

AGENDA 1st Ordinary Council Meeting Tuesday 2 August 2022

The Ordinary Meeting of the City of Palmerston will be held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830 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

Council business papers can be viewed on the City of Palmerston website www.palmerston.nt.gov.au or at the Council Office located: Civic Plaza, 1 Chung Wah Terrace, Palmerston NT 0830.

LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER



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- 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 19 July 2022 pages 10790 to 10798 be confirmed.

- 6.2 Business Arising from Previous Meeting
- 7 MAYORAL REPORT



MAYORAL REPORT

1st Ordinary Council Meeting

AGENDA ITEM: 7.1

REPORT TITLE: Mayoral Update Report - July 2022

MEETING DATE: Tuesday 2 August 2022
AUTHOR: Mayor, Athina Pascoe-Bell

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 recent activities of the Mayor, on behalf of Council, since the last report.

KEY MESSAGES

- Palmerston Youth Festival Suburban Sounds Opening, Late Skates Best Trick Competition and Awarding of Prizes, SportsFest, GeekFest Day 1 and 2, Closing Drone Show. 7 Days of activities.
- SWELL Construction Contract Announcement awarded to Jaytex Construction
- PRBA Charity Golf Day
- Attended the below community events on behalf of council:
 - Fiesta On Francis
 - Cricket 365 Coin Toss
 - NAIDOC Week Celebrations
 - 10th Anniversary of Palmerston 50+ Club
 - Royal Darwin Show 2022
 - Chief Minister's Northern Territory History Book Award
 - Condolence Motion for the late Mr David Dhalatnhju Gulpilil AM
- Meeting with Ministers, Mayor's and MLA:
 - Minister Eva Lawler
 - Commissioner Sally Sievers
 - Member for Spillett, Lia Finnochiaro
 - Member for Blain, Mr Mark Turner
- Radio Interviews with ABC, Hot 100

RECOMMENDATION

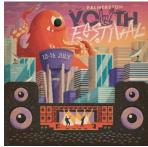
THAT Report entitled Mayoral Update Report - July 2022 be received and noted.



DISCUSSION

Palmerston Youth Festival

Palmerston Youth Festival was a big, week long highlight for Palmerston for July, from Sunday 10 to Saturday 16 July 2022. This event runs in the school holidays and gives youth and families an opportunity to celebrate with a range of activities. Events included Suburban Sounds Concert, Skating competitions and board decorating, Gaming, Basketball and Volleyball tournaments and an art exhibition. There were Picnics, Cosplay Competitions, Cypher dance events, and the iconic GeekFest, which is now spread over two big days. It all finished with a spectacular Drone Show. The first of it's kind in the NT. It was amazing to watch.







10 - 16 July

Youth enjoying Suburban Sounds

Incredible local artists







VR play at GeekFest

Getting in on the fun

Cosplay competitions - amazing costumes

SWELL Construction Contract Announcement

I was excited to announce that the construction for the SWELL Precinct starting soon with the tender awarded to Jaytex Construction. Member for Drysdale: Eva Lawler MLA and Member for Solomon: Luke Gosling MP helped launch the official start of the project.

SWELL will transform the current Palmerston Swimming and Fitness Centre into a hub for Swimming, Wellness, Events, Leisure and Lifestyle (SWELL). As part of the project, there will be a toddlers play pool, refurbished pool, aqua play structure, basketball half court, and an events area.







Above: Concept Designs of the new pool and SWELL Precinct Space

Left: Member for Solomon: Luke Gosling MP, Member for Drysdale: Eva Lawler MLA, and myself announcing tender awarded to Jaytex.



Royal Darwin Show 2022

The Annual Royal Darwin Show was held Thursday 21 July to Saturday 23 July 2022. City of Palmerston staff, and Elected Members, including myself, proudly attended to showcase City of Palmerston. We provided information to attendees, some great activities for kids and some awesome free coffee and slushies. Plus we joined in with the Yellow Brick Road journey and gave away some lovely native plants. I had a great time, and loved every minute of it. I love getting out in the Community to promote the vital work we do, and the fantastic programs and events that we put on for residents. To top it off, we were thrilled that our stall won both the best Government Exhibit and the Bell Memorial Trophy for the Most Outstanding Stall at Royal Darwin Show for the second year in a row!







Some of the awesome PalmerFun Team!

Rock painting fun

Free Coffee and Slushees

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There are no risk, legal and legislative implications relating to this report.

ATTACHMENTS

Nil



- 8 DEPUTATIONS AND PRESENTATIONS
- 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 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1) of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the following confidential items:

| Item | em Confidential Category | | Confidential Clause |
|--------|--------------------------|--------------|---|
| 25.1.1 | | Confidential | This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iii) of the Local Government (General) Regulations 2021, which states a 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. This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(e) of the Local Government (General) Regulations 2021, which states a 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 and would, if publicly disclosed, be likely to be contrary to the public interest. |

11 PETITIONS

12 NOTICES OF MOTION

- 12.1 Submission to the Exposure Draft Anti-Discrimination Amendment Bill
 - 1. THAT Notice of Motion entitled Submission to the Exposure Draft Anti-Discrimination Amendment Bill be received and noted.
 - 2. THAT Council endorses the letter at Attachment 12.1.1 of Notice of Motion entitled Submission to the Exposure Draft Anti-Discrimination Amendment Bill, as their submission to the Draft Anti-Discrimination Amendment Bill 2022.



COUNCIL AGENDA Attachment 12.1.1 NOTICE OF MOTION

COUNCIL MEETING DATE: 2 August 2022

TOPIC: Submission to the Exposure Draft Anti-Discrimination Amendment Bill

BACKGROUND:

The Department of the Attorney-General and Justice has released the draft Anti-Discrimination Amendment Bill 2022 for public consultation. Although the draft proposes a number of improvements, discrimination against elected members of local government have not been addressed in the draft. Discrimination of elected officials of local government can occur at their workplace because of the attribute of being an elected member of local government and can also occur in relation to acting in official capacity by other elected members or in some circumstances by senior council staff.

OBJECTIVE:

To seek endorsement of the Council for the submission letter at **Attachment 12.1.1**.

NOTICE OF MOTION:

- THAT Notice of Motion entitled Submission to the Exposure Draft Anti-Discrimination Amendment Bill be received and noted.
- 2. THAT Council endorses the letter at **Attachment 12.1.1** of Notice of Motion entitled Submission to the Exposure Draft Anti-Discrimination Amendment Bill, as their submission to the Draft Anti-Discrimination Amendment Bill 2022.

Signature
Athina Pascoe-Bell
Print Name
26/07/2022

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

Date Received: 26 July 2022 To Council Meeting: 2 August 2022

COUNCIL AGENDA Attachment 12.1.1



OFFICE OF THE MAYOR

ID: 508389- APB

28 July 2022

Director, Legal Policy Department of the Attorney-General and Justice GPO Box 1722, **DARWIN NT 0801**

Draft Anti-Discrimination Amendment Bill Comments

I am writing to you on behalf of the City of Palmerston Council. This letter has been endorsed by the Council on 2 August 2022 by Council Decision.

Elected representatives of local government are often overlooked in legislation that is intended to provide protection for many other classes of people, including other level of politics. There are two areas that Council believes should be addressed in the legislation. The first is where elected members of local government are discriminated against because of the attribute of being an elected official of a local government in other areas of their lives such as work, which is distinct from political opinion or affiliation. The second area is where elected members of a local government are not considered under current or proposed legislation to be at "work" while undertaking official council duties but may be subjected to discrimination.

Many elected members of councils have other employment as their main source of income. They find themselves in situations where employers may discriminate against them in relation to employment opportunities, promotion, granting of leave and flexible work arrangements because of their membership as an elected official of local government, or the perception that official council duties do not warrant the same deference that other responsibilities, such as family duties or board membership, are afforded.

Councillors have experienced refusal of flexible work arrangements or leave, which would enable them to attend Council business and also maintain their work responsibilities, where similar requests by other employees would be granted. Councillors may also be discriminated against for employment or promotion, specifically because of their membership as an elected official.

Family members of councillors are also likely to be treated in the same manor based on perceptions of councils and the work that councillors undertake. City of Palmerston therefore requests that Councillors and their families should be provided with the same level of protection that other classes of people in the community are afforded against discrimination, particularly in their employment and employment opportunities and rights in respect of leave, flexible workplace arrangements and other work-related entitlements.

Telephone (08) 8935 9922

Civic Plaza, 1 Chung Wah Tce, Palmerston NT 0830

PO Box 1, Palmerston NT 0831 palmerston@palmerston.nt.gov.au

www.palmerston.nt.gov.au

COUNCIL AGENDA Attachment 12.1.1



OFFICE OF THE MAYOR

Discrimination is also present in many council chambers in interactions between elected members, and occasionally interactions between elected officials and senior staff. An example is where a councillor is regularly and systemically dismissed because of bias related to sex, sexual orientation, parenthood, age or any other recognised attribute under section 19. However, such a scenario isn't covered under the current or proposed changes, as elected officials of council are not considered to be at "work" under part 4 and the section 4 definition of work in the act.

Although, such scenarios could be dealt with through a Code of Conduct Complaint under the *Local Government Act 2019* (NT), from experience, it is impractical to have Council or the Prescribed Organisation under the *Local Government Act 2019* (NT) deal with such incidents, as the Local Government Act is limited in its application as far as discrimination is concerned. Schedule 1 of the *Local Government Act 2019* only provides that Councillors must act with courtesy and have respect for cultural diversity, limiting the ability to capture instances of discrimination under the Code of Conduct.

In any case, discrimination in the Council Chamber would be best dealt with by the Northern Territory Anti-Discrimination Commission, who are skilled in assessing and dealing with discrimination exclusively, whereas councils and the Prescribed Organisation are not, and are under no obligation to consider discrimination, except where it is discourteous or related to cultural diversity.

City of Palmerston therefore requests that the definition of **work** is amended to include elected officials of local government acting in an official capacity, or that elected officials are included as a prescribed class under section 4. In addition, we request that the attributes under s 19(1) of the *Anti-Discrimination Act 1992* (NT) includes local government opinion, affiliation, membership or activity.

Should you wish to discuss this matter, please contact me by email mayor@palmerston.nt.gov.au or phone on 0421 558 477.

Sincerely,

Mayor Athina Pascoe-Bell

Telephone (08) 8935 9922

Address

PO Box 1, Palmerston NT 0831

palmerston@palmerston.nt.gov.au

ABN 42 050 176 90



13 OFFICER REPORTS



COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM: 13.1.1

REPORT TITLE: Community Survey 2022 **MEETING DATE:** Tuesday 2 August 2022

AUTHOR: Director Finance and Governance, Wati Kerta **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 provides Council with an update of the Community Satisfaction Survey 2022, to commence in August 2022.

KEY MESSAGES

- Council undertakes an annual Community Satisfaction Survey of its residents.
- Council commissioned Kantar Public in 2019 to conduct Council's Community Satisfaction Survey for 2019,2020 and 2021.
- The survey results are used on KPI's and reported within the Annual Report.
- The Community Satisfaction Survey 2022 is scheduled commence in August 2022 with phone and online survey responses in order to meet timeframes.
- The Community Satisfaction Survey 2022 has been reviewed and includes additional questions in relation to the Community Survey 2021 results.
- The majority of the survey and questions remain unchanged to ensure a consistent measurement of operational performance and demographic data trends from previous years.
- A Council report will be prepared for October 2022 on the results of the Communication Satisfaction Survey 2022 including the resulting initiatives and actions from the Community Satisfaction Survey

RECOMMENDATION

- 1. THAT Report entitled Community Survey 2022 be received and noted.
- 2. THAT a report be prepared for the 2nd Ordinary Council Meeting in October 2022 providing the results of the Community Satisfaction Survey 2022 including the resulting initiatives and actions from the Community Satisfaction Survey 2022.

BACKGROUND

Historically, Council has commissioned the Community Satisfaction Survey (the Survey) of residents to determine the overall performance of Council against service delivery areas and as part of our annual reporting requirements.



The Community Plan, which was adopted at the 1st Ordinary Council Meeting of April 2019, created six outcomes for Council to work towards, with objectives forming part of those outcomes. These align Council's Municipal Plan and Budget, and the Survey is structured on this basis.

As part of the survey, participants are asked to rate Council's performance in delivering services and facilities, as well as series of other questions.

DISCUSSION

Last year the survey was conducted in August 2021 through a combination of telephone and online surveys. It was intended that the telephone survey would be 15 minutes however the length of the questions resulted in a 21-minute survey. The survey was also made available online. The total sample sizes achieved were as follows:

- Telephone sample n=603
- Online sample n=13

The overall 2021 score for Councils performance increased with the results published in the Annual Report and is summarised below.

| Key Area | 2019 | 2020 | 2021 | Change |
|-----------------------|------|------|------|--------|
| Family and Community | 6.68 | 6.80 | 7.16 | +0.36 |
| Vibrant Economy | 6.01 | 6.28 | 6.55 | +0.27 |
| Cultural diversity | 7.04 | 7.21 | 7.50 | +0.29 |
| A Future Focus | 6.70 | 6.84 | 7.02 | +0.18 |
| Environmental | 7.16 | 7.33 | 7.36 | +0.03 |
| Sustainability | | | | |
| Governance | 6.01 | 6.17 | 6.52 | +0.35 |
| Overall Average Score | 6.56 | 6.77 | 7.02 | +0.25 |

Given the comprehensive review of the questionnaire undertaken in 2021, there are minimal changes to the 2022 survey and the methodology. This is also to ensure a consistent measurement of operational performance and demographic data trends from previous years. This also ensures that we comply with City of Palmerston reporting requirements.

The 2021 survey results included the following areas of improvement:

- Only 40% of the community knew Council's "place for people" slogan, with 63% agreed that this represented the City of Palmerston
- Lack of Communication from Council
- Supporting Business innovation
- The actions Council identified from the 2020 Survey results have been implemented and included in the survey questions.

Given the current length of the survey, these issues will be explored using other forums to unpack the reasons for these results.

Minor amendments to the Community Survey 2022 have been made and include the following

Gender question is under review and if time permits may be modified to align with the Inclusion,
 Diverse and Access Framework



 A sustainability strategy question will be included to gauge Community views and understanding to help inform Council's future decision making.

Based on size of our community the sample size for this year's survey is the same as previous years with Council looking for 600 residents to undertake the survey with a mixture of phone and online participants. The survey if approved will commence 3 August 2022 for two weeks or until the sample size and quotas are reached.

It is anticipated that the Survey's results and analysis will be finalised in September 2022 and will be incorporated into the draft 2021-22 Annual Report. A Council report be presented to Council by the second Ordinary Council meeting in October 2022.

CONSULTATION PROCESS

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

- Communications Manager
- Executive Manager, People and Customer
- Executive Leadership Team

In preparing this report, the following external parties were consulted

Kantar Public

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

The cost of the survey is funded within the 2022-23 budget.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Timeline to undertake an appropriate survey will result in Council not being able to adequately report per their requirements.

Council has experienced year after year positive results and the survey identifies areas for possible improvement. Failure to address these areas may result in disappointment in the Community. To mitigate this, it is important that Council develop actions and use the results to inform decisions moving forward.

This Report addresses the following City of Palmerston Strategic Risks:

- 6 Fails to deliver the strategic vision for the City
 Context: Ensuring vision is delivered effectively & efficiently, progress is measurable & celebrated.
- 7 Fails to be agile to respond to opportunities and challenges Context: Ensuring the organisation is positioned to respond quickly to take up opportunities and respond to challenges both internally and externally.

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



COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM: 13.1.2

REPORT TITLE: Council Committee Membership

MEETING DATE: Tuesday 2 August 2022

AUTHOR: Executive Assistant to CEO, Chloe Hayes **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 seeks Council to appoint its representatives to Council's Advisory Committees required under the *Local Government Act 2019* from 3 August 2022 to 30 June 2023.

KEY MESSAGES

- Section 82 of the *Local Government Act 2019* (The Act) provides Council with the authority to establish and abolish committees.
- The Administrative Review Committee, CEO Performance Appraisal Committee and Risk Management and Audit Committee are required under The Act and appointment of membership is being sought.
- Council in is the process of finalising membership for its Advisory Committees which have recently been reviewed. A report will be presented to Council in August regarding these committees.
- Council also holds representation on external committees and boards as outlined within this report.
- Advisory Committees of Council hold no delegation and are appointed to give considered advice and recommendations to the Council.
- Membership held by Elected Members on Committees is reviewed annually.
- All members are welcome to nominate to all advisory and external committees.

RECOMMENDATION

- 1. THAT Report entitled Council Committee Membership be received and noted.
- 2. THAT Council make the following appointments to the Administrative Review Committee:
 - I. THAT the Mayor, Deputy Mayor and Councillor ____ be appointed to the Administration Review Committee for the period of 3 August 2022 to 30 June 2023.
 - II. THAT the Mayor be appointed as Chair of the Administrative Review Committee for the Term of the 10th Council.
 - III. THAT all other Councillors be appointed as alternate members to the Administrative Review Committee for the period of 3 August 2022 to 30 June 2023.
- 3. THAT Council make the following appointments to the Chief Executive Officer Performance Appraisal Committee:



- I. THAT Councillor ____ be appointed to the Chief Executive Officer Performance Appraisal Committee.
- II. THAT all other Councillors be appointed as alternate members to the Chief Executive Officer Performance Appraisal Committee for the period of 3 August 2022 to 30 June 2023.
- 4. THAT Council make the following appointments to the Risk Management and Audit Committee:
 - I. THAT the Mayor, Councillor _____ and Councillor _____, be appointed to the Risk management and Audit Committee for the period of 3 August 2022 to 30 June 2023.
 - II. THAT Council note that the Chair of the Risk Management and Audit Committee is held by an Independent Member, appointed by the Council.
 - III. THAT all other Councillors be appointed as alternate members to the Risk Management and Audit Committee for the period of 3 August 2022 to 30 June 2023.
- 5. THAT Council appoint or nominate to the following External Organisations and/or Committees:
 - I. THAT Councillor ____ be appointed as Council's delegate to the Palmerston Regional Business Association (PRBA) with all other members appointed as alternate members for the period of 3 August 2022 to 30 June 2023.
 - II. THAT Councillor ____ be appointed as Council's representative to Tourism Top End with all other members appointed as alternate members for the period of 3 August 2022 to 30 June 2023.

BACKGROUND

Section 82 of The Act provides for councils to establish Council Committees. A Council Committee consists of the persons appointed by Council resolution to be members of the Committee.

Council has the following Committees established, which are required under The Act:

Executive Committees

- Administrative Review Committee
- Chief Executive Officer Performance Appraisal Committee
- Risk Management and Audit Committee

Committees of Council hold no delegated authority. They are a group of suitably experienced people appointed to give considered advice and recommendations to Council for Council's consideration in decision making.

Council has also established Advisory Committees that have recently been reviewed with external membership being sought at present. A report will be presented to Council in August regarding these committees.

Advisory Committees

- Palmerston Community Wellbeing Advisory Committee
- Palmerston Community Safety Advisory Committee
- Palmerston Vibrant Economy Advisory Committee

In addition to Council Committees, Council members are also represented on external Committees and boards. Council currently holds representation on the following external committees and boards:



- Top End Regional Organisation of Council (TOPROC)
- Tourism Top End
- Palmerston Regional Business Association (PRBA)
- Palmerston Division of the Development Consent Authority (DCA)

DISCUSSION

Council's 'Executive Committees' required under legislation and are already established. Those Committee's and their responsibilities are:

Administrative Review Committee

The Administrative Review Committee is established to review 'reviewable decisions' in accordance with sections 322 and 324 of The Act.

A reviewable decision is a decision or order made by Council or an officer of Council, that is designated as reviewable. The following are designated by The Act as reviewable:

- (a) A decision in relation to the correction of an entry in the assessment record under section 232(1) or 233(7);
- (b) A regulatory order under section 286;
- (c) A decision to refuse to supress a person's details in publicly available material under section 293(5).

Membership on the Committee consists of the Mayor as Chair and two Elected Members with all other Members appointed as alternative members.

The Committee only meets if a complaint is received. It should be noted that no reviewable decisions have been received to Council to date.

During the term of the 10th Council, Council may elect to expand designated reviewable decisions if the need arises.

Chief Executive Officer Performance Appraisal Committee

The CEO Performance Appraisal Committee is established for the purpose of undertaking periodic reviews in accordance with section 109(2)© of the Local Government (General) Regulations 2021 and section 5.1(b) of the Local Government Guideline 2: Appointing a CEO.

Membership on the Committee consists of the Mayor as Chair, Deputy Mayor, one Elected Member, with all other Councillors appointed as alternative members. The meetings are facilitated and conducted by an independent facilitator.

The independent facilitator is determined by mutual agreement between the Mayor and CEO.

The Committee holds an annual performance review and an interim review which occurs once every six months, with recommendations made to the full Council.

Risk Management and Audit Committee

The Risk Management and Audit Committee plays a key role in assisting Council to fulfil its governance and oversight responsibilities in relation to financial reporting, interview control structure, risk management systems, legislative compliance, ethical accountability, and the internal and external audit functions. Section 86 of The Act requires that all councils establish and maintain an audit committee.



The Chairperson of an Audit Committee cannot be a member of the Council. An Independent Chair is appointed that holds relevant experience in the Local Government Regulatory Framework, finance, and risk management.

Membership on the Committee consists of an Independent Chair, an Independent Member, the Mayor and two Elected Members with all Councillors appointed as alternative members.

The Committee meets a minimum for four times a year at appropriate times in the reporting and audit cycle. The Risk Management and Audit Committee <u>Terms of Reference</u> sets out the role and functions of the Committee.

External Committees and Boards

Top End Regional Organisation of Councils (TOPROC)

TOPROC aims to progress the needs of the Greater Darwin area while providing an opportunity for individual councils to benefit from the broader advocacy platform offered by the Committee.

Meetings are generally held quarterly during business hours for approximately two to four hours. The location for meetings is rotated between Council's.

Membership: The Mayor is Council's representative with the Deputy Mayor appointed as alternate member for the 10th Council Term.

Tourism Top End

Tourism Top End is a non-profit Incorporated Association committed to the growth of tourism in the Top End.

Council holds full membership and enables a Council representative to attend the monthly general meetings with voting rights. Meetings are generally held on the last Tuesday of each month from 5.30pm, location of meetings are rotated.

Membership: One Council Representative is being sought.

Palmerston Regional Business Association (PRBA)

PRBA's aim is to promote and support local business and the community. They engage with an extensive network of contacts in business, government and the community.

Events are generally held on the second Tuesday of each month outside of business hours. Other business events are held, which all members are welcome to attend and may utilise this cost against professional development allowance.

Membership: One Council representative is being sought.

Palmerston Division of the Development Consent Authority (DCA)

The Development Consent Authority is established under the *Planning Act*. Upon invitation from the Minister for Infrastructure, Planning and Logistics, Council may nominate four persons to fill a three-person vacancy consisting of two members and one alternate member. The term of appointment is for a period of two years and the roles are currently filled.

It should be noted by Council that Membership is currently held by:



Mayor Pascoe-Bell Councillor Henderson Councillor Giesecke Councillor Fraser

Summary

Committees of Council hold no delegated authority. No change to Committee delegation is being recommended.

Membership held by Elected Members on Committees is reviewed annually, this ensures Members have the capacity to uphold their positions and provides opportunity for Members to nominate to alternate committee positions.

A current selection process is being undertaken for Councils Advisory Committees and a report will be put to Council to confirm external nominations.

Voting will be by show of hands unless otherwise determined by Council.

CONSULTATION PROCESS

Once Membership has been appointed, a list of Council's Committee representation will be placed onto the Council's website.

POLICY IMPLICATIONS

The following Council Policies apply:

- <u>Elected Member Allowances and Expenses</u>
- Risk Management and Audit Committee Terms of Reference
- Code of Conduct for Elected Members and Committee Members

Terms of reference are being drafted for the Administrative Review Committee and Chief Executive Officer Performance Appraisal Committee.

BUDGET AND RESOURCE IMPLICATIONS

Ordinary Members (excluding the Mayor and Deputy Mayor) are entitled to claim Extra Meeting Allowance for attending Council Committee Meetings.

It should be noted that the Risk Management and Audit Committee Independent Chair and Member are paid a sitting fee in accordance with the Northern Territory Government Statutory bodies classified for remuneration purposes under class C1.

Any cost associated with membership or events are accommodated within existing budgets.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Under the *Local Government Act 2019* a council can establish and abolish a Council Committee at any time by Council resolution.

Subject to Council's approval, a Committee of Council sets its timing of meetings and will be considered at its first meeting of the new Term.



No complaints relating to a reviewable decision have been received to date. Any questions to review a decision will form a list and placed onto Council's website in accordance with Section 227(2) of the *Local Government Act* 2019.

The role of the Mayor is to lead the Council and undertake regular review of the performance of the CEO as describe in section 59e of the *Local Government Act 2019*. An independent facilitator is appointed to conduct and facilitate the reviews.

This Report addresses the following City of Palmerston Strategic Risks:

- 4 Fails to effectively design and implement contemporary governance practices Context: Strong foundations to hold the City and Administration to account.
- 5 Fails to make informed and timely decisions
 Context: Ensuring the City and Administration with decision making delegation have access to the right information, at the right time to make decisions on a timely basis.

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



COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM: 13.1.3

REPORT TITLE: Land Development Committee Nomination

MEETING DATE: Tuesday 2 August 2022

AUTHOR: Chief Executive Officer, Luccio Cercarelli 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 seeks Council's endorsement of the Chief Executive Officer as City of Palmerston representation on the Northern Territory Government Land Development Committee.

KEY MESSAGES

- In February 2022 the Northern Territory Government (NTG) released the independent Bring Land To Market Report (the Report).
- The Report reviewed the complex Local Development process with an aim to ensure an efficient process that delivers land availability in a timely manner.
- The Report has identified 23 recommendations of which the NTG has accepted in principle.
- One recommendation is that the NTG has established a governance structure to oversee and report on the implementation of the recommendations.
- As part of this the NTG has established the Land Development Committee (the Committee).
- The NTG is seeking a nomination from the City of Palmerston (CoP) for a representative on the committee.
- Given the nature of the Committee and the Chief Executive Officer's (CEO) relevant experience it is being recommended that Council endorse the CEO in their nomination to the Committee.

RECOMMENDATION

- 1. THAT Report entitled Land Development Committee Nomination be received and noted.
- 2. THAT Council endorse the Chief Executive Officer, Luccio Cercarelli, as its nomination to the Northern Territory Government Land Development Committee.

BACKGROUND

The Land Development process is complex and includes a number of key stakeholders to ensure delivery of land at the right place and right time to meet demand.

In February 2022 the NTG released the independent report 'Bringing Land to Market, an Independent Review of Land Development Processes, Land Under Development and Titled Land" as per **Attachment 13.1.3.1**.



The Government has accepted in principle the recommendations of the report. A recommendation of the Independent Report was that Government establish a governance structure to oversee and report on the implementation of the recommendations.

The Government is establishing a Land Development Committee to address this report and Mr Guit OAM has been appointed the chair of the Committee.

DISCUSSION

The Minister for Infrastructure, Planning and Logistics has written to the CoP CEO seeking a nomination for one of two Local Government Council Representatives found at **Attachment 13.1.3.2**.

Nominations will also be sought from the Local Government Association of the Northern Territory (LGANT) to represent the interests of its members on the Committee.

The request is that the representative be suitably senior to represent Local Government and be in a position to seek technical support and advice from Local Government officers as required.

The CoP has for many years played a key role in the delivery of land in the Northern Territory.

CONSULTATION PROCESS

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

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

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

If endorsed the CEO's involvement will form part of his normal duties and responsibilities.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There is a risk that not having representation on the Committee that CoP will not have a voice regarding matters that could affect Palmerston and Local Government relating to land development and release.

This Report addresses the following City of Palmerston Strategic Risks:

- Fails to be trusted as a Council Context: Achieving credibility & trust with majority of those within and external to the City.
- 5 Fails to make informed and timely decisions
 Context: Ensuring the City and Administration with decision making delegation have access to the right information, at the right time to make decisions on a timely basis.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this Report.

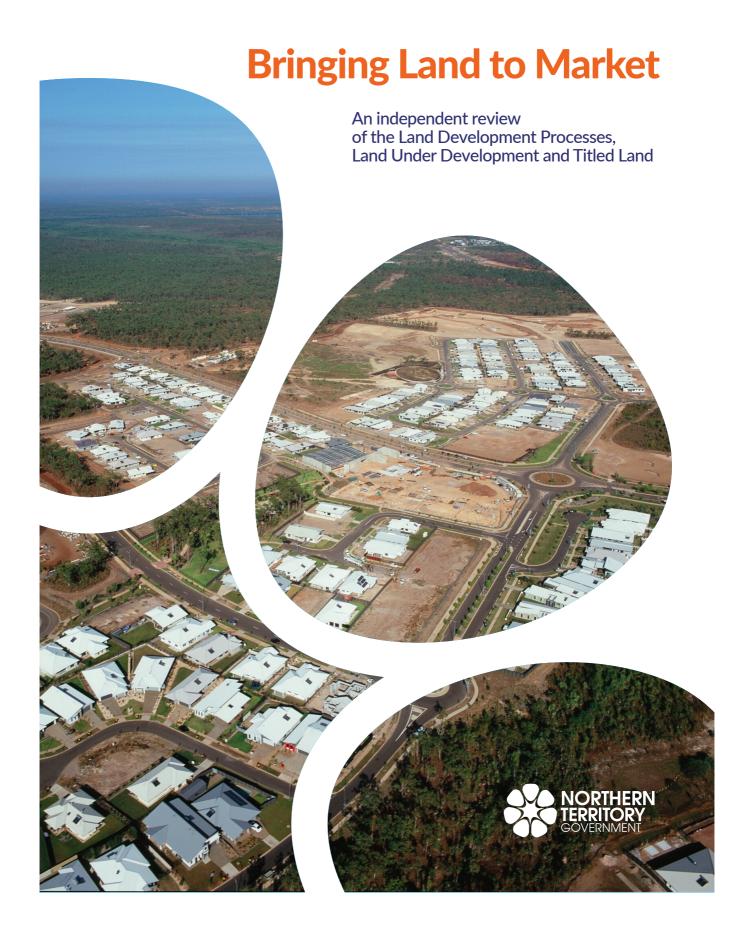
COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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



ATTACHMENTS

- 1. bringing-land-to-market-report-recommendations [13.1.3.1 76 pages]
- 2. 2022 1632- EDL Mr Luccio Cercarelli City of Palmerston [13.1.3.2 7 pages]



COUNCIL AGENDA Attachment 13.1.3.1

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Acronyms

| DAF | Development Assessment Forum |
|--------|--|
| DAO | Development Applications Online |
| SAO | Survey Applications Online |
| DCA | Development Consent Authority |
| DCMC | Department of the Chief Minister and Cabinet |
| DIPL | Department of Infrastructure, Planning and Logistics |
| DITT | Department of Industry, Tourism and Trade |
| DTF | Department of Treasury and Finance |
| HESLUP | Holte to Elizabeth River Subregional Land Use Plan |
| ILIS | Integrated Land Information System |
| ILUA | Indigenous Land Use Agreement |
| ISLIP | Integrated Strategic Land-use and Infrastructure Plannin |
| LTO | Land Titles Office |
| PWC | Power Water Corporation |
| SDG | Subdivision Development Guidelines |
| | |

COUNCIL AGENDA Attachment 13.1.3.1

Foreword



The primary purpose of this Review is to enhance the current Land Development Process to achieve a Titled Land Supply that satisfies the market demand in a timely and efficient manner.

Under the current processes this can be particularly demanding during times of either low economic activity, increased economic activity

or when incentive schemes are introduced to stimulate activity.

There are a number of complexities associated with market supply and demand that exist within the Northern Territory that need to be factored into the processes and policies associated with achieving Titled Land.

The Northern Territory economy has historically been subjected to cycles of growth which have resulted in high levels of demand followed by periods of low activity where demand is significantly reduced.

Sustained growth and a broad economic base is needed to achieve a stable baseline economy.

In order to support sustained growth there needs to be an effective and efficient land development industry.

Sufficient Land Under Development is key in order for broader development to take place. Should the demand profile projections not be robust with a strong focus on growth there will not be sufficient land available to develop.

A key focus of this Review is to provide recommendations to achieve an enhanced land development environment, that provides increased certainty for all stakeholders involved in the process resulting in bringing Titled Land to market to support growth.

The enhanced processes and recommended actions have also taken into account not only historical demand but also future demand that will result from the increased activity generated through the efforts to achieve a \$40b economy by 2030. An essential outcome resulting from the recommendations is to, as much as possible, assist in the easing of the effects of the Northern Territory's cyclical economy.

Not factoring in this demand will in fact be a significant impediment to achieving this economic goal.

The review has set out to provide clarification of the process of bringing sufficient land to market and to streamline the subdivision development process.

While there is a major focus on residential land, this Review also addresses commercial and industrial land. Recommendations have been made to address a number of aspects of the process.

It was also found that demystifying and providing clarity and understanding of process by all stakeholders and across the entire sector will in fact result in increased efficiency.

The Review adopted a non-biased and balanced approach, to all aspects of the process and commentary from stakeholders and other interested parties, with a focus on developing recommendations that could be effectively implemented.

It is worthy of note that as at the end of July 2021 there are only 3 Titled lots available for sale in new subdivisions in Darwin and Palmerston with 297 lots being presold and awaiting Title. These Titles are not expected to be available until towards the end of 2021. This situation underpins the need to have sufficient Titled Land available to satisfy the pent up demand in order to allow the construction of new dwellings to be undertaken.

Due to the time constraints associated with the provision of this report there remains a body of work to be undertaken in drafting legislative changes, drafting policies and detailing processes if the recommendations in this Review are agreed to by Government. It is imperative that this work reflects the intent of the recommendations and also provides a high degree of clarity for stakeholders.

The Recommendations included in this Review will benefit both the general economy and all stakeholders engaged in Land Supply and land use.

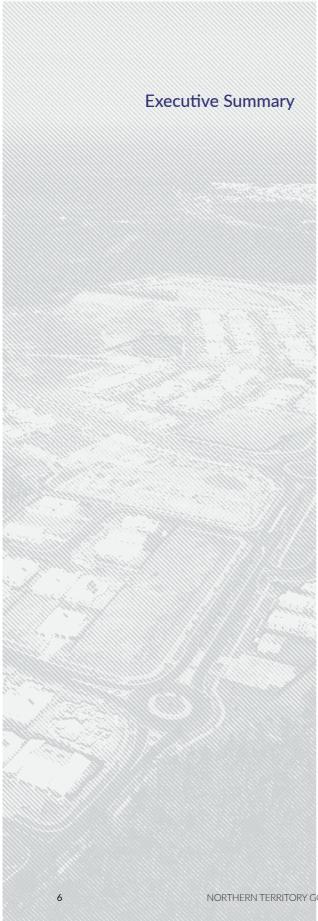
I would like to acknowledge the Industry Reference Group for providing valuable advice and feedback, and for providing the context surrounding the various issues addressed in this Review. I would also like to thank stakeholders from all sectors, including government departments, authorities, industry associations and the development industry.

I would also like to acknowledge the extensive support and assistance provided by the Department of Infrastructure, Planning and Logistics.

\n.

Dick Guit OAM

Co-chair Team Territory



Background

As part of Budget 2021, the Chief Minister announced an independent review of the Land Development Process, recognising the importance of the land development industry to the sustainability of the Northern Territory's economy.

The end to end planning and development process has been reviewed with contributions from a wide range of stakeholders including developers, builders, contractors, real estate professionals, conveyancers, valuers, financiers, planning consultants, engineering consultants, environmental consultants and authorities.

An Industry Reference Group was established and provided advice on the potential initiatives to improve the process, with representation from key industry bodies including UDIA NT, Property Council NT, HIA NT, MBA and REINT.

Stakeholders were invited to provide their contributions through face to face meetings and written submissions, with over 60 meetings held and 11 written submissions received.

Stakeholders in Darwin, Katherine and Alice Springs were consulted and jurisdictional comparisons have been undertaken with the City of Townsville and Cairns Regional Council.

The Department of Infrastructure, Planning and Logistics (DIPL) has provided the administrative and secretariat support for the Review

The Terms of Reference for this Review were finalised and adopted on the 11 May 2021 and is included at Appendix A.

A list of all stakeholders who contributed to this Review is included at Appendix B.

Report contents

This report is set out in 8 sections that consider the various topics covered as part of this Review, outlined below:

Section 1 – Context of land development in the Territory;

Section 2 – Overview of Land Supply and recommendations that address provision of certainty of future supply, recognising the ambitious goal of a \$40 billion economy by 2030;

Section 3 – Land Under Development and the requirement for an initiative that holds a reserve of Titled Land;

Section 4 – Overview of the Subdivision Development Process from project initiation, through to the development application process, design and construction and the issue of titles;

Section 5 – Industrial and commercial land (either Land Supply, Land Under Development or Titled Land);

Section 6 – Regional specific considerations for Katherine and Alice Springs;

Section 7 - Other Items of Consideration; and

 $\textbf{Section 8} \text{ -} \\ \textbf{Implementation of Recommendations.}$

NORTHERN TERRITORY GOVERNMENT Bringing Land to Market

Key Findings

A total of 23 recommendations are included in this report, addressing two key themes that are central to the sustainable provision of land, to be available at the right time and in the right place; the process for developers to bring sufficient Titled Land to market; and the process to ensure sufficient Land Supply continues to be planned and delivered by the Northern Territory Government.

The recommendations of this Review recognise the importance of understanding the entire land development process, the inter-dependencies between stakeholders and the responsibilities of each party in order to gain efficiencies.

The maximum benefits to be derived from the recommendations in this Review, such as improved timeframes for planning and authority approvals, rely on actions of both developers and authorities and on the informed understanding of the requirements in the Northern Territory Subdivision Development Guidelines. Recommendations have also aimed to provide certainty to developers, and incentivise developers to undertake sufficient design work early and upfront, while acknowledging that this can be at a high cost to developers, particularly in times where economic activity is low.

It remains essential for developers and their consultants to continue to engage early with service authorities to identify the broader context, constraints, opportunities and potential risks which may apply to a subdivision. This early identification allows for changes with minimal impact to cost, early in the project's initiation, as opposed to later when the project is further progressed when the ability to accommodate design changes without significantly impacting cost is reduced.

It was found during the stakeholder engagement phase that there were a number of opportunities for improvement within the various processes that currently exist and several new initiatives that could be incorporated within the current development framework to drive various outcomes to improve access to land.

These opportunities relating to, both the current processes and to the new initiatives were considered and where found to be pertinent and of benefit, formed the basis of recommendations of this Review.

The recommendations as set out in this report will require support from all stakeholders. The implementation of the recommendations, where accepted by Government will require the finalisation of an additional level of detail. It is critical, when developing the detailed requirements resulting from these recommendations, that the overall intent of the recommendations is not lost. There is a strong intent to not increase the overall level of documentation required, but instead to make the development journey more effective and efficient.

The range of stakeholders in the land development process is both broad and diverse. As a result there is a wide variety of views that surround the key issues and activities that impinge on the delivery process. It is important to remember that the supply of Titled Land is fundamental to a growing economy.

A summary of the recommendations is included in Section 8.1

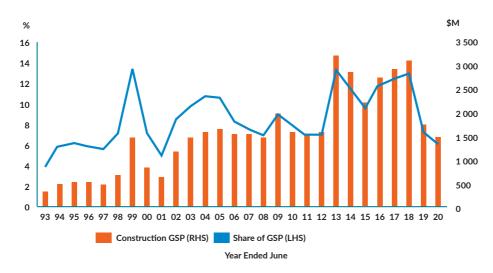


Section 1 - Introduction

1.1 The Territory Context

The construction industry is a significant generator of economic activity in the Northern Territory, and is the fourth largest employment sector worth between \$1.5 billion to \$3 billion in recent years, and accounting on average 10% of total gross state product (GSP).

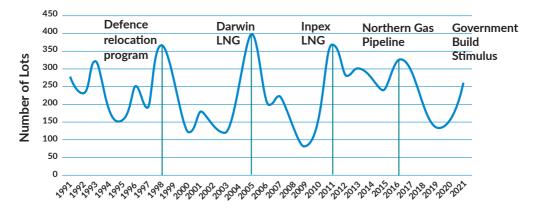
Chart 1: Construction GSP and share of Total GSP1



The residential land development component is a key driver of private sector residential investment and economic growth, worth \$480 million in 2021, as high as \$819.4 million in 2014 and \$823 million in 2012. An investment of \$174 million in 2021 relates to the construction of new homes.

The residential land market has historically been subjected to peaks and troughs due to surges of confidence in the market, moving from a period of low demand to high demand quickly (as shown in Chart 2) in 1998, 2005, 2011, 2016 and most recently in 2020.

Chart 2: Entry Level Sales



¹10 Year Average, Department of Treasury and Finance, ABS source data.

⁸ NORTHERN TERRITORY GOVERNMENT Bringing Land to Market

COUNCIL AGENDA Attachment 13.1.3.1

The market is heavily influenced by major projects and other economic drivers influenced by activity external to the Northern Territory economy. Major project examples that resulted in high levels of residential activity include the development of ConocoPhillips Darwin LNG plant in 2002 and around the timing of Ichthys LNG final investment decision in 2012.

The most recent spike in 2020 was due to a combination of a number of factors. Since 2016, the residential market slowed and demand was at its lowest on record in twenty years, with only 210 urban residential lots titled in 2019 and conditions continuing to look bleak with the emergence of COVID-19. Subsequently, the continued production of serviced / Titled Land slowed to meet the significantly reduced demand. The lack of availability of Titled Land was a direct result of a lack of confidence in future demand on the part of the development industry. Planning and construction activity ceased or slowed as industry waited for positive signals to become evident.

Following the Federal Government's HomeBuilder grant in addition to the Northern Territory Government's Home Owner Discount and the BuildBonus grant, coupled with extremely low borrowing costs, an unexpected upswing in the market in 2020 meant existing stock of Titled Land (or ready to be Titled Land) was quickly taken up and developers experienced delays in releasing new titled stock to market.

The delays were associated with the timeframes required for developers to undertake planning approval processes, design work and subdivision construction, which currently can take 9 months or longer, depending on the stage of development. Seasonal factors in the Territory also play a significant role in the ability for subdivision works to be progressed quickly.

The existing planning system in the Northern Territory is considered structurally sound and in some cases stakeholders expressed that overall it is better than other jurisdictions in Australia. The work undertaken as part of Planning Reform by the DIPL has in general been well received by industry. Furthermore, development applications online (DAO) and survey applications online (SAO), the online application lodgement systems underpinned by the Integrated Land Information System (ILIS), is valued for its efficiency and time-saving functionality.

ILIS is integral to all stages of the land development lifecycle, managing everything from initial planning and development approvals through to issue of Land Title. DIPLs' ownership and management of ILIS allows it to quickly adapt, implement and respond to changes for government and industry.

The recent spike in demand post COVID-19 has highlighted certain aspects of the planning approval processes and their associated timeframes that can exasperate the land development industry and cause delays to the end consumers' ability to purchase a titled lot.

These spikes in the market are highly unpredictable, resulting in land developers unable to produce titled lots quickly enough to meet consumer demand in the short-term with end consumers' experiencing waiting timeframes of up to 9 months before they can settle on their land and are able to commence the building of a home.

The flow-on impact of this results in an inflationary market, where increased costs of building materials must be absorbed by either the builder (in fixed price building contracts) or the end consumer (in contracts which allow for cost increases).

This creates a situation where in fact the financial viability of Home Builders can be put at risk and where consumers are put at risk with their lending institutions. It also has the potential to result in poor planning decisions by Government in order to alleviate short term pressures.

An additional factor of concern is the negative influence created by the fact that there is a significant delay in economic activity as a result of the inability of residential construction work to commence.

Other regional areas such as Townsville and Cairns are subject to the same volatility in market cycles that create challenges for developers to meet demand in times of high economic activity following a period of low activity, requiring an immediate ramping up of their production rate.

The Northern Territory is unique in that it has a greater level of control in the delivery of land, in particular entry level land, given that a significant portion of land for future development is Crown land as opposed to regions such as Townsville and Cairns (and other locations on the east coast), where it is in private ownership.

During the Review a common sentiment from proponents was that the delay in the "issuing of Titles" was of significant concern. However, it was found that the time taken to issue a "Title" itself takes only 1-2 days once the necessary Land Title Office (LTO) forms are submitted to the LTO and the LTO is satisfied there is an approved survey plan by the Surveyor General.

The Review identified that the delays are in fact associated with the processes that occur prior to the issuing of a title, as part of the subdivision development process and within key areas identified below.

Development approval process:

- The timeframes taken to assess certain development proposals that are perceived low impact, i.e. being a staged development from a previously approved masterplan.
- Incomplete or lacking information provided by developers as part of the development application.

