be an ideal location for the installation of the lights for after hours training. The oval is located well away from the residential area on the other side of Lakeside drive and it is well shielded by trees.

However in order to ensure that residents who may be affected by this project are duly consulted and informed, I intend to write to all households on Lakeside drive alerting them to the proposal and assuring them of the following:

· The lights will be low intensity – similar to the ones at Tracy village with minimal light spillage,

· They will be used for training only,

· There is no intention of establishing a licensed venue or similar facilities in the vicinity of the oval.

Please feel free to add any other issues you may consider of interest to the residents so I can incorporate them into my letter. Please note that I will provide self addressed envelopes and all responses will be collated and provided to the Council so that any issues arising can be discussed and resolved in order to ensure a positive outcome for the end users of this facility and residents in the immediate area.

Moving the Territory Ahead

Kon Vatskalis MLA, Member for Casuarina
Casuarina Plaza, Trower Road, Casuarina NT 0810 • PO Box 41269 Casuarina NT 0811
Phone: (08) 8945 0362 • Fax: (08) 8945 0106 • Email: electorate.casuarina@nt.gov.au

DataWorks Document Number: 1857983

I look forward to the successful completion of this project to further boost sports and sport participation in Casuarina.

I appreciate your support and assistance in these matters and look forward to including your response to these constituents.

Yours sincerely,

Kon Vatskalis MLA
Member for Casuarina
20th August 2010

DataWorks Document Number: 1857983

15 REPORTS OF REPRESENTATIVES

16 QUESTIONS BY MEMBERS

17 GENERAL BUSINESS

18 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 28 September, 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\() (14/09/10)

19 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\() (14/09/10)

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON