

AGENDA

2nd Ordinary Council Meeting

Tuesday 17 November 2020

The Ordinary Meeting of the City of Palmerston will be held in the Club Room, Palmerston Raiders Rugby League Football Club, Forrest Parade, Rosebery commencing at 5:30 PM.

COVID-19 Statement of Commitment

The Ordinary Meeting of Council will be open to the public and holds a Statement of Commitment to adhere to:

- Physical distancing measures
- Health and hygiene principles



LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER

TABLE OF CONTENT

1	ACKNOWLEDGEMENT OF COUNTRY	4
2	OPENING OF MEETING	4
3	APOLOGIES AND LEAVE OF ABSENCE.....	4
3.1	Apologies.....	4
3.2	Leave of Absence Previously Granted.....	4
3.3	Leave of Absence Request	4
4	REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING	4
5	DECLARATION OF INTEREST	4
5.1	Elected Members.....	4
5.2	Staff.....	4
6	CONFIRMATION OF MINUTES.....	4
6.1	Confirmation of Minutes	4
6.2	Business Arising from Previous Meeting	4
7	MAYORAL REPORT	4
8	DEPUTATIONS AND PRESENTATIONS.....	4
8.1	Reflections on the role of the Council's Risk Management and Audit Committee	4
9	PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS).....	4
10	CONFIDENTIAL ITEMS	4
10.1	Moving Confidential Items into Open	4
10.2	Moving Open Items into Confidential	4
10.3	Confidential Items	4
11	PETITIONS.....	5
12	NOTICES OF MOTION.....	5
12.1	Palmerston Free Outdoor Ninja Warrior Course.....	5

13 OFFICER REPORTS	9
13.1 Receive and Note Reports	10
13.1.1 Community Benefit Scheme Update - October 2020	10
13.1.2 Financial Report for the Month of October 2020	16
13.2 Action Reports	41
13.2.1 Code of Conduct for Chief Executive Officer	41
13.2.2 Open Space Maintenance Service Levels.....	47
13.2.3 Laneway Management Policy- Consultation Outcomes.....	52
13.2.4 Animal Management By-Laws Update and Public Consultation Discussion Paper	95
13.2.5 Marlow Lagoon Dog Park Improvements	117
13.2.6 Archer Waste Management Facility Upgrade.....	129
13.2.7 Disaster Recovery Funding Arrangement.....	136
14 INFORMATION AND CORRESPONDENCE	142
14.1 Information.....	142
14.2 Correspondence.....	142
15 REPORT OF DELEGATES.....	142
16 QUESTIONS BY MEMBERS	142
17 GENERAL BUSINESS.....	142
18 NEXT ORDINARY COUNCIL MEETING	142
19 CLOSURE OF MEETING TO PUBLIC.....	142
20 ADJOURNMENT OF MEETING AND MEDIA LIAISON	142

1 ACKNOWLEDGEMENT OF COUNTRY

2 OPENING OF MEETING

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

3.2 Leave of Absence Previously Granted

3.3 Leave of Absence Request

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

5 DECLARATION OF INTEREST

5.1 Elected Members

5.2 Staff

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

THAT the Minutes of the Council Meeting held on 3 November 2020 pages 10251 to 10262 be confirmed.

6.2 Business Arising from Previous Meeting

7 MAYORAL REPORT

8 DEPUTATIONS AND PRESENTATIONS

8.1 Reflections on the role of the Council's Risk Management and Audit Committee

Presentation by Mr Iain Summers on 'Reflections on the Role of the Council's Risk Management and Audit Committee'

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.2 Moving Open Items into Confidential

10.3 Confidential Items

THAT pursuant to *Section 65(2) of the Local Government Act* and *Regulation 8 of the Local Government (Administration) Regulations* the meeting be closed to the public to consider the following confidential items

Item	Confidentiality
25.2.1	<p>8(c)(ii) This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act</i> and 8(c)(ii) of the <i>Local Government (Administration) Regulations</i>, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.</p> <p>8(c)(iii) This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act</i> and 8(c)(iii) of the <i>Local Government (Administration) Regulations</i>, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff.</p> <p>8(c)(iv) This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act</i> and 8(c)(iv) of the <i>Local Government (Administration) Regulations</i>, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person is discussed.</p>
25.2.2	<p>8(d) This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act</i> and 8(d) of the <i>Local Government (Administration) Regulations</i>, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information subject to an obligation of confidentiality at law, or in equity.</p> <p>8(e) This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act</i> and 8(e) of the <i>Local Government (Administration) Regulations</i>, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information provided to the council on condition that it be kept confidential.</p>

11 PETITIONS

12 NOTICES OF MOTION

12.1 Palmerston Free Outdoor Ninja Warrior Course

THAT as part of the 2021/2022 budget deliberations Council consider a new initiative for the development of a free outdoor ninja warrior course within a Palmerston Park.

COUNCIL MEETING DATE: 17 November 2020

TOPIC: Palmerston Free Outdoor Ninja Warrior Course

BACKGROUND:

Mention the word playground and ninja warrior/obstacle course and watch young and young at heart faces instantly light up with excitement.

Playgrounds in local parks are vital for the natural growth and development of children.

The developmental benefits of playgrounds are evident across various factors including:

- Building Strength & Fitness
- Encourage Cognitive Development
- Increase Social Skills & Self Confidence

Council has, and continues to, develop our open spaces for the well-being of our community.

With a huge range of modern playground options, it is easier than ever to promote health, happiness, and well-being by delivering new and exciting equipment and opportunities balanced with the traditional desired outcomes within our playgrounds.

Modern playgrounds are encouraging the inclusion of gym and fitness stations. There is a growing selection of fitness stations and obstacle course equipment available, designed to strengthen, stretch, and tone muscles. This is a growing segment of outdoor recreation and is a perfect way to encourage multi-generational fitness and recreation.

I am proposing a new initiative for consideration in 2021/2022 being the inclusion of new exercise equipment in the form of a ninja warrior/obstacle course.

This initiative will build on our outdoors lifestyle, existing variety of equipment and encourage activity in open space areas. This initiative compliments Council's many existing playgrounds and programs designed to improve lifestyle, well-being, and health and provides further option and interest for our community.

Brisbane recently introduced this initiative at St Lucia Warrior Park at Guyatt Park, the Brisbane Kids website states:

"Featuring 11 obstacles, the carefully planned sequence of obstacles will test any Brisbane Kid's agility, coordination, problem-solving ability and strength. Just like the show, the course begins with the Quinn Steps which Brisbane Kids will recognise as soon as they arrive. Once the first challenge has been conquered, Brisbane Kids will need to balance their way along the hanging plank, climb along the cargo net, swing on the downhill monkey bars, beat the wall, complete the Field of Rings and climb through the Pole Forrest. The main objective of any challenge is to complete the obstacle without touching the ground."

A cool feature is a QR code which can be scanned at the beginning of the course so Brisbane Kids can time their race and see how they compare to others who have logged in and completed the course. The only difference between this course and the real thing is that there is no water should you fall off the obstacle, just rubber soft fall." (source: <https://www.brisbanekids.com.au/guyatt-park-st-lucia-warrior-park/>)

NOTICE OF MOTION



Picture: Guyatt Park- St Lucia Warrior Park, Brisbane.

It is understood that staff have already commenced working on the development of an Open Space Strategy and they have indicated that the objectives of this motion will and do align with those of the work being undertaken.

OBJECTIVE:

City of Palmerston has an opportunity to further promote and improve our lifestyle, well-being, and health of our community through this initiative building our vision of "A Place for People" and "Family City".

The ongoing developing of our parks and open spaces with interesting and engaging elements will continue to build the vibrancy, health, and well-being of our community.

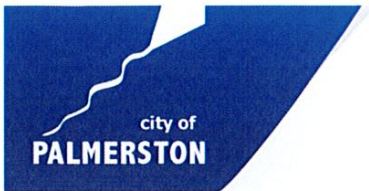
The motion considers development of our parks to incorporate a variety of new and different equipment for all ages, agility, and fitness. This initiative builds on existing work of Council designed to making our parks a drawcard for an area and allowing our community to pursue a healthier lifestyle in an independent and empowering way, supporting physical, social and emotional wellbeing for the entire community.

The motion will allow Council to consider introducing new and different open space elements into our community.

The notice of motion is for the inclusion and consideration of a new initiative for a free outdoor ninja warrior course, in the 2021/2022 Council budget process.

NOTICE OF MOTION:

THAT as part of the 2021/2022 budget deliberations Council consider a new initiative for the development of a free outdoor ninja warrior course within a Palmerston Park.



NOTICE OF MOTION

A handwritten signature in blue ink, appearing to read "Lucy Morrison", written over a horizontal line.

Signature

Alderman Lucy Morrison

Print Name

9/11/20

Date

NOTE: NOTICES OF MOTION MUST BE RECEIVED BY THE CHIEF EXECUTIVE OFFICER 5 CLEAR DAYS PRIOR TO THE MEETING AT WHICH THE MOTION IS TO BE MOVED.

For office use only

Date Received:

To Council Meeting: 21 July 2020

13 OFFICER REPORTS

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.1.1
REPORT TITLE:	Community Benefit Scheme Update - October 2020
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Community Services Officer, Tess Riches
APPROVER:	Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report provides Council with a summary of the Community Benefit Scheme (CBS) 2020/2021 successful applications to date.

KEY MESSAGES

- City of Palmerston provides funding to eligible community groups that offer activities, projects, and services that assist Council to deliver on Palmerston's vision of "A Place for People".
- The budget for the current financial year for grants, donations, sponsorships, and scholarships under the CBS is \$130,000. Currently \$80,100 has been expended and \$49,900 remains available.
- One sponsorship application has been successful since the previous report to Council.
- 11 schools have accepted the \$100 City of Palmerston Community Service award funding offer.
- Acquittals of COVID-19 response special projects funding continue to be sought.

RECOMMENDATION

THAT Report entitled Community Benefit Scheme Update - October 2020 be received and noted.

BACKGROUND

City of Palmerston provides funding to eligible community groups which offer activities, projects and services that assist Council to deliver on Palmerston's vision of "A place for people". Individuals and sporting teams are supported with funding to assist representation at local, interstate and international events and activities. Due to travel restrictions, there are few opportunities for interstate travel currently. Applications are accepted year-round and the scheme is promoted at every opportunity so it is anticipated that representation support applications will again prove popular in the new year.

Council maintains a proactive and positive approach to developing and offering initiatives to benefit the Community in response to external pressures such as those experienced due to the COVID-19 pandemic. Initiatives designed to stimulate the local economy were developed and continue to be implemented throughout this financial year. Initiatives such as the extension of free venue hire negate the need for application for in-kind support for that purpose. Statistics of groups utilising free venue hire are reported in other reports to Council.

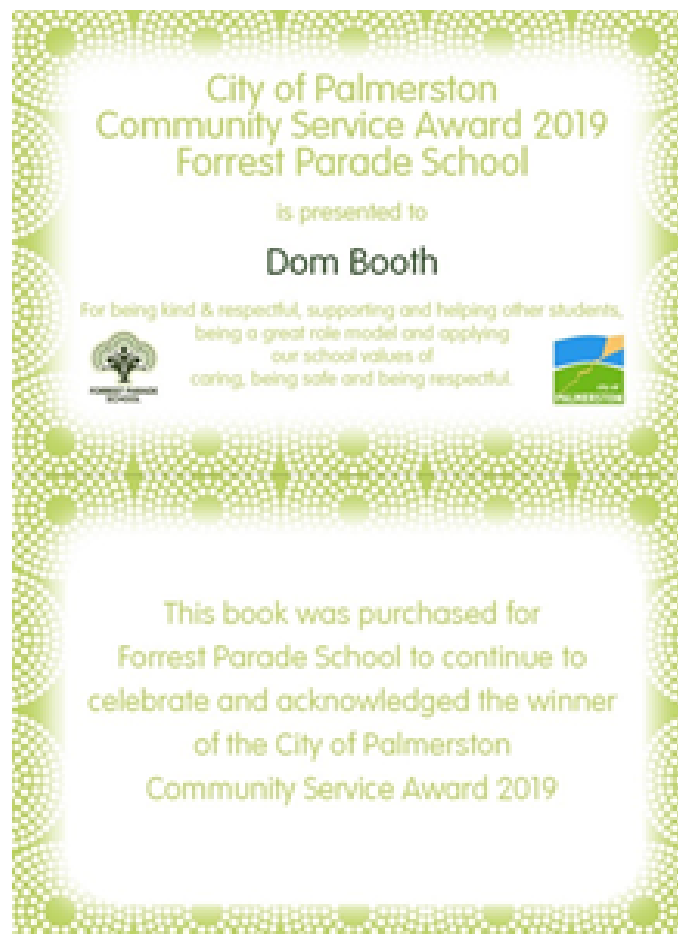
DISCUSSION

At the Council meeting held on 20 October 2020, Palmerston Magpies Football Club's \$5,000 Sponsorship application was successful, reducing the available CBS budget to \$49,900. Local sporting clubs have been approached by Council to promote funding opportunities and assist application.

11 of 15 Palmerston schools have accepted the City of Palmerston Community Service Awards funding of \$100 per school, utilising \$1,100 in funding. This year we requested details about each participating school's award process. The schools celebrate their students' successes in a variety of ways; from awarding one student to recognising all; from cash awards to prizes.

City of Palmerston staff received the following information from Forrest Parade School regarding their award process:

"Each year at our Chief Minister's Literacy Award Assembly held in November/December, we also present the City of Palmerston School Award to a (staff voted) student who has shown our school values throughout the year of "We are Safe, We are Respectful, We Care". The student receives a framed certificate and \$50 voucher and the additional \$50 is used to purchase a book for our library which has a certificate inside the front cover acknowledging the winner and the City of Palmerston. Below is a copy of the certificate included in the books."



A copy of City of Palmerston's Approved CBS Applications, October 2020 Update is provided as **Attachment 13.1.1.1.**

Successful CBS applicants are encouraged to share images, statistics and other information following their events and activities. Where required, successful applicants also acquit their funding by providing receipts or similar.

Tennis NT has advised that seven participants of the Open Court Sessions have continued to take part in regular tennis programs. There were 111 participants in the program between 3 August 2020 and 28 September 2020, which received \$2,000 funding through the CBS.

Travel restrictions this year had a huge impact on the Palmerston Golf Club's major annual event, of which City of Palmerston is a major sponsor, with 2020 the second of a three-year funding agreement. The Palmerston Golf Club promoted the event widely, attracting many participants and spectators to the October 2020 event after being postponed from August.



Photo: Palmerston Golf & Country Club 2020 PGA Poster

13 businesses have supplied the expenditure details for their successful 2019/2020 COVID-19 Response Special Project funding. The remaining four businesses have been reminded of the acquittal requirements.

One application from a local business for event support was ruled ineligible, as per Policy *FIN18*. Council advised the applicant that it is possible that participating individuals/teams may be eligible for CBS Representation Support funding, should they wish to apply. The applicant was requested to encourage Palmerston resident players and teams to contact Council to see if we can assist them directly with their participation in the Darwin event. The applicant graciously replied to acknowledge receipt of our correspondence and to thank the City of Palmerston for considering the application:

"We will be sure to explore the suggestions outlined in the letter and we look forward to the opportunity to collaborate with the City of Palmerston in the future."

A second business application, from a business based in Queensland, was also ruled ineligible.

CONSULTATION PROCESS

Council continues to promote the CBS funding programme to the community via various methods.

Council will be encouraging the community to submit applications for Environmental Initiatives during November through City of Palmerston's Social Media.

Successful COVID-19 Response Special Project funding applicants from the previous year continue to be communicated with regarding acquittals.

Conversations are ongoing with interested applicants to assist them to submit applications.

POLICY IMPLICATIONS

Council Policy *FIN18 Grants, Donations, Sponsorships and Scholarships*.

BUDGET AND RESOURCE IMPLICATIONS

The budget for the 2020/2021 financial year for grants, donations, sponsorships, and scholarships under the CBS is \$130,000. Currently \$80,100 has been expended and \$49,900 remains available.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

- 1 Fails to effectively regain the trust from all stakeholders
Context: Council needs to be credible and trusted by those within and external to the Council.
- 2 Is not sustainable into the long term
Context: Optimising the financial, social and environmental sustainability of the Council.

Council is responsible for the effective, efficient, and transparent distribution of the Community Benefit Scheme budget.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. City of Palmerston's Approved Community Benefit Scheme Applications October 2020 [13.1.1.1 - 2 pages]

City of Palmerston Approved Community Benefit Scheme Applications October 2020 Update

(Correct to 30 October 2020)

Representation Support

Date	Activity	Applicant	Amount Requested	Amount Approved
Representation Support			nil	nil

Sponsorships, Donations and Grants

Date Received	Activity	Applicant	Amount Requested	Amount Received
3 year Sponsorship	PGA Golf Championships	Cazalys /Palmerston Golf Club (agreement concludes 2020/2021)	\$30,000	\$30,000
3 year Sponsorship	Palmerston & Rural Seniors Fortnight	Palmerston & Litchfield Seniors Committee (agreement concludes 2020/2021)	\$20,000	\$20,000
3 Year Sponsorship	ANZAC Day Services	RSL Palmerston Subbranch	\$10,000	\$10,000
13.02.2020	Open Court Session	Tennis NT (event reinstated after cancelled due to COVID-19)	\$2,000	\$2,000
16.07.2020	Tiwi Fishing Program 3 year Sponsorship	Reeling Veterans Inc.	\$10,000	\$10,000
18.09.2020	Autism NT Luncheon 2020	Autism NT	\$2,000	\$2,000
7.09.2020	2020-21 Season	Palmerston Magpies Football Club	\$5,000	\$5,000
Sponsorships, Donations and Grants			\$79,000	\$79,000

In-Kind Support (Non-Venue Hire)

Date Received	Activity	Applicant	Amount Requested	Amount Received
In-Kind Support			nil	nil

Scholarships

Date Received	Applicant	Amount Requested	Amount Received
Scholarships		nil	nil

Annual School Awards

Date Received	School	Amount Requested	Amount Received
27.08.2020	Forrest Parade School	\$100	\$100
27.08.2020	Good Shepherd Lutheran College Palmerston Campus	\$100	\$100
27.08.2020	Rosebery Primary School	\$100	\$100
31.08.2020	Woodroffe Primary School	\$100	\$100
13.10.2020	Palmerston Christian School	\$100	\$100
15.10.2020	MacKillop Catholic College	\$100	\$100
15.10.2020	Palmerston college (two campuses)	\$200	\$200
15.10.2020	Gray Primary School	\$100	\$100
23.10.2020	Driver Primary School	\$100	\$100
23.10.2020	Sacred Heart Primary School	\$100	\$100
City of Palmerston Community Service Award		\$1,100	\$1,100

Community Benefit Scheme 2020/2021

	Budget	YTD	Balance
Grants/Donations/Sponsorships/Scholarships Paid	\$130,000	\$80,100	\$49,900

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.1.2
REPORT TITLE:	Financial Report for the Month of October 2020
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Manager Finance, Maxie Smith
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

The purpose of the report is to present to Council the Financial Report for the month of October 2020.

KEY MESSAGES

- First Budget Review has been incorporated into this report.
- Reserves Schedule has been updated to reflect the closing balance of the General Purpose Financial Statements 30 June 2020.
- Operating income and expenditure overall are in-line with expectations and cashflows.
- Capital expenditure is showing as 26% of budget for the year inclusive of commitments. These expenses are inclusive of the Special Community Assistance and Local Employment (SCALE) projects.
- Unexpended capital works established at Third Budget Review 2020 have been included in capital expenditure through the First Budget Review for works scheduled for completion or commencement after 1 July 2020.
- Creditor Account Paid Report includes payments to vendors for the first round of myPalmerston.

RECOMMENDATION

THAT Report entitled Financial Report for the Month of October 2020 be received and noted.

BACKGROUND

In accordance with Section 18 of the *Local Government (Accounting) Regulations* the proceeding months financial report must be presented to Council. The commentary below and **Attachment 13.1.2.1** present the financial position of Council at the end of October 2020.

DISCUSSION

Monthly cashflows for income and expenses have been updated and are recorded in the report.

Operating Income

- Total operating income is at 91% of the current budget.
- Insurance reimbursements have been adjusted against increased insurance expenditure at the First Quarter Budget Review.

- City Growth & Operations income is exceeding expectations due to Subdivisional Works and Waste Management and will be adjusted at subsequent Budget Reviews.
- All other operating income items are generally tracking as expected at this point in the financial year.
- Durack Heights Community Centre programs continue to perform well and income will be adjusted at subsequent budget reviews.

Operating Expenditure

- Total operating expenditure is at 36% of the budget inclusive of commitments.
- City Growth & Operations Expenditure is exceeding expectations due to Emergency Operations (from Covid-19's cleaning services) and will be adjusted at the subsequent review.
- Operating expenditure lines are in-line with budget expectations.

Capital Income

- Capital income is at 3% of current budget.
- Developer contributions income exceeded expectations due to unanticipated activity and will be adjusted at subsequent budget reviews.
- City Growth & Operations income is exceeding expectations due to additional Subdivisional Works income and will be adjusted at subsequent budget review.
- \$2.6 million grant funding received for:
 - Gray Community Hall Redevelopment;
 - Reggie Park Open Space Upgrade;
 - Accessible for All Play Equipment;
 - Landscaping and Shade Palmerston Swimming and Fitness Centre;
 - Maurice Terrace Off-Leash Dog Park; and
 - SCALE.

Capital Expenditure

- Capital Expenditure is at 26% for the year including commitments raised.
- The actuals and commitments raised are inclusive of the SCALE projects which are progressing.
- Capital projects from the previous financial year requiring completion have been presented to Council as part of the First Quarter Budget Review and are included in the Revised Budget.

Loans

Council approved an internal loan for \$3.65 million to fund Making the Switch and an external loan for \$1.96 million to fund the final stage of remediation works at the previous Archer Landfill site.

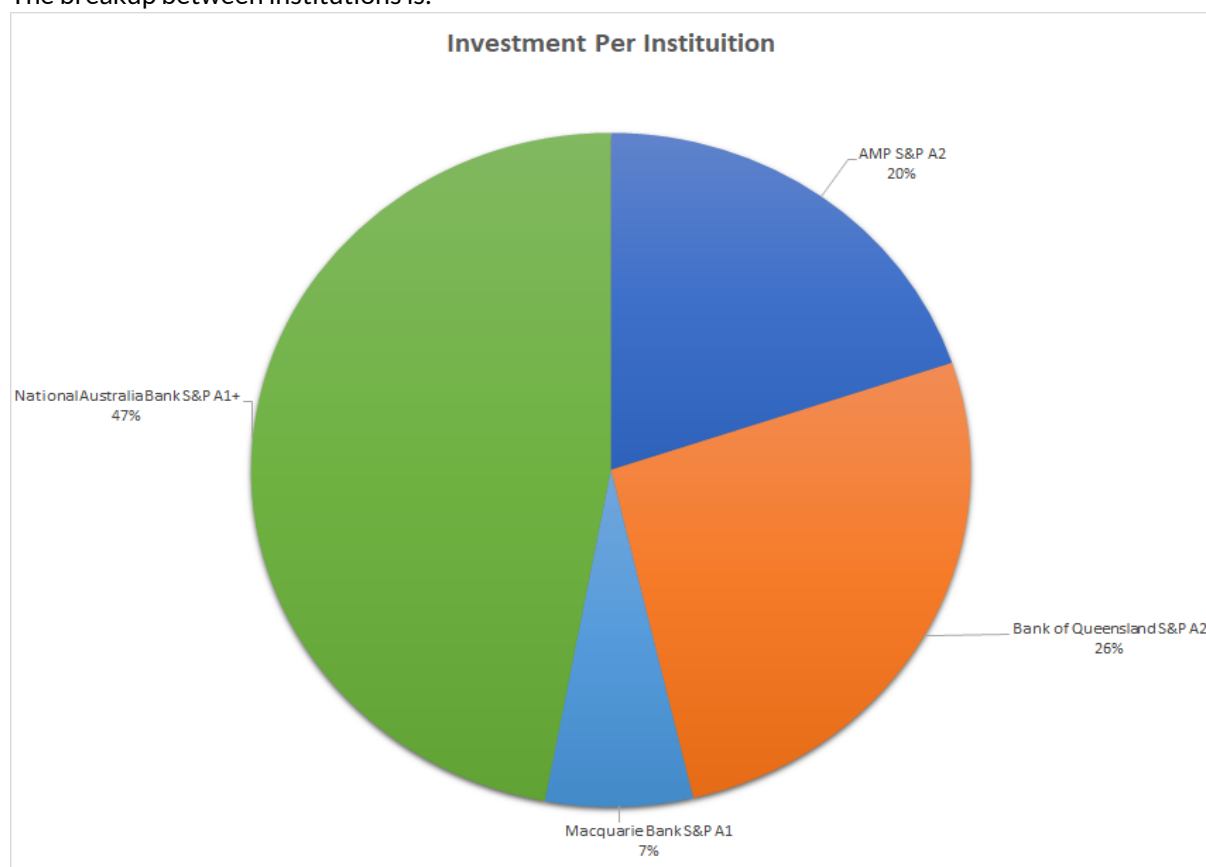
The internal loan for Making the Switch has been drawn upon, with the corresponding figures shown in **Attachment 13.1.2.1, Section 2.10 - Council Loans**. Total project costs for Making the Switch, exclusive of employee costs for the public lighting officer and interest incurred is \$3,223,849. Interest accrued to date is \$85,273 and Council commenced repayments in the 2019/20 financial year with an instalment of \$200,000 processed in conjunction with the Second Budget Review 2019/20. As energy savings from the project are realised, a portion will be allocated to the repayment of the loan, with the remainder allocated to improving the public lighting network as previously approved.

The loan for Archer Landfill Rehabilitation of \$1.96 million was drawn upon on 28 June 2019. The principal repayments for this loan commenced in October 2019 and will occur quarterly. The current outstanding balance on this loan is \$1,738,353. Details of the loan are provided in **Attachment 13.1.2.1, Section 2.10 - Council Loans**.

Investments

As at 31 October 2020 Council held a total of \$22,664 million in term deposits across four separate financial institutions. The investment portfolio is compliant with Council Policy *FIN06 - Investments*.

The breakup between institutions is:



Outstanding Rates

Council's overdue rates are currently worth \$1.5 million or 5.45% of total rates levied for the 2020/21 financial year. The increase in outstanding rates compared to prior years is primarily due to COVID-19, and Council is acting to support ratepayers through rate relief measures. This financial year, four commercial rates concessions have been approved under Council's recently adopted *FIN17a - Public Benefit Concession Policy for Commercial Ratepayers* with one additional application in progress.

Waste Charges

The purpose of *Section 2.8 - Waste Charges* in **Attachment 13.1.2.1**, is to provide an indicative overview of Council's progress against its budgeted Waste Reserve movement. In the previous months, this report reflected capital roll over amounts. These capital roll over amounts have already impacted on reserve

balances. Consequently, capital expenditure has been revised to reflect only movement relating to this financial year and capital roll over amounts have been removed.

CONSULTATION PROCESS

There was no consultation required during the preparation of this report.

POLICY IMPLICATIONS

Investments are compliant with Council Policy *FIN06 – Investments*.

BUDGET AND RESOURCE IMPLICATIONS

Budget or resource implications are reflected in the body of the report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

2. Be sustainable into the long-term
Context: Optimising the financial, social, and environmental sustainability of the Council.

The *Local Government (Accounting) Regulations - Part 8*, prescribes that:

Financial Reports to Council

1. The CEO must, in each month, lay before a meeting of the Council a report, in a form approved by the Council. Setting out:
 - a. The actual income and expenditure of the Council for the period from the commencement of the financial year up to the end of the previous month.
 - b. The forecast income and expenditure for the whole of the financial year.
2. The report must include:
 - a. Details of all cash investments held by the Council (including any money held in trust).
 - b. A statement of the debts owed to the Council including aggregate amount owed under each category with a general indication of the age of the debts.
 - c. Other information required by the Council.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. Financial Report for the Month of October 2020 [13.1.2.1 - 21 pages]

Financial Management Reports

October 2020

- ❖ 1. Executive Summary
- ❖ 2. Financial Results



TABLE OF CONTENTS

October 2020

SECTION 1 – EXECUTIVE SUMMARY

1.1 Executive Summary

SECTION 2 – FINANCIAL RESULTS

2.1 Budget Summary Report

2.2 Reserves Schedule

2.3 Investments Management Report

2.4 Debtor Control Accounts

2.5 Financial Indicators

2.6 Creditor Accounts Paid

2.7 Creditor Accounts Outstanding

2.8 Waste Charges

2.9 Commercial Leases

2.10 Council Loans

Section 2 Financial Results

1.1 - Executive Summary as at

% of year passed

31 October 2020

33%

	Revised Budget \$	YTD Actual \$	% Utilised Actuals	YTD Committed \$	% Utilised Committed	Budget Forecast \$
Operating Income						
Rates & Annual Charges	28,867,274	27,801,784	96%	0	0%	28,867,274
Statutory Charges	138,450	20,660	15%	0	0%	138,450
User Charges & Fees	593,182	374,790	63%	0	0%	593,182
Interest & Investment Revenue	993,160	280,003	28%	0	0%	993,160
Reimbursements	0	0	0%	0	0%	0
Other Income	182,929	171,748	94%	0	0%	182,929
Grants, Subsidies & Contributions	2,002,921	1,054,802	53%	0	0%	2,002,921
Operating Income	32,777,916	29,703,788	91%	0	0%	32,777,916
Operating Expenditure						
Employee Costs	-10,187,188	-3,173,352	31%	-26,579	0%	-10,187,188
Professional Services	-1,819,076	-542,609	30%	-315,545	17%	-1,819,076
Auditor's Remuneration	-35,000	23,800	-68%	0	0%	-35,000
Operating Lease Rentals	-46,000	-8,984	20%	-16,028	35%	-46,000
Energy	-1,255,557	-288,288	23%	0	0%	-1,255,557
Materials & Contractors	-10,676,934	-2,454,478	23%	-1,597,601	15%	-10,676,934
Depreciation, Amortisation & Impairment	-10,400,000	-3,466,668	33%	0	0%	-10,400,000
Elected Members Expenses	-385,771	-81,960	21%	0	0%	-385,771
Legal Expenses	-242,200	-175,785	73%	-28,003	12%	-242,200
Water Charges	-1,333,095	-479,118	36%	0	0%	-1,333,095
Telephone & Other Communication Charges	-265,474	-77,586	29%	-56,420	21%	-265,474
Community Grants	-150,000	-14,991	10%	-62,273	42%	-150,000
Other Expenses	-3,502,634	-1,413,833	40%	-257,208	7%	-3,502,634
Borrowing Costs	-46,000	-12,268	27%	0	0%	-46,000
Operating Expenditure	-40,344,929	-12,166,121	30%	-2,359,658	6%	-40,344,929
OPERATING SURPLUS/(DEFICIT)	-7,567,013	17,537,668		-2,359,658		-7,567,013
Capital Income			0			
Net gain (loss) on disposal or revaluation of assets	60,856	46,533	76%	0	0%	60,856
Developer Contributions	42,000	71,622	171%	0	0%	42,000
Asset Income	0	0	0%	0	0%	0
Grants received	3,415,589	0	0%	0	0%	3,415,589
Capital Income	3,518,445	118,155	3%	0	0%	3,518,445
Net SURPLUS / (DEFICIT) transferred to Equity Statement	-4,048,568	17,655,822		-2,359,658		-4,048,568
Capital Expenditure						
Land Purchase	0	0	0%	0	0%	0
Asset Purchase	-3,967,287	-885,481	22%	-1,027,864	26%	-3,967,287
Asset Upgrade	-7,653,268	-435,232	6%	-726,105	9%	-7,653,268
Capital Expenditure	-11,620,555	-1,320,713	11%	-1,753,969	15%	-11,620,555
Less Non-Cash Expenditure	-10,400,000	-3,466,668	33%	0	0%	-10,400,000
Plus Gifted Assets	0	0	0%	0	0%	0
NET CAPITAL SURPLUS/(DEFICIT)	-5,269,123	19,801,778		-4,113,627		-5,269,123
Borrowings	0	0	0%	0	0%	0
Repayment of Borrowings	-228,223	-56,325	25%	0	0%	-228,223
Reserve Movement	5,497,346	0	0%	0	0%	5,497,346
NET OPERATING SURPLUS/(DEFICIT)	0	19,745,453		-4,113,627		0

Approved by:  Manager Finance

2.1 - Budget Summary Report as at

% of year passed

Cashflowed Estimate of Budget YTD

33%

94%

Operating Income

	Original Budget \$	1st Review \$	YTD Budget Reviews \$	Revised Budget \$	YTD Actuals \$	%
Governance						
Office of the CEO	814,393	-254,788	-254,788	559,605	262,330	46.88%
Governance	814,393	-254,788	-254,788	559,605	262,330	46.88%
Organisational Services						
Director Organisational Services	50,012	0	0	50,012	29,500	58.99%
Organisational Services	50,012	0	0	50,012	29,500	58.99%
Finance						
Financial Services	450,000	67,658	67,658	517,658	131,822	25.47%
Rates	22,144,398	-12,514	-12,514	22,131,884	20,926,901	94.56%
Finance	22,594,398	55,144	55,144	22,649,542	21,058,723	92.98%
Events Promotion	45,000	0	0	45,000	21,000	46.67%
Health and Wellbeing Services	0	0	0	0	3,330	0.00%
Library Services	789,826	-33,553	-33,553	756,273	725,270	95.90%
Senior Citizens	1,500	500	500	2,000	2,000	100.00%
Youth Services	355,067	0	0	355,067	55,067	15.51%
Animal Management	337,250	0	0	337,250	219,835	65.18%
Parking & Other Ranger Services	124,200	13,000	13,000	137,200	12,300	8.97%
Lifestyle & Community Services	1,652,843	-20,053	-20,053	1,632,790	1,038,801	63.62%
City Growth & Operations						
Civic Centre	104,999	0	0	104,999	58,333	55.56%
Driver Resource Centre	7,500	-3,682	-3,682	3,818	3,818	100.00%
Director City Growth & Operations	0	646	646	646	1,250	193.50%
Private Works	24,750	0	0	24,750	10,135	40.95%
Recreation Centre	64,500	-64,500	-64,500	0	145	0.00%
Roads & Transport	1,021,364	-581,262	-581,262	440,102	113,771	25.85%
Subdivisional Works	7,500	0	0	7,500	18,119	241.59%
Waste Management	6,857,590	0	0	6,857,590	6,916,377	100.86%
Odegaard Drive Investment Property	446,160	0	0	446,160	185,900	41.67%
Durack Heights Community Centre	600	-225	-225	375	6,558	1748.83%
CBD Car Parking	120,000	-119,973	-119,973	27	27	100.19%
City Growth & Operations	8,654,963	-768,996	-768,996	7,885,967	7,314,434	92.75%
	33,766,609	-988,693	-988,693	32,777,916	29,703,788	90.62%

Financial Results

31 October 2020

2.1 - Budget Summary Report as at

% of year passed
Cashflowed Estimate of Budget YTD

33%
98%

Capital Income

	Original Budget \$	1st Review \$	YTD Budget Reviews \$	Revised Budget \$	YTD Actuals \$	%
Governance						
Office of the CEO	0	2,610,589	2,610,589	2,610,589	0	0.00%
Governance	0	2,610,589	2,610,589	2,610,589	0	0.00%
Finance						
Financial Services	50,000	10,856	10,856	60,856	46,533	76.46%
Finance	50,000	10,856	10,856	60,856	46,533	76.46%
City Growth & Operations						
Director City Growth & Operations	125,000	0	0	125,000	0	0.00%
Roads & Transport	705,000	-25,000	-25,000	680,000	0	0.00%
Subdivisional Works	42,000	0	0	42,000	71,622	170.53%
City Growth & Operations	872,000	-25,000	-25,000	847,000	71,622	8.46%
	922,000	2,596,445	2,596,445	3,518,445	118,155	3.36%

Capital Expenditure

	Original Budget \$	Carry Forwards & Rollovers \$	First Budget Review \$	YTD Budget Reviews \$	Revised Budget \$	YTD Actuals \$	% Utilised Actuals	Commitment \$	% Utilised Committed	Total YTD Actuals + Commitments \$
Organisational Services										
Information Technology	-165,000	0	-265,337	-265,337	-430,337	-94,479	21.95%	-70,360	16.35%	-164,839
Director Organisational Services	0	0	0	0	0	0	0.00%	-40,365	0.00%	-40,365
Organisational Services	-165,000	0	-265,337	-265,337	-430,337	-94,479	21.95%	-110,725	25.73%	-205,203
Finance										
Financial Services	-535,000	-178,415	0	-178,415	-713,415	-66,669	9.35%	0	0.00%	-66,669
Finance	-535,000	-178,415	0	-178,415	-713,415	-66,669	9.35%	0	0.00%	-66,669
Arts & Culture	-85,000	0	0	0	-85,000	0	0.00%	0	0.00%	0
Library Services	-230,000	0	-300,000	-300,000	-530,000	-132,357	24.97%	-172,730	32.59%	-305,087
Director Lifestyle & Community	0	-80,000	0	-80,000	-80,000	0	0.00%	0	0.00%	0
Lifestyle & Community Services	-315,000	-80,000	-300,000	-380,000	-695,000	-132,357	19.04%	-172,730	24.85%	-305,087
City Growth & Operations										
Aquatic Centre	-100,000	0	-201,273	-201,273	-301,273	-30,529	10.13%	-61,250	20.33%	-91,779
Civic Centre	-85,000	0	0	0	-85,000	0	0.00%	-11,015	12.96%	-11,015
Depot	-289,000	0	-43,030	-43,030	-332,030	0	0.00%	0	0.00%	0
Driver Resource Centre	-20,000	0	0	0	-20,000	0	0.00%	0	0.00%	0
Gray Community Hall	-25,000	0	-1,455,000	-1,455,000	-1,480,000	-83,090	5.61%	-154,874	10.46%	-237,965
Director City Growth & Operations	-250,000	-300,000	-245,927	-545,927	-795,927	-63,172	7.94%	0	0.00%	-63,172
Open Space	-1,389,500	-644,429	-721,352	-1,365,780	-2,755,280	-138,304	5.02%	-742,304	26.94%	-880,609
Recreation Centre	-240,000	0	-270,393	-270,393	-510,393	-142,498	27.92%	-48,154	9.43%	-190,652
Roads & Transport	-1,921,000	0	-178,686	-178,686	-2,099,686	-66,596	3.17%	-138,069	6.58%	-204,665
Stormwater Infrastructure	-150,000	0	0	0	-150,000	0	0.00%	0	0.00%	0
Street Lighting	-290,000	0	-318,665	-318,665	-608,665	-359,634	59.09%	-275,615	45.28%	-635,249
Subdivisional Works	-300,000	0	-2,213	-2,213	-302,213	-95,831	31.71%	-36,257	12.00%	-132,088
Waste Management	0	-197,206	-79,129	-276,335	-276,335	-46,735	16.91%	-2,976	1.08%	-49,711
Durack Heights Community Centre	-65,000	0	0	0	-65,000	0	0.00%	0	0.00%	0
City Growth & Operations	-5,124,500	-1,141,635	-3,515,668	-4,657,302	-9,781,802	-1,026,389	10.49%	-1,470,515	15.03%	-2,496,904
	-6,139,500	-1,400,050	-4,081,005	-5,481,055	-11,620,555	-1,319,894	11.36%	-1,753,969	15.09%	-3,073,863

2.1 - Budget Summary Report as at

31 October 2020

% of year passed
Cashflowed Estimate of Budget YTD33%
54%

Operating Expenditure

	Original Budget \$	First Budget Review \$	YTD Bud Reviews \$	Revised Budget \$	YTD Actuals \$	% Utilised Actuals	Commitment \$	% Utilised Committed	Total YTD Actuals + Commitments \$
Governance									
Elected Members	-424,771	0	0	-424,771	-87,347	20.56%	-642	0.15%	-87,989
Office of the CEO	-1,113,260	-220,000	-220,000	-1,333,260	-431,732	32.38%	-2,753	0.21%	-434,484
Governance	-1,538,031	-220,000	-220,000	-1,758,031	-519,078	29.53%	-3,395	0.19%	-522,473
Organisational Services									
Customer Services	-315,294	0	0	-315,294	-100,204	31.78%	0	0.00%	-100,204
Human Resources	-749,048	-2,179	-2,179	-751,227	-266,152	35.43%	-75,322	10.03%	-341,475
Information Technology	-1,039,699	-2,646	-2,646	-1,042,345	-479,855	46.04%	-108,553	10.41%	-588,408
Director Organisational Services	-443,321	0	0	-443,321	-242,789	54.77%	-57,956	13.07%	-300,745
Records Management	-267,861	0	0	-267,861	-73,145	27.31%	-16,028	5.98%	-89,173
Public Relations and Communications	-639,759	0	0	-639,759	-147,067	22.99%	-20,608	3.22%	-167,675
Organisational Services	-3,454,982	-4,825	-4,825	-3,459,807	-1,309,212	37.84%	-278,468	8.05%	-1,587,680
Finance									
Financial Services	-12,669,805	-78,514	-78,514	-12,748,319	-4,417,951	34.66%	-9,932	0.08%	-4,427,883
Rates	-374,700	0	0	-374,700	-248,552	66.41%	-30,018	8.01%	-278,870
Finance	-13,044,505	-78,514	-78,514	-13,123,019	-4,666,803	35.56%	-39,951	0.30%	-4,706,753
Lifestyle & Community Services									
Arts & Culture	-102,000	0	0	-102,000	-21,560	21.14%	-31,037	30.43%	-52,597
Community Development	-883,980	0	0	-883,980	-232,637	26.32%	-62,317	7.05%	-294,973
Disabled Services	-3,000	0	0	-3,000	0	0.00%	0	0.00%	0
Events Promotion	-380,000	0	0	-380,000	-27,271	7.18%	-17,949	4.72%	-45,221
Families & Children	-27,000	0	0	-27,000	-11,167	41.36%	-1,807	6.69%	-12,974
Health and Wellbeing Services	-66,140	0	0	-66,140	-10,137	15.33%	-10,373	15.68%	-20,510
Library Services	-1,753,154	8,053	8,053	-1,745,101	-568,565	32.58%	-88,300	5.06%	-656,865
Senior Citizens	-6,500	-500	-500	-7,000	-5,606	80.09%	-325	4.64%	-5,931
Youth Services	-486,068	233,720	233,720	-252,348	-12,747	5.05%	-42,001	16.64%	-54,748
Director Lifestyle & Community	-523,401	0	0	-523,401	-122,172	23.34%	-2,670	0.51%	-124,842
Safe Communities	-47,500	-23,297	-23,297	-70,797	-22,763	32.15%	-6,545	9.25%	-29,308
Animal Management	-166,000	0	0	-166,000	-53,420	32.18%	-19,083	11.50%	-72,503
Parking & Other Ranger Services	-887,753	0	0	-887,753	-275,657	31.05%	-2,705	0.30%	-278,362
Lifestyle & Community Services	-5,332,495	217,975	217,975	-5,114,520	-1,363,721	26.66%	-256,779	5.02%	-1,268,660
City Growth & Operations									
Aquatic Centre	-750,134	0	0	-750,134	-178,354	23.78%	-16,476	2.20%	-194,830
Archer Sports Club	-256	0	0	-256	-25	9.94%	0	0.00%	-25
Civic Centre	-392,963	-13,500	-13,500	-406,463	-109,653	26.98%	-28,453	7.00%	-138,106
Depot	-71,623	0	0	-71,623	-34,964	48.82%	-8,999	12.56%	-43,964
Driver Resource Centre	-13,250	0	0	-13,250	-6,829	51.54%	-5,509	41.58%	-12,337
Emergency Operations	-30,000	0	0	-30,000	-32,428	108.09%	-16,915	56.38%	-49,342
Gray Community Hall	-43,067	13,500	13,500	-29,567	-8,143	27.54%	-2,161	7.31%	-10,304
Director City Growth & Operations	-586,162	0	0	-586,162	-244,977	41.79%	-28,364	4.84%	-273,341
Open Space	-4,649,433	0	0	-4,649,433	-1,276,107	27.45%	-345,561	7.43%	-1,621,669
Private Works	-91,373	0	0	-91,373	-29,152	31.90%	0	0.00%	-29,152
Recreation Centre	-253,653	0	0	-253,653	-56,902	22.43%	-21,245	8.38%	-78,147
Roads & Transport	-2,254,926	0	0	-2,254,926	-476,873	21.15%	-188,434	8.36%	-665,308
Stormwater Infrastructure	-245,000	10,650	10,650	-234,350	-31,469	13.43%	-52,289	22.31%	-83,758
Street Lighting	-770,000	0	0	-770,000	-218,996	28.44%	-3,041	0.39%	-222,038
Waste Management	-6,232,526	-144,400	-144,400	-6,376,926	-1,511,102	23.70%	-1,018,767	15.98%	-2,529,869
Odegaard Drive Investment Property	-141,407	0	0	-141,407	-47,863	33.85%	-660	0.47%	-48,522
Durack Heights Community Centre	-22,220	0	0	-22,220	-3,343	15.05%	-4,418	19.88%	-7,762
CBD Car Parking	-144,308	17,499	17,499	-126,809	-28,002	22.08%	0	0.00%	-28,002
Goyder Square	-81,000	0	0	-81,000	-12,126	14.97%	-2,232	2.75%	-14,357
City Growth & Operations	-16,773,302	-116,251	-116,251	-16,889,553	-4,307,308	25.50%	-1,743,524	10.32%	-6,050,831
	-40,143,315	-201,614	-201,614	-40,344,929	-12,166,121	30.16%	-2,322,117	5.76%	-14,136,398

Section 2

Financial Results

2.2 Reserves Schedule

	Balance as at 1/07/2020	TO RESERVES				FROM RESERVES				Balance as at 30/06/2021
		Original Budget \$	Carry Forwards & Rollovers \$	Budget Reviews 1st Review \$	Adopted Budget \$	Original Budget \$	Carry Forwards & Rollovers \$	Budget Review 1st Review \$	Adopted Budget \$	
Externally Restricted Reserves										
Unexpended Grants Reserve	456,846	300,000	0	250,000	550,000	250,000	0	42,708	292,708	714,139
	456,846	300,000	0	250,000	550,000	250,000	0	42,708	292,708	714,139
Internally Restricted Reserves										
Election Expenses Reserve	150,000	0	0	0	0	0	0	0	0	150,000
Disaster Recovery Reserve	500,000	0	0	0	0	0	0	0	0	500,000
Unexpended Capital Works Reserve	2,597,173	0	0	0	0	0	1,400,050	1,197,123	2,597,173	0
Developer Funds In Lieu Of Construction	1,786,459	162,730	0	0	162,730	516,000	0	2,213	518,213	1,430,976
Waste Management Reserve	2,142,278	68,020	0	8,821	76,841	190,000	0	144,400	334,400	1,884,719
Asset Renewal Reserve	0	0	0	0	0	0	0	0	0	0
Major Initiatives Reserve	614,949	0	0	0	0	0	0	0	0	614,949
	7,790,859	230,750	0	8,821	239,571	706,000	1,400,050	1,343,736	3,449,786	4,580,644
Unrestricted Reserves										
Working Capital Reserve	9,546,226	0	0	0	0	997,179	0	1,547,245	2,544,424	7,001,802
	9,546,226	0	0	0	0	997,179	0	1,547,245	2,544,424	7,001,802
Total Reserve Funds*	17,793,931	530,750	0	258,821	789,571	1,953,179	1,400,050	2,933,688	6,286,917	12,296,585


 Approved by: Manager Finance

Section 2

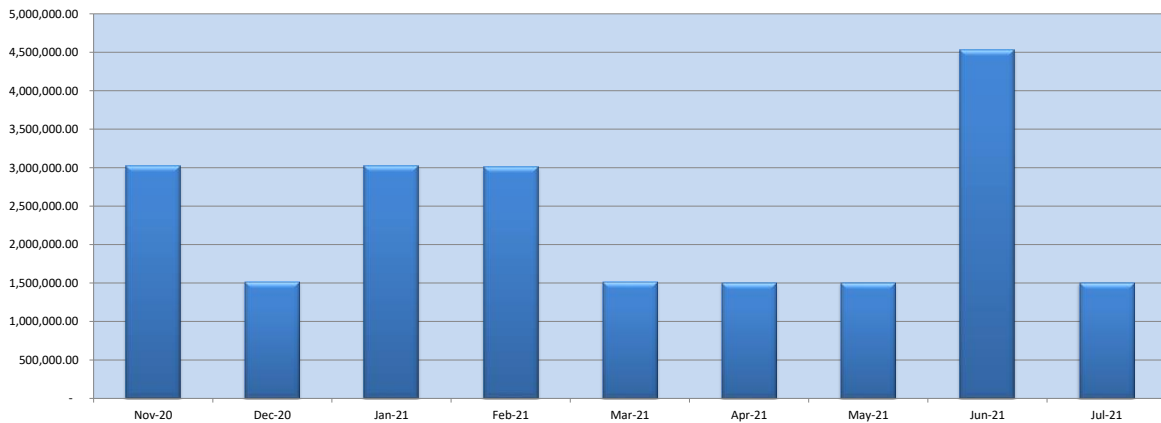
Financial Results

2.3 Investments Management Report

INVESTMENTS REPORT TO COUNCIL AS AT 31/10/2020

COUNTERPARTY	RATING	AMOUNT	INTEREST RATE	MATURITY DATE	DAYS TO MATURITY	INSTITUTION TOTALS	%COUNTER PARTY
People's Choice Credit Union	S&P A2	\$ 6.79	0.00%			\$ 6.79	0.00%
AMP	S&P A2	\$ 1,500,000.00	1.40%	January 27, 2021	88		
AMP	S&P A2	\$ 1,500,000.00	0.80%	April 21, 2021	172		
AMP	S&P A2	\$ 1,500,000.00	0.80%	June 30, 2021	242	\$ 4,500,000.00	19.85%
Bank of Queensland	S&P A2	\$ 1,500,000.00	1.53%	November 4, 2020	4		
Bank of Queensland	S&P A2	\$ 1,500,000.00	0.60%	May 5, 2021	186		
Bank of Queensland	S&P A2	\$ 1,500,000.00	0.65%	July 28, 2021	270		
Bank of Queensland	S&P A2	\$ 1,500,000.00	0.65%	August 25, 2021	298	\$ 6,000,000.00	26.47%
Macquarie	S&P A1	\$ 1,500,000.00	1.65%	December 16, 2020	46	\$ 1,500,000.00	6.62%
National Australia Bank	S&P A1+	\$ 7,655.57	0.31%				
National Australia Bank	S&P A1+	\$ 157,229.80	0.31%				
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.97%	November 18, 2020	18		
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.98%	January 13, 2021	74		
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.60%	February 10, 2021	102		
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.70%	February 24, 2021	116		
National Australia Bank	S&P A1+	\$ 1,500,000.00	1.00%	March 10, 2021	130		
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.75%	June 2, 2021	214		
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.60%	June 16, 2021	228	\$ 10,664,885.37	47.05%
TOTAL SHORT TERM INVESTMENT		\$ 22,664,892.16	Average Days to Maturity		146		
% OF TOTAL INVESTMENT PORTFOLIO	A1 (max 100%)	53%	A2/P2 (max 60%)	47%	A3 (max 40%)	0%	100%
Weighted Average Rate		0.91%	BBSW 90 Day Rate Benchmark		0.06%		
GENERAL BANK FUNDS		\$ 6,584,775.95	Total Budget		-\$ 400,000.00	Investment Earnings	
TOTAL ALL FUNDS		\$ 29,249,668.11	Year to Date Investment		-\$ 62,272.59	Earnings	

Cashflow of Investments



PROPERTY INVESTMENT

PROPERTY ADDRESS	VALUATION BASIS	VALUE	INCOME YTD	EXPENSE YTD	NET PROFIT YTD	COMPARATIVE YTD YIELD AT CASH RATE OF 3%
48 Odegaard Drive, Rosebery	Fair Value	\$ 5,200,000	\$ 185,900	\$ 48,522	\$ 137,378	52,570

Approved by: Manager Finance

Section 2

Financial Results

31 October 2020

2.4 Debtor Control Accounts

SUNDRY DEBTORS:						
	BALANCE	CURRENT	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS
	106,101.58	68,442.42	25,473.50	1,838.57	2,056.50	8,290.59
RATES:						
REPORT MONTH	OVERDUE \$	Payments Received in Advance \$	OVERDUE % OF RATES INCOME			
Oct-20	\$1,570,089	\$223,834	5.45%			
Oct-19	\$1,293,913		4.51%			
TOTAL OVERDUE \$	Charged in 2020/2021	Charged in 2019/2020	Charged in 2018/2019	Charged in 2017/2018	Charged Prior to 2017/2018	
\$1,570,089	\$632,135	\$569,158	\$233,440	\$82,334	\$53,023	
INFRINGEMENTS:						
		\$				
Animal Infringements		136,056.13				
Public Places		9,767.00				
Parking Infringements		149,265.21				
Litter Infringements		875.00				
Signs		0.00				
Other Law and Order		0.00				
Net Balance on Infringement Debts		<u>295,963.34</u>				



Approved by: Manager Finance

Section 2

Financial Results

2.5 - Financial Indicators

	Target	2021	2020	2019	2018
Operating Surplus Ratio					
Total Operating Surplus/Deficit	0.00%	-23.09%	-18.87	-23.02%	-26.12%
Total Operating Income					
This indicator shows the extent to which operational expenses are covered by operational income, and if in surplus, how much is available to use for other purposes such as capital expenses. This has been calculated from the forecast budget.					
Debt Service Ratio (External Loans)					
Net Debt Service Cost	<5%	0.76%	0.80%	0:00%	0:00%
Operating Revenue					
A Council's debt service ratio shows Council's debts (principal + interest) in relation to Council's income.					
Rate Coverage Percentage					
Rate Revenues	60%-75%	67.15%	54.69%	48.34%	56.67%
Total Revenues					
This indicator shows the percentage of total revenue raised through rates income.					
Rates & Annual Charges Outstanding Percentage					
Rates & Annual Charges Outstanding	<5%	5.45%	5.08%	3.84%	3.39%
Rates & Annual Charges Collectible					
This percentage shows Council's total rates outstanding against rates payable to Council in this financial year. The rate will decrease as instalment dates pass.					

SECTION 2

Financial Results

2.6 - Creditor Accounts Paid October 2020


	Creditor Name	Creditor Payment Type	Amount \$
639	Cleanaway Pty Ltd.	General Creditors	369,216.80
V01904	Veolia Environmental Service (Australia) Pty Ltd	General Creditors	249,083.14
2	Australian Taxation Office - PAYG	General Creditors	228,922.47
54	Powerwater	Utilities	226,387.62
1607	Sterling NT Pty Ltd	General Creditors	194,775.19
549	City of Darwin	General Creditors	190,382.64
V00318	StatewideSuper Clearing House	Superannuation	138,385.43
5104	JLM Contracting Services Pty Ltd	General Creditors	95,364.92
V00773	Akron Group NT Pty Ltd	General Creditors	94,178.12
712	Paradise Landscaping (NT) Pty Ltd	General Creditors	87,042.56
5508	Open Systems Technology Pty Ltd - CouncilFirst	General Creditors	77,438.95
5031	All Aspects Recruitment & HR Services	General Creditors	73,533.47
V01958	Ross Kourounis T/A Rossi Architects	General Creditors	73,173.10
V01860	Hays Specialist Recruitment (Australia) Pty Ltd	General Creditors	58,232.10
V00582	Ezko Property Services (Aust) Pty Ltd	General Creditors	51,049.28
V01389	Darwin Argos Painting	General Creditors	50,600.00
5122	NT Electrical Group	General Creditors	50,371.19
V02188	Colmar Brunton Pty Ltd	General Creditors	46,970.00
3936	Arafura Tree Services and Consulting	General Creditors	44,902.00
5254	True North	General Creditors	38,795.83
5651	Minter Ellison Lawyers	General Creditors	34,392.26
798	YMCA of the Northern Territory	General Creditors	33,966.90
938	Nightcliff Electrical	General Creditors	28,035.98
87	Industrial Power Sweeping Services Pty	General Creditors	27,805.06
V02579	Human Synergistics Pty Ltd	General Creditors	27,650.00
3880	PAWS Darwin Limited	General Creditors	26,324.60
V00157	McArthur Management Services (Vic) P/L	General Creditors	23,760.00
V00368	iWater NT	General Creditors	23,375.00
185	Bridge Toyota	General Creditors	23,114.02
V02534	Water Dynamics Pty Limited	General Creditors	22,577.62
2587	Top End RACE	General Creditors	19,100.33
V02386	One Touch Property Maintenance	General Creditors	18,478.48
3438	NT Shade & Canvas Pty Ltd	General Creditors	18,095.00
V03036	Azility	General Creditors	16,500.00
V02958	Greensafe Pty Ltd	General Creditors	15,823.65
V02491	Hydro-Plan Pty Ltd	General Creditors	14,929.75
V00228	Outback Tree Service	General Creditors	14,421.00
V00682	Leigh Dyson Plumbing	General Creditors	13,706.40
V01134	Territory Technology Solutions Pty Ltd	General Creditors	13,282.50
V02964	NT Utopia Holdings P/L t/a Territory Instruments	General Creditors	12,790.16
V01629	Smarter Technology Solutions	General Creditors	12,655.50
V00295	Jacana Energy	Utilities	11,147.96
47	Telstra Corporation Ltd	General Creditors	10,495.44
5315	Adamant Property Services Pty Ltd	General Creditors	10,167.03
V01009	Australian Parking and Revenue Control Pty Limited	General Creditors	10,066.39
V00168	Tactile Arts T/A Craft Council of the NT	General Creditors	9,544.00
2977	Security & Technology Services P/L	General Creditors	9,358.80
V00599	Athina Pascoe-Bell	Elected Members	9,098.70
V00388	Darwin Metal Industries	General Creditors	8,481.00
V01835	Deloitte Private Pty Ltd	General Creditors	8,293.12
4472	Australian Institute of Company Directors	General Creditors	8,250.00
5615	EcOz Environmental Consulting	General Creditors	7,788.00
2199	SBA Office National	General Creditors	7,563.99
V00279	CAM Interiors	General Creditors	7,493.20
566	Stickers & Stuff	General Creditors	7,330.00
V01812	C R Campbell - Electrical and Data Contractors	General Creditors	7,320.00
5272	Greville Fabrication Pty Ltd	General Creditors	7,238.00
V00250	Ward Keller	General Creditors	6,845.19
V02369	Maher Raumteen Solicitors	General Creditors	6,681.20
943	Territory Asset Management Services	General Creditors	6,110.01

Creditor Name	Creditor Payment Type	Amount \$
V01584 Salary Packaging Australia	General Creditors	6,099.21
V02162 RMI Security - Conigrave Pty Ltd	General Creditors	5,990.80
V02542 Roadside Services and Solutions Pty Ltd	General Creditors	5,966.84
V00193 Amcom Pty Ltd Acc no CN5439	General Creditors	5,949.25
V00937 Albright Consulting Engineers	General Creditors	5,115.00
22 Norsign Pty Ltd	General Creditors	5,086.35
V00592 Dreamedia	General Creditors	4,816.07
26 Viva Energy Australia Ltd	General Creditors	4,813.20
V03118 Wicked NRG Pty Ltd	MyPalmerston	4,540.00
5036 Dormakaba Aust P/L T/as Territory Door Services	General Creditors	4,399.50
V03101 Golden Nails	MyPalmerston	4,377.50
5525 Easyweb Digital Pty Ltd	General Creditors	4,329.60
4561 Bendesigns	General Creditors	4,287.25
V01598 Social Playground Darwin	General Creditors	4,180.00
4007 Ark Animal Hospital Pty Ltd	General Creditors	3,950.00
V01118 Wilson Security Pty Ltd	General Creditors	3,854.12
4730 Sign City (NT) Pty Ltd	General Creditors	3,784.00
4065 Southern Cross Protection Pty Ltd	General Creditors	3,778.88
4737 D & L Plumbing & Gasfitting	General Creditors	3,715.80
48 Top End Line Markers Pty Ltd	General Creditors	3,482.60
V01612 News Corp Australia	General Creditors	3,471.15
V01615 Autopia Management Pty Limited	General Creditors	3,465.48
184 Clouston Associates	General Creditors	3,239.50
V01573 Amber Garden	Elected Members	3,204.07
V01486 Brainium Labs Pty Ltd	General Creditors	3,150.00
V00377 Audio Technology NT Pty Ltd	General Creditors	3,078.72
V00315 HWL Ebsworth Lawyers	General Creditors	3,019.50
V02904 Dynamic Gift International Pty Ltd	General Creditors	2,832.50
V00939 Defend Fire Services Pty Ltd	General Creditors	2,781.20
5 Australia Post	General Creditors	2,713.08
V03065 Aussie Pooch Nutrition & Wellbeing	MyPalmerston	2,672.50
90 Local Government Association of the NT (LGANT)	General Creditors	2,670.00
2064 Larrakia Nation Aboriginal Corporation	General Creditors	2,640.00
V02311 NTBS Consulting Engineers Pty Ltd	General Creditors	2,640.00
V02340 Litchfield Green Waste Recyclers	General Creditors	2,640.00
353 Otis	General Creditors	2,622.60
194 Jtagz Pty Ltd	General Creditors	2,535.50
V01570 Sarah Louise Henderson	Elected Members	2,436.07
V00200 Red Earth Automotive Pty Ltd	General Creditors	2,435.00
V03115 Roseberyminimart	MyPalmerston	2,405.00
5094 Urban Development Institute of Australia	General Creditors	2,400.00
V03113 Lakim Butcher	MyPalmerston	2,292.50
V03107 Kerry's Body Therapy	MyPalmerston	2,280.00
V03057 Covai Cafe	MyPalmerston	2,275.00
V01571 Michael Spick	Elected Members	2,219.40
274 CSG Business Solutions (NT) Pty Ltd	General Creditors	2,200.50
V03085 Malones Butchery	MyPalmerston	2,185.00
V01569 Benjamin Giesecke	Elected Members	2,136.07
V01574 Dr Thomas A Lewis OAM	Elected Members	2,136.07
V01579 Damian Hale	Elected Members	2,069.40
V00860 Costojic Pty Ltd	General Creditors	2,063.00
V03022 Outback Auto NT	MyPalmerston	2,050.93
3396 Autism NT Inc.	Grants, Sponsorships, Donations & Prizes	2,000.00
V01639 Nigel Wilson	Refunds & Reimbursements	2,000.00
V01572 Lucy Morrison	Elected Members	1,986.07
V01911 Darwin Plant Wholesalers	General Creditors	1,950.30
V01785 M&S Mowing Plus	General Creditors	1,925.00
2336 Flick Anticimex Pty Ltd	General Creditors	1,853.93
4483 Isubscribe Pty Ltd	General Creditors	1,846.77
V02075 FL Pools Pty Ltd T/a Figleaf Pool Products	General Creditors	1,834.00
V03040 Zuccoli IGA	MyPalmerston	1,820.00
4871 Reface Industries	General Creditors	1,818.46
V00443 Top End Hydraulic Services P/L T/A Forecast Machin	General Creditors	1,813.44
V02611 N B Gregory	Refunds & Reimbursements	1,800.00
3428 Bunnings Group Limited	General Creditors	1,797.07
V03148 Denice Humphreys	Refunds & Reimbursements	1,788.56

Creditor Name	Creditor Payment Type	Amount \$
V02306 Well Done International Pty Ltd	General Creditors	1,765.28
V01335 Accidental Health & Safety Brisbane South & NT	General Creditors	1,723.32
V01826 Tick of Approval Pty Ltd	General Creditors	1,705.00
1580 The Exhibitionist	General Creditors	1,692.90
3099 Iron Mountain Australia Pty Ltd	General Creditors	1,674.72
5435 Access Hardware (NT) Pty Ltd	General Creditors	1,653.69
V01990 NC Electrical & Air Conditioning Pty Ltd	General Creditors	1,650.00
V03063 Fresh Point Co Cafe	MyPalmerston	1,645.00
3647 Plastic Card Customization	General Creditors	1,536.11
V03151 Beverley Carter	Refunds & Reimbursements	1,500.00
4482 Harvey Norman AV/IT Superstore Darwin	General Creditors	1,450.00
V01234 Mulga Security	General Creditors	1,419.05
V01503 LG Solutions Pty Ltd	General Creditors	1,375.00
1581 NT Broadcasters Pty Ltd	General Creditors	1,320.00
V01810 Jacana Energy - Payroll Deductions	General Creditors	1,290.00
V01420 CENTRELINK (PAYROLL)	General Creditors	1,281.19
53 Eggins Electrical	General Creditors	1,271.60
V01537 Ben's Tree Service Pty Ltd	General Creditors	1,265.00
V02287 4Cabling Pty Ltd	General Creditors	1,257.23
V00730 The Burning Circus	General Creditors	1,180.00
V01590 MSKK Pty Ltd T/A Trojon Contractors	General Creditors	1,155.00
V00943 Rentokil Initial P/L - T/a NT Pest & Weed Control	General Creditors	1,150.60
2238 Hollands Print Solutions Pty Ltd	General Creditors	1,148.00
V02167 Sanity Music Stores Pty Ltd	General Creditors	1,146.28
35 WINC Australia Pty Limited	General Creditors	1,123.10
V02160 Drag Territory	General Creditors	1,100.00
4398 Quality Indoor Plants Hire	General Creditors	1,081.24
V00332 Stacie Selwood T/a Hyper The Clown	General Creditors	1,065.00
3787 Total Event Services T/A Top End Sounds P/L	General Creditors	1,023.00
V03038 Territory Graphics Pty Ltd T/as RISE Sign & Print	General Creditors	979.00
4029 Totally Workwear Palmerston	General Creditors	976.50
V00399 Palmerston and Regional Basketball Association	General Creditors	911.91
V02923 Instyle Hair and Beauty NT	MyPalmerston	910.00
V02219 George H Lilley Regalia	General Creditors	905.00
V00555 Rydges Palmerston	General Creditors	884.00
V03000 Jess Cussen Graphic Design	General Creditors	873.40
V02992 Balloon Events & More	General Creditors	870.00
V00164 1spatial Australia Pty Limited	General Creditors	858.00
4679 iSentia Pty Ltd	General Creditors	850.52
V00694 Subscribe-Software Pty Ltd	General Creditors	844.69
V00542 Industry Health Solutions	General Creditors	836.00
V01691 Blackwoods	General Creditors	822.45
3971 Pipeline Renovations Pty Ltd trading as RenoFLO	General Creditors	814.00
V02029 Server Room Specialists	General Creditors	811.80
V02328 Dale Austin - Dingo, Cockatoo Aboriginal Culture	General Creditors	800.00
V00271 Fuji Xerox Business Centre NT	General Creditors	783.30
V03015 Civitec Developments Pty Ltd T/A Ramstar Plastics	General Creditors	781.00
256 The Bookshop Darwin	General Creditors	777.29
272 City Wreckers	General Creditors	770.00
2186 Optus Billing Services Pty Ltd	General Creditors	759.62
V01703 Cazalys Brasserie - Jobize Pty Ltd	MyPalmerston	757.50
V00022 Officeworks	General Creditors	754.80
253 Territory FM 104.1 Darwin - CDU	General Creditors	754.60
V02277 Mowbray Investments Pty Ltd - On The Menu Catering	General Creditors	750.00
5713 Clean Fun T/A Giggling Geckos Jumping Castle Hire	General Creditors	744.00
V03108 Red Lantern Chinese Restaurant	MyPalmerston	742.50
V02965 Dabsco	General Creditors	730.00
V03066 The Cheesecake Shop Palmerston	MyPalmerston	677.50
V03096 Driver Supermarket	MyPalmerston	672.50
4891 CH Pty Limited T/a Piperight Services	General Creditors	660.00
V00334 Zumba with Adrijana	General Creditors	640.00
30 Colemans Printing Pty Ltd	General Creditors	629.20
3313 Zip Print	General Creditors	606.10
215 Employee Assistance Services NT Inc (EASA)	General Creditors	605.40
V02895 Hodgkison Pty Ltd	General Creditors	602.80
V00787 Naomi Lacey	General Creditors	600.00

Creditor Name	Creditor Payment Type	Amount \$
V00930 Hog's Breath Cafe Palmerston	MyPalmerston	590.00
V03120 Bodybar	MyPalmerston	567.50
3594 Comics NT	General Creditors	566.95
4528 Miranda's Armed Security Officers Pty	General Creditors	525.80
399 St John Ambulance (NT) Incorporated	General Creditors	510.00
5611 Steelmans Tools and Industrial Supplies	General Creditors	506.70
V02227 The Landmark	MyPalmerston	500.00
V02238 Foodbank Northern Territory	General Creditors	500.00
V00992 Top End Upholsterers & Motor Trimmers	General Creditors	495.00
V01694 NT Advertising and Distribution	General Creditors	491.70
5410 Majestix Media Pty Ltd	General Creditors	484.00
V01116 Learning Discovery Pty Ltd	General Creditors	483.50
V03102 Good Times Bar & Grill	MyPalmerston	475.00
V03153 A Luvisetto & C Hogg	Refunds & Reimbursements	467.06
V03046 Palates of India Pty Ltd	MyPalmerston	462.50
V03131 Palmerston Golf & Country Club (myPalmerston)	MyPalmerston	462.50
V02902 Katie Grimshaw T/a Mamma Healing	General Creditors	460.00
V03064 Ballantynes Fish and Chips	MyPalmerston	457.50
V03061 Paper & Pen	MyPalmerston	452.50
V01961 Messy Bub's - Natalie Hinchliffe	General Creditors	450.00
5357 Amiable Communications - Amy	General Creditors	440.00
V01106 Darwin Toilet Hire	General Creditors	440.00
V03074 Rosa Lines	Refunds & Reimbursements	430.00
V02887 Incredible India	MyPalmerston	405.00
289 Bolinda Publishing Pty Ltd	General Creditors	401.94
V02886 KTLF Enterprises Pty Ltd Ta Sportspower Palmerston	MyPalmerston	377.50
V02073 Holistic Health Services NT	General Creditors	360.00
V03083 Kids Film Pty Ltd	General Creditors	350.00
V03090 Beans n More NT	MyPalmerston	347.50
V03035 Darwin Mobile Detailers	General Creditors	330.00
V03037 KWP Advertising Pty Ltd	General Creditors	317.90
4508 News 4 U	General Creditors	309.40
V03116 Unforgettable Nails	MyPalmerston	305.00
V00475 Outback Batteries	General Creditors	301.60
123 Kerry's Automotive Group - KAP Motors Pty Ltd	General Creditors	297.00
59 City of Palmerston	General Creditors	295.40
V03088 Annabels Beauty Room	MyPalmerston	287.50
V03039 The Playshack Indoor Play Centre & Cafe	MyPalmerston	285.00
V03121 Chada Thai Massage	MyPalmerston	280.00
V02285 Territory Native Plants	General Creditors	278.41
V02899 Bush to Beach Nature-Based Programs	General Creditors	270.00
V03060 Saigon Street Pty Ltd	MyPalmerston	262.50
V03071 Colin E & Merlita Robinson	Refunds & Reimbursements	260.00
V03092 Candy Landz	MyPalmerston	260.00
V03051 Michel's Patisserie & Cafe Bakewell	MyPalmerston	255.00
V03084 Jocelyn Cull	Refunds & Reimbursements	255.00
V03068 Pizza Hut Palmerston	MyPalmerston	240.00
V03097 Ella Bache Palmerston	MyPalmerston	240.00
V02953 Fuyana Youth Support	General Creditors	225.01
V01844 Mother Teresa Catholic Primary School	Grants, Sponsorships, Donations & Prizes	225.00
V03053 Jack's Style and Grooming	MyPalmerston	222.50
V02991 Bill Davies Signs	General Creditors	220.00
V01324 Leighs Catering	General Creditors	211.20
V02831 A & S Fuyana	Refunds & Reimbursements	211.00
V02402 George's Tech Repairs	General Creditors	207.90
V03058 Chatime Palmerston	MyPalmerston	205.00
V03110 Hair Effex Hair Studio	MyPalmerston	205.00
2103 Australia Day Council NT Inc (Darwin)	General Creditors	200.00
3570 Palmerston College	Grants, Sponsorships, Donations & Prizes	200.00
V00505 Riding for the Disabled Top End Inc	Grants, Sponsorships, Donations & Prizes	200.00
2915 Territory Uniforms	General Creditors	196.36
V03094 Cash Advantage	MyPalmerston	190.00
4782 Kennards Hire P/L Palmerston	General Creditors	186.00
V01659 Elizabeth Middleton	Refunds & Reimbursements	184.51
V03025 The Cupcake Field	General Creditors	183.00
2009 The Big Mower (NT) Pty Ltd	General Creditors	173.75

Creditor Name	Creditor Payment Type	Amount \$
V00351 Charles Darwin University	General Creditors	170.00
V03100 Gloria Jeans Coffees Gateway	MyPalmerston	157.50
V01069 Zest for Life Zumba - Sophie M Nicaise	General Creditors	150.00
V02005 Satay Time	MyPalmerston	145.00
V03059 Boost Juice Palmerston Gateway	MyPalmerston	137.50
V01065 Forever Fitness and Training - (AL & MN Dainty)	General Creditors	135.00
V02681 Naliya Pty Ltd trading as Total Safety Solutions	General Creditors	129.24
V03119 Zuccoli Plaza Rainmaker Cafe	MyPalmerston	127.50
V03079 Useni Mangala	Refunds & Reimbursements	125.00
V03082 Fadzai Sibanda	Refunds & Reimbursements	125.00
V03154 Jessica O'Farrell	Refunds & Reimbursements	125.00
V02112 RTM - Corporate and Strategic Services - AGD	Refunds & Reimbursements	115.00
V03070 Mr Sushi Darwin 2	MyPalmerston	115.00
1094 Gray Primary School	Grants, Sponsorships, Donations & Prizes	100.00
1650 Driver Primary School	Grants, Sponsorships, Donations & Prizes	100.00
5471 Palmerston Christian School	Grants, Sponsorships, Donations & Prizes	100.00
V00303 MacKillop Catholic College	Grants, Sponsorships, Donations & Prizes	100.00
V00474 Lane Communications	General Creditors	99.26
V00890 Laundryplus	General Creditors	87.00
V03143 Efstathios Limiatis	Refunds & Reimbursements	86.00
V03105 Ahmets Kebabs	MyPalmerston	80.00
V03123 SILK Laser Clinics	MyPalmerston	80.00
V03049 Ogalo Palmerston	MyPalmerston	77.50
V03056 Cutterz and Minx Hair & Beauty	MyPalmerston	77.50
V03127 Palmerston Quality Meats	MyPalmerston	65.00
V03077 Tomislav Prsa	Refunds & Reimbursements	60.00
V03078 Kristy Bird	Refunds & Reimbursements	60.00
V03128 Palmerston Jewellers	MyPalmerston	60.00
V03139 Lesley O'Brien	Refunds & Reimbursements	60.00
V03150 JN Mousellis	Refunds & Reimbursements	60.00
V03152 Jani Owen	Refunds & Reimbursements	60.00
V00394 Kristy Howell	Refunds & Reimbursements	50.00
V02995 Anthony McDevitt	Refunds & Reimbursements	50.00
V03081 Angela Kosta	Refunds & Reimbursements	50.00
V03114 Lip's Cafe	MyPalmerston	50.00
V03132 Gary Manning	Refunds & Reimbursements	50.00
V03146 Julie Rivett	Refunds & Reimbursements	50.00
V03149 Ryan Mackrell	Refunds & Reimbursements	50.00
V01938 Windcave Pty Limited	General Creditors	49.50
V02974 Rubidium Light Pty Ltd	General Creditors	49.50
V03011 Laura Rees	Refunds & Reimbursements	45.00
V03134 K Tong Thai and Chinese restaurant	MyPalmerston	45.00
V01769 Snows Run (NT) Pty Ltd T/as Territory Green Waste	General Creditors	40.00
V03062 NT Ink	MyPalmerston	40.00
V03106 Handi Restaurant	MyPalmerston	40.00
V03086 The Vac Shack	MyPalmerston	35.00
V00336 Next Level Gym	MyPalmerston	30.00
V01068 Everlasting Health	MyPalmerston	30.00
V03031 L J Stevens	Refunds & Reimbursements	25.00
V03080 Douglas Duncan	Refunds & Reimbursements	25.00
201 Spotless Facility Services Pty Ltd (T/A Ensign)	General Creditors	24.74
V03140 Salome Moes	Refunds & Reimbursements	22.00
V03145 Michelle Louise Huddy	Refunds & Reimbursements	22.00
V03098 Enrg Gymnastics Pty Ltd	MyPalmerston	20.00
V03136 USC - Urban Style Collective	MyPalmerston	20.00
V03034 Lorna Macdonald	Refunds & Reimbursements	12.50
V03069 Mr Sushi Palmerston	MyPalmerston	12.50
V03124 Bean Juice	MyPalmerston	10.00
V03126 Palmerston Bags Luggage & Accessories	MyPalmerston	10.00
V03129 ShoeX Palmerston	MyPalmerston	10.00
V03103 Gray Supermarket	MyPalmerston	5.00
V03125 Mensland	MyPalmerston	5.00
V03122 Palmerston Indoor Sports Centre	MyPalmerston	2.50
V02545 Amazon Web Services Inc	General Creditors	2.18
		3,335,550.56

Creditor Name	Creditor Payment Type	Amount \$
Percentage of this month's payments made to local suppliers (excludes investments placed)		83%
 Approved by: Manager Finance		

SECTION 2

Financial Results

2.7 - Creditor Accounts Outstanding October 2020

Creditor No.	Creditor Name	Amount \$
4912	Remote Area Tree Services Pty Ltd	64,680.80
V00295	Jacana Energy	29,818.66
V00368	iWater NT	12,213.30
3787	Total Event Services T/A Top End Sounds P/L	4,565.00
V02162	RMI Security - Conigrave Pty Ltd	4,237.39
4737	D & L Plumbing & Gasfitting	2,860.00
48	Top End Line Markers Pty Ltd	1,729.20
3099	Iron Mountain Australia Pty Ltd	1,674.72
3880	PAWS Darwin Limited	910.00
5676	Royal Wolf Trading Australia Pty Ltd	900.38
256	The Bookshop Darwin	556.14
5435	Access Hardware (NT) Pty Ltd	476.40
V01792	Outer Edge Photography P/L ta Party Animals Darwin	450.00
5272	Greville Fabrication Pty Ltd	330.00
2199	SBA Office National	28.75
35	WINC Australia Pty Limited	(11.15)
		125,419.59



Approved by: Manager Finance

Section 2

Financial Results

2.8 - Waste Charges as at 31 October 2020

Waste Management

	Original Budget \$	First Budget Review \$	YTD Budget Revisions \$	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals + Commitments \$	% Utilised
Income								
Rates & Charges	6,857,590	0	0	6,857,590	6,916,377	0	6,916,377	100.86%
Income	6,857,590	0	0	6,857,590	6,916,377	0	6,916,377	100.86%
Operating Expenditure								
Employee Costs	-840,533	0	0	-840,533	-280,184	0	-280,184	33.33%
Professional Services	-151,500	-124,400	-124,400	-275,900	-8,956	-160,727	-169,683	61.50%
Grants / Donations/Contributions Paid	0	-20,000	-20,000	-20,000	0	0	0	0.00%
Utilities	-14,293	0	0	-14,293	-3,353	0	-3,353	23.46%
Street Sweeping	-320,000	0	0	-320,000	-75,469	-22,940	-98,409	30.75%
Litter Collection	-520,000	0	0	-520,000	-48,772	-28,235	-77,008	14.81%
Domestic Bin Collection	-2,205,200	0	0	-2,205,200	-503,835	-803,183	-1,307,019	59.27%
Waste Removal	0	0	0	0	-1,080	0	-1,080	0.00%
Slashing of Long Grass	0	0	0	0	-5,770	-1,313	-7,083	0.00%
Community Programs & Events	-10,000	0	0	-10,000	0	0	0	0.00%
Kerb Side Collections	-110,000	0	0	-110,000	-69,508	-2,369	-71,876	65.34%
Tip Recharge Domestic Bin collection	-755,000	0	0	-755,000	-186,893	0	-186,893	24.75%
Transfer Station	-1,150,000	0	0	-1,150,000	-246,502	0	-246,502	21.43%
Loan Repayments	-46,000	0	0	-46,000	-12,268	0	-12,268	26.67%
Tip Recharge Transfer Station	-440,000	0	0	-440,000	-73,349	0	-73,349	16.67%
Operating Expenditure	-6,562,526	-144,400	-144,400	-6,706,926	-1,515,940	-1,018,767	-2,534,707	37.79%
Capital Expenditure								
Reserve Funded Capital Works	-180,000	0	0	-180,000	0	0	0	0.00%
Capital Expenditure	-180,000	0	0	-180,000	0	0	0	0.00%
Borrowings								
Repayments - Archer Loan Principal	-228,223	0	0	-228,223	-56,325	0	-56,325	24.68%
Borrowings	-228,223	0	0	-228,223	-56,325	0	-56,325	24.68%
Profit/(Loss)	-113,159	-144,400	-144,400	-257,559	5,344,112	-1,018,767	4,325,345	



Approved by: Manager Finance

Section 2 Financial Results

2.9 - Commercial Leases as at Commercial Leases

31 October 2020

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals + Commitments \$	% Utilised
Income					
Library Services	22,676	18,165	0	18,165	80.11%
Director Organisational Services	50,012	29,500	0	29,500	58.99%
Civic Centre	104,999	58,333	0	58,333	55.56%
Income	177,687	105,998	0	105,998	59.65%
Expenditure					
Director Organisational Services	-24,000	-10,915	0	-10,915	45.48%
Expenditure	-24,000	-10,915	0	-10,915	45.48%
Profit/(Loss)	153,687	95,083	0	95,083	

Library Services includes lease held by Mosko's Market

Civic Centre includes the lease held by Adult Mental Health

Director Organisational Services includes the leases held by Peter McGrath and Palmerston Re-Engagement Centre

McGees Management Fees charged to Director Organisational Services each month



Approved by: Manager Finance

Section 2

Financial Results

31 October 2020

2.10 - Council Loans

Internal Loan - Making the Switch Expenditure

	Internal Loan \$	Expended from Loan \$	Interest on Loan \$	Total \$
Expenditure				
LED Lighting PR6JECT-3 Making the Switch	3,223,849	3,223,849	84,981	3,308,830
Public Lighting Officer 2019/20	114,000	114,000	145	114,145
Public Lighting Officer 2020/21	116,000	38,667	147	38,814
Expenditure	3,453,849	3,376,516	85,273	3,461,789

The above costs relating to the internal loan are over the life of the project to date, including the expenditure from the 2018/19 and 2019/20 financial years. The interest rate is fixed at 2.60% for the duration of the loan.

The final loan value for this project is \$3,223,849 not including employee costs for the Public Lighting Officer and interest incurred.

Internal Loan - Making the Switch Repayments

	Internal Loan \$	Prior Year Repayments \$	Current Year Repayments \$	Total \$	Outstanding Balance \$
Expenditure					
Making the Switch	3,461,789	200,000	0	200,000	3,261,789
	3,461,789	200,000	-	200,000	3,261,789

External Loan - Archer Landfill Rehabilitation

	External Loan \$	Principal Repayments \$	Interest Payments \$	Total \$	Outstanding Balance \$
Expenditure					
Archer Landfill Rehabilitation	1,960,000	221,647	65,379	287,026	1,738,353
	1,960,000	221,647	65,379	287,026	1,738,353

The External Loan - Archer Landfill Rehabilitation is for a term of 8 years commencing 28 June 2018 and concluding 30 June 2027. The interest rate is fixed at 2.78% for the duration of the loan.



Approved by: Manager Finance

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.1
REPORT TITLE:	Code of Conduct for Chief Executive Officer
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Governance Lead, Caroline Hocking
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report presents a draft Code of Conduct for the Chief Executive Officer (CEO) for Council's consideration for adoption.

KEY MESSAGES

- A Code of Conduct is a consistent guideline for an acceptable standard of professional conduct.
- The Elected Member Code of Conduct is a requirement under the *Local Government Act*, and Council has an existing code that is complementary to the principles adopted in the Act.
- The CEO adopted a Code of Conduct for staff in September 2020, a Code of Conduct for the CEO has been formulated based on the same expectations and principles.
- Council has identified as part of its Strategic Risk Register that Council's governance policy framework and processes requires review in preparation of the incoming *Local Government Act 2019*, and Council is committed to implementing these improvements.
- The *Local Government Act 2019* establishes that a Council must adopt a Code of Conduct for the CEO.
- A Code of Conduct has been drafted and presented at **Attachment 13.2.1.1**.
- It is being recommended that Council adopt the document as Council's Code of Conduct for the CEO.

RECOMMENDATION

1. THAT Report entitled Code of Conduct for Chief Executive Officer be received and noted.
2. THAT Council adopt the Code of Conduct for Chief Executive Officer being **Attachment 13.2.1.1** of Report entitled Code of Conduct for Chief Executive Officer.

BACKGROUND

A Code of Conduct is a consistent guideline for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability.

The City of Palmerston defines and outlines the expected behaviours through its Code of Conduct by setting a consistent and common understanding of the Council's values, principles and ethics expected by Council employees, the CEO and Elected Members.

The Elected Member Code of Conduct is a requirement under the *Local Government Act*, and Council has an existing code that is complementary to the principles adopted in the *Local Government Act*.

The Chief Executive Officer adopted a Code of Conduct for the City of Palmerston employees and its representatives in September 2020 and is available for viewing on the Council website [here](#).

To ensure consistency and accountability a Code of Conduct has been formulated for the CEO based on the same expectations that of its employees, acknowledging that the CEO will provide full support to the Council.

At its Ordinary meeting held on 27 October 2020 Council endorsed a Control Improvement Plan (CIP) as part of its Strategic Risk Register, identifying that Council's governance policy framework and processes require review in preparation of the incoming *Local Government Act 2019* effective 1 July 2021. The incoming Act states that Council must by resolution adopt a Code of Conduct for the CEO and that the CEO determine a Code of Conduct for the Council staff. By adopting a Code of Conduct for the CEO this will be in keeping with the requirements under the incoming Act.

DISCUSSION

A draft Code of Conduct for CEO has been formulated and provided at **Attachment 13.2.1.1**. The Code has been developed based on the same expectations, values, standards and legislation as that of the Code of Conduct for employees, as a statement of commitment that the same principles are expected by all staff, including the CEO and its representatives.

The principles of the code is that to maintain the community's confidence in the integrity of the City of Palmerston by exhibiting and being seen to exhibit the highest ethical standards in all cases and to achieve the greatest outcomes for the Community through delivering the Community Plan.

The Code may not cover every situation, however the governing requirements, Council's values, ethics and expected behaviour underpin its principles.

It is recommended that Council adopt the Code of Conduct for the Chief Executive Officer and that the Code be reviewed, at minimum every two years.

CONSULTATION PROCESS

Community consultation is not required as the Code of Conduct is a management matter for Council under the *Local Government Act*.

In preparing this report, the following external parties were consulted:

- Local Government and Community Development, Department of the Chief Minister and Cabinet

POLICY IMPLICATIONS

There are no policy implications relating to this report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The Elected Member Code of Conduct is mandatory under the *Local Government Act*.

The *Local Government Act 2019* establishes that a council must by resolution adopt a Code of Conduct for the CEO.

This report addresses the following City of Palmerston Strategic Risk:

4. Fails to effectively design and implement contemporary governance practices
Context: Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter, except in the context of being a member of staff.

ATTACHMENTS

1. 20201117 - Code of Conduct for CEO [13.2.1.1 - 3 pages]



CODE OF CONDUCT

Name:	Code of Conduct for Chief Executive Officer		
Type:	Code of Conduct		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance Lead		
Approval Date:	17/11/2020	Next Review Date:	17/11/2022
Records Number:			

1 PURPOSE

To govern, define and outline the expected behaviour of the Chief Executive Officer (CEO) at all levels in performing duties for or acting on behalf of the City of Palmerston.

The Code of Conduct (the Code) is developed in accordance with the *Local Government Act* and is a statement of commitment to how the CEO will conduct themselves in the delivery of service to the Community.

The Code is guided by Council's vision to make Palmerston "A Place for People" and achieve the greatest outcomes for the community through delivering Council's *Community Plan*.

2 PRINCIPLES

The Code is structured around governing principles and expected behaviour. The CEO has responsibility to maintain the community's confidence in the integrity of the City of Palmerston, by exhibiting and being seen to exhibit the highest ethical standards in all cases.

The CEO shall:

- Act with honesty, integrity, and accountability
- Provide full support to the City of Palmerston
- Comply with the requirements of the *Local Government Act* and other legislative requirements
- Not misuse information
- Maintain the highest levels of confidentiality
- Declare real or perceived conflicts of interest
- Not accept gifts or benefits offered
- Not bully, harass, or discriminate
- Embrace cultural diversity

3 DEFINITIONS

For the purposes of this Policy, the following definitions applies:

Term	Definition
Elected Member	Means individuals elected to Council, including the Mayor (the Council).
Chief Executive Officer	Means a person who is employed by the Council and receives a salary from the City of Palmerston.
Work Health and Safety	Means a duty of care to provide for the protection to the health, safety and welfare of workers and others within a workplace.



CODE OF CONDUCT

Conflict of interest	Means if a person has a personal or financial interest in a matter in regard to which the person is required or authorised to act or give advice.
Gifts and Benefits	Means “cash like gifts” including but not limited to; gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

4 POLICY STATEMENT

4.1 Honesty, Integrity and Accountability

- 4.1.1 Must act with honesty and integrity in performing official functions.
- 4.1.2 Must act with courtesy and respect towards Council staff, Elected Members, contractors, and members of the community.
- 4.1.3 Must responsibly carry out duties in line with the Code's principles and associated policies.

4.2 Support for City of Palmerston

- 4.2.1 Must provide full support to the City of Palmerston.
- 4.2.2 Must provide accurate, frank, and impartial advice to the Council.
- 4.2.3 Must implement Council Policies and decisions.
- 4.2.4 Must be familiar with and comply with the requirements of the *Local Government Act* and other legislative, industrial, or administrative requirements.
- 4.2.5 Must take all reasonable steps to ensure that the information based upon which decisions or actions are made, is factually correct and relevant.

4.3 Management of staff

- 4.3.1 Must ensure appropriate processes and procedures are in place.
- 4.3.2 Must ensure selection processes for appointment or promotion are fair, equitable and based on merit.
- 4.3.3 Must ensure staff have reasonable access to training and development opportunities for professional development and promotion.
- 4.3.4 Must ensure staff are treated fairly, consistently and are not subject to arbitrary or capricious decisions.
- 4.3.5 Must take all reasonable steps to ensure work health and safety obligations under legislation, regulations, policies, and procedures are met.
- 4.3.6 Never perform deliberate, wilful, or reckless activities that would create a risk to the safety and wellbeing of others.

4.4 Use of Information

- Must take care to maintain the confidentiality and security of the City of Palmerston's documents and not misuse information gained, including but not limited to:
 - 4.4.1 Seeking to gain personal advantage for self, or for another person on the basis of information held on official records.
 - 4.4.2 Providing a person, or appearing to provide a person, favourable treatment, or access to privileged information.
 - 4.4.3 Must respect the confidentiality of information obtained in confidence and not disclose any information, other than required by the law or where authority has been granted.

CODE OF CONDUCT

4.5 Use of Council facilities, equipment and resources

Must not utilise Council equipment, or the skills or working time of Council employees, for personal benefit.

4.6 Disclosure

4.6.1 Must avoid any conflict of interest, whether actual or perceived.

4.6.2 If a conflict of interest exists or arises, the CEO must comply with any statutory requirement or obligations of disclosure.

4.6.3 Must advise the Council of any charged or convicted offence.

4.6.4 Must obtain written permission from the Council before engaging in outside employment.

4.7 Gifts and Benefits

4.7.1 Must not actively encourage or accept gifts, favours or benefits from any person where it could be deemed as influencing decision making.

4.7.2 In the instance a gift, favour or benefit is offered, a declaration will be made and recorded on the Gifts and Benefits register.

4.8 Bullying, Harassment and Discrimination

4.8.1 Must not bully, harass or discriminate against another person.

4.8.2 Must respect cultural diversity and must not discriminate against others, or the opinions of others, on the ground of their cultural background.

4.8.3 Must act with respect for cultural beliefs and practices in relation to each other and members of the Community.

5 ASSOCIATED DOCUMENTS

5.1 *City of Palmerston Code of Conduct Policy and Guideline*

5.2 *City of Palmerston Community Plan*

6 REFERENCES AND RELATED LEGISLATION

6.1 *Local Government Act*

6.2 *Local Government Guidelines*

6.3 *Local Government Regulations*

6.4 *Palmerston By-Laws*

6.5 *Anti-Discrimination Act (NT)*

6.6 *Information Act (NT)*

6.7 *Public Interest Disclosure Act (NT)*

6.8 *Sex Discrimination Act (NT)*

6.9 *Equal Employment Opportunity (Commonwealth Authorities) Act*

6.10 *Workplace Health and Safety (National Uniform Legislation) Act (NT)*

6.11 *Criminal Code (NT)*

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.2
REPORT TITLE:	Open Space Maintenance Service Levels
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Director City Growth and Operations, Nadine Nilon
APPROVER:	Director City Growth and Operations, Nadine Nilon

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

The purpose of this report is to update Council on the current and proposed service levels for the upcoming Grounds Maintenance and Landscaping Contracts.

KEY MESSAGES

- Council currently has two open space contractors, one that undertakes grounds maintenance (mowing) across two areas, and the other undertakes landscaping maintenance across four areas.
- The two Grounds Maintenance Contracts expired 16 September 2020, with interim arrangements in place until a new contract(s) is awarded.
- The four Landscape Maintenance Contracts will expire on 4 April 2021.
- The current servicing schedules have been in place for approximately three years, and there are several efficiencies and improvements to the service levels that have been identified.
- Council receives good Community Survey results for maintaining open spaces, with scores of 7.34 (out of 10) in 2020.
- The tender process for the contracts is scheduled to commence by December 2020.

RECOMMENDATION

1. THAT Report entitled Open Space Maintenance Service Levels be received and noted.
2. THAT Council notes the changes to services as identified within this report entitled Open Space Maintenance Service Levels.

BACKGROUND

The contracts for landscape maintenance and grounds maintenance of Council open spaces were established in 2017, as three-year contracts.

Grounds maintenance involves the mowing and management of open spaces including drainage, reserves, and parks. Landscape maintenance involves the maintenance of garden beds, playgrounds, and other open space infrastructure, such as barbecues.

The grounds maintenance contract was separated in to two areas, east and west, as two contracts. This was intended to enable the potential for more than one contractor to be engaged, however at the time, the contract was awarded to a single contractor. The two grounds maintenance contracts expired 16 September 2020. The total annual contract value for all ground's maintenance contracts, in 2019/20 was in the order of \$780,000.

An interim measure is currently in place for grounds maintenance activities, with the two areas divided into eight, which have been awarded to four different contracts engaged through a short-term quotation process (two areas per contractor).

The landscape maintenance contract was separated into four areas, with four contracts. These four areas were also awarded to a single contractor. The total annual contract value for all landscape maintenance contracts, in 2019/20 was in the order of \$930,000.

For both contracts, from the date of award only minor variations have occurred, largely based on new areas Council was required to manage (i.e. new suburbs).

DISCUSSION

As part of the review of the tenders, the services levels have been considered to identify potential opportunities for improved services, efficiencies, and data collection.

Open space management is reported on in the annual Community Survey, with the following results for 2019 and 2020 relating to open space management. These results demonstrate the Community's continued satisfaction for maintained open spaces.

Measure	2019 Score (/10)	2020 Score (/10)
Family and Community: Maintaining parks and playgrounds	7.26	7.34
Environmental Sustainability: Managing gardens and nature reserves	7.27	7.34

Maintaining and increasing green spaces was also the second most important issue (12%) raised by survey respondents, which was also combined with acknowledgement of the achievement of improving green spaces throughout the municipality rating as the highest (19%).

There has not been an identified need through the Community Survey to significantly change or improve the maintenance and management of open space throughout the municipality, and the contracts and service levels reviewed include consideration of this.

Grounds Maintenance

The greatest opportunities for efficiencies and improvements have been identified within the grounds maintenance services, which is largely mowing services. This is due to the large number of areas identified as requiring management, which have been serviced based primarily on the categorisation of an area. The key opportunity identified is to align service frequencies based on location, in conjunction with categories. The interim arrangements for the grounds maintenance services has also provided an opportunity to test some of the proposed changes (as it provided simpler process for quoting) and provide greater market exposure to the services whilst we undertake the tender process.

As an example, an irrigated park may be mowed once per fortnight, the adjacent verge mowed once every three weeks, and a bore compound adjacent the park may one be once per month in the wet season. Therefore, the opportunity to align these areas in terms of frequency; the park and verge once

per fortnight, and the bore compound every second fortnight, would provide an increased service level overall, but would also increase the efficiency for the service due to a reduction in mobilisation and demobilisation of equipment and labour.

Across the maintenance activities, the current services do vary, but can be summarised as:

- Bore compounds, fire breaks and access roads - 4 to 5 services per year (seasonal)
- Buffer zones - 8 to 12 services per year (seasonal)
- Dryland grass, including drains and unirrigated parks - 13 to 20 services per year (seasonal)
- Irrigated parks (not category 1) - 26 services per year, once per fortnight year-round
- Category 1 parks (regional parks) - 39 services per year, once per fortnight in the dry season, once per week in the wet season
- CBD - 52 services per year, once per week

The changes to the grounds maintenance tender specification will include (as much as practical):

- Aligning all grassed areas in the same suburb to be mowed in the same week
- Altering area boundaries to amalgamate areas that reasonably align
- Ensuring assets within a park receive the same service frequency. (i.e. bore compounds, verge)
- Accurately measure actual mowing area and amend maps to reflect this
- Requirement for attendance registers to be logged electronically in the field
- Improve clarity to ensure all aspects of asset maintenance are appropriately attended to at each site visit (litter collection, issue reporting)

The tender will be prepared based on the existing four areas being retained, with the process being prepared to encourage multiple contractors potentially being engaged across the separate areas. This may result in one to four contractors being awarded one or more areas, depending on the outcome of the assessment process.

Landscape Maintenance

The landscape maintenance contract includes a combination of specific servicing frequencies (i.e. litter collection, playground inspections), in addition to outcome-based requirements, such as mulch being maintained at a certain height. For the outcome-based requirements, this has resulted in some inconsistency of interpretation, requiring negotiation and compromise by both Council and the contractor.

The most significant change proposed is to provide greater clarity to the outcome-based requirements, giving clarity to both Council and the tenderer (and then contractor) of the technical standards required. In addition, the use of technology in the field to provide proof of attendance (with photos) through ArcGIS will improve records, and efficiency for officers.

The changes to the landscape maintenance tender specification include:

- Increasing servicing of laneways that adjoin open space to align with the servicing of the open space (i.e. if a park is attended twice per week for litter collection, then the adjoining laneway would receive the same).
- Aligning the Golf Course surrounds servicing to the adjacent Durack (and Driver) open space areas, this will result in a minor service reduction of the golf course surrounds, but the visual amenity is not considered to be impacted as this difference is largely litter collection. This can be amended and increased if required.

- Altering landscape boundaries to align more closely with grounds maintenance asset boundaries.
- Setting of minimum service frequencies for outcome-based services (i.e. define the time of year that mulching is to occur).
- Requirement for attendance registers to be logged through ArcGIS so residents can identify when specific areas will be attended to.
- Ensuring all aspects of asset maintenance are attended to at each site visit i.e. litter and graffiti which will enhance public amenity.

Similar to the grounds maintenance tender, the landscape maintenance tender will be prepared based on the existing two areas being retained, with the process being prepared to encourage more than one contractor potentially being engaged across the two separate areas.

Summary

The changes identified to the services for grounds maintenance and landscape maintenance are intended to improve services, efficiencies, and clarity for tenderers. As a result, it is also considered that these changes will improve the ability for staff to supervise and administer the contracts, providing further efficiencies.

The financial impact of these changes is expected to not be material due to the increase of service efficiencies gained. Some of the modifications have been made to the interim arrangements, which have not been noted to have increased the price of the servicing. As this will be a new tender process, it is unknown until the market has had the opportunity to price. In addition, as the tender will be based on Schedule of Rates, minor amendments will be able to occur if areas are considered to be over-serviced or not viable.

CONSULTATION PROCESS

The following City of Palmerston staff were consulted in the preparation of the changes:

- City Sustainability Manager
- Open Space Lead (Acting)
- Open Space Officer

Due to the minimal nature of the changes, no community consultation is proposed to be undertaken.

POLICY IMPLICATION

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

The amendments to the service levels are considered to improve the service provided, whilst also improving efficiencies. The net cost of these changes is unknown and difficult to calculate, and therefore will be assessed more closely following the tenders closing. In addition, as the contract will be Schedule of Rates, it will enable minor amendments of servicing to occur if required.

Contracts will be awarded within operational budgets, where an increase is identified outside of the operational budget would be presented to Council as required for consideration. As the tenders will be closing early in 2021, any changes will also be able to be considered as part of the 2021/22 budget process.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Continuing with current service levels and retaining potentially ambiguous terminology leaves council susceptible to individual interpretation of council specifications. In addition, service frequencies not aligning, does result in increased mobilisation requirements for the contractor which may be reflected in their submitted rates schedule.

Improved reporting requirements will reduce the risk of Council not having records of works completed, and also for the identification of hazards and defects.

This report addresses the following City of Palmerston Strategic Risks:

- 1 Fails to effectively regain the trust from all stakeholders
Context: Council needs to be credible and trusted by those within and external to the Council.
- 2 Is not sustainable into the long term
Context: Optimising the financial, social and environmental sustainability of the Council.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

I the author and approving officer declare that I do not have a conflict of interest in relation to this matter.