During the design and construction process:

- The protracted timeframes associated with the Place Names process and the requirements on developers to undertake the consultation with all interested parties for proposed names for roads, streets and/or parks within subdivisions;
- Inconsistencies relating to development conditions that cause confusion and delays in sign-off;
- The timeframes to obtain design approvals for public infrastructure through local governments and service authorities;
- Inconsistencies relating to the application of subdivision design requirements within the same local government jurisdiction;
- Inconsistencies relating to quality of design documentation from developers' consultants.

After completion of works:

- Delays in acceptance of public infrastructure by local governments and service authorities (commonly referred to as obtaining Part 5 clearance) for a variety of reasons; and
- Ability to lodge the survey plan early to facilitate titles

This Review has provided the opportunity to assess options to streamline and simplify planning approval processes in the Northern Territory without compromising statutory intent and good planning and development outcomes for the community as a whole, and facilitate the ability for private investors to respond nimbly to market conditions. The efficiencies to be gained will also reduce developer delays to bring titled lots to market at times of high economic activity, particularly following a period of low economic activity.

Whilst the volatility of the Northern Territory residential market puts pressure on the land development industry to deliver product to meet spikes in demand and can adversely impact the end-consumer, at a macro-level this boom bust cycle also negatively impacts private investment and growth in the economy more broadly and impacts overall population growth.

It is recognised that a stronger and more diversified economic base is needed to smooth out volatility in the market as much as possible and to maintain sustainable growth in the long term. Work is currently being undertaken in this space as a result of the Territory Economic Reconstruction Committee (TERC) and the ambitious goal to reach a \$40 billion economy by 2030.

Although the work associated with the implementation of the TERC recommendations is outside the scope of this Review, the impact on the residential land market if this goal is to be achieved is significant and is addressed in Section 2: Supply of Residential Land.

NORTHERN TERRITORY GOVERNMENT Bringing Land to Market

1.2 Land for Development

With a total land area of 1.33 million km², land is an abundant resource in the Northern Territory. However, without the appropriate strategic planning, zoning and investment in infrastructure to facilitate development of strategically located land, economic development and population growth is constrained by a lack of serviced land for residential, commercial and industrial land uses.

This Review has recognised the need to address the common misconceptions between **Land Supply** and **Land Under Development** (further discussed in detail in Sections 2 and 3). The understanding of these key terms is considered imperative so that Government, industry and the general community can better understand and address key issues, constraints and opportunities.

For the avoidance of any doubt, the terms are defined as;

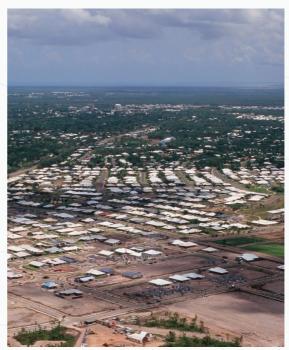
Land Supply – Land with the potential for providing serviced lots, identified through strategic plans with constraints to be resolved (e.g. tenure, environmental factors) and trunk enabling infrastructure to be delivered, through the integrated strategic land-use and infrastructure planning process, before *land is released for development*.

Land Under Development – Land in the hand of developers, to be subdivided and reticulated infrastructure service connections provided through the subdivision development process, to produce **Titled Land** to market.



Titled Land – Land available to the end consumer (allows residential construction to commence).





NORTHERN TERRITORY GOVERNMENT Bringing Land to Market

The Northern Territory like other states operates in accordance with the Torrens System of title which ensures that a person or entity purchasing land is able to acquire a secure title to that land in a process that facilitates timely and effective land dealings for the community and the broader economy. The Torrens System, through the provisions of NT legislation ensures indefeasibility of title and that the interests (rights, restrictions and responsibilities) of registered owners, and other registered proprietors of land are recorded and protected. Titles are important in ensuring boundaries and services, amongst other things, are appropriately and accurately identified and provided to each title or lot.

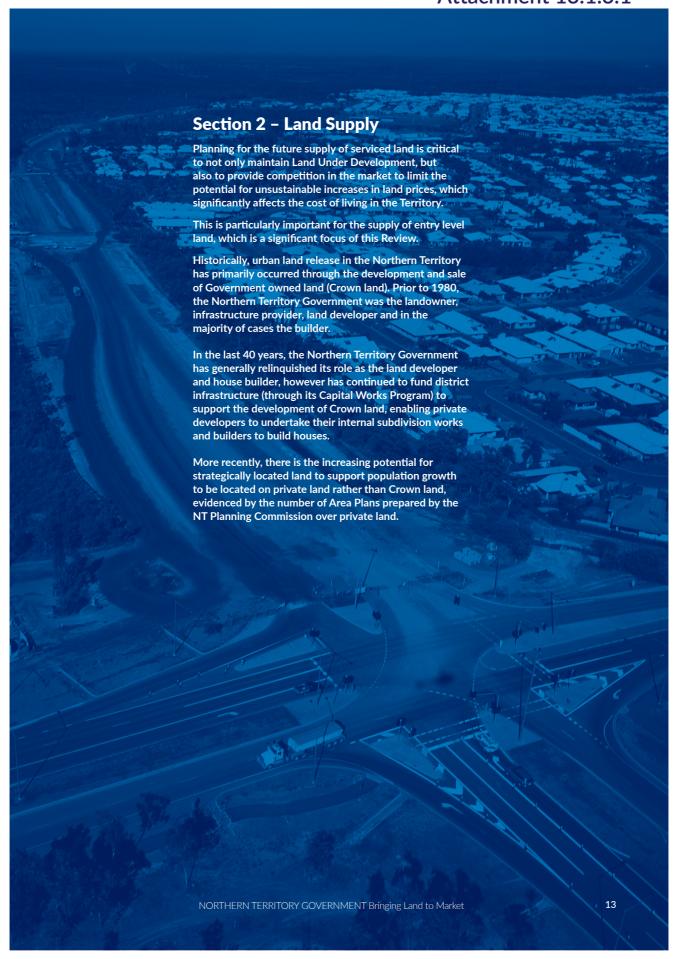
Recommendation 1: Standardised Terminology

Standardised terminology is adopted by Government and Industry to cover definitions for Land Supply, Land Under Development and Titled Land, as follows;

Land Supply – Land with the potential for providing serviced lots, identified through strategic plans with constraints to be resolved (e.g. tenure, environmental factors) and trunk enabling infrastructure to be delivered, through the integrated strategic land-use and infrastructure planning process, before *land is released for development*.

Land Under Development – Land in the hand of developers, to be subdivided and reticulated infrastructure service connections provided through the subdivision development process, to produce Titled Land to market.

Titled Land – Land available to the end consumer (allows residential construction to commence).



2.1 Future Demand Profiling

Demand can be difficult to predict in the Territory, and is often very subjective, cyclical in nature and changes unpredictably, particularly in the regions.

A review of historical land sales indicates that Land Supply has been out of sync with economic drivers that would create demand for titled lots, leading to increased land prices particularly when the levels of entry level stock are low

The importance of robust demand profiling to inform Land Supply planning and sufficient Titled Land cannot be understated particularly if the ambitious goal of \$40 billion by 2030 is to be achieved. Obtaining a better understanding of the potential of future growth areas and the impact on land requirements (residential, industrial and commercial), will aid in ensuring sufficient Land Supply to ensure economic growth is not constrained.

Planning for future growth, underpinned by historical growth patterns and also informed by robust demand profiling, is critical to ensure that land is available when there is a spike in demand. Insufficient Titled Land available when demand rises is considered more detrimental to the economy than the cost of bringing forward the servicing of land and the risk of a low predicted uptake.

The challenge is to have land 'development ready' with the option to release to market (for Crown land) when demand substantiates it. Natural market forces will determine the release of private land, providing the trunk infrastructure is in place to support the land use.

A key factor to consider in the process of bringing new land to market is the considerable time required to resolve land constraints and to deliver trunk infrastructure. Planning ahead is critical to allow for the sustained delivery of trunk infrastructure to support land release, particularly given this process can takes 5 years and longer, depending on the scale of infrastructure required or land constraints to resolve.

Given the potential for demand forecasts to be informed by other strategic priorities of the Northern Territory Government, the demand forecast should be undertaken by an experienced external consultant engaged by the Department of the Chief Minister and Cabinet (DCMC), in coordination with the Department of Industry, Tourism and Trade (DITT), the Department of Treasury and Finance (DTF) and DIPL.

It is envisaged that the management of this process would be undertaken by a group such as Investment Territory within DCMC.

Recommendation 2: Future Demand Profiling

In order to achieve a greater level of certainty in regards to future demand to inform Land Supply planning for residential, commercial and industrial land, establish an ongoing external consultancy through the Department of Chief Minister and Cabinet, to undertake detailed demographic/demand forecasts. This consultancy is to be engaged on a rolling program, with projections to be reviewed on an annual or as required basis, for the medium to long term to influence the decisions regarding the start date for future supply planning for the Greater Darwin, Katherine and Alice Springs regions.

2.2 Integrated Strategic Land Use and Infrastructure Planning Framework

DIPL undertakes its role in accordance with a draft Integrated Strategic Land Use and Infrastructure Planning (ISLIP) framework to coordinate a number of key functions, including:

- Strategic Planning which includes the preparation of land use plans by the NT Planning Commission and includes extensive consultation with stakeholders and the community;
- Land Supply priorities, established for a 20 year period, and includes:
 - a minimum of five years of Land Under Development;
 - development prioritisation over 20 years based on estimated yields from Area Plans, and;
- infrastructure delivery priorities over time for the construction of trunk infrastructure to support development potential in Area Plans.

The draft ISLIP framework is part of an ongoing process definition by DIPL in order to provide better clarity and transparency to plan for Land Supply and to better inform decisions to invest in infrastructure and to release land.

Critically, the draft ISLIP framework allows for the efficient planning of enabling infrastructure to facilitate new development in accordance with an Area Plan.

To provide certainty, it is recommended that the draft ISLIP framework is finalised and adopted.

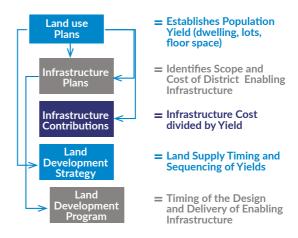
The draft ISLIP framework coordinates a number of critical processes with strong interdependencies, including:

- Land use plans that establish development yields (dwelling numbers);
- A Land Development Strategy that establishes timing and sequencing of development in accordance with Area Plans;
- A Land Development Program that provides for the masterplanning, design and construction of infrastructure; and
- Infrastructure Contributions that support the equitable distribution of costs for the provision of infrastructure to support the development of private land in accordance with an Area Plan.

The heirarchy of these processes is shown in Diagram 1.

The draft ISLIP framework is outlined at Appendix C and key functions are further detailed in the following parts of this Section.

Diagram 1: Hierarchy of ISLIP Processes



Recommendation 3: Integrated Strategic Land Use and Infrastructure Planning Framework

Finalise and adopt the Integrated Strategic Land Use and Infrastructure Planning framework (ISLIP) to guide and coordinate the planning of future Land Supply, to:

- effectively plan for sufficient Land Supply to meet the needs of the market; and
- provide certainty to industry and the community on the prioritisation and timing for the investment in trunk infrastructure to support development.

2.2.1 Land Development Prioritisation

It is recognised that commercial interests will drive private enterprise in undertaking its own analysis in regards to private investments in areas perceived to have future potential prospects.

There are however, economic and resource limitations on the extent to which Government can invest in concurrent infrastructure delivery at the one time to meet long-term growth and market demand. Investing in multiple small development fronts across a large area, is not the most efficient use of government funding, and limits population density within primary commercial catchments, reducing the viability and vibrancy of commercial precincts.

While land use plans determine 'where' growth can be accommodated, the DIPL's land development role identifies the 'when' and 'why' to efficiently plan for the orderly and sustained investment in infrastructure over time to support long-term growth.

The DIPL's role and responsibility in land development seeks to provide an efficient pattern of development based on (1) supply targets and (2) sequencing priorities, facilitating the orderly and timely investment of district enabling infrastructure to meet Land Supply needs within regions and sub-regions.

As demand is difficult to predict in the Territory, and is often very subjective, cyclical in nature and changes unpredictably, (particularly in the regions) supply planning is critical to plan for a continued and sustained supply of land that aligns to the historical 10 year supply average and takes into account DTF's population growth projections.

For example as at 30 June 2021, DIPL's analysis of the 10 year supply average for Greater Darwin is 484 lots (this includes entry level, premium and rural for detached residential lots) and is summarised in Chart 3.

Looking forward it is also important to consider supply scenario planning to take into account the potential for additional demand which is expected to result from economic growth associated with a \$40 billion economy by 2030.

This will be particularly important for entry level lots, which are often made available by developers of Crown land, and with sufficient competition in the market, act as a floor price for residential lots and protect the market from price escalation, maintaining downward pressure on house and land prices, a key factor in providing an affordable cost of living in the Territory.

Under the draft ISLIP framework, Land Supply priorities are established for a 20 year period, and includes:

- Supply targets to determine the 'when' and 'how much' developable ready land is needed to meet growth projections over the short, medium and long-term based on an understanding of current and future supply needs across a variety of land uses; and
- Sequencing of Area Plans which sets out the development prioritisation of the yield established in the Area Plans to meet supply parameters, addressing economic/ social objectives outlined in these plans and optimising the efficiency of infrastructure delivery.

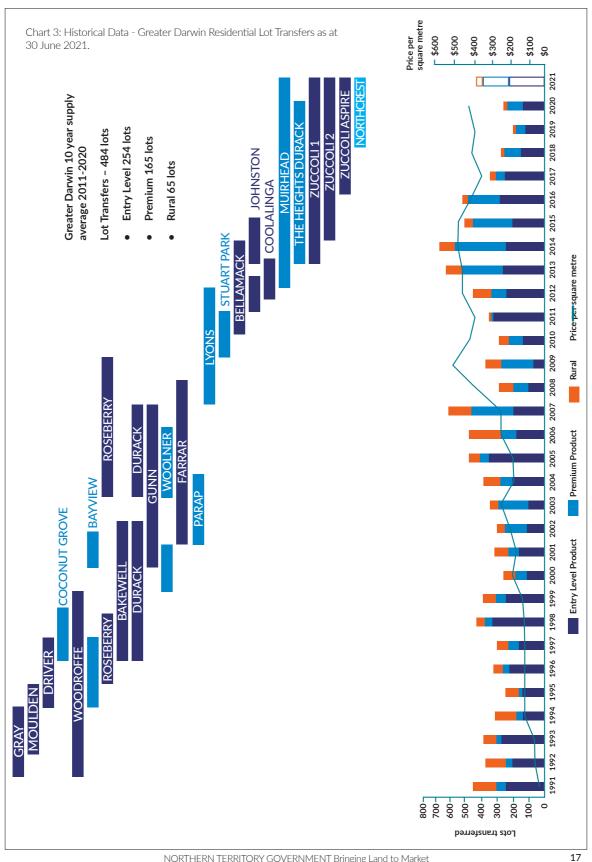
The preparation of a Land Development Strategy to formalise DIPL's Land Supply priorities, across each regional/subregional land use plan, have commenced. These set out the sequencing strategy over time to meet the objective of supply targets for residential, industrial and commercial land.

A Land Development Strategy would allow the DIPL to forecast more accurately (based on the supply parameters) when additional land releases are required to augment Land Supply in a particular region. This in turn triggers either strategic planning to identify additional areas to contribute to future Land Supply, development planning to resolve constraints and achieve approvals or the design and construction of enabling infrastructure to support development.

A Land Development Strategy would provide greater certainty to the community and industry regarding the future development of urban areas, providing the basis for investing in land and planning/technical investigations.

The finalisation of a Land Development Strategy to inform Land Supply decisions will also address Economic Reconstruction Recommendation PL1, including:

- preparing strategic plans to identify land to contribute to future Land Supply; and
- release of Crown land to maintain the supply of entry level land in a competitive market environment.



2.2.2 Delivery of Infrastructure

The delivery of district enabling infrastructure through a sustained, rolling program is vital to facilitate a pipeline of infrastructure projects to support Land Supply, eliminating the need for unviable, one-off large investments for district enabling infrastructure impacting on the Territory's budget.

The establishment of a formalised Land Development Program that responds to the Land Development Strategy, as a living document, would incorporate projects sequenced over a 20 year planning horizon, informed by land use and infrastructure plans.

The infrastructure identified through the strategic infrastructure planning process, staged appropriately, provides the scope and estimated costs to inform a Land Development Program.

This infrastructure is master planned, designed and delivered as part of the implementation stage of the ISLIP framework, with increasing certainty of the cost of delivering this infrastructure through this process.

With designs for enabling infrastructure, the DIPL can respond appropriately to market conditions, bringing forward or slowing down the programmed delivery of enabling infrastructure, in response to changes in population growth and take-up rates for land identified through the Land Development Strategy.

To meet Land Supply objectives in line with a Land Development Strategy would require the planning and design of enabling infrastructure to commence at least 5 years before Land Under Development is required. If a new development front (with a new infrastructure network) is required to contribute to Land Supply, it may take 15 years to plan and deliver sub-regional and district infrastructure to support land release.

As shown in Figure 1, the land development process takes a minimum of 4 years from the master planning of district enabling infrastructure to its construction, and a further 1 year for the subdivision to make Titled Land available to the market. Although some activities can be undertaken in parallel, on average this process takes 5 years.

The infrastructure identified on a Land Development Program is intended to be included in the annual Infrastructure Plan to inform development investment decisions by private land owners.

The preparation of a Land Development Program has commenced and also addresses Economic Reconstruction Recommendation PL1 to inform;

- the investment in infrastructure to support Land Supply over a 20 year period, and;
- the first 10 years of the Land Development Program in the annual Infrastructure Plan.

Given the high cost of enabling infrastructure required to support development, a significant level of effort should be expended in reviewing and researching alternative models of funding for these works. Other funding sources to be widely explored include federal funded programs, public private partnerships and privately funded infrastructure etc.

Figure 1: Land Development Timeframe



Recommendation 4: Land Development Strategy and Program

- 1. Finalise and adopt a Land Development Strategy, that prioritises future Land Supply for the next 20 years, under the ISLIP, including regular reviews and publication at five year intervals. This, in turn, will inform a Land Development Program that sets out infrastructure delivery priorities over time for the construction of trunk infrastructure to support development in accordance with Area Plans.
- 2. Investigate alternative funding options to provide trunk infrastructure to support land development.