ATTACHMENTS

Nil

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.3
REPORT TITLE:	Laneway Management Policy- Consultation Outcomes
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Manager Projects, Alex Douglas
APPROVER:	Director City Growth and Operations, Nadine Nilon

COMMUNITY PLAN

Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This report seeks Council consideration of the submissions received during the public consultation period and adopt a new policy to guide management of laneways for current and future requests for laneway closures.

KEY MESSAGES

- The Draft Laneway Management Policy was available for written submissions for a period of 28 days.
- A total of 25 submissions were received.
- Whilst there were a limited number of submissions referring to the draft policy, the policy is recommended for adoption.
- Separate actions are recommended for the existing temporary part time and full-time closure treatments to reflect the provisions of the policy and past decisions of Council.
- Landowners abutting laneways where pending requests for closure have been received will be invited to request laneway closure according to the provisions of the adopted policy.
- As with all Council policies the document will be reviewed from time to time as required.

RECOMMENDATION

1. THAT Report entitled Laneway Management Policy- Consultation Outcomes be received and noted.
2. THAT Council, having reviewed and considered the submissions received, adopt the Laneway Management Policy being **Attachment 13.2.3.3** to the report entitled Review of Submissions on the Draft Laneway Management Policy.
3. THAT Council approve the continuation of existing temporary part time laneway closures and full time closures for a twelve month period, with a report to be prepared for Council by December 2021, as outlined in the report entitled Review of Submission on the Draft Laneway Management Policy.

4. THAT Council notes the pending laneway closure requests will now be progressed in accordance with the Laneway Management Policy, as outlined in the report entitled Review of Submission on the Draft Laneway Management Policy, being the following laneways:
 - Schombacher Circuit to Kafcaloudes Crescent, Moulden,
 - Cycas Court to Temple Terrace, Moulden,
 - Azimuth Court to Baldwin Avenue, Woodroffe, and
 - Hannibal Crescent to Temple Terrace, Gray.
5. THAT Council approve the continuation of full-time laneway closure process, including consultation with adjacent landowners relating to the process and purchase requirement for closure, with a further report provided to Council by February 2021, in relation to the following laneways;
 - Politis Court to Strawbridge Crescent, Moulden, and
 - Politis Court to Strawbridge Park, Moulden
6. THAT Council write to all submitters thanking them for their submissions and advising of Council's decision regarding the Draft Laneway Management Policy.

BACKGROUND

At the 2nd Ordinary Council Meeting 17 March 2020 Council made the following decision:

13.2.2 Trial of Laneway Treatments - Update March 2020

2. THAT Council undertake community and the stakeholder consultation regarding the permanent full-time closures of the following laneways:
 - Politis Court to Strawbridge Crescent, Moulden
 - Politis Court to Strawbridge Park, Moulden
 and that these laneways remain as temporary full-time closure in the interim.

At the 2nd Ordinary Council Meeting of 15 September 2020 Council made the following decisions:

13.2.4 Draft Laneway Management Policy

2. THAT Council adopt, in principle the Draft Laneway Management policy noted as Attachment 13.2.4.1 to the report entitled Draft Laneway Management Policy for the purposes of community consultation for a period of 28 days with the inclusion of the following amendment section 4.4.4 to be amended to read Certified Practising Valuer instead of Licensed Valuer.
3. THAT a report be presented to the 2nd Ordinary Council Meeting in November 2020 on the results of the consultation.

CARRIED 9/1295 – 15/09/2020

Community consultation was undertaken on the draft policy for a period of 28 days, closing 23 October 2020. The draft policy was provided on Council's website and promoted via social media, public notice in the NT News, direct emails to residents on the distribution list for laneways, and correspondence to property owners abutting the current laneway treatments.

Correspondence was also sent to three government departments and one non-government organisation.

A total of 25 submissions were received. The submissions have been tabulated and provided as **Attachment 13.2.3.6** to this report. Names and addresses have been redacted to meet privacy provisions. The submissions are provided in the order received via the on-line form and from emails.

DISCUSSION

This report has been structured based on the following topics:

- a) Draft policy submissions and proposed amendments;
- b) Existing temporary part-time closure treatments;
- c) New laneway treatment requests;
- d) Existing temporary full-time closure treatments.

Draft Laneway Management Policy submissions and review.

A total of 25 written submissions were received during the consultation period. The submissions, together with comments and proposed action relative to the revision of the draft policy is provided as **Attachment 13.2.3.6** attached to this report.

The context of the submissions is summarised as follows:

- Five submissions referred to sections of the policy and typically sought clarification,
- Four submissions requested that laneways remain open,
- Sixteen submissions did reference the policy, however requested closure of laneways either as a general statement or referring to specific laneways.

Four submissions appeared to be from the same property, which is not currently under any treatment. Another submission was from a property abutting a laneway not currently under treatment. Given the nature and number of submissions received the concerns relating to laneways relate to a small percentage of Council's 117 laneways.

As Council is aware the management of requests for laneway closures has involved extensive community consultation and significant expenditure over the past two years. The Draft Laneway Management Policy has been prepared with the intent to be empathetic with the anti-social behaviour that residents at various locations have faced over an extended period of time. At the same time the Draft Policy acknowledges that anti-social behaviour is not a direct function of laneways, as the majority of the 117 laneways have attracted no concerns over the years.

The current laneway treatments are located within four suburbs, namely Moulden, Woodroffe, Driver and Gray. Not all laneways within these suburbs have been brought to Council's attention (such as issues with anti-social behaviour and expectations of action/closure) via the multiple laneway consultation stages that have taken place over the past two years.

The ability of a policy to manage current and future requests for closure is not straightforward as the Draft Policy may be seen by some residents as not providing the specific outcome that they consider necessary. Pragmatically there will be some instances where the application of the policy, particularly with current treatment locations, will require specific actions not aligned to the adopted Policy.

The essence of the draft policy is summarised as follows:

Council will,

- respond to requests for laneway closures by assessing information from a variety of sources including residents within the vicinity of the laneway; monitoring actual laneway usage, discussions with relevant government agencies such as NT Police, Territory Housing and Territory Families.
- Determine the category of the laneway based on anticipated impact of closure.
- Based on the information gathered over a maximum three-month period, determine whether the laneway will remain open or some form of temporary closure be implemented with or without action by government agencies.
- Review the initial decision following the designated assessment period of the non-closure or closure.
- Where a decision to permanently close a laneway is considered the agreement of all adjoining property owners is required including a financial contribution to the cost of the closure process together with the agreement by landowners of the subdivision of the closed laneway including purchase costs.

A flow chart was prepared together with a fact sheet to compliment the consultation for the Draft Policy. Those documents are also provided as **Attachment 13.2.3.4** and **Attachment 13.2.3.5**

The majority of submissions did not provide comment on the Draft Policy, with most simply expressing the view that the implemented part or full time closures had reduced their experience of anti-social behaviour and requesting Council to undertake permanent closures or continue night time closures.

Of those submissions that refer to the Draft Policy, the key concerns are around laneway usage numbers and the details associated with a financial contribution toward the cost of permanent closure. Of those submissions the amount (\$500) was not specifically rejected, however the timing of payment and effecting the participation of abutting landowners were queried.

One submission sought clarification on the removal of improvements and who would meet the cost.

Where the improvements (access pits, grated lids etc) are associated with an underground service, these cannot be removed. Typically, the only improvements that could be removed are the constructed path and kerbing. The cost of removal will vary depending on the length of laneway and type of constructed path. For budgeting purposes, the cost will range from \$2,000 to \$3,000.

In addition, the extent of remediation (reinstatement with soil) and finished ground levels will also vary and would need to be negotiated on a case by case basis. On that basis, in addition to the procedural cost for permanent closure of between \$10,000 and \$12,000, the net cost may be up to \$16,000.

The cost of remediation is proposed to be borne by Council

At the time of preparing the draft policy Council's focus was on providing a policy for consultation and assess the submissions received before finalising these specific details.

In effect there are two separate components for payment, namely that associated with the process to achieve permanent closure, and the other being payment for value of the land acquired by an abutting landowner.

Where the payment is associated with the process, all abutting property owners are required to contribute. Where the abutting property owner is the Northern Territory Government, Council undertake discussions with the relevant agency. Private property owners will be required to commit to the payment of their contribution.

Based on the Draft Policy, an amount of \$500 per property would apply irrespective of whether there are two or four properties abutting the laneway. The Draft Policy was prepared on the basis that this payment would occur following a Council resolution to commence the formal closure process, after the requested investigation and consultation has occurred. There are other options such as payment at the time of request or at the end of the process. The proposed timing ensures there is a financial commitment prior to Council proceeding with the administrative closure process.

The cost of Council prior to the point of a recommendation to close (or not close) a laneway following a request is in the order of \$3,000 in CCTV camera monitoring expenses and administrative costs.

Clause 4.4.1 of the draft Policy requires the financial contribution to be made prior to commencing formal community consultation where permanent closure is considered possible and determined to proceed by Council. It is not recommended to change this requirement.

Where payment is associated with the acquisition of portion of the closed laneway the respective landowner is required to meet the cost of the land and Stamp Duty if applicable. This is considered reasonable given that the cost borne including the subdivision of the closed laneway by Council and non-benefitting ratepayers is substantially more than the amount sought as contributions to the closure.

This payment is required following the successful permanent closure of the laneway.

Based on the responses received there appears to remain a view that the decisions regarding permanent laneway closures involving road reserves rest solely with Council. The Draft Policy was considered clear in this regard as the process requires Ministerial approval, however a flow chart on the website mapping out the legislated steps may better clarify this requirement that Council must follow.

In addition, an information pack will be prepared and available on Council's website and be sent to residents when a request for closure is received.

The Draft Policy has been reviewed and is provided as a 'track changes' document as **Attachment 13.2.3.2** to this report, which changes made to provide clarification of areas raised through the consultation process. The changes include;

- Notes added for Clause 4.2.1 to clarify timing of a financial contribution (if required) and highlighting that a property owner is to make an application to Council due to the possible financial commitment and changes to property boundaries.
- Note added for Clause 4.2.2.1 to clarify that Council will determine a response to a request for closure no later than three months from receipt of an application,
- Note added for Clause 4.2.3 to clarify the purpose of the determined review period to ensure that information and monitoring of the laneway is undertaken to meet the timeframe set by council.
- Note added for 4.3.1 to highlight that the closure of a laneway involves the disposal of the whole of the closed laneway to avoid retention of small and isolated parcels of land that do not benefit the community.

- Clause 4.4.1 re-worded to include the removal of a constructed path from the closed laneway in the total cost and effectively the cost is borne by Council on behalf of the community,
- Notes added for 4.4 to clarify when the financial contribution and payment for acquired land are required.

The final version of the proposed Laneway Management Policy has been prepared and is provided as **Attachment 13.2.3.3** to this report.

Existing night-time closure:

To give the abutting residents assurance that the present arrangement will not change in the short term the proposal is to extend the present treatment for a twelve month period commencing from adoption of the Laneway Management Policy, whilst continuing to review police statistics and undertake monitoring. Since the preparation of the Draft Policy and upgrading of the three CCTV cameras used for monitoring, six laneways have been monitored for usage, with the remainder to occur over the coming months.

The opportunity for a landowner abutting an existing night-time closure to request a permanent closure will be available, based on the requirements of the Laneway Management Policy, at any time during the twelve-month period.

This would apply to the following laneways with a current night-time closure;

- Priest Circuit to Emery Avenue, Gray
- Helio Court to Sibbald Park, Woodroffe
- Altair Court to Capella Court, Woodroffe
- Castor Court to Temple Terrace, Woodroffe
- Capella Court to Temple Terrace, Woodroffe
- Zenith Circuit to Star Court, Woodroffe
- Sibbald Crescent to Gunter Circuit, Woodroffe
- Sextant Court to Harrison Circuit, Woodroffe
- Bailey Circuit to President Park, Driver
- Tilston Avenue to Caladium Court, Moulden
- Strawbridge Crescent to Chung Wah Terrace crossed with Cobham Court to Lockwood Court, Moulden

Following the completion of the CCTV surveys and relevant assessment of information, a further report will be presented to Council prior to the end of the 12 month period for consideration of the next steps.

Proposed action with pending laneway requests:

There are four laneways that have been previously referred to Council for closure, and the proposed action is to provide the adopted policy to the abutting land owners and consider any requests for closure assessed in accordance with the Policy.

The laneways are:

- Schombacher Circuit to Kafcaloudes Crescent, Moulden,
- Cycas Court to temple terrace, Moulden,
- Azimuth Court to Baldwin Avenue, Woodroffe,
- Hannibal Crescent to temple terrace, Gray.

Existing Full time closures (no decision to permanently close):

The closures of 5 laneways have been in place for at least six months and other than those submissions requesting Council to not consider any permanent closures, there have not been any direct complaints received. It is proposed to retain these current closures for a further 12 months and undertake an assessment with consultation of these laneways in accordance with the Laneway Management Policy and for a report to be presented on proposed next steps prior to the end of the 12 month period.

The laneways are;

- Bonson Terrace to Staghorn Court, Moulden
- Staghorn Court to Gumnut Way, Moulden
- Staghorn Court to Livistona Park, Moulden
- Gumnut Way to Livistona Park, Moulden
- Livistona Park to Melastoma Drive, Moulden

Existing Full time closures (with a decision to permanently close):

Two laneways with current full time closure, off Politis Court, are subject to a previous decision of Council to invite community consultation on the permanent closure of the laneways. This occurred prior to the consideration of a Draft Policy and has been on hold subject to the policy outcome. It is proposed that these are retained as closed until consultation with adjacent landowners is undertaken with a review to occur in relation to the potential closure of these laneways to determine if, and how, the closure could proceed. This will be presented to Council to consider the next steps by February 2021.

The laneways are;

- Politis Court to Strawbridge Park, Moulden
- Politis Court to Strawbridge Crescent, Moulden

CONSULTATION PROCESS

The consultation undertaken is discussed within this report.

Copies of the draft policy , flow chart and fact sheet were sent to:

- Territory Families
- Territory Housing;
- NT Police;
- Larrakia Nation Aboriginal Corporation

Submissions on the draft policy were invited through:

- Public Notice published in the NT News;
- Via Council's social media posts;
- Radio interviews with Mayor Pascoe-Bell;
- Emails to the laneways distribution list;
- Letters to abutting property owners of existing laneway treatments

Further consultation will be required with residents adjacent to current part time and full-time closures, as outlined within this report and to be reported on in future reports to Council.

POLICY IMPLICATIONS

The report proposes the adoption of a new Laneway Management Policy to enable a consistent and clear method by which requests for laneway closures are considered and decisions made and reviewed.

BUDGET AND RESOURCE IMPLICATIONS

The 2020/21 Budget includes an allocation of \$100,000 for laneway treatment trials. As advised in the report entitled Trial of Laneway Treatments – Update June 2020 (continued) at the 2nd Ordinary Council Meeting held on 16 June 2020, the current laneway treatments would require approximately \$62,000 to meet operating costs, primarily associated with part time closures.

Implementation of any permanent closures following the report to Council at the 2nd Ordinary Council Meeting would be limited to the cost of publication of Public Notices. The major costs would be unlikely to be incurred prior to 30 June 2021 and therefore a future budget consideration. Should all seven existing temporary full-time closure laneways proceed to permanent closure the total cost for future budgets would be between \$90,000 to \$110,000 less financial contributions from landowners.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

1. Fails to effectively regain the trust from all stakeholders
Context: Council needs to be credible and trusted by those within and external to the Council.
2. Is not sustainable into the long term
Context: Optimising the financial, social and environmental sustainability of the Council.

The permanent closure of laneways require compliance with the provisions of:

- Local Government Act 2008
- Local Government Act (Administration) regulations 2008
- Local Government Act (NT) Guidelines (Disposal of Property)

The application of the adopted Policy may, over time, require the review and revision of the document to address certain clauses and how they meet the intent of the policy. This is considered a normal consequence of developing a new policy that relates to legislation that may change over time and where there is no established local government 'industry standard'.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. Policy Draft Laneway Management Policy for consultation [**13.2.3.1** - 6 pages]
2. Revised Draft Laneway Management Policy with track changes [**13.2.3.2** - 6 pages]
3. Final Laneway Management Policy for adoption [**13.2.3.3** - 6 pages]
4. CoP Laneway Policy Fact Sheet [**13.2.3.4** - 2 pages]
5. Laneway Management Policy Flow Chart [**13.2.3.5** - 2 pages]

6. Laneway Policy Submissions and response redacted [**13.2.3.6** - 16 pages]

Policy Code:			
Name:	Laneway Management Policy		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director City Growth and Operations		
Approval Date:	[Approval Date]	Next Review Date:	[Next Review]
Records Number:		Policy Code:	[Policy Code]

1 PURPOSE

The purpose of this policy is to:

- preserve the network of laneways within the City, and
- guide decision making where a request to implement some form of treatment or closure of a laneway is received.

2 PRINCIPLES

The principles that apply to the management of laneways are:

- Council recognises the purpose and function that laneways were created and where practicable will retain laneways as a component of the pathway network
- Council will advocate for the engagement of all relevant government agencies that may impact on social behaviour issues and influence community responses and views
- The occurrence of anti-social and criminal behaviour is a community issue that may not be practical to address by laneway treatments or closures
- The implementation of temporary laneway treatments should not exceed twelve months without being reviewed by Council to assess effectiveness and costs
- A laneway that provides an overland stormwater flow path will not be considered for permanent closure
- Council recognizes that community expectations over time may change and that there will be different views within the community at any one time
- Wherever possible Council will seek to respond to the broad interests of the community when determining any treatment or closure of a laneway
- The permanent closure of a laneway within the road reserve requires the consent of the Minister for Local Government and the Minister responsible for the *Control of Roads Act*

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Public Open Space (POS) Access Laneway	A laneway connecting a street to POS, and the land comprising the laneway is within the surveyed lot forming the POS
Street Access Laneway	A laneway connecting two streets and the land is a continuation of the road reserve
Laneway Category	A method to calculate the significance of the laneway based on the level of disruption to active transport activities and overland stormwater movement
Permanent Laneway Treatment	A modification of a laneway intended to remain in place for greater than twelve months that may include: <ul style="list-style-type: none"> • Bicycle chicane/s, • Lighting. Permanent closure is not a form of laneway treatment.
Temporary Part Time Closure	Typically involves daily closing of a laneway with locked gates typically between the hours of 9:00pm and 6:30am with the duration of the daily closing as determined by Council with a maximum period of twelve months. The time of closure will be assessed to suit the circumstances of the laneway.
Temporary Full Time Closure	The closure of the laneway with locked gates with the duration of closure as determined by Council with a maximum period of twelve months.
Permanent Closure	The closing of a laneway by the creation of a new lot that is defined by the boundaries of the abutting properties with the intent to dispose of the lot and consolidate into abutting properties
Active Transport	Relates to physical activity undertaken as a means of transport. It includes travel by foot, bicycle, motorised scooters, and non-motorised vehicles.
Relevant Government Agencies	NT Police Force, Territory Housing, Territory Families, and other agencies involved with the provision of social services
Public Utility Easement (Linear or Transverse)	An easement established in the interest of a public utility provider for the purpose of protecting an underground service/s located within (linear) or across (transverse) a laneway
Overland Stormwater Flow Path	Several laneways provide severe rainfall (1:100 yr) event overland flow paths to mitigate the risk of property inundation

4 POLICY STATEMENT

4.1 Rationale

- 4.1.1 The retention of laneways to enable active transport options is Council's preferred option.
- 4.1.2 Where social issues associated with anti-social or criminal activity are occurring within the vicinity of a laneway the initial response is to engage with relevant government agencies to identify reactive and proactive intervention options, prior to considering the use of laneway treatments.
- 4.1.3 The permanent closure of a laneway will be considered by Council in special circumstances where the closure of the laneway does not unreasonably impact on active transport options within the vicinity of the laneway. The impact assessment includes several information sources outlined in the Policy.

4.2 Laneway Application and Assessment Requirements

- 4.2.1 Landowner application to close a laneway
For Council to assess a laneway an application form must be completed by all abutting property owners. The form will include the following:
 - a) Reason for requesting closure of the laneway e.g. anti-social behaviour associated with use of the laneway
 - b) Details of incidents reported to NT Police providing dates and times
 - c) Period of occupancy of the property
 - d) Acknowledgment that a financial contribution will be paid to Council on request prior to instigation of a permanent closure where Council determines closure is possible
 - e) Acknowledgement that payment to Council is required for the portion of the closed laneway that may be amalgamated with their property prior, to undertaking the permanent closure following Ministerial consent for permanent closure (where required).

NOTE: Where an abutting property owner is the Northern Territory Government, Council will liaise directly with the relevant agency.

4.2.2 Information to be collected for report to Council

- 4.2.2.1 Where the completed application forms have been received from all property owners, Council will undertake the following actions:
 - a) Request information from NT Police relating to the vicinity of the laneway covering the most recent quarterly reporting period
 - b) Survey a minimum 20 properties within the immediate vicinity of the laneway
 - c) Install a CCTV camera at one end of the laneway for a period of not less than three weeks to obtain laneway usage data
 - d) Request information from relevant government agencies and non-government organisations on local issues
 - e) Calculate the Laneway Category using the approved methodology
 - f) Assess the laneway in respect of stormwater function
 - g) Obtain information on underground services within the laneway.

4.2.3 Consideration by Council

4.2.3.1 Where the above requirements and information have been completed Council will consider the appropriate action to be taken. The options that Council may consider are:

- a) Decline the request;
Where a request has been declined Council will not consider a further request within twelve months unless there is a demonstrable and significant change in circumstances from the original request.
- b) Request relevant government agencies and non-government organisations to provide responses to address the cause of the anti-social behaviour;
- c) Where the information indicates that a targeted strategy may assist in addressing the cause of the anti-social behaviour Council will advocate for responses from the relevant government agencies and non-government organisations.
- d) Consider a treatment commensurate with the identified issues;
- e) Where treatment does not involve trialling part-time closures, the treatment may be permanent. Where the Council approves the trialling of a part-time closure, the closures will occur for a maximum period of twelve months (from implementation).

4.2.4 Review by Council

4.2.4.1 Where Council has approved a trial treatment or facilitated a response by relevant government agencies and non-government organisations the following review periods will apply:

- a) Request relevant government agencies and non-government organisations to provide responses to address the cause of the anti-social behaviour.

4.2.4.2 Council will review the effectiveness of the responses no sooner than six months from implementation.

4.2.4.3 Where the responses have not achieved a positive outcome however the expectation is that the strategy/response may deliver reduced incidents of anti-social behaviour, the Council may defer a decision on the laneway for a further six month period.

4.2.4.4 At the conclusion of the initial six months or after twelve months where there is no demonstrable reduction in anti-social behaviour Council may consider permanent closure of the laneway subject to the required criteria being met.

- b) Consider a treatment commensurate with the identified issues;

Where the Council approves the trialling of a night-time closure, the closures will occur for a maximum period of twelve months (from implementation) before the effectiveness of the trial is assessed. During the trial the laneway use, and other relevant information will be collected.

4.2.4.5 Subject to the information collected, Council may choose to cease the treatment or extend the treatment for further period not exceeding twelve months.

4.3 Criteria for permanent closure of a laneway

- 4.3.1 Council may seek the permanent closure of a laneway where the following criteria are satisfied:
- a) The laneway does not provide an overland stormwater flow path; and
 - b) The Laneway Category is rated a Low or Medium; and
 - c) Agreement with abutting landowners ensures that the whole of the laneway will be disposed of through amalgamation with the abutting properties; and
 - d) The abutting landowners have acknowledged and agreed to the contribution to costs for the closure of the laneway and the payment for the portion of closed laneway (inclusive of easements where applicable) to be amalgamated with their property; and
 - e) The laneway use is less than 30 movements per day.
- 4.4 **Landowner contribution and purchase of land**
- 4.4.1 The cost to undertake the permanent closure of a laneway is between \$10,000 and \$12,000 and comprises survey, land titles and development costs.
- 4.4.2 Council will require each abutting landowner to contribute \$500 towards these costs. Payment will be required prior to instigating public consultation for the proposed closure.
- 4.4.3 Where a landowner has agreed to amalgamate a portion of the closed laneway with their property, the value of the closed portion will be calculated as follows:
- The value of the original property will be determined,
 - The combined (original plus portion of laneway) property will be calculated,
 - The amount to be paid will be the difference between the two values.
- 4.4.4 The values will be determined by a Certified Practicing Valuer and subject to review by the Valuer General where required.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Laneway Classification Guidelines

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Local Government Act 2008*
 6.2 *Local Government Act (Administration) Regulations 2008*
 6.3 *Local Government Act (NT) 2008 Guidelines (Disposal of Property)*

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Owner:	Chief Executive Officer		
Responsible Officer:	Director City Growth and Operations		
Approval Date:	[Approval Date]	Next Review Date:	[Next Review]
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- 4.1.2 Where social issues associated with anti-social or criminal activity are occurring within the vicinity of a laneway the initial response is to engage with relevant government agencies to identify reactive and proactive intervention options, prior to considering the use of laneway treatments.
- 4.1.3 The permanent closure of a laneway will be considered by Council in special circumstances where the closure of the laneway does not unreasonably impact on active transport options within the vicinity of the laneway. The impact assessment includes several information sources outlined in the Policy.

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 - b) Details of incidents reported to NT Police providing dates and times
 - c) Period of occupancy of the property
 - d) Acknowledgment that a financial contribution will be paid to Council on request prior to instigation of a permanent closure where Council determines closure is possible
 - e) Acknowledgment that payment to Council is required for the portion of the closed laneway that may be amalgamated with their property prior to undertaking the permanent closure following Ministerial consent for permanent closure (where required).

NOTE:

1. -Where an abutting property owner is the Northern Territory Government, Council will liaise directly with the relevant agency.
2. Payment of a financial contribution will not be required at the time of requesting closure of a laneway – only after Council determines that permanent closure is possible.
3. Where a resident is not the owner of the property, the property owner is required to make the application as the property owner will be required to agree to amalgamate any closed portion of laneway and make a payment for the land based on the methodology set out in Clause 4.4.3.

4.2.2 Information to be collected for report to Council

- 4.2.2.1 Where the completed application forms have been received from all property owners, Council will undertake the following actions:
 - a) Request information from NT Police relating to the vicinity of the laneway covering the most recent quarterly reporting period

- b) Survey a minimum 20 properties within the immediate vicinity of the laneway
- c) Install a CCTV camera at one end of the laneway for a period of not less than three weeks to obtain laneway usage data
- d) Request information from relevant government agencies and non-government organisations on local issues
- e) Calculate the Laneway Category using the approved methodology
- f) Assess the laneway in respect of stormwater function
- g) Obtain information on underground services within the laneway.

NOTE:

- 1. Council will respond to a request for closure no later than three months from receipt of a written request submitted in accordance with Clause 4.2.1.

4.2.3

Consideration by Council

4.2.3.1 Where the above requirements and information have been completed Council will consider the appropriate action to be taken. The options that Council may consider are:

- a) Decline the request;
Where a request has been declined Council will not consider a further request within twelve months unless there is a demonstrable and significant change in circumstances from the original request.
- b) Request relevant government agencies and non-government organisations to provide responses to address the cause of the anti-social behaviour;
- c) Where the information indicates that a targeted strategy may assist in addressing the cause of the anti-social behaviour Council will advocate for responses from the relevant government agencies and non-government organisations.
- d) Consider a treatment commensurate with the identified issues;
- e) Where treatment does not involve trialling part-time closures, the treatment may be permanent. Where the Council approves the trialling of a part-time closure, the closures will occur for a maximum period of twelve months (from implementation).

NOTE:

- 1. Council will determine the review period based on the specific circumstances of the laneway. The purpose of setting a twelve month maximum period is to ensure that the information and monitoring that may be required is undertaken in a timely manner.

4.2.4

Review by Council

4.2.4.1 Where Council has approved a trial treatment or facilitated a response by relevant government agencies and non-government organisations the following review periods will apply:

- a) Request relevant government agencies and non-government organisations to provide responses to address the cause of the anti-social behaviour.

4.2.4.2 Council will review the effectiveness of the responses no sooner than six months from implementation.

4.2.4.3 Where the responses have not achieved a positive outcome however the expectation is that the strategy/response may deliver reduced incidents of anti-social behaviour, the Council may defer a decision on the laneway for a further six month period.

4.2.4.4 At the conclusion of the initial six months or after twelve months where there is no demonstrable reduction in anti-social behaviour Council may consider permanent closure of the laneway subject to the required criteria being met.

- b) Consider a treatment commensurate with the identified issues;

Where the Council approves the trialling of a night-time closure, the closures will occur for a maximum period of twelve months (from implementation) before the effectiveness of the trial is assessed. During the trial the laneway use, and other relevant information will be collected.

4.2.4.5 Subject to the information collected, Council may choose to cease the treatment or extend the treatment for further period not exceeding twelve months.

4.3 Criteria for permanent closure of a laneway

4.3.1 Council may seek the permanent closure of a laneway where the following criteria are satisfied:

- a) The laneway does not provide an overland stormwater flow path; and
- b) The Laneway Category is rated a Low or Medium; and
- c) Agreement with abutting landowners ensures that the whole of the laneway will be disposed of through amalgamation with the abutting properties; and
- d) The abutting landowners have acknowledged and agreed to the contribution to costs for the closure of the laneway and the payment for the portion of closed laneway (inclusive of easements where applicable) to be amalgamated with their property; and
- e) The laneway use is less than 30 movements per day.

NOTE:

1. The purpose of the policy is to avoid the retention of small and isolated parcels of land held by Council that serve no long term benefit or purpose for the community.

4.4 Landowner contribution and purchase of land

4.4.1 The cost to undertake the permanent closure of a laneway may be up to \$16,000 and comprises public notices, survey, land titles and development costs, and removal of the constructed path. The cost to undertake the permanent closure of a laneway is between \$10,000 and \$12,000 and comprises survey, land titles and development costs.

4.4.2 Council will require each abutting landowner to contribute \$500 towards these costs. Payment will be required prior to instigating public consultation for the proposed closure.

- 4.4.3 Where a landowner has agreed to amalgamate a portion of the closed laneway with their property, the value of the closed portion will be calculated as follows:
- The value of the original property will be determined,
 - The combined (original plus portion of laneway) property will be calculated,
 - The amount to be paid will be the difference between the two values.
- 4.4.4 The values will be determined by a Certified Practicing Valuer and subject to review by the Valuer General where required.

NOTE:

1. Payment of a financial contribution will not be required at the time of requesting closure of a laneway – only after Council determines that permanent closure is possible.
2. Payment for a portion of land to be acquired will not be required at the time of requesting closure of a laneway – only after the permanent closure has been approved by the relevant Ministers, where required, and the subdivision of the land has been determined to enable the valuation methodology to be applied.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Laneway Classification Guidelines

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Local Government Act 2008*
6.2 *Local Government Act (Administration) Regulations 2008*
6.3 *Local Government Act (NT) 2008 Guidelines (Disposal of Property)*

Policy Code:			
Name:	Laneway Management Policy		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director City Growth and Operations		
Approval Date:	[Approval Date]	Next Review Date:	[Next Review]
Records Number:		Policy Code:	[Policy Code]

1 PURPOSE

The purpose of this policy is to:

- preserve the network of laneways within the City, and
- guide decision making where a request to implement some form of treatment or closure of a laneway is received.

2 PRINCIPLES

The principles that apply to the management of laneways are:

- Council recognises the purpose and function that laneways were created and where practicable will retain laneways as a component of the pathway network
- Council will advocate for the engagement of all relevant government agencies that may impact on social behaviour issues and influence community responses and views
- The occurrence of anti-social and criminal behaviour is a community issue that may not be practical to address by laneway treatments or closures
- The implementation of temporary laneway treatments should not exceed twelve months without being reviewed by Council to assess effectiveness and costs
- A laneway that provides an overland stormwater flow path will not be considered for permanent closure
- Council recognizes that community expectations over time may change and that there will be different views within the community at any one time
- Wherever possible Council will seek to respond to the broad interests of the community when determining any treatment or closure of a laneway
- The permanent closure of a laneway within the road reserve requires the consent of the Minister for Local Government and the Minister responsible for the *Control of Roads Act*

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Public Open Space (POS) Access Laneway	A laneway connecting a street to POS, and the land comprising the laneway is within the surveyed lot forming the POS
Street Access Laneway	A laneway connecting two streets and the land is a continuation of the road reserve
Laneway Category	A method to calculate the significance of the laneway based on the level of disruption to active transport activities and overland stormwater movement
Permanent Laneway Treatment	A modification of a laneway intended to remain in place for greater than twelve months that may include: <ul style="list-style-type: none"> • Bicycle chicane/s, • Lighting. Permanent closure is not a form of laneway treatment.
Temporary Part Time Closure	Typically involves daily closing of a laneway with locked gates typically between the hours of 9:00pm and 6:30am with the duration of the daily closing as determined by Council with a maximum period of twelve months. The time of closure will be assessed to suit the circumstances of the laneway.
Temporary Full Time Closure	The closure of the laneway with locked gates with the duration of closure as determined by Council with a maximum period of twelve months.
Permanent Closure	The closing of a laneway by the creation of a new lot that is defined by the boundaries of the abutting properties with the intent to dispose of the lot and consolidate into abutting properties
Active Transport	Relates to physical activity undertaken as a means of transport. It includes travel by foot, bicycle, motorised scooters, and non-motorised vehicles.
Relevant Government Agencies	NT Police Force, Territory Housing, Territory Families, and other agencies involved with the provision of social services
Public Utility Easement (Linear or Transverse)	An easement established in the interest of a public utility provider for the purpose of protecting an underground service/s located within (linear) or across (transverse) a laneway
Overland Stormwater Flow Path	Several laneways provide severe rainfall (1:100 yr) event overland flow paths to mitigate the risk of property inundation

4 POLICY STATEMENT

4.1 Rationale

- 4.1.1 The retention of laneways to enable active transport options is Council's preferred option.
- 4.1.2 Where social issues associated with anti-social or criminal activity are occurring within the vicinity of a laneway the initial response is to engage with relevant government agencies to identify reactive and proactive intervention options, prior to considering the use of laneway treatments.
- 4.1.3 The permanent closure of a laneway will be considered by Council in special circumstances where the closure of the laneway does not unreasonably impact on active transport options within the vicinity of the laneway. The impact assessment includes several information sources outlined in the Policy.

4.2 Laneway Application and Assessment Requirements

- 4.2.1 Landowner application to close a laneway
For Council to assess a laneway an application form must be completed by all abutting property owners. The form will include the following:
 - a) Reason for requesting closure of the laneway e.g. anti-social behaviour associated with use of the laneway
 - b) Details of incidents reported to NT Police providing dates and times
 - c) Period of occupancy of the property
 - d) Acknowledgment that a financial contribution will be paid to Council on request prior to instigation of a permanent closure where Council determines closure is possible
 - e) Acknowledgement that payment to Council is required for the portion of the closed laneway that may be amalgamated with their property prior to undertaking the permanent closure following Ministerial consent for permanent closure (where required).

NOTE:

1. Where an abutting property owner is the Northern Territory Government, Council will liaise directly with the relevant agency.
2. Payment of a financial contribution will not be required at the time of requesting closure of a laneway – only after Council determines that permanent closure is possible.
3. Where a resident is not the owner of the property, the property owner is required to make the application as the property owner will be required to agree to amalgamate any closed portion of laneway and make a payment for the land based on the methodology set out in Clause 4.4.3.

4.2.2 Information to be collected for report to Council

- 4.2.2.1 Where the completed application forms have been received from all property owners, Council will undertake the following actions:
 - a) Request information from NT Police relating to the vicinity of the laneway covering the most recent quarterly reporting period

- b) Survey a minimum 20 properties within the immediate vicinity of the laneway
- c) Install a CCTV camera at one end of the laneway for a period of not less than three weeks to obtain laneway usage data
- d) Request information from relevant government agencies and non-government organisations on local issues
- e) Calculate the Laneway Category using the approved methodology
- f) Assess the laneway in respect of stormwater function
- g) Obtain information on underground services within the laneway.

NOTE:

- 1. Council will respond to a request for closure no later than three months from receipt of a written request submitted in accordance with Clause 4.2.1.

4.2.3

Consideration by Council

4.2.3.1 Where the above requirements and information have been completed Council will consider the appropriate action to be taken. The options that Council may consider are:

- a) Decline the request;
Where a request has been declined Council will not consider a further request within twelve months unless there is a demonstrable and significant change in circumstances from the original request.
- b) Request relevant government agencies and non-government organisations to provide responses to address the cause of the anti-social behaviour;
- c) Where the information indicates that a targeted strategy may assist in addressing the cause of the anti-social behaviour Council will advocate for responses from the relevant government agencies and non-government organisations.
- d) Consider a treatment commensurate with the identified issues;
- e) Where treatment does not involve trialling part-time closures, the treatment may be permanent. Where the Council approves the trialling of a part-time closure, the closures will occur for a maximum period of twelve months (from implementation).

NOTE:

- 1. Council will determine the review period based on the specific circumstances of the laneway. The purpose of setting a twelve month maximum period is to ensure that the information and monitoring that may be required is undertaken in a timely manner.

4.2.4

Review by Council

4.2.4.1 Where Council has approved a trial treatment or facilitated a response by relevant government agencies and non-government organisations the following review periods will apply:

- a) Request relevant government agencies and non-government organisations to provide responses to address the cause of the anti-social behaviour.

4.2.4.2 Council will review the effectiveness of the responses no sooner than six months from implementation.

4.2.4.3 Where the responses have not achieved a positive outcome however the expectation is that the strategy/response may deliver reduced incidents of anti-social behaviour, the Council may defer a decision on the laneway for a further six month period.

4.2.4.4 At the conclusion of the initial six months or after twelve months where there is no demonstrable reduction in anti-social behaviour Council may consider permanent closure of the laneway subject to the required criteria being met.

b) Consider a treatment commensurate with the identified issues;

Where the Council approves the trialling of a night-time closure, the closures will occur for a maximum period of twelve months (from implementation) before the effectiveness of the trial is assessed. During the trial the laneway use, and other relevant information will be collected.

4.2.4.5 Subject to the information collected, Council may choose to cease the treatment or extend the treatment for further period not exceeding twelve months.

4.3 Criteria for permanent closure of a laneway

4.3.1 Council may seek the permanent closure of a laneway where the following criteria are satisfied:

- a) The laneway does not provide an overland stormwater flow path; and
- b) The Laneway Category is rated a Low or Medium; and
- c) Agreement with abutting landowners ensures that the whole of the laneway will be disposed of through amalgamation with the abutting properties; and
- d) The abutting landowners have acknowledged and agreed to the contribution to costs for the closure of the laneway and the payment for the portion of closed laneway (inclusive of easements where applicable) to be amalgamated with their property; and
- e) The laneway use is less than 30 movements per day.

NOTE:

1. The purpose of the policy is to avoid the retention of small and isolated parcels of land held by Council that serve no long term benefit or purpose for the community.

4.4 Landowner contribution and purchase of land

4.4.1 The cost to undertake the permanent closure of a laneway may be up to \$16,000 and comprises public notices, survey, land titles and development costs, and removal of the constructed path.

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Laneways

September 2020

City of Palmerston is seeking community feedback on its draft Laneway Management Policy.

Laneways provide important pedestrian connectivity for many of our residents. Where concerns are raised around the safety of laneways and closure is requested, this Policy aims to provide a clear decision-making process to ensure that all impacts, treatments, and facts are considered.

About Council's Laneways

1. There are 117 laneways across seven suburbs within City of Palmerston, namely Bakewell (12), Roseberry (9), Gray (11), Woodroffe (37), Driver (20), Moulden (24) and Marlow Lagoon (4).
2. Some laneways provide an overland flow path for stormwater during high rainfall events.
3. While laneways are not used in current subdivision planning they do provide an important link in the path network within those seven suburbs providing easier access to shops, schools, public transport and open spaces (parks and reserves).
4. The majority of laneways are constructed on land designated as road reserve; others are constructed on open space lots.
5. Laneways are not considered the cause of anti-social or criminal behaviour however they may be used opportunistically by a small minority within the community, which has caused concern for and impacted nearby residents.
6. The Control of Roads Act and Regulations describe the process to permanently close a laneway that includes public consultation and Ministerial consent.
7. Most laneways have underground services crossing or along them (typically power, water sewer, telecommunications and stormwater).

Treatments to date

8. Council commenced trialing a range of treatments (laneway lighting and night-time closures) in April 2019.
9. There are now 19 laneways under temporary full-time (seven) or part-time (twelve) closure. A pair of installed gates costs approx. \$6,000, and night-time closures cost approx. \$5,500 per annum per laneway.
10. The laneways with temporary closures are located in Moulden (10), Woodroffe (7), Gray (1) and Driver (1).
11. Up to July 2020 Council has expended approximately \$450,000 on community consultation and implementing laneway trials and treatments.

Development of the Laneway Management Policy - Research and Assessment

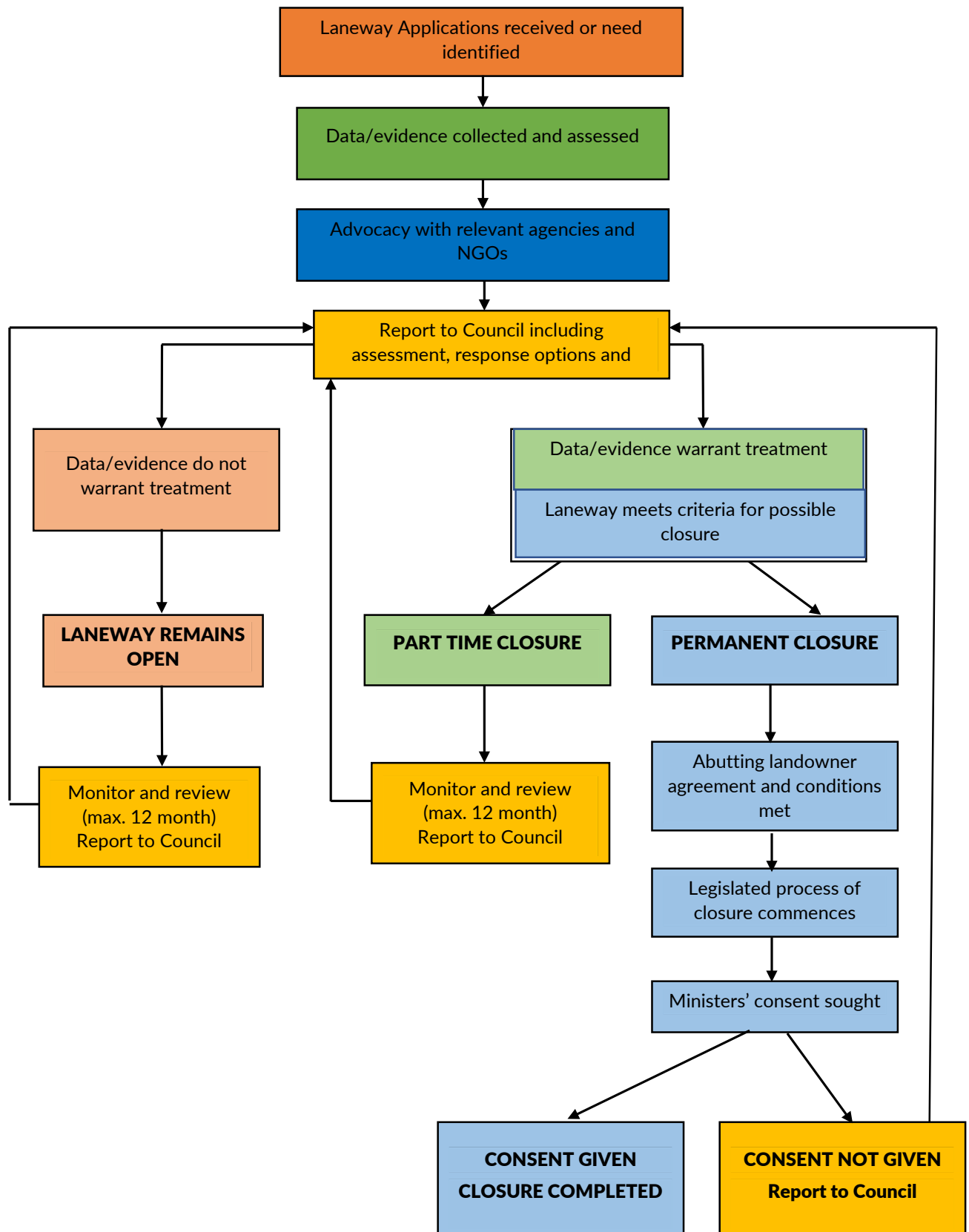
12. The initial analysis of laneway treatments was based on resident information and limited police statistics. Assessing laneway usage was limited to random on-site surveys.
13. Access to relevant information from government agencies and laneway use has improved significantly in recent months and now provides a substantial evidence base for decision making.
14. Council has three CCTV cameras available to record usage of laneways (e.g. pedestrians, cyclists, mobility scooters, time of day), it is proposed that 3 weeks of recording is undertaken when a formal request to close is received.
15. The majority of laneways do not have anti-social behaviour. This research will be undertaken when a request is made, and where anti-social behaviour is experienced, Council proposes to seek government agency assistance to address the cause or source of the behaviour as one of the responses to residents requests for laneway closures.
16. Alice Springs Town Council has undertaken the permanent closure of laneways with the total cost of survey and government fees ranging from \$10,000 to \$12,000; and the process taking up to two years. The adjoining property owners are required to make a combined \$4,000 initial payment and meet all final costs. The closed laneway is subdivided and amalgamated into adjoining properties.

DRAFT POLICY OUTLINE:

17. A formal request for laneway closure requires the support of all abutting landowners, information on the reason for the request, and agreement on the subdivision of the land for amalgamation with abutting properties.
18. Council assessment of a request includes the collation of evidence and statistics from government agencies, possible government agency responses to anti-social behaviour, survey of nearby residents, measurement of laneway usage and calculation of laneway category.
19. Council's initial assessment and proposed response will be completed no later than three months from a formal request being received.
20. Council's initial response may be a) leave the laneway open, b) assess the effectiveness of a government agency response with or without a temporary treatment, or c) instigate a temporary full or part-time closure.
21. The draft policy requires the review of Council's initial response no later than twelve months after implementation to determine what action is to be taken.
22. Council will set the review period at the time of the initial assessment based on the nominated response as different responses may require different review periods.
23. Where a laneway is proposed for permanent closure the draft policy requires that the land be amalgamated with the abutting properties, abutting property owners contribute to the cost of closure, and payment for the portion of land acquired.
24. The draft policy nominates a \$500 fixed contribution from each abutting property owner towards the cost of processing a permanent closure, together with a methodology for determining the value of the closed portion of laneway to be amalgamated with an individual property.
25. When an easement is created to protect underground services this will impact on the options for how the subdivision of the closed laneway may occur. These options will be discussed with the property owners as part of Council's initial assessment.

A flow chart has been prepared to visualise the process.

**DRAFT LANEWAY MANAGEMENT POLICY
FLOW CHART**



DRAFT LANEWAY MANAGEMENT POLICY WRITTEN SUBMISSIONS

The wording of the submissions is as they were submitted. No editing has taken place. Names and addresses have been redacted to meet Council's Privacy Guidelines.

Comments provided relate to questions relating to the Draft Policy and issues raised in the submission.

Submission Number	Submission	Comment	Response for Policy
1	All the laneways need to be shut off as they are nothing but problems. Once this happens maybe it will be a start to see crime drop in the palmerslum area. Also do something about the moulden shops selling alcohol. Once the indigenous folk cant get grog from their they will stop hanging around here. They will go elsewhere and if nothing gets done hopefully they break into your place next and steal something you worked really hard for. Then you may see something needs to be done.	The current position of Council as outlined in the Draft Policy is to retain laneways and that permanent closures would only be considered where there is no long term solution to the issues being experienced.	Nil
2	I have lived in Moulden for 33 years and strongly object to any laneway closures or eventual sale to properties bordering laneways. The problem is law and order not the laneways that are well designed and great for recreational walking/getting to buses etc. How many freedoms must we give up to protect ourselves from people who have no interest in Moulden or Palmerston or any sort of community that is not their own, The council and govt insist on sending large groups of persons who have alcohol problems to Moulden and then want to limit the freedom of inhabitants to cope with their anti social behaviours. I want to be informed of any meetings about this[which I can rarely attend because like most of the property owners in Moulden I am at work}. I also think that only rate payers with an interest in this suburb be listened to.	The Draft Policy is written with the intent to maintain an effective pathway network with the laneways. Council considers that there may be valid circumstances where the permanent closure of a laneway is possible.	Nil
3	On one hand it seems like things are heading in the right direction but in the same sentence almost, it seems like council are doing this begrudgingly because? people want it? Why is it necessary to include comments like this: "The occurrence of anti-social and criminal behaviour is a community issue that may not be practical to address by laneway treatments or closures".	Where the source of the anti-social behaviour is located within a particular street, the closing of	Nil

	<p>This still does not sound like a council who is responding sympathetically to ratepayers requests.</p> <p>The messaging is very mixed.</p> <p>Why is stakeholder engagement still so lacking. Just a post on council website asking for feedback? How about responding directly to the hundreds of rate payers and petitioners who took the time to contact council on this issue over the last 2 years?</p> <p>I wont trust councils desire to act until I actually see a permanent laneway closure.</p> <p>I notice there is also another escape clause in there "if it serves part of the water run off system it wont be considered" They practically all do in some way.</p> <p>Council may seek the permanent closure of a laneway where the following criteria are satisfied: The laneway use is less than 30 movements per day."</p> <p>Is that just 30 robberies per day? Or can it be a mix of robberies, drug deals, fires, rock throwing, defecation and vandalism? Are evidence based approaches now quantitative?</p>	<p>a laneway would not move the source.</p> <p>The challenge for Council is to address all residents expectations to the extent possible.</p> <p>The Draft Policy was advertised through a public notice in the NT News, social media posts, via radio interviews, emails to those on Council's laneways@palmerston.nt.gov.au distribution list, and letters to the property owners of existing treatments.</p> <p>Not all laneways act as extreme event overland flow paths. Closing of a laneway that does provide this function would lead to flooding of the abutting properties.</p> <p>The number of laneway uses per day is a guide to assess the potential impact from closure. As information is gathered on actual usage the number may be reviewed, up or down.</p>	<p>Nil</p> <p>Nil</p> <p>Nil</p> <p>Nil</p>
4	<p>YOU COUNCIL PEOPLE ARE A BUNCH OF USELESS OFFICIALS. LEAVE THE LANEWAYS CLOSE ALONE!! EVERYONE WHO LIVES NEAR THESE LANEWAYS ARE FINALLY HAVING A GOOD NIGHT SLEEP THAT DIDN'T</p>		Nil

	NEED TO WORRY ABOUT THESE THIEVING BASTARDS RUNNING THROUGH THESE LANEWAYS!!!		
5	i live in Schombacher Circuit and i do use the lane way but.. this lane way is used on a daily basis people fleeing from the police and those causing massive problems in the street. Only a few days ago it was used by over 15 people coming from "removed for privacy" to be involved in a issue at the Somerville house. This happens on a daily basis. If we didn't have the laneway this may not have escalated so quickly.	Addressing the cause of anti-social behaviour through the work of the relevant government agencies is one the components of the Draft Policy.	Nil
6	This is absolute bullshit, take your heads out of the clouds and fix this problem. Stop wasting time, money and resources pussy footing around these issues. Look at Alice Springs plan and implement instead of reinventing a nightmare! Sick of waiting for something to be done!	The Alice Springs Town Council policy requires a greater financial contribution to that proposed in the Draft Policy.	Nil
7	"removed for privacy" . I read that there is a new trial for the lane ways around Palmerston. Please keep the lane way right next to my house close, it is the best thing you guys ever done. Since closing the lane way my house is no longer full of broken glass and rubbish thrown away from whoever walks in that lane way. No more loud bike that drove past by when all my children are asleep and no one teases my dog to death. I use my house for business, I operate a family day care. Since closing the lane way I felt relief and felt safer not just for myself but more for the children under my care. Please keep it close.		Nil
8	4.3.1 (e) Should also have "or does not significantly or unreasonably impact on active transport options within the vicinity of the laneway" 4.4 There is no mention of stamp duty...	The effect on active transport is assessed within the Laneway Category assessment listed as 4.3.1 (b) Where Stamp Duty is payable this would be borne by the landowner acquiring a portion of the closed laneway	Re-wording of some clauses to clarify

	<p>4.4.2 What if only 2 landowners wish to purchase? Will it still be only \$500 each?</p> <p>Would council remove existing treatments and infrastructure in the laneways such as bitumen, bollards, gates etc? Also, would any fencing be removed or added at the ends of the laneways?</p>	<p>The \$500 contribution is per abutting property.</p> <p>The Council would remove the path infrastructure. Infrastructure associated with underground services would not be removed. Costs associated with new or existing fencing would be the responsibility of the landowners as boundary fencing protocols.</p>	
9	<p>The closure of this lane over the last months has been a godsend !!</p> <p>The overall quietness of Gumnut Way has never been (within the last 30 years) at such a level.</p> <p>Apart from the odd local's (Youth's) that are obviously running from something that they have created or done illegally NO one walks down Gumnut unless it's to go to their residence.</p> <p>I say this because that's exactly what has happened with up to 15 Children climbing the fence, running down Gumnut and out into Frenella Park. Something Up !!!</p> <p>However the majority of the time it's as I said - A godsend.</p> <p>Living on the corner of "removed for privacy" we still have a good number of people walking along Melastoma - so some noise is there but that's life. They don't turn the corner and check out our yards Thanks to the Lane being closed.</p> <p>I don't know what the crime rate has been in Gumnut Way during this Full closure.</p> <p>Have you had any Written request's for the lane to be opened ? Have you had any sort of request's for the lane to be opened ?</p>	<p>Other than submissions requesting Council to not close laneways, no direct comments have been made regards the</p>	Nil

	<p>People are like sheep - Teach or show them how something is to work or run a particular way and People will except that.</p> <p>There is no lane's in Gumnut - - we will have to walk down Melastoma or Livistona Park -- So be it.</p> <p>All that I can say is that from living in this area for 30 years is, that it hasn't been as quiet and relatively peaceful.</p> <p>Please do not OPEN these LANES !!</p>	opening of the laneways off Gumnut Way	
10	<p>I would like to thank all aldermen and women who have listened to residents and ratepayers on both sides of this laneway issue.</p> <p>I can only speak for myself and my wife, since the laneways in Gumnut Way have been closed which was a thoroughfare for foot traffic from Bronson and Staghorn cres there has been 100% increase in our mental health and wellbeing. No longer is my wife and myself on edge and losing sleep with all drunks, drug use, fowl language, fighting, defecating not to mention broken bottles with glass everywhere on the road or thrown over our fence on the driveway and around and in the pool and the thievery from people who use these laneways as a convenient way to jump fences to hideout and as a escape route.</p> <p>After being to a number of community meetings on this matter not only the ones in my amediate area all the concerns I have mentioned have been reciprocated by other community members, so this must be common recurrence in all neighborhoods with these laneways. And since there has been no one at these meetings I've attended who wish these laneways to remain open I can only come to one conclusion that the majority don't want these laneways to remain.</p> <p>Seeing this is RUOK and mental health week please that in account the mental anguish of alot of residents who look to council for a resolution in this matter.</p>		Nil
11	<p>This policy has failed to consider the peace and harmony of the adjacent residents with part time closures. The 7 days a week constant disturbance of closing the gates late at night and very early in the morning. Those whom develop this policy would not like to be disturbance every day at these times?</p>		Nil

	<p>The unnecessary cost from a security firm to open and close the gates could be better spent elsewhere – roads, parks, foot paths etc</p> <p>The policy is for the minority of users of the laneway not the adjacent residents that are directly affected. Why is it so hard to close the lane way permanently for 6 months if a complaint, criminal activities, police reports comes from an adjacent resident</p> <p>The policy fails to identify that they are a high speed getaway for criminals which allows them to be several streets away by the time the Police can respond. This also includes unregistered and uninsured motorbikes that use the laneways.</p> <p>I am sure the council would not like to be responsible for injury to a resident due to the poor response in dealing with the laneways from a motorbike.</p> <p>The gates have been installed tall the laneways need to be permanently closed for a minimum of 6 months. To reopen the laneways again, a written submission requesting the reasons why the laneway should be opened.</p> <p>If no written submissions have be submitted to council in 6 months then the laneway remains closed for 12 months. Then if no written submissions have been received for a total of 12 months to open the laneway then the laneway is permanently closed. Then the landowner purchase criteria can be instigated.</p> <p>If the laneway has services run through them then the Council retains the land with gates that allow access to the services any time.</p> <p>As society itself is suffering an overweight issues the closing of short cuts will only assist society in reduce the weight issue by walking a little further each day.</p>		
12	<p>I have reviewed the documents regarding laneway treatment/closure. Currently the council is trialling a night-time closure in my area of Driver. It has</p>		Nil

	<p>reduced the anti-social behaviour at night as my house is <i>“removed for privacy”</i> and, any people passing through can be heard in the house.</p> <p>Part of my house <i>“removed for privacy”</i> is attractive for people who love to graffiti and tag. A full closure would affect egress for many of the residents that live on my street so I’m happy with the council to continue with the night-time closure.</p>		
13	<p>Just like to agree with total laneway closure and agree to Landowner contribute of \$500.00 toward costs.</p> <p>We Landholders of <i>“removed for privacy”</i> Woodroffe have owned Property since 2014 the laneway has been an open invitation to Crime and anti-social behaviour at our address.</p>		Nil
14	<p>We live at <i>“removed for privacy”</i>, Woodroffe and have a laneway which run down the whole side boundary of our property. We have been extremely involved with this Laneway Management situation the City of Palmerston have been trying to work within our community with NO none what so ever consultation with the ratepaying residence who have to deal every single day with the antisocial issues that arise in these laneways</p> <p>Why do we, as residence of the City of Palmerston pretty much just have to accepted this pathetic attempt of this so called “Laneway Management Policy” which apparently is all about community consultation when not once has the City of Palmerston ever consulted with the abutting neighbours of our particular laneway have never ever been consulted. We constantly live with issues such as;</p> <ul style="list-style-type: none"> • antisocial behaviour • smoking/ taking drugs to the point where needles and condoms are being left in the laneway • Quad bike or motorbikes riding down the laneway • Graffiti • Fighting • Being abused by children or adults constantly • Our dogs and the neighbour dogs constantly barking because of this behaviour 		Re-wording of some clauses to clarify

	<ul style="list-style-type: none"> • Rubbish e.g. general waste, drugs, needles, human waste, vomit etc. • Fireworks being let off down the laneway <p>This laneway doesn't have lighting down it at all bar the street lights that are in Castor Court and Temple Terrace, I have never used this laneway and hardly ever seen anyone else use it bar the antisocial people who seem to hang out in it. Most nights there is carrying on down this laneway and now that we have temporary night-time closure all this has done is encourage those to use our fences to jump over it. Oh and not to mention the security company that come to close the gates – with no cares given to the residence with the noise they make closing and reopening of the gates, Alex I wonder what is happening in addressing this? I have had several phone calls with you and yet this is an issue – why? How hard is it to get the chains coated in something to minuses the noise?</p> <p>This Laneway Management Policy is extremely poorly written and does not at all properly explain the process at all nor does it include any consultation from the City of Palmerston with the abutting neighbours of a laneway – why? Our concerns are as followed.</p> <ul style="list-style-type: none"> • 30 movements a day, so if five kids walk down the laneway and graffiti our fence that's counted!! Why? This shouldn't be included as general community use of a laneway – not at all explained in the policy • The uncertainty about the pricing including the administration fees. What if the abutting neighbour don't want nor to have the \$500 fee to put up? Again, this has not been explained or outlined • The Laneway Management Policy seems to be more about preserving the laneways rather than dealing or addressing the antisocial behaviour • If it is a part of a storm water network, then surely the Council would know this already and should be providing this information to residence before making them pay a \$500 fee – this only seems fair to disclose this information prior to • The formula for working out the importance of a laneway as part of the community network hasn't been made public or clear in the policy – why? For example, our laneway feeds onto a main arterial – does this rule it out from being purchased? Again, something that isn't made 	<p>The amount and timing of payment may be reviewed as the policy is applied.</p> <p>Payment would not be sought or required if the laneway was not eligible for permanent closure</p> <p>The Laneway Category formula is based on the weighted impact of the additional distance that</p>	
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	<p>clear or outlined in the policy – why? and if it does what other plans /options will there be for these laneways?</p> <ul style="list-style-type: none"> • At what point does the residence pay the \$500 fee? Because the document has it twice why? Is the council unsure or just don't know? It states that it is before they assess if the laneway can be closed or before it gets closed? Complete confusion!! And if your laneway can't be closed are the abutting residence or sole resident refunded this \$500 fee – again not clear nor no mention of this – why? • What happens with the money raised from this \$500 fee? Does it go into those laneways who aren't eligible for closure or purchase? E.g. putting lighting in or upgrades to lighting, CCTV camera or something useful for the residences of these laneways • If closure is based on Police reports and if it can't be closed because the Police reports didn't support it, will those reports be visible to residence? Or do we just loss our \$500? <ul style="list-style-type: none"> • Is there an appeals process? If residence don't agree with the decision what is the process of appeal? Who in the end will make these final decisions? Again, not outlined in your policy – why? <ul style="list-style-type: none"> • What happens if one neighbour is an investor and can't be contact or other situation within a reasonable time period can the other neighbour just purchase both shares? <ul style="list-style-type: none"> • The CCTV camera that have been placed at the end of our laneway, does this have an automatic counter? E.g. is it only activate when someone goes through the laneway and is that counted as activation? If no one is reviewing the how do you know what activities where 	<p>residents would be required to walk if the laneway was closed.</p> <p>The report to Council discusses this topic. The Draft Policy currently states that the payment is required prior to consultation on a proposed closure. Payment would only be required if Council considered the laneway being eligible for closure.</p> <p>The fee is a small contribution to the full cost of a permanent closure. It is not a source of consolidated revenue.</p> <p>The relevant legislation requires that the Council determines whether a closure may be considered/initiated. This decision is not listed as a reviewable decision.</p> <p>The method of subdivision will vary and, in some cases, may only involve one property owner.</p> <p>The images taken by the cameras are individually assessed.</p>	
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	<p>happening in the laneway and by how many people e.g. 5 kids graffitiing the fences or 2 people walking down it? Is it not possible 2 dogs running down the laneway could activate it – would this not be counted? Seems complete irrational that this would be or could be included in the 30 usages</p> <p>Again, maybe the City of Palmerston should actually try working with the residence of these laneways rather than putting more effort and constantly worrying into the antisocial members of our communities - now that's an idea where you might actually see some positive engagement/ consultation from us, We ask you this - why is it a never-ending battle for those people who do right and who want to be apart and live in your community yet those who continue to make life hard a rewarded by the City of Palmerston - why?</p> <p>I look forward to hearing back from you and hopefully there will be more upfront consultation that is driven from the City of Palmerston to the residence of your community cause honestly if it wasn't for a few of your outstanding Alderman engaging with community that this would have just yet again be swept under the carpet.</p>		
15	<p>Closing lane ways only benefited and for the interest of those living adjacent lots not the entire population. Lane ways are design for public use closing these lane ways will not totally solve the crimes. Open all lane ways for the benefit of the public. To totally stop crimes originated in lane ways can be eliminated by installing in all lane ways CCTV and well lighted lanes ways. Look those complainants are only looking into themselves not for the entire residents.</p>	<p>The current position of Council as outlined in the Draft Policy is to retain laneways and that permanent closures would only be considered where there is no long term solution to the issues being experienced.</p>	Nil
16	<p>I live at “removed for privacy” in Woodroffe, right next to a laneway. Over the last couple of years that laneway has become a negative effect on me and my family, as people walking through the laneway late at night or have even slept in it. Most of the time the people who have walked through are really loud and noisy, even yelling around in the middle of the night - between the hours of 12am and 3am.</p> <p>We've been talking to our neighbours whom it also disturbed and one of our neighbours tried to persuade a fairly drunk person to leave the laneway and</p>	<p>The author does not refer to the Draft Policy.</p> <p>Subject to Council's decisions on the proposed policy. The author would be advised of the steps required for Council to consider the laneway.</p>	Nil

	<p>NOT sleep there on the spot. The outcome was that he was abused, ie. a glass bottle was thrown at him and he was being yelled at being called all kinds of names: in the middle of the night.</p> <p>At the moment a lot of people riding motorbikes, off-road bikes and quads also drive through this laneway onto the floodway which it connects to, creating even more noise!</p> <p>The laneway gets used by a lot of pedestrians who walk their dogs. They take their dogs off the leash once on the floodway, and let their dogs do their toilet anywhere not cleaning up after them. This is of concern to me as that is also the path which the schoolkids take to Woodroffe Primary School and can effect their health.</p> <p>I am small business owner and really do need my few hours of undisturbed sleep at night, therefore I would appreciate it if this particular laneway would be closed at night!</p>		
17	<p>We live right next to the laneway in "removed for privacy" Woodroffe which connects the front pathway to the pathway directly next to the floodway at the rear of our property.</p> <p>We've been living in this house for almost 12 years now, and when we first moved in Woodroffe was a very nice and reasonably quite area (especially at night!). I am glad that we have dogs on our property, because during the last few years life has become a lot louder around us in Woodroffe! At least we know when someone comes near/too close to the property! As the dogs will warn us.</p> <p>When I came home from evening shifts I would see groups of kids roaming the streets after 10:30pm on week nights! We can hear the dogs up and down the floodway go off almost every night now because of people walking along the floodway and then taking the laneway to get to where they need to go or to use it as their sleeping place. It is disturbing and concerning to not be able to have a good nights rest anymore. Our kids wake up regularly from the racket that is going on outside. We have had chats with our neighbours and found that they too are being disturbed and annoyed by people not just using the laneway but being loud (yelling) when walking past or even sleeping in it - even though they don't live directly next to it. I would not be commenting here if it was like this once in a while, but it has become a regular thing and it has come to a point where we need to speak up!</p>	<p>The author does not refer to the Draft Policy.</p> <p>Subject to Council's decisions on the proposed policy. The author would be advised of the steps required for Council to consider the laneway.</p>	Nil

	I would appreciate it very much if this laneway on <i>“removed for privacy”</i> would be closed at night!!! Thank you!		
18	The alley way on Broadarrow Cct is always filled with glass and people on motorbikes drive through there at night. I've also seen people sleeping in there. Close it off at nights please its getting quite annoying as the people going through there at night also yell and scream and also throw rocks when they are drunk. with the current crime rate of Palmerston seems to be rising it feels silly to give these criminals an escape route if they happen to be chased by police. We've also had the police come during the night searching for said criminals in the middle of the night. if you could just close it off at night time I would be very thankful. I don't mind it throughout the day as I myself use it to walk my dog.	The author does not refer to the Draft Policy. Subject to Council's decisions on the proposed policy. The author would be advised of the steps required for Council to consider the laneway.	Nil
19	I live on the <i>“removed for privacy”</i> laneway and would strongly suggest it is closed full time. My family are verbally threatened almost daily. It's a select group of youth/adults. I no longer call the police unless I feel in immediate danger. My landlord also wants to buy this laneway to add to his property and remove said issues with antisocial behavior. Want to talk more, call me <i>“removed for privacy”</i> .	The author does not refer to the Draft Policy. Subject to Council's decisions on the proposed policy. The author would be advised of the steps required for Council to consider the laneway.	Nil
20	As I am one of the residence that live here I would very much appreciate it if this pathway was shut/locked from 5pm to 7am due to people passing through and making excessive noise. It is uncalled for that there is so much noise made at this time of the night.	The author does not refer to the Draft Policy. Subject to Council's decisions on the proposed policy. The author would be advised of the steps required for Council to consider the laneway.	Nil
21	The lane way in Cobham Court Moulden should remain open. We have a lot of children and old people who use it as a short cut to the shops, schools and bus stop		Nil
22	Close them! They're dangerous and draw in antisocial behaviour in the suburbs.		

23	<p>Would be really interested in getting our laneway closed off in a trial. We are on “removed for privacy”. Constant issues with fence jumping, people coming through the court on motorbikes, accessing our yards because of the closeness to the service station etc. we have three young families with children who play in the court and we just can’t have motorbikes coming through, or kids with such quick access onto such a major road.</p>	<p>The author does not refer to the Draft Policy. Subject to Council’s decisions on the proposed policy. The author would be advised of the steps required for Council to consider the laneway.</p>	
24	<p>Since the closure of the 3 laneways in Staghorn Crt, we have had little walkby traffic & have noticed a dramatic reduction in the crime/ratbags. I “removed for privacy” would like to see the laneways closed permanently. Thanks</p>		
25	<p>In many suburbs, laneways provide an important link for pedestrians between streets that do not have a road linkage. Some suburbs have been designed with roads that are circuits, often looping around and finishing on the same road nearby to where they start. This is great for cutting down on vehicular through-traffic, but is detrimental to pedestrian traffic that does not have the same capacity to go the “long way” around. Many such laneways are important ways for children to get to school. For this reason I’d like to suggest that no laneway be permanently closed unless a nearby permanent alternative exists.</p> <p>One of the reasons often put forward for closing laneways is that they provide conduits for anti-social behaviour. Whilst this may be true, it is not the laneway that is causing the problem here, but the people whose behaviour is in question. Temporary closure of laneways might be one method of addressing this behaviour, but the real fix lies with addressing the causes of this behaviour itself. In any case, laneway closure will likely only displace the problem, not resolve it.</p> <p>I live in Woodroffe and have recently begun walking of an evening as a form of exercise. I have found the many laneways in this and adjoining suburbs provide useful paths for that activity to occur. At times I have come across a laneway that has been closed, forcing me to turn back and select an alternative route. Whilst I have not experienced any anti-social behaviour during my walks, it would be distressing if someone attempting to avoid or escape such a situation was to find their route unexpectedly cut off such that they were forced to face the situation they were trying to avoid.</p>	<p>The current position of Council as outlined in the Draft Policy is to retain laneways and that permanent closures would only be considered where there is no long term solution to the issues being experienced.</p>	<p>Nil</p>

	<p>I think laneways are an important part of the pedestrian landscape in Palmerston and closure, whether temporary or permanent, should only be considered in extreme circumstances and when other measures have first been tried.</p> <p>I'd like to provide feedback regarding a specific laneway near where I live. The laneway between Gunter Cct and Sibbald Cres Woodroffe is presently part of the trial and is temporarily closed from around 900pm to 06:30 am each night. I find this quite inconvenient as I like to use this laneway to cut the distance if I wish to walk through to the other road or when returning from the shopping centre. The extra distance required to walk when the laneway is closed is over 700m, or an additional 7 minutes of walking.</p> <p>I live only <i>“removed for privacy”</i> away from the laneway and have never heard of there being any problems with it either before or since the temporary closure was put in place. I'd like this laneway in particular to be returned to being always open.</p>		
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COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.4
REPORT TITLE:	Animal Management By-Laws Update and Public Consultation Discussion Paper
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Regulatory Services Manager, Jocelyn Cull
APPROVER:	Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This report outlines the proposed process to review and undertake community consultation for possible repeal and replacement of the current *Palmerston (Animal Management) By-Laws 1999*.

KEY MESSAGES

- The Council's current animal management by-laws were enacted in 1999 and have had no significant content change since their enactment.
- While the by-laws have delivered what they were intended to do, they are no longer considered reflective of the community's needs, nor of modern legislative drafting.
- An update of the current animal management by-laws to meet community expectations has been identified by Council as a priority action.
- The Northern Territory Government has previously identified the *Litchfield Council (Dog Management) By-Laws 2017* as model by-laws for the jurisdiction.
- Council will leverage from Litchfield Council's by-laws in the by-law development process by using them as a base for community consultation.
- Council proposes to undertake a process where there is the development of an animal management discussion paper for public consultation, presentation of the consultation paper to Council, development of drafting instructions and the drafting of the by-laws by the Office of the Parliamentary Counsel.

RECOMMENDATION

1. THAT the report entitled Animal Management By-Laws Update and Public Consultation Discussion Paper be received and noted.
2. THAT Council endorses a review of the *Palmerston (Animal Management) By-Laws 1999* to ensure that they are modern and reflective of the community's needs, utilising the process outlined in the report entitled Animal Management By-Laws Update and Public Consultation Discussion Paper.
3. THAT a Council workshop be held in early February 2021 regarding the discussion paper for community consultation regarding the animal management by-laws.

4. THAT a report be presented on the outcomes of the community consultation outlining key findings and recommendations in regard to animal management by-law requirements to Council at the Secondary Ordinary Meeting in May 2021.

BACKGROUND

According to the City of Palmerston 2020 Community Survey, animal management is considered a key service provision by our community. Council's animal management capabilities continue to improve with the introduction of service initiatives including the recent employment of an Animal Education Officer and the introduction of several proactive, community-based programs. In 2019-20, Council's educational events included responsible pet ownership, understanding animal behaviour, registration incentives and microchip awareness. These events received positive feedback from the community.

Animal management has scope to further improve, particularly with the high and potentially increasing levels of pet ownership in the municipality. In 2019, over 5,600 dogs were registered in Palmerston with a number of additional unregistered dogs identified in the community.

The increased dog ownership has seen an increase in animal management concerns by the community, including an increase in the number of barking complaints and reports of dogs at large. Council has also received complaints regarding cats, birds and poultry, including noise complaints (roosters and birds), damaging local fauna (cats), excessive pet ownership and associated nuisance smell complaints.

Council requires effective animal management by-laws to protect public health, safety and amenity in the City of Palmerston as well as to achieve strategic policy objectives to meet the expectations of the community.

By-Laws

A municipal by-law is subordinate legislation which applies to a certain area. Councils use by-laws to respond to issues and community needs within their respective municipalities.

City of Palmerston, as with all municipal councils within the Northern Territory, derives its power to pass by-laws from the *Local Government Act 2008* (NT). By-laws must comply with the principles set out in section 189 of that Act and, as a matter of law, can only be made within the by-law making power provided for in the Act.

By-laws are capable of including penalties for non-compliance. The current *Palmerston (Animal Management) By-Laws* do provide for penalties, but these are somewhat out of date and inconsistent with penalties for corresponding offences in other municipalities due to the passage of time since their enactment.

The City of Palmerston has enacted by-laws in policy areas such as public places, signs, hoardings and advertising and animal management.

Palmerston (Animal Management) By-Laws

The *Palmerston (Animal Management) By-Laws* were introduced in 1999 and have existed with only minor amendments since they were enacted. Good governance suggests that legislation, including by-laws, should be regularly reviewed in order to remain relevant to evolving community standards and expectations.

A review will ensure that by-laws remain current and are suitable to the purpose for which they were originally made and remain consistent with developments in the law as well as in other similar jurisdictions.

In some Australian jurisdictions, by-laws have a 10-year life unless they are revoked sooner or renewed. This is not the case in the Northern Territory where by-laws that are made under the *Local Government Act 2008* do not have a stipulated life span.

The *Palmerston (Animal Management) By-laws* have controlled and regulated animals within the municipality since they were enacted. While reasonably fit for purpose, the by-laws face a number of challenges including issues such as:

- they do not address animal management issues relating to cats, birds, poultry or other animals;
- they do not allow for the declaration of dangerous dogs after an identified and established dog attack or dog menace; and
- existing infringements may not be an adequate deterrent as penalties are less compared to other jurisdictions. The by-laws do not adopt the penalty unit regime established under the *Penalty Units Act 2009* (NT) which helps penalties under various Northern Territory legislative instruments keep pace with inflation and to remain consistent with one another.

The full process of by-law preparation and enactment can take quite some time, from initial and ongoing consultation, drafting, publication and enactment. In some instances, the full process can take 18 months or longer.

A high-level summary of the by-laws development process is found in **Attachment 13.2.4.1**.

DISCUSSION

Council is committed to working alongside our community and sees significant value in tapping into the 'wisdom of the crowd'. Council will work with and listen to community concerns to address the animal management issues and challenges that we have.

A key point of difference with this review, is the additional step of preliminary community consultation in the by-laws development process. Council will enhance community connection by increasing community input and ownership of content at the start of the process by way of community response to a discussion paper. Council will seek to address the key points raised by the discussion paper. It is understood that this is the first time such an approach has been used in this jurisdiction, which Council believes will support an inclusive and transparent process.

Model By-Laws

In terms of process, Council will utilise the *Litchfield Council (Dog Management) By-Laws 2017* as a base to work from which should expediate the by-law drafting and enactment process. Council will also instigate public consultation at a preliminary stage to inform relevant and appropriate content. These measures seek to ensure that new animal management by-laws can be enacted in the most timely and efficient method possible.

The Northern Territory Government has identified the *Litchfield Council (Dog Management) By-Laws 2017* as model animal management by-laws for the jurisdiction. The by-laws are considered modern and contemporary, meeting community needs in this key area. While the subject area is restricted to dogs, many by-law provisions are highly relevant including registration conditions, time periods, dangerous dog provisions, strict liability offences and reviewed penalty provisions.

A major advantage in utilising Litchfield's model by-laws is that it has recently undergone the rigour and scrutiny of the Office of Parliamentary Counsel process. This aspect, combined with the Northern Territory Government's level of comfort with regards to the model by-laws, provides Council with a very good base to work from. Nevertheless, it is proposed to expand the scope of the City of Palmerston's new animal management by-laws to cover issues arising from animals other than dogs (including cats and birds for example).

Council has conducted a thorough comparative analysis of the *Palmerston (Animal Management) By-Laws* to those of Litchfield. A summary analysis of key findings is contained in **Attachment 13.2.4.2**.

Current Issues

It has become apparent from frequent complaints that it is the community's expectation that Council should play a role in managing nuisance caused by a range of animals including, but not limited to, dogs.

Issues arising from the mismanagement of animals are already considered and dealt with under existing legislation. An example would be foul and offensive odours emanating from a poultry chicken pen into a neighbouring property. To the extent that noise, dust and odours may constitute an environmental nuisance, these issues may be captured under the *Environment Protection Act 2019*. To the extent these issues pose a risk to community health, the issues may be covered by the *Public and Environmental Health Act 2011*.

However, where these issues do not constitute an environmental nuisance or a public health risk (that is, to the extent they may constitute a general nuisance, but not meet the more specific tests of environmental nuisance or public health risk), they are not sufficiently covered in these Acts and do not clearly fall within the jurisdiction of the relevant regulators.

Community Consultation

Council will adhere to the standard by-law development process but will diverge from it in that it will engage with the community prior to the commencement of drafting instructions. This approach will ensure an effective means of community consultation with key community needs identified and addressed early in the process.

Discussion Paper

A key component of the community consultation is the development of an animal management discussion paper. The paper will be developed to inform and generate feedback on contemporary community animal management issues in the City of Palmerston. The issues and questions contained in the discussion paper will be provided as a guide. The community will be invited to address these issues and questions, as well as any other matter related to animal management in the community.

The discussion paper will be similar in style to the discussion paper on *Uniform Companion Animal Legislation in the Northern Territory* which was issued by the Department of Chief Minister and Cabinet in 2019 – see **Attachment 13.2.4.3**.

Examples of questions considered through the discussion paper may include but not limited to:

- types of animals to be covered under the by-laws;
- behaviours, practices or states of affairs that constitute nuisance behaviour;
- penalty types and application; and
- powers of enforcement.

The questions will be carefully crafted to ensure that they are non-leading and neutral in tone for the reader.

Next Steps

The following activities will be undertaken:

Item	Date	Process
Discussion	Early February 2021	• Workshop with Council to review discussion paper

Paper Development		<p>content to ensure key community animal management issues are included and addressed.</p> <ul style="list-style-type: none"> • Following the workshop, the discussion paper will be finalised and made ready for public consultation. • Council will ensure an appropriate media and communications strategy is in place.
Community Consultation	Mid-February 2021	<ul style="list-style-type: none"> • Council launch of discussion paper. • Commencement of community consultation – eight-week period. • Collation and analysis of consultation data and investigation of follow up areas.
Drafting Instructions	May 2021	<ul style="list-style-type: none"> • Brief to Council outlining key findings and commentary on animal management issues from analysis of discussion paper. • Analysed feedback to inform development of drafting instructions to the Office of the Parliamentary Counsel.

CONSULTATION PROCESS

The following City of Palmerston staff were consulted in preparing this report:

- City Sustainability Manager;
- Finance Manager;
- Communications Manager;
- Regulatory Services Lead; and
- Governance Lead.

In preparing this report, the following external parties were consulted:

- Supervisor Regulatory Services, Litchfield Council;
- Manager, Legislation and Corporate Services Unit, Office of the Parliamentary Counsel;
- Manager, Legislation and Policy, Local Government and Community Development, Department of the Chief Minister and Cabinet; and
- Partner, Jacobs Krajsek Wauchope (JKW Law).

Council will develop a comprehensive community engagement consultation strategy.

Subject to Council's consideration, this paper will also be tabled at the Palmerston Animal Management Advisory Committee (PAMAC) for feedback.

POLICY IMPLICATIONS

Subject to the extent of the revised by-laws, it may be necessary to update animal management policies in accordance with relevant changes.

BUDGET AND RESOURCE IMPLICATIONS

The preparation of the discussion paper, council workshop, consultation brief and preparation of drafting instructions will be undertaken using existing operational budgets.

Specific expert legal advice will be necessary for the development of by-laws drafting instructions and local firm Jacobs Krajsek Wauchope (JKW Law) has been engaged for this purpose.

Subject to the extent of the revised by-laws, Council may also need to engage additional operational regulatory resources or restructure how existing regulatory services function to seek efficiencies.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

1 Fails to effectively regain the trust from all stakeholders

Context: Council needs to be credible and trusted by those within and external to the Council.

The timeframe from preliminary community consultation through to the forwarding of drafting instructions and ultimate enactment of by-laws can be extensive. Council has attempted to review this by-law previously without success and so slow progress may result in community frustration, scepticism and mistrust of the legitimacy of the activity. Extensive timeframes can be mitigated somewhat by the utilisation of the model by-laws for content and structure, particularly so given the level of familiarity that the Office of Parliamentary Counsel has with that body of work.

Another area of risk is the high likelihood of diverse and potentially conflicting views from the community in relation to the discussion paper. This may result in unclear direction or means by which to proceed in reference to animal management areas. This potential can be alleviated by effective engagement through clear and effective communications outlining key areas and possible implications, and also any limitations on the ambit of the proposed by-laws to manage community expectations.

It is likely that elements of the community may be vocal in opposition to the contents of the discussion paper (or parts thereof) and the by-laws. There may be some elements of the community that feel Council has gone too far in proposed revisions to the by-laws, while others may believe that the by-laws have not gone far enough. Community discomfort in this area can be mitigated by comprehensive community engagement.

The development of by-laws and investigation of key risk areas is a specialist area and JKW Law has been engaged to provide specialist advice.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

Subject to the extent of the revised by-laws, there may be positive environmental sustainability implications through enhanced preservation of fauna in the local area.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. By-Laws Development Process High Level Summary [13.2.4.1 - 1 page]
2. Litchfield and City of Palmerston By-Laws Comparison Summary [13.2.4.2 - 2 pages]
3. Uniform Companion Animal Legislation in the Northern Territory [13.2.4.3 - 13 pages]

Attachment 13.2.5.1

By-Laws Development and Enactment Process – High Level Summary

At a high level, the steps in making a by-law are as follows:

1. Drafting instructions are prepared by Council in consultation with the Department of Chief Minister and Cabinet (DCMC).
2. Council resolves to approve the drafting instructions, and to have the by-laws drafted. Once approved, the drafting instructions cannot be amended without a further resolution of Council.
3. The approved drafting instructions and Council's resolution are provided to the Office of Parliamentary Counsel, through DCMC. Draft by-laws or rules are prepared by OPC and a process of review, redrafting and finalisation occurs whereby the draft by-laws are finalised.
4. A "plain English" public information paper is produced by Council to be approved by DCMC and used by Council in its public consultation on the draft by-laws.
5. The draft by-laws must go back to Council for approval to commence public consultation.
6. The draft by-laws, together with the public information paper, must be published on Council's website not less than 21 days before the meeting of Council at which Council proposes to make the By-laws. In addition, Council must make copies of the draft by-laws available for public inspection at Council's office and must give notice in a newspaper circulating in Council's area of the availability of the by-laws for inspection and of their general nature and effect.
7. Council must consider any representations made in writing by members of the public about the by-laws.
8. After consultation, any final tweaks required to the draft by-laws should be made by Parliamentary Counsel under instruction from Counsel's Regulatory Services team through DCMC.
9. Once the draft by-laws are finalised, Parliamentary Counsel must certify that the by-laws may be made consistently with the principles set out in part 13.1 of the Local Government Act 2008 (NT).
10. Once certified, the draft by-laws must be provided to Council to pass a special resolution to make the by-laws and, once resolved, the by-laws must be signed by the authorised person (usually Council's CEO).
11. The signed by-laws are forwarded, through DCMC, to the Minister for Local Government for approval and signing of the Gazette notice prepared by OPC.
12. The Department of Local Government, Housing and Community Development arranges for the signed notice to be published in the Gazette and at the same time provides Cabinet Office and Secretariat Services with a copy of the notice and the by-laws or rules so that Cabinet Office and Secretariat Services may arrange for their tabling in the Legislative Assembly.
13. Cabinet Office and Secretariat Services, of DCMC, arranges for the by-laws or rules to be tabled in the Legislative Assembly within three sitting days after the by-laws or rules have been notified in the Gazette.
14. The by-law comes into effect on the date of notification in the Gazette unless a later date is specified in the Gazette notice.

Comparison of By-Laws – Litchfield Council (Dog Management) By-Laws 2017 and Palmerston (Animal Management By-Laws) 2008 - Summary

The Litchfield Council (Dog Management) By-Laws were enacted in 2017 and place an emphasis on public safety and maintaining a congenial living environment in the rural area.

In adopting and implementing By-Laws and dog control and management policies, Council takes into account the following:

- The importance of allowing members of the public to utilise roads, streets and public facilities without fear or apprehension of aggressive, feral or stray dogs.
- The importance of reducing dog nuisances to the general community.
- Reducing the number of dogs wandering in public areas, recreational areas and places frequented by children.
- The recreational and exercise needs of dogs and their owners.
- The cost of establishing and the ongoing operational costs of all aspects of animal control and management.

The City of Palmerston (Animal Management) By-Laws were first introduced in 1999 and have had minor amendments since their enactment. The purpose of the By-Laws is to 'provide for the keeping of animals within the municipality in a manner compatible with the enjoyment by residents of a congenial living environment.'

The major differences between the two municipalities' By-Laws are in the following areas:

- **Timing** – Litchfield has a much tighter and more restrictive time period in reference to registration of a dog and related registration or licencing conditions. An example includes refusal by Council to register a dog if it has been found guilty by a court of more than 2 offences against the By-Laws within a 12-month period. Palmerston in comparison, provides for a two-year time period for similar refusals and restrictions.
- **Offence of Strict Liability** – Litchfield stipulates that by-law offences are classified as an offence of strict liability. This means that by-law offences do not require proof of fault, it merely needs to be established that an offence has occurred. It does however, provide for a defence of an honest and reasonable mistake of fact. It is generally considered justified to impose strict liability to protect public health, safety and the environment. It may also be imposed for regulatory offences. Palmerston in comparison, for liability in reference to general penalties relies on a finding of guilt.
- **Dangerous Dog Declaration** – Litchfield provides for the declaration of dangerous dog by an authorised person if a dog attacks a person or animal, the dog menaces a person or animal or the authorised person believes the dog is destructive, dangerous, savage or a threat to the community. The owner of the dog may also apply to Council for revocation of the declaration. Palmerston's By-Laws do not contain these provisions.
- **Registration of a Dangerous Dog** – Litchfield has a number of conditions of registration that pertain to dangerous dogs including that the owner must ensure the dog is properly contained at the premises; erect signage on the premises with the words 'warning Dangerous Dog' clearly visible and legible from the front boundary, mandatory notification to Council if the owner

intends to keep the dog at a different location for a period exceeding 14 days and compulsory 24 hours reporting to Council if the dog has attacked or allegedly been involved in an attack and notification if the dog is missing, dies or if ownership is transferred. A prospective purchaser must also be informed of the dog's status. Palmerston does not have these provisions within its current By-Laws.

- **Failure to Comply With a Condition of Registration** – Litchfield stipulates that a registered dog owner commits an offence if the dog has been registered subject to conditions and the conditions have been contravened by the owner. The offence in this instance is one of strict liability. Whilst Palmerston does have similar provisions a contravention is not deemed a strict liability offence.
- **Containment of Dog** – Litchfield has a provision that the dog owner commits an offence if the dog is not properly contained on premises. It stipulates that the time of which the dog is not properly contained or the owner's ability to contain the dog is immaterial to the fact. Palmerston does not have such a provision within its By-Laws.

Uniform Companion Animal Legislation in the Northern Territory

Discussion Paper



Please submit written comments to:

Mail: Local Government and Community Development
Department of Local Government, Housing and Community Development
GPO Box 4621, Darwin NT 0801

Email: LGLaw.DLGHCD@nt.gov.au

Submissions close on 28 March 2020.

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Contents

1. Introduction.....	4
2. Companion Animal Legislation in the Northern Territory	6
3. Companion Animal Legislation in other Australian Jurisdictions	8
4. Consideration of Territory-wide Companion Animal Legislation.....	9
4.1. Model for Territory-wide Companion Animal Legislation	10
4.2. Resourcing of Territory-wide Companion Animal Legislation	11
4.3. Scope of Territory-wide Companion Animal Legislation	11
5. Call for Submissions.....	13
5.1. Questions for Consideration.....	13
5.2. How to make a Submission	13
5.3. Closing date for Submissions.....	13

1. Introduction

Since 1991, local government councils in the Northern Territory have been able to make their own by-laws and rules about companion animal management without a mandatory scheme applicable to all councils.

The management and control of dogs in the Territory was formerly regulated by the *Dog Act 1980* (the Act). This Act included:

- the requirements to register all dogs and for dogs to wear tags during the period of registration;
- licensing of premises where more than two dogs were to be kept;
- sterilisation of dogs;
- establishment of pounds;
- seizing, impounding and release or destruction of dogs; and
- the appointment of registrars, inspectors and pound managers.

The Act allowed local government councils to make rules (by-laws) in relation to:

- the management of pounds they established;
- the form and type of dog-tag that was to be worn by a registered dog ordinarily kept in their local areas;
- the manner in which sterilised dogs were to be marked; and
- the declaration of any area of vacant Crown land within their council areas as a public place for the purposes of the Act.

Of note, a local government council did not have the power to appoint a registrar unless it had established a pound. In practice, the Act only applied to urbanised areas of the Territory.

The Act was repealed in 1991 by the *Dog Act Repeal Act* (the Repeal Act). In the second reading speech for this legislation, it was noted that an Inter-Governmental Rationalisation of Functions Working Party had made recommendations as to which level of government was best suited to perform certain administrative functions of government to achieve 'maximum public economy and efficiency'. The rationalisation and passing of functions to local government during the 1990s was agreed between the Northern Territory Government and Local Governments and was not confined to divesting physical assets such as roads and parklands. It included resolving the administrative overlap and duplication with regard to dog control and management. According to the second reading speech, the *Dog Act 1980* was repealed because the *Local Government Act 1985*, while empowering councils to make by-laws, required that those by-laws not conflict with Northern Territory legislation. Therefore, there was no need for specific Northern Territory legislation. The Repeal Act removed barriers which prevented councils bringing in the measures they saw as necessary to manage dogs within their boundaries.

The repeal of the *Dog Act 1980* was requested by the then Darwin City Council and Palmerston Town Council. Those councils indicated their preference for stronger controls than those that were available at the time under the Act. Alice Springs Town Council also supported the repeal.

Uniform Companion Animal Legislation in the Northern Territory

After repeal of the *Dog Act 1980*, dog by-laws were enacted in 1992 for the Alice Springs Town Council, Borroloola Community Government Council, Darwin City Council, Jabiru Town Council, Katherine Town Council, Mataranka Community Government Council, Palmerston Town Council, Pine Creek Community Government Council, Tennant Creek Town Council and Timber Creek Community Government Council. The then Litchfield Shire Council, with its then rural constituency, decided not to enact by-laws for dog control. The Litchfield Council Rural Dog Management By-laws commenced in March 2011.

It is worth noting that Part X of the *Law Reform (Miscellaneous Provisions) Act 1956* was introduced as part of the repeal of the *Dog Act 1980*. The Part provides that a dog owner is responsible for any actions of his or her dog which cause loss, damage or injury, that there is a prima facie defence for a person who kills or injures a dog if it is attacking them or another person or an animal or bird in the person's care and that a dog may lawfully be put down if it is so diseased or injured that it is humane to do so.

During the November 2018 Local Government Association of the Northern Territory (LGANT) general meeting, a resolution was passed that LGANT lobby the Northern Territory Government to introduce uniform domestic animal management legislation in the Northern Territory. In February 2019, Mr Damien Ryan, President of LGANT wrote to the Minister for Local Government, Housing and Community Development on this matter.

This paper has been developed to inform and generate feedback about Territory-wide Companion Animal legislation. The issues and questions identified in this discussion paper are provided as a guide. You are invited to address these issues and questions, as well as any other matter related to the management and control of companion animals in the Northern Territory.

Of note, the focus of this paper is the management and control of companion animals. Animal welfare matters are regulated by the *Animal Welfare Act 1999* and are outside the scope of this paper.

2. Companion Animal Legislation in the Northern Territory

The Northern Territory does not have Territory-wide Companion Animal legislation. However, section 188 of the *Local Government Act 2008* gives local government councils the power to make by-laws. Northern Territory local government councils which have dog management by-laws include:

- (i) Alice Springs Town Council;
- (ii) City of Darwin;
- (iii) City of Palmerston;
- (iv) Coomalie Community Government Council;
- (v) Katherine Town Council;
- (vi) Litchfield Council; and
- (vii) Tiwi Islands Regional Council.

The East Arnhem Regional Council, Roper Gulf Regional Council and Wagait Shire Council are in the process of making dog management by-laws for their respective council areas.

Central Desert Regional Council has resolved to develop a policy on dog management and control. The council believes that this will better suit the needs of the council and its communities.

Dog management by-laws for councils are usually similar but are drafted to suit each council's locally specific circumstances.

Cat management by-laws are also in place in the Alice Springs Town Council and City of Darwin council areas. In addition, East Arnhem Regional Council has begun reviewing a proposal to introduce new cat management by-laws.

The current arrangements provide local government councils with flexibility to make by-laws or adopt policies that suit their local areas, circumstances and resource constraints.

Apart from council by-laws, some Territory laws cover aspects of animal management. Section 75A of the *Summary Offences Act 1923* provides that the owner of a dog that attacks or menaces a person or animal is guilty of an offence. Also, a person who entices a dog to attack or menace a person or animal is guilty of an offence.

The same section provides that a member of the police force may seize, impound or destroy a dog that they believe has or may cause serious injury to a person or animal, and can enter any land to do so.

Section 32 of the *Law Reform (Miscellaneous Provisions) Act 1956* provides that the owner of a dog is liable for any loss, damage or injury as a result of the actions of the dog. Section 33 of that Act provides defences for killing or injuring a dog, such as where a person believes on reasonable grounds that they are about to be attacked by a dog.

Uniform Companion Animal Legislation in the Northern Territory

Section 10 of the *Animal Welfare Act 1999* provides for offences of cruelty to animals and section 22 of that Act provides that if a vet is of the opinion that an animal is so severely injured, diseased or in such a poor physical condition that it is cruel to keep it alive, the vet may put it down.

Across the Territory there are different historical influences that affect the relationship between people and dogs. Aboriginal people have lived alongside dogs as companions for thousands of years. There are many communities in regional areas where dog ownership has never been regulated. It would be rare to see a dog on a leash in an Aboriginal community.

Issues for regional communities include prioritisation of resources, lack of infrastructure such as fences and pounds, lack of familiarity with registration practices and the availability and affordability of veterinary assistance.

3. Companion Animal Legislation in other Australian Jurisdictions

All other jurisdictions have state-level companion animal legislation which primarily regulates the management of dogs and cats. In the Australian Capital Territory, New South Wales, Queensland, South Australia and Victoria, the regulations are contained in one piece of legislation while Western Australia and Tasmania have separate pieces of legislation for the management and control of dogs and cats.

Of note, the New South Wales *Companion Animals Act 1998* defines companion animal to include a dog, cat and any other animal prescribed by regulations as a companion animal. Currently, there is no other prescribed animal in the *Companion Animals Regulation 2018* (NSW). In addition, the Victorian *Domestic Animals Act 1994* regulates pet shops as well as the sale of caged birds.

Local government councils in South Australia, Tasmania and Western Australia are primarily responsible for the administration and enforcement of state animal management legislation.

In the more densely populated states of New South Wales, Queensland and Victoria, the administration and enforcement responsibilities are shared between the relevant State departments and councils. In these States, councils have the administrative functions relating to identification, registration and control (in general) of dogs and cats, whereas there is a sharing of enforcement responsibility in relation to declaring and registering dangerous dogs and dogs of restricted breeds as well as seizure of dogs and cats.

In New South Wales, Tasmania and Western Australia, the Minister responsible for local government is responsible for Companion Animal legislation. In Queensland, Companion Animal legislation is the administrative responsibility of the Minister for Agricultural Industry Development and Fisheries; in South Australia, the Minister for Environment and Water; and in Victoria, the Minister for Agriculture. The Australian Capital Territory does not have local government councils and the equivalent legislation is the administrative responsibility of the Minister for City Services.

4. Consideration of Territory-wide Companion Animal Legislation

The introduction and implementation of any legislation, including companion animal legislation, usually confers duties, obligations and responsibilities on people and organisations. In these cases, the duties, obligations and responsibilities would mainly fall on local government councils. The Territory Government may also have disciplinary and/or enforcement responsibilities against a council which is not carrying out its duties, obligations or responsibilities under the legislation.

Section 188 of the *Local Government Act 2008* gives local government councils the power to make by-laws. The by-laws can be on any matter councils may wish to regulate, subject to the by-laws meeting certain principles including avoiding duplication of, or overlap with, other Territory legislation and not imposing unreasonable burdens on the community.

Currently, there are seven local government councils which have dog or cat management by-laws and three other councils are in the process of introducing new dog or cat management by-laws within their respective council areas. The remaining seven councils do not have any companion animal management by-laws.

The Department of Local Government, Housing and Community Development (the Department) currently provides on-going support to councils (free of charge) in the preparation of drafting instructions for the Office of the Parliamentary Counsel. The Department also assists councils through the drafting process. Amongst other things, this helps to promote consistency of by-laws across the Northern Territory.

In April 2018, the Top End Regional Organisation of Councils (TOPROC), wrote to the Minister for Local Government, Housing and Community Development seeking support from the Department to work together to develop common by-laws for all the TOPROC member councils to create consistency throughout the region. TOPROC is a group of six local government councils which surround the Darwin harbour, namely; Belyuen Community Government Council, City of Darwin, City of Palmerston, Coomalie Community Government Council, Litchfield Council and Wagait Shire Council. The Department continues to work with these councils towards harmonising by-laws.

While the local government sector has requested the introduction of Territory-wide companion animal legislation, it is unclear what the problems are with the current arrangements. The *Dog Act Repeal Act* was introduced because it was determined that control of companion animal management sits with local government because it provides greater flexibility to suit local areas, circumstances and resource constraints. In addition, it may be challenging to draft Territory-wide legislation that caters for all the different circumstances, particularly between urban and regional councils.

Question 1: Do you support the current arrangements where local government councils make dog and cat management by-laws and/or policies that are specific and suitable for local needs, circumstances and resources?

Question 2: If not, what are the problems or issues with the current arrangements?

Question 3: Can those problems or issues identified under Question 2 be addressed other than introducing Territory-wide companion animal legislation? If so, how?

Question 4: How would Territory-wide companion animal legislation solve the problems or issues identified under Question 2?

4.1. Model for Territory-wide Companion Animal Legislation

There are four models that could be adopted in the Northern Territory if companion animal legislation was to be introduced. These are:

- (1) Amendments to existing Territory Government legislation such as the *Local Government Act 2008* to require local government councils to have policies for dog and cat management, policies in relation to dangerous dogs and a requirement to notify other councils if a council is aware of the movement of a dangerous dog outside of its council area to another council area.

This retains the flexibility for councils to administer animal management in a way that suits their local areas, circumstances and resource constraints, while having basic requirements in uniform legislation. However, there may be inconsistencies between councils as different councils will adopt different policies on dangerous dogs and companion animal management.

- (2) Local government councils having primary responsibility for the administration and enforcement of the legislation, similar to Western Australia, South Australia and Tasmania.

This would provide councils with some flexibility to administer the law in a way that suits their local areas, circumstances and resource constraints. However, there may be inconsistencies between councils in regards to enforcement of the legislation depending on the approach adopted by each council.

- (3) Shared responsibilities between the Northern Territory Government and local government councils, with councils having the administrative functions relating to identification, registration and control (in general) of dogs and cats and a sharing of enforcement responsibility in relation to declaring dangerous dogs, dog attacks, nuisance dogs and cats and registering or restricting breeds of dogs.

This approach treats dog and cat management as a shared responsibility between the Territory Government and local government councils. However, there is potential for overlap and duplication of enforcement responsibilities between the two levels of government.

- (4) The Northern Territory Government being responsible for the administration and enforcement of the legislation.

This approach ensures uniformity in dog and cat management and control. However, it removes the flexibility for councils to choose to make by-laws that suit their unique circumstances.

Question 5: Of the four models that could be adopted if Territory-wide companion animal legislation was to be introduced, which model do you prefer and why?

Question 6: Can you think of any other models which may be appropriate for the Northern Territory?

4.2. Resourcing of Territory-wide Companion Animal Legislation

Barkly Regional Council, Belyuen Community Government Council, Central Desert Regional Council, MacDonnell Regional Council, Victoria Daly Regional Council, West Arnhem Regional Council and West Daly Regional Council do not have council wide dog management and control by-laws. For other councils that currently have dog and cat management by-laws and those that are considering introduction of by-laws, their resourcing strengths and abilities differ.

If Territory-wide companion animal legislation is introduced, the model adopted for such legislation will have resource implications. For example, the companion animal legislation may, among other things, require the level of government responsible for administration and enforcement of the legislation to:

- have adequate authorised officers to register animals, license premises and carry out routine inspections;
- establish and maintain pounds as well as administer the procedures for seizing, impounding and releasing or destructing impounded animals; and
- prosecute breaches of the legislation.

4.3. Scope of Territory-wide Companion Animal Legislation

In other Australian jurisdictions, companion animal legislation generally requires that dogs and cats be registered. The registration of dogs and/or cats has resource implications for the public and the local government sector. It is possible to have a system which does not require registration. For example, legislation could simply require that all dogs/cats be microchipped, or require a collar and tag with the owner's contact details.

A microchip is a permanent method of electronic identification. The chip itself is very small (about the size of a grain of rice) and is implanted subcutaneously (just under the skin) between the shoulder blades at the back of an animal's neck. Each chip has a unique number that is detected using a microchip scanner. The microchip number is recorded on a microchip database registry with details about the animal and owner. Should an animal wander or become lost, animal shelters and local government councils can scan the animal for a microchip and contact the owner via the database.

Another option would be for the legislation to be at a less prescriptive level, not requiring individual identification of animals. It might provide only for certain offences in relation to ownership of dogs.

Question 7: If Territory-wide companion animal legislation was to be introduced, should registration of dogs/cats be mandatory?

Question 8: If Territory-wide companion animal legislation was to be introduced, should microchipping of dogs/cats be mandatory?

Uniform Companion Animal Legislation in the Northern Territory

The *Dog Act 1980* contained provisions relating to the registration of dogs; the requirement for dogs to wear tags during the period of registration; licensing of premises where more than two dogs were to be kept; sterilisation of dogs; establishment of pounds; seizing, impounding and release or destruction of dogs; and the appointment of registrars, inspectors and pound managers.

In other Australian jurisdictions, the equivalent companion animal legislations have provisions relating to:

- registration of companion animals;
- licensing of premises where more than two companion animals are to be kept;
- sterilisation of companion animals;
- containment or confinement of companion animals within the property in which they are kept;
- disqualification of a person from owning or being in charge or control of a dog;
- restrictions or prohibition of certain breeds of dogs;
- declaration of restricted/prohibited areas for companion animals;
- exemptions for assistance animals;
- declaration of dangerous dogs (as a result of attacking or menacing a person or another animal);
- liability for injury or death caused by a dog;
- declaration of dog exercise or training areas;
- commercial breeding of companion animals;
- seizure, impounding and release or destruction of companion animals;
- sale and transfer of ownership of companion animals;
- keeping of greyhounds;
- regulation of implanters of microchips;
- boarding of companion animals;
- fostering of companion animals; and
- management fund for companion animals (sourced from a proportion of fees such as registration and licensing fees, received by councils).

While there may be merit in having the above topics included in companion animal laws or by-laws, it may be prudent to consider the applicability of each topic to the unique circumstances of the relevant area of the Territory.

For example, in remote and regional areas, it is not unusual to find properties that do not have any fencing, yet dogs are kept at such properties. In some cases, the occupiers of the properties might rent, rather than own the property, and might not be in a position to fence the property.

Consideration would need to be given as to whether a requirement to contain dogs would adversely affect Territorians who own dogs in remote and regional areas. Another example would be a requirement to contain cats. Cats are usually agile and not easily contained unless significant resources are used to confine the property and space in which the cat is kept.

Question 9: If Territory-wide companion animal legislation was to be introduced, what matters should be regulated?

5. Call for Submissions

Submissions are invited from the local government sector and the public on the proposal for the introduction of uniform companion animal legislation in the Northern Territory and any related matters.

5.1. Questions for Consideration

Questions included in this Discussion Paper, and listed below for convenience. These questions are designed to generate discussion and consideration of issues. You may also wish to raise matters not canvassed in the Discussion Paper and this would be appreciated.

- Question 1:** Do you support the current arrangements where local government councils make dog and cat management by-laws and/or policies that are specific and suitable for local needs, circumstances and resources?
- Question 2:** If not, what are the problems or issues with the current arrangements?
- Question 3:** Can those problems or issues identified under Question 2 be addressed other than introducing Territory-wide companion animal legislation? If so, how?
- Question 4:** How would Territory-wide companion animal legislation solve those problems or issues identified under Question 2?
- Question 5:** Of the four models that could be adopted if Territory-wide companion animal legislation was to be introduced, which model do you prefer and why?
- Question 6:** Can you think of any other models which may be appropriate for the Northern Territory?
- Question 7:** If Territory-wide companion animal legislation was to be introduced, should registration of dogs/cats be mandatory?
- Question 8:** If Territory-wide companion animal legislation was to be introduced, should microchipping of dogs/cats be mandatory?
- Question 9:** If Territory-wide companion animal legislation was to be introduced, what matters should be regulated?

5.2. How to make a Submission

Written submissions can be sent by post or email to:

Mail: Local Government and Community Development
Department of Local Government, Housing and Community Development
GPO Box 4621, Darwin NT 0801

Email: LGLaw.DLGHCD@nt.gov.au

5.3. Closing date for Submissions

The closing date for submissions is 28 March 2020.

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.5
REPORT TITLE:	Marlow Lagoon Dog Park Improvements
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Regulatory Services Manager, Jocelyn Cull
APPROVER:	Director of Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

Future Focused: Palmerston is an innovative city that sustains itself through the challenges of the future.

PURPOSE

This report seeks approval to commence staged works for improvements to the Marlow Lagoon Dog Park.

KEY MESSAGES

- Marlow Lagoon Dog Park is the only permanent pet park in the municipality and is highly valued by users.
- It is important given the community value of this facility that appropriate and adequate consultation is undertaken to inform decisions.
- Council sought feedback from the community on the proposed improvements to the Marlow Lagoon Dog Park in February 2020.
- Due to the COVID-19 restrictions imposed by the Australian and Territory Governments the consultation process was suspended in April 2020.
- There was a limited number of responses received from the online survey prior to suspension.
- In accordance with the Council's recommendation, the consultation recommenced on Monday 31 August until Monday 12 October 2020 for a six-week period with appropriate COVID-19 precautions in place.
- Council undertook an extensive online and face-to-face consultation process.
- People were offered a range of options to provide feedback resulting in 336 people providing feedback or engaging with the consultation events.
- The survey asked people to rate the level of importance / priority of the six proposed improvements. General enhancements notably additional shade tree plantings were the highest priority, while the education / agility circuit was rated as the lowest priority.
- Staff recommend staging the improvements, with the Stage One to commence as soon as possible.
- Council is working with the Northern Territory Government to secure crown land within Zuccoli or Johnson for the purpose of an additional dog park/off leash dog area.

RECOMMENDATION

1. THAT Report entitled Marlow Lagoon Dog Park Improvements be received and noted.

2. THAT Council endorse the commencement of Stage One works to upgrade the Marlow Lagoon Dog Park as outlined in report entitled Marlow Lagoon Dog Park Improvements, noting this stage includes:
 - a dedicated small dog breed area with associated items;
 - shade tree planting and irrigation;
 - artificial shade and
 - double gated entry points.

BACKGROUND

At the 1st Ordinary Council Meeting of 1 September 2020 Council made the following decisions:

Marlow Lagoon Dog Park Update - August 2020

1. THAT Report entitled Marlow Lagoon Dog Park Update – August 2020 be received and noted.
2. THAT Council receive and note the recommencement of community consultation to gauge the communities support for the Marlow Lagoon Dog Park Improvements with a report on the outcomes of the consultation to be presented to Council at the 2nd Ordinary Meeting in November 2020.

CARRIED 9/1279 – 01/09/2020

At the 2nd Ordinary Council Meeting of 16 June 2020, Council made the following decisions:

Off Leash Dog Exercise Area - Maurice Terrace Park, Bakewell

1. THAT Report entitled Off Leash Dog Exercise Area - Maurice Terrace Park, Bakewell be received and noted.
2. THAT Council commence community consultation to gauge the community's support of converting an area of Maurice Terrace Park, Bakewell to a permanent off leash dog exercise area, with a report on the outcomes of the consultation to be presented to Council at the First Ordinary Meeting in September 2020.
3. THAT a further report be presented to Council outlining options for a future dog park in the Johnston/Zuccoli area by the Second Ordinary Meeting in November 2020.

CARRIED 9/1169 – 16/06/2020

Marlow Lagoon Dog Park is the only permanent pet park in the municipality and is highly valued by users. It is a popular area for people to exercise their dogs off-leash.

In July 2019, Council received a petition requesting a designated area be created at the park that is suitable and safe for small dog breeds. A total of 325 people signed the petition. As a result of the petition, Council engaged experts in open space design and dog behaviour to develop a concept plan for improvements to the park.

Current Facility

The current facility comprises a large 'common' area for all dogs of approximately 32,000 square metres (3.2Ha) at the northern end of the Marlow Lagoon Reserve. Within the common area there is a grassed area with a dog agility course, a shaded BBQ area, several pathways, shaded trees, park bench seats and frontage to the lagoon. The facility is a fenced area sometimes used to separate dogs from one another. This area has no shade (trees or structures) or irrigated grass.



Photos: Current features at the Marlow Lagoon Dog Park.

The Park has many features considered good practice such as its size (giving dogs room to roam), natural features including the lake, as well as agility fixtures and space for dog owners to engage in the area.

It is important given the community value of this facility that appropriate and adequate consultation is undertaken to inform decisions. Local consultation company True North Strategic Communications were engaged to prepare a consultation strategy with the following methodology: Meet with stakeholders with a high level of interest in the project. The original timeframe aimed for community consultation to be completed by 24 April 2020. Due to the COVID-19 restrictions imposed by the Australian and Territory Governments the consultation process was suspended.

In response to initial community feedback about the dog park, Council engaged specialists to design a concept plan in line with Council's vision of 'A Place for People', while catering for the needs of people's canine companions.

The Concept Plan, designed by open space and animal behaviour specialists LMH Consulting/Paws4Play, has been available for community feedback. The elements included in the concept plan are not fixed and will be refined based on community feedback.

The Concept Plan includes options for zones and sensory elements to help manage dog behaviours and ensure all users can enjoy the park. Proposed elements include:

- A quiet and small dog area
- An education/agility circuit
- Landscaping and sensory areas
- An open run area
- Lake edge improvements
- General enhancements.

Council sought the community's opinions on each of the elements of the Concept Plan, the importance and priority for each of the proposed improvements and any other feedback. The project can be developed in stages, with each stage able to be adjusted based on feedback and available funding.

A copy of Marlow Lagoon Dog Park Improvements Fact Sheet has been included as **Attachment 13.2.5.1** to this report which includes the proposed concept plan.

Consultation on the Concept Plan was over a six-week period, commencing on Monday 31 August until Monday 12 October 2020, with several ways to provide feedback. Using the *International Association for Public Participation (IAP2)* principles that guide good community engagement, this engagement was conducted at the levels of inform and consult.

The objectives of the consultation were to:

- gauge the level of community support generally for the park concept plan;
- understand the community priorities for each of the proposed items in the concept;
- help Council plan the stages and funding for the project;
- get specific feedback on elements of the plan;
- continue to demonstrate Council's commitment to community engagement.

DISCUSSION

The consultation approach focused on targeting stakeholders through existing channels, groups and organisations, visiting the park to provide information and discuss the project with current users of the dog park, and promoting the consultation via display signage, online information, social media, fact sheets and a presence in the park.

People were offered a range of options to provide feedback resulting in 336 people providing feedback or engaging with the consultation events, including via online and hard copy surveys, phone, email, social media and face-to-face discussions in the park.

The survey was the most popular option for providing feedback, with 178 people completing a survey.

Almost everyone who provided feedback either liked the whole concept or liked parts of the concept. More than half of the survey respondents said they like the whole concept. Many people were impressed with the design concept and were grateful that Council wants to improve the park.

The key themes that came across all feedback channels were:

- the need for additional shade, trees, shelter, green grass and seating;
- the need for a dedicated small dog area, with shade / shelter, trees, green grass and seating;
- double-entry gates at every point, including for the small dog area;
- a separate fenced area suitable to socialise large dogs;
- a variety of different activities separated over different areas;
- the location for the small dog area.

The survey asked people to rate the level of importance / priority of the six proposed improvements. General enhancements were the highest priority, while the education / agility circuit was rated as the lowest priority.

Other feedback frequently raised was:

- fence heights – ensuring that they are high enough that dogs can't jump over;
- rocks – don't include jagged rocks in the sensory areas and only have smooth rocks on the lake edge;
- drinking water for both humans and dogs;
- large, open areas were viewed as important so design should ensure this feature is not negatively impacted; and
- water features, water troughs, swimming areas and similar.
- Small breed dog area should just be for small dogs not also large quiet or elderly dogs.

Next Steps

Using the community consultation to inform inclusions and order of works, Council staff recommend staging the upgrades to the park in the following order:

Stage One

- Plant additional shade trees and green grass and provide for year-round irrigation of grassed areas;
- Install double-gated entry points at all entries;
- Create a dedicated area for small dog breeds with shade, seating, drinking water and a separate double-gated entry.
- Artificial shade such as over bench seats.

Future Stages will include:

- Additional seating and drinking water for dogs and humans in key locations around the park;
- Shelters for shade and protection from rain;
- Lake edge improvements;
- Create a walking track / loop;
- Provide troughs or areas for dogs to cool off;
- Landscaping and sensory areas; and
- Education / agility circuit.

Timing and elements in future stages will be subject to budget.

Council will further consider the design of the small dog breed area so that it doesn't impact on the existing larger dog park area.

Council will look to develop, implement and promote protocols for the Marlow Lagoon Dog Park. This is likely to include information on the frequency of irrigation, guidance on accessing different areas, and managing dog behaviours, rules and obligations for those using the park. The development and installation of appropriate signage and communication about these will also be required.

Council is working on the general amenity of Marlow Lagoon including currently upgrading the car park with a reseal and line marking.

Concurrent to progressing improvements at Marlow Lagoon Dog Park, Council is working with Government to secure crown land within Zuccoli or Johnson for the purpose of an additional dog park/off leash dog area.

CONSULTATION PROCESS

The approach for the Marlow Lagoon Dog Park consultation focused on:

- targeting stakeholders through existing channels, groups and organisations
- providing general information and the concept plan to all stakeholders
- providing information sessions at the park to inform community members about the project detail and to invite questions and feedback
- meeting with any key stakeholders with a high level of interest in the project
- visiting the park to conduct one-on-one discussions and surveys
- promoting the consultation via display signage, online information, fact sheets or through presence at the park
- encouraging stakeholders to complete an online survey.

Tools and tactics

Fact sheet

A fact sheet was prepared with information on the project, including the proposed concept plan, a summary of the design rationale and information on how the community could provide feedback. The fact sheet was included on the City of Palmerston website, emailed to stakeholders and distributed at the information sessions at the park. The fact sheet is included at **Attachment 13.2.5.1**.

Supporting materials

A topic guide was prepared to guide conversations at the information sessions and for the pop-up surveys in the park, to ensure all stakeholders were provided with the same messaging. Outdoor signs and posters were developed and displayed at key locations in Palmerston and at Marlow Lagoon Dog Park to increase awareness about, and participation in the consultation.

Online survey

A survey was developed to be used online and as hard copy. The survey sought general feedback about the concept plan and asked people to prioritise and rate the value of each of the proposed features. The survey was available on the City of Palmerston website and hard copies were distributed at community information sessions and a pop-up survey visit in the park.

City of Palmerston website

The project was listed on the Council's website under *Have Your Say* as *Marlow Lagoon Dog Park Improvements* and included background on the project, the design rationale, the concept plan and details about the consultation and how people could provide feedback. Dates for the information sessions, and links to the online survey and the fact sheet were also included on the website.

Social media

City of Palmerston posted information on the consultation in five separate posts on the City of Palmerston Facebook page to encourage community feedback. The posts advertised that the consultation had opened, encouraged people to attend the two information sessions and prompted people to fill out the survey before consultation completed.

Pop-up surveys in the park

Staff attended a pop-up survey session in the park between 5.30pm and 7pm on Thursday 24 September to engage with people using the dog park.

Information sessions at the park

Two information sessions were held at the Marlow Lagoon Dog Park at:

- 9am – 12pm, Saturday 12 September 2020
- 3pm – 5.30pm, Sunday 20 September 2020

At the information sessions, large format concept plans were displayed to illustrate the proposed changes, fact sheets were distributed, and people were invited to ask questions and provide feedback either via survey or general comments. People were encouraged to fill in the surveys with Council pet and general merchandise as an incentive.



Dedicated email address and phone number

A dedicated email address and phone number were provided for people to call or email and provide feedback.

Emails and phone calls

A key approach to engaging stakeholders was to seek support from key stakeholder groups to share the information with their contacts, clients and members. A stakeholder database was developed and included Palmerston and local veterinarians, dog breeders, dog trainers and puppy schools, boarding kennels, dog walkers and dog sitters, pet supply stores and pet groomers. A total of 32 stakeholders were contacted by phone and sent a follow-up email and were asked to share the information with their contacts either by displaying information, distributing hard copies of the fact sheet or poster or sharing via social media or email. These stakeholders were also invited to provide feedback.

Face-to-face stakeholder meeting

As the Marlow Lagoon Small Dog Playgroup had initiated a petition for City of Palmerston to create a dedicated small dog area at the Marlow Lagoon Dog Park before the project and concept plan had been devised, this group was considered a key stakeholder and has 335 members on Facebook. A

representative of the Marlow Lagoon Small Dog Playgroup attended a face-to-face meeting to discuss the project and provide feedback.

Stakeholder register

People were also able to register to be kept updated about the project via the survey and at the community information sessions. A total of 104 people registered to be kept updated by Council about decisions on the improvements as well as any future construction activities.

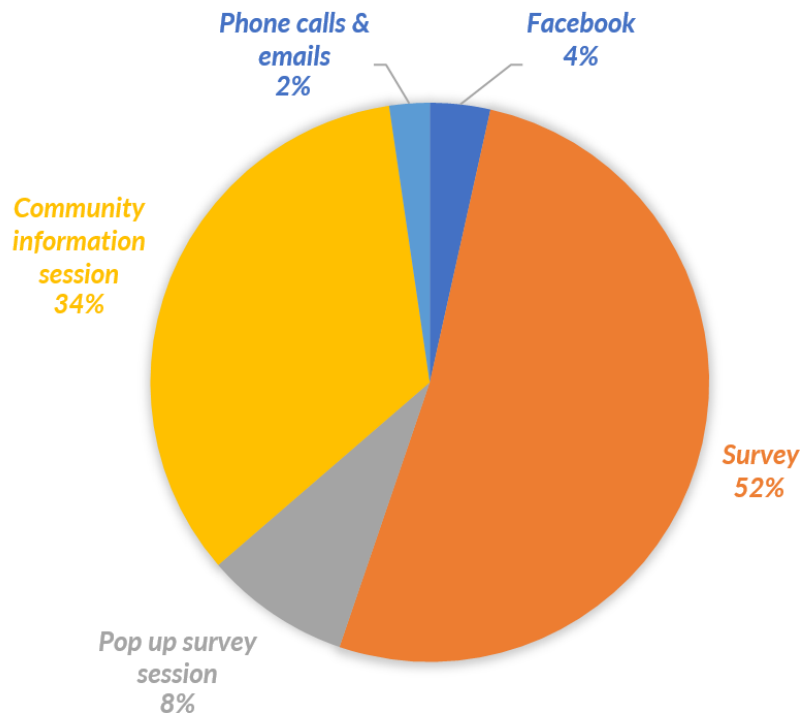
Stakeholders

The consultation targeted the following stakeholders:

- dog owners who currently use Marlow Lagoon Dog Park
- dog owners who don't use Marlow Lagoon Dog Park
- City of Palmerston residents
- animal behaviour specialists including vets, dog training and dog minding businesses, dog breeders, animal rescue groups
- pet supply stores and groomers.

Feedback

Stakeholders were invited to provide feedback via online survey, hard copy survey, email, phone call, in person at an information session or pop-up survey session, or at a face-to-face meeting. People also provided feedback via the City of Palmerston Facebook page. Most feedback was via the online and hard copy survey.



Communication of Outcome

As part of the consultation process, 104 community members asked to stay informed on the project. Council staff will write to these people thanking them for their contribution and advise them of the outcome.

The following City of Palmerston staff were consulted in preparing this report:

- Regulatory Services

In preparing this report, the following external parties were consulted:

- City of Palmerston community members;
- True North Strategic Communications

The Palmerston Animal Management Advisory Committee (PAMAC) will be informed on the progress of the project at their next scheduled meeting.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

Council has allocated \$130,000 in its approved 2020/2021 budget to improve Marlow Lagoon Dog Park. Upon endorsement this will be allocated to Stage One. The total estimated costs of all stages of improvements is in the order of \$500,000. Future stages can be considered “shovel ready” and external funding opportunities will be explored.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

- 1 Fails to effectively regain the trust from all stakeholders
Context: Council needs to be credible and trusted by those within and external to the Council.
- 6 Fails to create and deliver the strategic vision for the City
Context: Ensuring a vision is enduring and clear to all relevant stakeholders, guiding future decision making, delivered effectively and efficiently, and that progress is measurable and celebrated.

The Concept Plan has been developed by advisers who are expert in open space planning and dog behaviours. Consideration has been given to controls and risk mitigation measures for the various elements. For example, controlled use of space breakers and natural elements to ensure safety for small and large dogs, and dog owners.

Failure to progress the dog park improvements including the feedback gained from the community may result in reduced trust from the community and less engagement in future consultation processes.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. Marlow Lagoon Dog Park Improvement Fact Sheet [13.2.5.1 - 2 pages]

August 2020



CITY OF PALMERSTON

Marlow Lagoon Dog Park Improvements

city of
PALMERSTON
'A Place for People'

Feedback

You can provide feedback on the Marlow Lagoon Dog Park proposed improvements via:

- online survey www.palmerston.nt.gov.au
- information sessions at Marlow Lagoon Dog Park
- email: palmerston@palmerston.nt.gov.au
- phone: (08) 8935 9922

Consultation

The Marlow Lagoon Dog Park Consultation is open for six weeks, closing on Monday 12 October 2020.

Following the community consultation, a report on the outcomes of the consultation will be prepared for Council, to be considered by Council. The final Concept Plan will be subject to the community consultation outcomes.

city of
PALMERSTON
'A Place for People'

Following feedback from the community, the City of Palmerston has developed a Concept Plan for potential improvements to the Marlow Lagoon Dog Park.

The Concept Plan was developed after Council received a petition about creating a dedicated small dog area at the park.

The park already has a number of amenities available, including a large common area for all dogs, a dog agility course, a shaded BBQ area, pathways, shade trees, a smaller fenced area to separate dogs, park benches and lake frontage.

Suggested improvement works will ensure the park is designed in line with Council's vision of 'A Place for People', while catering for the needs of their canine companions.

The elements included in the Concept Plan are not fixed and will be refined based on community feedback.

Council would like the community's opinions on each of the elements of the Concept Plan, the importance and priority for each of the proposed improvements, suggestions and any other feedback.

Design

The Concept Plan, designed by open space and animal behaviour specialists LMH Consulting/ Paws4Play, includes options for zones and sensory elements to help manage dog behaviours and ensure all users can enjoy the park.

The design takes into consideration safety; separating activity areas and maintaining pedestrian access points. The dog park has been designed to:

- help disperse dog activity across the park
- help distract dogs from a continued focus on play with other dogs
- provide areas where dogs can retreat, or where owners can take elderly or timid dogs
- help distract dogs from activity at the entry/exits
- expose dogs to a range of sensory and educational environments.

CITY OF PALMERSTON

Marlow Lagoon Dog Park

Proposed Concept Plan

1



Quiet and small dog area

A fully-fenced quiet area for small and other quiet/elderly dogs, which includes an existing shelter, additional trees, space breakers, rock-scape features, small water feature and seating.

2



Education/agility circuit

Relocating the existing education/agility circuit closer to the entrance but away from the main activity areas to allow for more formal dog training activities, with a small shelter, equipment storage and additional trees and shrubs to help training focus.

3



Landscaping and sensory areas

Landscaping to include a sensory area with rock insets to create climbable mounds, a possible digging pit and rock-scape area or dry creek bed, to create as many space breakers to separate dogs as possible.

3



Dry creek bed



4



Open run area

An open run-about area for ball play with additional trees planted throughout and new seating.

5



Lake edge improvements

Using flat-topped rocks to stabilise the lake edge and minimise disturbance of the area by dogs entering and exiting the water, and installing a new shelter, seating and drinking fountain for both people and dogs.

6



New double gate entry

3



Sensory area

3



Dog digging pit

6



General enhancements

General enhancements to the area by extending current irrigated lawns so there is green grass year-round, more seating and shade trees, a fitness/walking loop pathway, landscaping at the entrance of the park and a new double-gated entry on a concrete pad with signage and bins.

Please note the images featured in this Concept Plan are for illustrative purposes only.

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.6
REPORT TITLE:	Archer Waste Management Facility Upgrade
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	City Sustainability Manager, Katie O'Neill
APPROVER:	Director City Growth and Operations, Nadine Nilon

COMMUNITY PLAN

Environmental Sustainability: Palmerston is an environmentally friendly, liveable city that promotes renewable practices and sustainability.

PURPOSE

This report seeks Council approval to fund Stage 1 of the upgrade of the Archer Waste Management Facility from the Waste Management Reserve, which will improve safety and operational capacity of the site.

KEY MESSAGES

- Council's Archer Waste Management Facility is a key community asset that has an average of 750 visitations per weekend day.
- A major objective for the operation of the Archer Waste Management Facility is to achieve maximum diversion of recyclable materials.
- The facility has been effective in diverting recyclables with an average of 42% of all material collected over the past five years sent to repurposing facilities.
- The current model of diverting waste is labour intensive due to limitations on residents being able to dispose of recyclables without additional and inefficient handling of materials.
- The facility has aging infrastructure and an outdated site configuration, including the use of a saw tooth transfer station design which creates both operational and safety risks.
- The traffic flow of the current site due to the location of the transfer station and recycling area results in potential conflict with contractor vehicles and restricts the ability to effectively segregate and recover material.
- A design for an upgrade and redevelopment of the site has been prepared to be undertaken over a number of stages, which will provide Council with waste management infrastructure that is better suited to the longer-term use by the community, and improve environmental and safety outcomes.

RECOMMENDATION

1. THAT Report entitled Archer Waste Management Facility Upgrade be received and noted.
2. THAT Council approves the transfer of up to \$1.1 million from the Waste Management Reserve in to the 2020/21 budget to fund Stage 1 of the Archer Waste Management Facility upgrade as detailed in this report entitled Archer Waste Management Facility Upgrade.

BACKGROUND

The Archer Waste Management Facility is a facility for the processing and transfer of municipal waste generated by City of Palmerston residents. This facility is regularly used, with an average of 366 vehicle movements per day (with peak visitation of approximately 750 vehicles per day on a Saturday and Sunday).

The current site configuration (see figure one below) of the Archer Waste Management Facility includes:

- Designated areas for collection of recyclable materials.
- A saw tooth drop-off area with containers for general waste. This area is designed so that customers reverse to the edge of the high side of the general waste area and dispose of waste directly into the bins.
- A green waste area for the processing and on selling of mulch.



Figure One: Site Configuration of Archer Waste Management Facility

DISCUSSION

Council is currently undertaking a range of activities relating to environmental sustainability and waste management. Waste diversion and appropriate waste management are common themes that have arisen as these are worked on, so a review of the current configuration of the Archer Waste Management Facility (AWMF) has been undertaken to identify opportunities that would improve diversion opportunities and safety of the site. This review identified that the facility in its current form is no best practice for resource recovery and requires investment to improve functionality and the ability to effectively segregate and recover recyclable materials.

The review identified the following key issues.

Separation and Recovery of Recyclable Materials

One of Council's objectives for operation of the facility is to recycle a high proportion of the material received. This is currently undertaken through encouraging residents to separate recyclable waste and deposit it into the recycling receptacles provided.

While the facility has been very effective in diverting recyclable waste (with an average of 42% of all material collected over the past five years segregated for recycling), the success has been attributed to the site managers having an active role in diversion. They inspect material as it enters the site and request residents to separate their material. An issue is that for many residents the general waste bin is the first stop in a trip around the facility. As a result, materials end up in the general waste bin that should have been deposited into recycling containers. The aim is to improve the recycling self-sufficiency of users, by providing recycling bins at the entry to the facility prior to movement past the general waste bins.

Safety

Safe use of the site by residents, staff, and contractors is a high priority for the management of the facility. There was a fall from heights risk at the saw tooth area, with no barrier between the edge of the drop off area and the lip of the bin. This risk has been mitigated through the installation of boom gates (which restricts residents nearing the edge) and the installation of new safety warning signs. These changes have significantly reduced the risk of falls from height and an independent safety audit has indicated that the site is safe for users. However, there is still potential for residents to near the edge of the general waste bins by moving around the barriers in place and it is not considered a suitable long-term solution.

In addition, information received since the boom gates have been in place have indicated that the boom gates restrict useability for the residents. Many residents feel that the gates are too high to lift heavy materials over to tip waste into the bins. Options for people not able to lift over the boom gates have been investigated and would result in costly double-handling of material, or other costly alternatives such as collecting material from resident's households.

Traffic Management

During the height of COVID-19 restrictions (March – May 2020) use of the site peaked, with weekend visitation reaching 1200 residents. Social distancing also necessitated at this time, only one car per general waste bay. This event enabled an insight into the traffic management challenges of the site. The need for residents to back onto the bin area, with only one car allowed at each area at a time, resulted in a bottle neck of cars. The excess number of people visiting the site also resulted in cars lined up along the access road during this peak period. There is also no separate entry or exit points for the contractors to manage the heavy haulage vehicles that are required for transporting materials to the repurposing centres and landfill. Which as City of Palmerston grows, could result in user conflicts on site.

Facility Redesign Options

Through the review process a redesign concept was prepared for the site that focussed on four key areas and outcomes:

- recyclable drop-offs area to improve recycling opportunities,
- general waste drop-off area to improve safety and functionality,
- access for contractors to improve efficiency and safety, and
- general waste transport area to separate the public from contractor vehicles.

The high-level outcome recommended through the reviewed and presented in the concept design in **Attachment 13.2.6.1**, is for the relocation of the recycling area and reconstruction of the saw tooth design to a push pit. There are a number of potential ways this could work, with the attached solution providing the best outcome that addresses the issues whilst not requiring a significant redevelopment of the site.

The push pit would operate similar to the one at the Humpty Doo Transfer Station in Litchfield. Push pits allow customers to bring in the waste and deposit it directly onto the floor, which has a drop off from the edge of less than one metre and therefore doesn't require the fall from height protection. A loader

operator is used to move the material from the floor area into the general waste bins for transport. Additional sorting of material can occur at this stage also. A roof cover will be provided for the push pit and a lowered area constructed to allow access by bulk-haulage vehicles. A loop road will also be built at the back of the general waste area to provide a safe turning area for the haulage trucks.

As indicated in **Attachment 13.2.6.1**, entry into the site will also be changed, with the gate house relocated and residents directed through the recycling area before getting to the general waste area. The recyclables drop off area will consist of a hardstand (concrete if viable) floor with separated areas and bins for the collection of commingled recyclables, white goods, mattresses couches, batteries, e-waste, metals, and oils. By traffic moving through this area first, the intent is to maximise diversion and reduce the volume of general waste, also reducing the time spent at the general waste area.

Additional improvements are also proposed in this concept, including the provision of water tanks for fire mitigation and better use of the current green waste area to include a contractor compound and a disaster waste processing area.

Staging

The project, in total, has been estimated to cost in the order of \$2.5 million. It is proposed to stage the works to reduce the costs in any year. The staging would be;

Stage	Detail	Estimated Cost
1	Relocate gate house, construct recycling area (no roof), construct general waste push-pit area (with roof)	\$1,100,000
2	Construct roof over recycling area	\$700,000
3	Replace and seal access roads, including contractor access, and services to green waste hardstand, landscaping	\$700,000

These stages have been based on the priorities of safety and environmental objectives, with the recycling area required to be construction, but not necessarily covered initially.

Next Steps

If funding is endorsed, the next steps for the project will include:

1. Community consultation

This will be aimed at informing the community of upcoming works, addressing community concerns, and providing an awareness of the benefits of the improvements and an overview of the staging. Communication will also be held with the relevant NTG agencies, such as the Environmental Protection Authority.

2. Design and Tender Preparation

Designs and tender documentation will be prepared for Stage 1 works, to be advertised in early 2021.

3. Development of a contingency plan for ongoing operation of the site during construction.

Contingencies will need to be developed to ensure that services remain for the community. This will in part be mitigated by staging of development and traffic management considerations of the company that will be awarded the construction contract. It is expected that the construction company undertakes the works while the site is operating and will need to adjust their works program accordingly.

4. Works commencement – Stage 1

Following the tender process, works will commence in the 2021 dry season

Summary of the Benefits of the Redesign of the Archer Waste Management Facility

The proposed upgrades within the redesign option are essential for future proofing the facility. The population of Palmerston grew 1.2% from 2018 to 2019, with further growth expected. The recent stress test undertaken of the site during COVID-19 has indicated that with an influx of people, there are resultant traffic management issues.

In addition, the current fall from heights risk at the general waste area, while mitigated through the installation of safety infrastructure, has not been fully alleviated. It will not be rectified until a redesign of the site is undertaken. The safety barriers are also significantly reducing the ease of use of the general waste area for the community. With concerns for less able-bodied community members such as the elderly, these barriers are not sustainable in the long term.

Finally, as per Council's Community Plan, a redesign of the site will work towards achieving the desired Environmental Sustainability Outcome for the community. The site is not currently working within best practice resource recovery guidelines; a redesign of the site will ensure that maximum diversion rates of recyclable materials can be achieved. This is also consistent with broader strategy and reviews underway in relation to waste management. The site will remain flexible enough to accommodate any future requirements, with areas also able to be re-purposed as required.

CONSULTATION PROCESS

Consultation with the community was undertaken during the installation of the barriers at the general waste area. This involved provision of flyers and the use of Council's social media pages. As such, the current fall from height risk is well understood by the community.

A wider community consultation process will be undertaken once the project is initiated, especially in the context of partial closures of the management facility that will be required during construction.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

The design concept provided to Council included cost estimates for all components of the project, including:

- Site preparation
- Demolition
- Road construction
- Shed construction
- Push pits construction
- Services and landscaping

The cost estimate for the entirety of the works is approximately \$2.4 million ex GST, with stage 1 estimated to be \$1.1 million.

It is proposed that these works are funded from the Waste Reserve Fund, which is restricted for use for waste management and sustainability projects. Currently, as of the October 2020 Monthly Financial Report, there is approximately \$1.8 million in the waste reserve, which will leave approximately

\$700,000 remaining in the reserve. This amount is considered reasonable as previous works relating to the landfill site are complete, ongoing monitoring has commenced and is budgeted for, and there are no significant capital works projects identified over the next ten years.

The ongoing budget requirements, including operational considerations, will be further reviewed through the 2021/22 budget process. Consultation will also occur with Council's current contractor, which is contract until the end of 2021 and will be operating whilst the works are occurring, and for a short period once complete (under the current contract arrangements).

Alternative funding sources will also be sought where possible to offset Council costs and expedite the construction of each stage.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Currently, the site has a number of safety and environmental risks that the proposed works will significantly mitigate. These have been discussed within this report.

This report addresses the following City of Palmerston Strategic Risks:

- 2 Is not sustainable into the long term

Context: Optimising the financial, social and environmental sustainability of the Council.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are several environment and sustainability implications for this project. Once implemented the site will become good practice for resource recovery, which will meet the environmental sustainability objectives of the Community Plan. In addition, the Environmental Protection Licence that is required for the management of the site, states that Council's environmental impact through waste recovery should be negligible. This is measured through monitoring of water channels on site. By using concrete flooring, covering disposal areas and separating materials correctly, the chance of leaching of toxic materials from waste collected is significantly reduced.

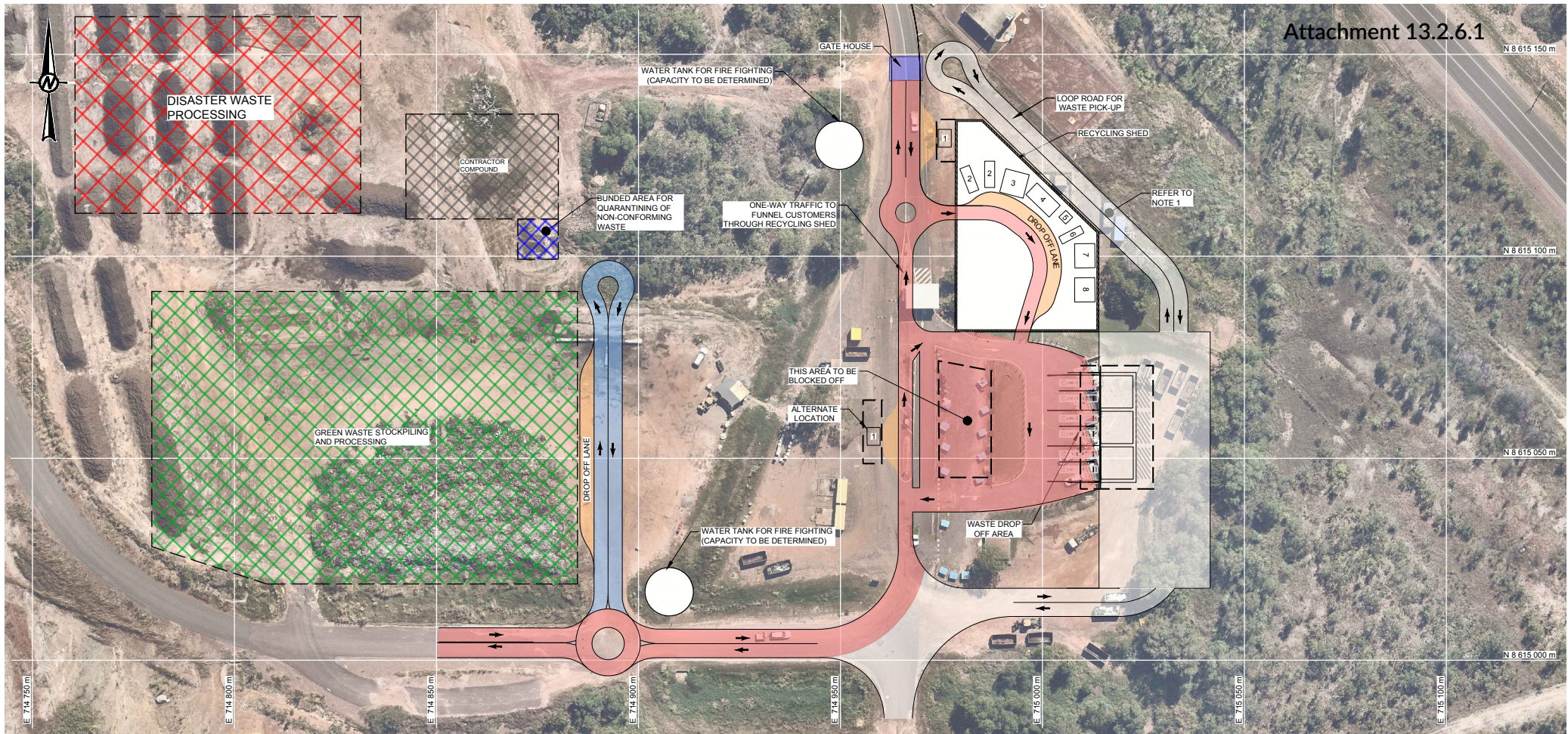
COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. 20138064-002- L- OPT 2- RE V 0 [13.2.6.1 - 1 page]

Path: \\golder\golder\mabourne\consulting\project\138064\138064_002_002_PRODUCTION\DWG - File Name: 20138064_002_002.dwg | Last Edited By: ACooper | Date: 2020-11-11 | Time: 2:28 PM



Attachment 13.2.6.1



INSET
NOT TO SCALE

LEGEND

- COUNCIL ACCESS ONLY
- LOWERED AREA TO ALLOW TRUCKS BIN ACCESS
- GREEN WASTE STOCKPILING AND PROCESSING
- DISASTER WASTE PROCESSING
- PUBLIC ACCESS AND EGRESS
- PUBLIC ACCESS, DROP OFF AND PARKING
- CONTRACTORS COMPOUND
- COMBINED ACCESS AND EGRESS
- BUNDED AREA FOR QUARANTINING OF NON-CONFORMING WASTE
- 1 BIN/COLLECTION AREA (REFER TO SCHEDULE)
- DIRECTION OF TRAFFIC FLOW

BIN/ COLLECTION AREA SCHEDULE

ID	TYPE OF WASTE	DESCRIPTION
1	GAS BOTTLES	OPEN UNDER COVER
2	CO-MINGLED RECYCLABLES	2 x 6.5 m BY 2.5 m BINS
3	WHITE GOODS	6 m X 6 m CAGE
4	MATTRESSES / COUCHES	8 m x 4 m STORAGE AREA - JERSEY BARRIERS
5	BATTERIES	4 x 1200 x 1200 PALETTES - BUNDED
6	E WASTE	1 X 12 m ² BIN
7	METALS	6 m x 5 m STORAGE AREA - JERSEY BARRIERS
8	OIL	6 x 5 m STORAGE AREA - BUNDED

CLIENT
CITY OF PALMERSTON

CONSULTANT



YYYY-MM-DD 2020-10-07
DESIGNED JEM
PREPARED AG
REVIEWED GCH
APPROVED GCH

REFERENCES

AERIAL IMAGE SOURCED WITH PERMISSION FROM NEARMAP (www.nearmap.com.au)
DATED 8 MAY 2020

NOTES

- STRUCTURES SHOWN IN THE SATELLITE IMAGERY ARE ASSUMED AS STORAGE CONTAINERS, WHICH CAN BE RELOCATED / REMOVED ALONG WITH THE RELOCATION OF THE CONTRACTORS COMPOUND

NOT FOR CONSTRUCTION



PROJECT
ARCHER WASTE MANAGEMENT FACILITY UPGRADE

TITLE
RESOURCE RECOVERY CENTER
OPTION 2

PROJECT NO. 20138064 CONTROL 002-L REV. 135 | 142 FIGURE 02

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.7
REPORT TITLE:	Disaster Recovery Funding Arrangement
MEETING DATE:	Tuesday 17 November 2020
AUTHOR:	Executive Assistant to Director, Cara Currie
APPROVER:	Director City Growth and Operations, Nadine Nilon

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report provides an update to Council in relation to Disaster Recovery Funding Arrangements and how they are proposed to be facilitated through the Northern Territory Government.

KEY MESSAGES

- Disaster Recovery Funding Arrangements (DRFA) apply for events from 1 November 2018, which is a replacement of the previous Natural Disaster Relief and Recovery Arrangements (NDRRA).
- Through the DRFA, the territory government determines which areas receive assistance and what assistance is available to individuals and communities in an eligible disaster event.
- For Council, the DRFA will largely apply in relation to its essential assets, namely roads.
- The Northern Territory Government has advised, through the Department of Local Government (the Department), that it has prepared a draft Policy which is currently under review.
- Based on discussions to date, the draft Policy proposes that Council's will co-contribute 25% of eligible costs up until a cap relevant to the Council per financial year, this would be \$400,000 for the City of Palmerston.
- There has not been consultation on the draft Policy itself with Council, only discussions relating to the proposed models and process.
- There remain concerns regarding a lack of clarity around what will be eligible, the process and timing of obtaining funds and the appropriate levels of consultation in relation to a Policy that will have financial implications on Council.

RECOMMENDATION

1. THAT Report entitled Disaster Recovery Funding Arrangement be received and noted.
2. THAT Council write to the Minister for Local Government to raise Council's concerns and to request consultation and a meeting to discuss the proposed policy for Disaster Recovery Funding Arrangements, as outlined within this report entitled Disaster Recovery Funding Arrangement.

BACKGROUND

The Department of Local Government has advised Council's that it is preparing a Policy in relation to Disaster Recovery Funding Arrangements (DRFA).

The Disaster Recovery Funding Arrangements apply for events from 1 November 2018, which is a replacement of the previous Natural Disaster Relief and Recovery Arrangements (NDRRA).

Under the joint Australian Government-State Disaster Recovery Funding Arrangements 2018, assistance is provided to alleviate the financial burden on states and territories. It also supports the provision of urgent financial assistance to disaster affected communities. Under these arrangements, the state or territory government determines which areas receive assistance and what assistance is available to individuals and communities.

Where the arrangements have been activated, the Australian Government may fund up to 75 per cent of the assistance available to individuals and communities. The Australian Government funding is based on categories, with further details available at <https://www.disasterassist.gov.au/disaster-arrangements/disaster-recovery-funding-arrangements>

DISCUSSION

For local government, the most relevant DRFA opportunities apply to *essential public assets*. The Australian Government guidelines separate these into two main categories: Transport and Public Infrastructure. Transport includes roads, pathways, bridges and culverts, and Public Infrastructure includes local government offices and stormwater infrastructure. It does not include sporting or recreational facilities, such as parks, playgrounds, and swimming pools. It also does not include the contents or furnishings within buildings.

The DRFA covers the immediate works and reconstruction costs for *essential public assets*. The funding is through the relevant state or territory. Counter Disaster Operations can also be eligible, and this can include aspects such as sandbagging to prevent damage. There are also associated costs that may be eligible such as cleaning up debris, non-capital purchase (i.e. ropes, consumables), additional staffing costs and hire of additional plant and equipment.

Therefore, Council has the ability to obtain assistance for:

- Counter disaster operations for the protection of the general public.
- Emergency works for essential public assets - activities that occur after a disaster within three months of the asset being accessible. This includes works such as fixing potholes and traffic management.
- Immediate reconstruction works for essential public assets - carried out within three months and typically apply for smaller scale reconstruction activities. The actual cost of these works is the claim.
- Essential public asset reconstruction works based on an estimated reconstruction cost – this includes reconstruction of an essential asset based on a cost estimation method. Reconstruction works is to occur within two years from payment.

NT Department of Local Government – DRFA Approach and Guidelines

The NT Department of Local Government has developed Guidelines for NT local government, to assist in the understanding and application of DRFA through NTG.

Regarding funding through NTG, the Guidelines state:

- The Department may consider funding Council's for expenditure that meets the DRFA's eligibility criteria. This may either be in the form of an upfront payment based on cost estimates, or on a

reimbursement basis. All payments are made under a grant funding agreement between the Department and Council.

- The Department's capacity to fund Council's for disaster related events is subject to the NTG's budget processes and constraints. Council's may therefore need to incur costs upfront without certainty of funding from the NTG.
- Whilst eligibility for funding is primarily determined by the terms of the DRFA, eligibility for Council's is also determined by any further requirements as specified in these Guidelines, in addition to the terms and conditions included in funding agreements.

It is also noted that the NT guidelines refer to assets not able to receive DRFA include any that are reasonably capable of being insured to an appropriate value. The Australian Government documentation references insurance as a consideration of eligibility, but not to the extent of the NT guidelines, so this is a query Council will be making to ensure a consistent and reasonable approach.

In October, the Department advised Councils that it was working on a Policy for the DRFA, and this included the contribution arrangements to be applied. Councils were provided with three models for consideration, with the Policy to be presented to the relevant Minister within the same week. The current status of the Policy is unknown, as recent correspondence has advised that the policy is under consideration by the NT Government.

The models were;

- A. Councils contribute 25 per cent of the eligible DRFA expenditure up to a capped cumulative value in a financial year and NTG reimburses the balance. The cap is \$25 000 for shire councils, \$100 000 for regional councils and \$400 000 for municipal councils, with a CPI increase after 3 years.
- B. Municipal councils contribute 5 per cent of their annual rates levied based on the financial year prior to the eligible disaster event. The NT Government would contribute the remaining amount. For City of Palmerston, this would be over \$1 million, and therefore is not considered a reasonable option, nor is it a shared arrangement until after the Council contribution amount is exceeded.
- C. All councils contribute 25 per cent of eligible DRFA costs and the NT Government contributes 75 per cent. This is the same as Model A, just without the capped value.

It was discussed at the online meeting, that there was concern of the Policy being adequately consulted, the reason for cost sharing model (as DRFA has been in place since 2018 and no cost sharing had been identified prior) and that the options proposed were not different enough to provide adequate consideration. For example, the 5% model would essentially require Council to increase its rates revenue and maintain a disaster recovery reserve of over \$1 million. And Model C was no different to Model A, just not capped.

Model A is the most likely scenario to be included within the Policy. This would result in Council paying 25% of any eligible event, up until the cap of \$400,000. An event would need to have a \$1.6 million of eligible expenditure for this cap to be reached. This would be considered quite a significant event.

The Department receives 50% of funds up until \$240,000 expenditure (across the state/territory), or 75% when the second threshold is reached. Therefore, when the second threshold is reached, the Australian Government will provide up to 75% of funding, and if Council is contributing 25% for smaller events, then the Department may not be contributing many funds at all.

An assessment of other states and territories for comparison, as presented in the table below. The assessment is summarised, and does not include all potential outcomes and factors, but provides an overview of the range of methodologies across the country, from thresholds to triggers and capped contributions from local government authorities. It is noted that other cyclone-impacted jurisdictions such as Western Australia and Queensland, have much lower contribution amounts, and use the rates model at 1% or less, not 5% as proposed by the NT Department. This information is available online.

State	Local Government Contribution	CoP Equivalent (\$22m rate revenue)	Notes
Northern Territory (proposed)	25% of costs, capped at \$400,000 (municipal)	\$400,000	
Queensland	75% of costs until trigger amount, and all costs after trigger amount 0.7% net rates, capped at \$2.2m	\$154,000	Damage value must be greater than trigger
Western Australia	25% of costs, capped at 1% total rates levied	\$220,000	
South Australia	25-50% of costs subject to threshold. First Threshold: 2% of average rate revenue Second Threshold: 1.75x 2%	First Threshold: \$440,000 Second Threshold: \$770,000	No assistance <first threshold, or <\$150,000 value. 50% contribution of costs from first to second threshold, 75% contribution above second threshold
Tasmania	25-50% of costs subject to threshold. First Threshold: 0.225% of total recurrent revenue Second Threshold: 1.75x 0.225%	(\$33m revenue) First Threshold: \$74,250 Second Threshold: \$130,000	50% contribution of costs from first to second threshold, 75% contribution above second threshold
New South Wales	75% of costs until threshold amount, and all costs after threshold. Threshold is 0.75% net rates, capped at \$1m	\$165,000	

As outlined above, aside from South Australia, which is also a more complex approach, the proposed Northern Territory proposed model results in the City of Palmerston potentially paying significantly higher for an event than most other states.

In addition, to meet DRFA funding requirements, Council is required to know the pre-disaster condition of an essential public asset. There is a range of evidence and information that would be suitable based on guidelines, however it has not been tested by NT Councils and therefore, the Department has agreed to facilitate a workshop to ensure a consistent approach and for the process can be as efficient as possible. Depending on the outcome of this workshop and a review of Council's data records, additional inspection processes may be required to ensure the appropriate level of pre-disaster condition evidence is available.

Summary

It is recommended that Council write to the Minister for Local Government, requesting consultation on the draft Policy prior to finalisation and clarification on aspects Council has identified, including;

- What is considered to be reasonable level of insurance, as most assets can be insured, the cost however can potentially become unviable and therefore unreasonable, so clarity would provide assistance to ensure we are both appropriately insured and able to meet DRFA requirements.
- How the Policy will ensure the NT Government provides a contribution for all events where Councils are providing one, as this is the intent of the Policy as it has been explained to date.
- Further reasoning of Model A proposed and the capped amounts, and the alternative Model B included a much higher percentage rate than other states applying this methodology.
- Clarity in relation to the process and timing for Council's to receive funds through the Department, including the workshops to be undertaken as proposed in previous discussions.

CONSULTATION PROCESS

In preparing this report, the following external parties were consulted:

- Department of the Chief Minister and Cabinet - Local Government and Community Development

POLICY IMPLICATIONS

There are no Council policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

Council has a Disaster Recovery Reserve of approximately \$460,000. This amount would provide coverage for Council's percentage and limit to DRFA contribution, however it would not provide coverage for non-eligible events of costs, such as trees. Therefore, if the Policy is adopted with the Model proposed, Council will need to reconsider its Disaster Recovery Reserve to ensure it is adequately covered for future events. This will be reviewed following the outcome of the Policy and in future budget processes.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Council owns over \$590 million of assets (excluding land), of which approximately \$520 million would be considered essential public assets, and the remainder as not eligible for DRFA, such as the swimming pool, vehicles, park infrastructure. It is critical that Council ensures that it has clarity around exactly what assets are not eligible and therefore require insurance or other protection in the case of a disaster.

This report addresses the following City of Palmerston Strategic Risks:

- 3 Fails to appropriately respond to material events impacting business continuity
Context: Having the right response frameworks in place to manage business continuity.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

Nil

14 INFORMATION AND CORRESPONDENCE

14.1 Information

14.2 Correspondence

15 REPORT OF DELEGATES

16 QUESTIONS BY MEMBERS

17 GENERAL BUSINESS

18 NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 8 December 2020 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

19 CLOSURE OF MEETING TO 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 item of the Agenda.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on 3 November 2020 at 5:30pm.**

ELECTED MEMBERS

Mayor Athina Pascoe-Bell (Chair)
Deputy Mayor Tom Lewis
Alderman Amber Garden
Alderman Benjamin Giesecke
Alderman Damian Hale (via Audio/Audiovisual Conferencing)
Alderman Sarah Henderson
Alderman Lucy Morrison (via Audio/Audiovisual Conferencing)
Alderman Mick Spick

STAFF

Chief Executive Officer, Luccio Cercarelli
Deputy Chief Executive Officer/Director Lifestyle and
Community, Amelia Vellar
Director City Growth and Operations, Nadine Nilon
Finance Manager, Maxie Smith
Regulatory Services Manager, Jocelyn Cull
Communications Manager, Christine Joyce
IT & System Administrator, Michael Schultz
Minute Secretary, Ashlee Gaddes

GALLERY

ABC Reporter, Amy Culpitt

1 ACKNOWLEDGEMENT OF COUNTRY

I respectfully acknowledge the traditional owners of the land on which we are meeting – the Larrakia People – and pay my respects to their elders, past, present and future.

2 OPENING OF MEETING

The Chair declared the meeting open at 5:32pm.

Initials: _____

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil.

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Moved: Alderman Hale
Seconded: Alderman Spick

THAT the leave of absence received from Alderman Hale for 2 November to 14 November 2020 inclusive be received and noted.

CARRIED 9/1351 – 03/11/2020

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Moved: Alderman Spick
Seconded: Alderman Garden

1. THAT the request for Audio/Audiovisual Conferencing received from Alderman Hale for the meeting held on 3 November 2020 be received and noted.
2. THAT the request for Audio/Audiovisual Conferencing received from Alderman Morrison for the meeting held on 3 November 2020 be received and noted.
3. THAT the request for Audio/Audiovisual Conferencing received from Alderman Spick for the meeting to be held on 17 November 2020 be received and noted.

CARRIED 9/1352 – 03/11/2020

Initials: _____

5 DECLARATION OF INTEREST

5.1 Elected Members

Moved: Alderman Spick
Seconded: Alderman Giesecke

THAT the Declaration of Interest received from Alderman Spick for Item 13.1.2 be received and noted.

CARRIED 9/1353 – 03/11/2020

5.2 Staff

Nil.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Alderman Garden
Seconded: Alderman Henderson

THAT the minutes of the Council Meeting held on 20 October 2020 pages 10239 to 10247, be confirmed.

CARRIED 9/1354 – 03/11/2020

6.2 Business Arising from Previous Meeting

Nil.

7 MAYORAL REPORT

7.1 Mayoral Update Report - 3 November 2020

Moved: Mayor Pascoe-Bell
Seconded: Alderman Spick

THAT Report entitled Mayoral Update Report – 3 November 2020 be received and noted.

CARRIED 9/1355 – 03/11/2020

Initials: _____

8 DEPUTATIONS AND PRESENTATIONS

Nil.

9 PUBLIC QUESTIONS (WRITTEN SUBMISSIONS)

Nil.

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

27.1 Former Bunnings site Redevelopment and Marlow Lagoon Alcohol Exemption

Moved: Alderman Henderson

Seconded: Alderman Spick

1. THAT the question asked by Alderman Henderson regarding the former Bunnings site and potential redevelopment, and the response provided by the Mayor be received and noted.
2. THAT the question asked by Alderman Morrison regarding an update on Alcohol Exemption at Marlow Lagoon, and the response provided by the Chief Executive Officer be received and noted.
3. THAT these decisions be moved into Open Minutes 3 November 2020

CARRIED 9/1371 - 03/11/2020

10.2 Moving Open Items into Confidential

Nil.

10.3 Confidential Items

Nil.

11 PETITIONS

Nil.

Initials: _____

12 NOTICES OF MOTION

Nil.

13 OFFICERS REPORTS

13.1 Receive and Note Reports

13.1.1 Palmerston Safe Communities Committee Unconfirmed Minutes - 8 October 2020

Moved: Alderman Hale
Seconded: Alderman Morrison

THAT Report entitled Palmerston Safe Communities Committee Unconfirmed Minutes - 8 October 2020 be received and noted.

CARRIED 9/1356 - 03/11/2020

Alderman Spick left the meeting at 5:41pm

13.1.2 Lifestyle and Community Quarterly Report - July to September 2020

Moved: Alderman Henderson
Seconded: Deputy Mayor Lewis

THAT Report entitled Lifestyle and Community Quarterly Report - July to September 2020 be received and noted.

CARRIED 9/1357 - 03/11/2020

Alderman Spick returned to the meeting at 5:46pm

3.2 Action Reports

13.2.1 First Quarter Budget Review 2020/21

Moved: Alderman Garden
Seconded: Alderman Henderson

1. THAT Report entitled First Quarter Budget Review 2020/21 be received and noted.
2. THAT Council adopts the First Quarter Budget Review 2020/21, pursuant to Section 128 (2) of the Local Government Act per **Attachment 13.2.1.1** of report entitled First Quarter Budget Review 2020/21.

Initials: _____

3. THAT Council adopts the reserve movements for 2020/2021 of:

Transfer of \$2,933,689 from Reserves:

- \$1,547,245 from Working Capital Reserve:
 - \$996,050 for Financial Assistance Grants (FAA) received in advance
 - \$256,300 as Council's contribution to SCALE
 - \$208,895 funded from Third Quarter Budget Review 2019/20 savings for free CBD parking, free hall and other facility hire and COVID Commercial Rate Support
 - \$60,000 for "myPalmerston"
 - \$26,000 for Upgrade Switchboard (correction of amount omitted from original budget)
- \$1,197,123 for End of Year Capital Rollovers from Unexpended Capital Works Reserve, inclusive of:
 - \$265,337 for Smart Cities
 - \$245,927 for the LED Lighting Upgrade at the Library and Recreation Centre
 - \$151,665 for lighting Dark Spots
 - \$115,393 for renewals at the Palmerston Recreation Centre
 - \$100,000 for the modernisation of the Palmerston Library
 - \$81,273 for the renewals at the Palmerston Aquatic Centre
 - \$79,129 for renewals at the Archer Waste Management Facility
 - \$78,686 for the Mansfield Streetscaping Project
 - \$43,030 for renewals at the Dog Pound
 - \$19,683 for the Marlow Lagoon Dog Park
 - \$17,000 for the Power Upgrade at Frances Drive
- \$144,400 from Waste Management Reserve
 - \$100,000 for Waste Consulting and Landfill as a rollover from the 2019/20 year
 - \$24,400 for Waste Education Program as a rollover from the 2019/20 year
 - \$20,000 for Environmental Grants
- \$42,707 from Unexpended Grants Reserve for:
 - \$13,780 for Zuccoli Parade Landscaping
 - \$12,647 for Shared Pathways
 - \$8,280 for Urban Jams
 - \$8,000 for Youth Services & Resource Card
- \$2,213 from Developer Funds in Lieu of Construction (FILOC) Reserve to finalise a landscaping project in Rosebery.

Transfer of \$258,821 to Reserves:

- \$250,000 to Unexpended Grants Reserve for the deferred Youth Festival 2020.
- \$8,821 adjustment to the Waste Management Reserve.

as per **Attachment 13.2.1.2** of report entitled First Quarter Budget Review 2020/21

CARRIED 9/1358 - 03/11/2020

Initials: _____

13.2.2 Christmas in Palmerston 2020

Moved: Deputy Mayor Lewis
Seconded: Alderman Hale

1. THAT Report entitled Christmas in Palmerston 2020 be received and noted.
2. THAT Council approve the revised Christmas in Palmerston 2020 program that includes Christmas activation over multiple venues across Palmerston including Goyder Square, Frances Drive, Palmerston Swimming and Fitness Centre, Palmerston Recreation Centre, and Palmerston Library as detailed in report entitled Christmas in Palmerston 2020 with the addition of a Christmas tree lighting launch event.
3. THAT Council approve a variation to the 2020/2021 budget to increase the funding for Christmas events by \$75,000 funding by:
 - \$40,000 from savings within the 'On Frances' Event program, due to an event being deferred due to COVID-19.
 - The balance to be funded from savings to be identified from within the existing operating budgets, noting this change be reflected in the second quarter budget review.

CARRIED 9/1359 - 03/11/2020

Procedural Motion

Moved: Alderman Garden
Seconded: Alderman Spick

THAT pursuant to section 7(2) of the *Palmerston (Procedures for Meetings) By-Laws*, the 3 November 2020 Ordinary Council Meeting Order of Business be altered to consider item 13.2.6 prior to item 13.2.3.

CARRIED 9/1360 - 03/11/2020

13.2.6 Risk Management and Audit Committee Minutes - 27 October 2020

Moved: Mayor Pascoe-Bell
Seconded: Alderman Garden

1. THAT Report entitled Risk Management and Audit Committee Minutes - 27 October 2020 be received and noted
2. THAT the unconfirmed Risk Management and Audit Committee minutes provided as **Attachment 13.2.6.1** to report entitled Risk Management and Audit Committee Meeting Minutes - 27 October 2020 be received and noted.

Initials: _____

3. THAT Council endorse the recommendations from the Risk Management & Audit Committee meeting held on 27 October 2020:
 - (a) RMA9/0098 items from report entitled Draft Annual Financial Statements 2019/20:

THAT the Risk Management and Audit Committee recommend to the Council:

 - a. THAT the Committee deems the Draft Financial Statements for the year ended 30 June 2020 at **Attachment A** and the accompanying financial review at **Attachment B** to report entitled Draft Annual Financial Statements 2019/20 suitable for consideration by the Chief Executive Officer for certification and inclusion in the 2019/2020 Annual Report, with consideration of the committee's feedback.
 - (b) RMA9/0100 items from report entitled Risk Management and Audit Committee Schedule 2021:

THAT the Risk Management and Audit Committee recommend to the Council:

 1. THAT report entitled Risk Management and Audit Committee Schedule 2021 be received and noted.
 2. THAT the Committee adopts the proposed Risk Management and Audit Committee Schedule 2021 being:
 - Tuesday 23 February 2021
 - Tuesday 25 May 2021
 - Tuesday 27 July 2021
 - Wednesday 20 October 2021
 - (c) RMA9/0101 items from report entitled Strategic Risk Register Update October 2020:

THAT the Risk Management and Audit Committee recommend to the Council:

 1. THAT report entitled Strategic Risk Register Update October 2020 be received and noted.
 2. THAT the Control Improvement Plan being **Attachment A** be presented to Council for adoption and that Council's Strategic Risk Register be updated with the adopted Control Improvement Plan.
 3. THAT the Risk Management and Audit Committee be provided with an update including milestone dates at the February 2021 meeting.
 - (d) RMA9/0102 items from report entitled Asset Management Policy Review:

THAT the Risk Management and Audit Committee recommend to the Council:

 1. THAT report entitled Asset Management Policy Review be received and noted.
 2. THAT Council adopt the draft Asset Management Policy provided as **Attachment C** to this report entitled Asset Management Policy Review including removal of 4.3 Asset Management Priorities, title only.
4. THAT Council invite the Chair of the Risk Management and Audit Committee, Mr Iain Summers to attend the Council meeting of 17 November 2020 to thank him and ask the departing Chair to present an overview of his time as the Committee Chair.

CARRIED 9/1361 – 03/11/2020

Initials: _____

13.2.3 Adoption of the City of Palmerston Annual Report 2019/20

Moved: Alderman Morrison
Seconded: Alderman Henderson

1. THAT Report entitled Adoption of the City of Palmerston Annual Report 2019/20 be received and noted.
2. THAT Council adopt the City of Palmerston Annual Report 2019/20 being **Attachment 13.2.3.1** to Report entitled Adoption of the City of Palmerston Annual Report 2019/20.
3. THAT Council note that in accordance with Section 199 of the *Local Government Act 2008*, the adopted City of Palmerston Annual Report 2019/20 will be provided to the Minister for Local Government, Housing and Community Development by 15 November 2020.

CARRIED 9/1362 - 03/11/2020

13.2.4 LGANT Call for Nominations - NT Heritage Council

Moved: Alderman Henderson
Seconded: Alderman Spick

1. THAT Report entitled LGANT Call for Nominations - NT Heritage Council be received and noted.
2. THAT Council submit a nomination to LGANT nominating Alderman Morrison to represent the interests of local government on the Northern Territory Heritage Council.

CARRIED 9/1363 - 03/11/2020

13.2.5 Council Policy Review EM01 - Elected Members

Moved: Alderman Giesecke
Seconded: Alderman Garden

1. THAT Report entitled Council Policy Review *EM01 - Elected Members* be received and noted.
2. THAT Council rescind Council Policy *EM01 - Elected Members* being **Attachment 13.2.5.1** to Report entitled Council Policy Review *EM01 - Elected Members*.

Initials: _____

Minute Book Page 10260

1st Ordinary Council Meeting

3. THAT Council adopt policy Appointment of Deputy Mayor being **Attachment 13.2.5.2** to Report entitled Council Policy Review *EM01 – Elected Members* as a policy of Council.

CARRIED 9/1364 – 03/11/2020

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil.

14.2 Correspondence

Nil.

15 REPORT OF DELEGATES

Nil.

16 QUESTIONS BY MEMBERS

16.1 Update Progress of Playgrounds Strategy

Moved: Alderman Hale

Seconded: Alderman Henderson

THAT the question asked by Alderman Hale regarding Update Progress of Playground Strategy, and the response provided by the Director City Growth and Operations be received and noted.

CARRIED 9/1365 – 03/11/2020

17 GENERAL BUSINESS

Nil.

Initials: _____

18 NEXT COUNCIL MEETING

Moved: Alderman Spick
Seconded: Alderman Garden

THAT the next Ordinary Meeting of Council be held on 17 November 2020 at 5:30pm Palmerston Raiders Rugby League Club, Forrest Parade, Rosebery.

CARRIED 9/1366 – 03/11/2020

19 CLOSURE OF MEETING TO PUBLIC

Moved: Deputy Mayor Lewis
Seconded: Alderman Spick

THAT pursuant to Section 65(2) of the *Local Government Act* and Regulation 9 of the *Local Government (Administration) Regulations* the meeting be closed to the public to consider the Confidential Items of the Agenda.

CARRIED 9/1367 – 03/11/2020

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Mayor Pascoe-Bell
Seconded: Alderman Spick

THAT the meeting be adjourned for 10 minutes for media liaison.

CARRIED 9/1368 – 03/11/2020

The meeting adjourned at 6:36 pm.

The open section of the meeting closed at 6:36 pm for the discussion of confidential matters.

The Chair declared the meeting closed at 7:06 pm.

Initials: _____

Chair

Print Name

Date

Unconfirmed

Initials:

COUNCIL MEETING MINUTES

TUESDAY, 3 November 2020