2.3 Land Supply Constraints

The ISLIP process is subject to many external influences which can cause significant delay to the release of new Land Supply for development, including land and infrastructure constraints.

Land constraints include (but not limited to):

- environmental constraints, which can take a number of years to investigate, mitigate and secure environmental approvals, particularly when the impact is of a regional nature due to threatened/ endangered species or impacts on sensitive receptors;
- tenure constraints, particularly the resolution of Native title (exclusive and non-exclusive) can take a number of years to negotiate through an Indigenous Land Use Agreement (ILUA), particularly if a Native title claim is unresolved and before the courts; and
- land constraints such as flooding, waterlogged soils, biting insects and cultural heritage (sacred sites and Aboriginal/European archaeology).

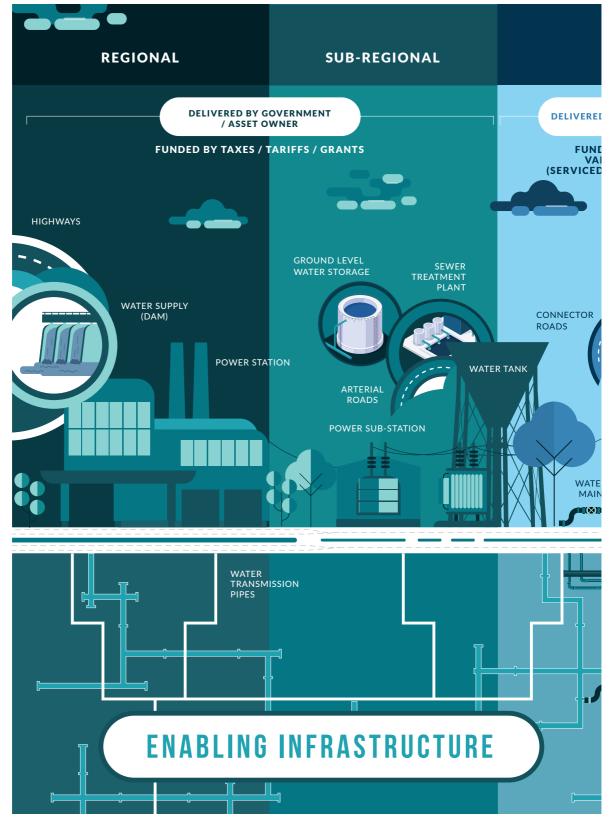
Land constraints can take time to investigate and mitigate and can significantly reduce the development potential (and potential value/revenue) of a site and may become unviable if mitigation options are too costly.

Infrastructure availability can also be a significant constraint on development, including:

- insufficient capacity within a local network to support the development, requiring network augmentation/ upgrade is required to support development; or
- distance from existing infrastructure networks, requiring new trunk connections to the nearest network.

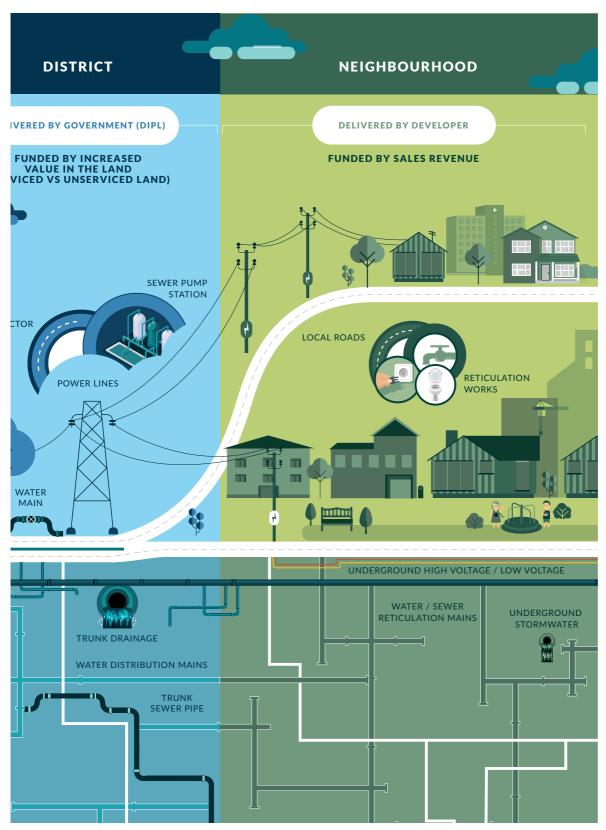
Infrastructure capacity constraints may be in the sub regional infrastructure (e.g. water pressure zone, power zone sub-station and waste water treatment plan) or in the district infrastructure (trunk mains, power feeders and sewer pump stations). Diagram 2 depicts the different levels of enabling infrastructure that aligns with the hierarchy of strategic land use plans developed by the NT Planning Commission.

Diagram 2: Different Levels of Enabling Infrastructure



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It is important to understand infrastructure constraints and limitations as this can be costly to mitigate, particularly for private development sites that are remote from existing networks.

Land and infrastructure constraints are often difficult to mitigate at the neighbourhood (individual development) level as the mitigation measures or impact offsets need to be addressed at a regional level, sub-regional level (whole town) or district level (multiple suburbs).

As an example the indicative Weddell Infrastructure Plan at Appendix D depicts key infrastructure and environmental constraints associated with the development of this land.

Under the draft ISLIP framework, key constraints are addressed to support the NT Planning Commission's strategic planning process, including:

- land constraints mitigation options are to be incorporated into the sub-regional and district area plans. While environmental and tenure constraints are mitigated in Crown land developments, land in private ownership is more complex and not always addressed in the planning process;
- 2. infrastructure plans are to be integrated with land use planning to inform the preparation of Area Plans and provide for the requirements for infrastructure to support development; and
- 3. infrastructure contributions would support the provision of enabling infrastructure networks to facilitate the development of private land in accordance with an Area Plan, and outline the equitable distribution of costs across all land owners that benefit from the provision of this infrastructure.

Recommendation 5: Infrastructure and Contribution Plans

Address land and infrastructure constraints to land developments, including private land, through:

- 1. preparation of stand-alone infrastructure plans that provide clarity and certainty regarding the extent and cost of infrastructure required to support development;
- 2. inclusion of land constraint mitigation measures that private land owners can opt into and contribute to when they seek to develop their land in accordance with an Area Plan (e.g. strategic environmental assessments and ILUA agreements); and
- 3. develop Infrastructure
 Contributions Guidelines to
 facilitate the equitable cost
 sharing of infrastructure to
 support private land development.

2.4 Current/Future Land Supply

A 20 year formalised Land Development Strategy would cater for sufficient Land Supply, including;

- 5 years of Land Under Development (development ready land in the hands of developers);
- 5 years supply in infrastructure design and construction;
- 5 years under land investigations; and
- A further 5 years under the area planning process.

The strategy would identify the need to maintain entry level supply and sufficient competition in the entry level market to avoid price escalation as a result of supply constraints

2.4.1 Residential Land Supply Analysis

Based on the 10 year supply average and the DTF's population projections, there is sufficient Land Supply identified in Greater Darwin and Regional centres for the next 20 years.

Prior to the demand study results being available (as identified in section 2.1), a preliminary analysis has been undertaken to provide an indicative high growth demand resulting from the economic growth required to achieve a \$40 billion economy by 2030.

This preliminary analysis has been informed by draft data provided by the Territory Economic Reconstruction Implementation group of the Department of the Chief Minister and Cabinet, for urban detached residential lots.

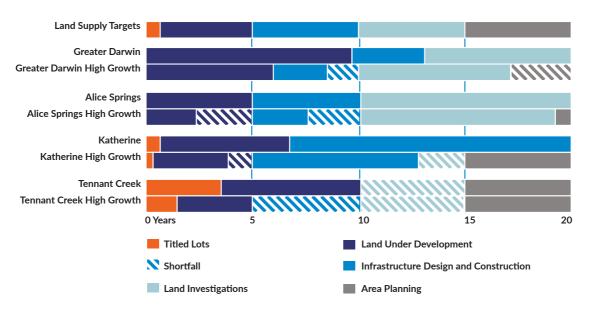
Table 1: Growth Scenarios

| | 10 Year Supply Average | Indicative High Growth | |
|-----------------------|------------------------------|---------------------------|--|
| Regional Centre | (per annum) | (per annum) | |
| Greater Darwin | 419 lots | 700 lots | |
| Alice Springs | 15 lots | 25 lots | |
| Katherine | 14 lots | 25 lots | |
| Tennant Creek | 2 lots | 5 lots | |

Note: Numbers included in the "Indicative High Growth" column above would more than likely be exceeded should more than one significant project occur during the same period. This applies to all localities.

Figure 2 can be used to understand the impact of high growth scenarios and identifies where there are potential shortfalls in residential land if this growth is achieved. This is further outlined below by region.

Figure 2: Land Supply – Based on historical demand and current assumptions on future demand. Includes Crown land developments and private developments as at 30 August 2021.



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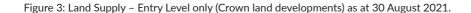
2.4.1.1 Greater Darwin

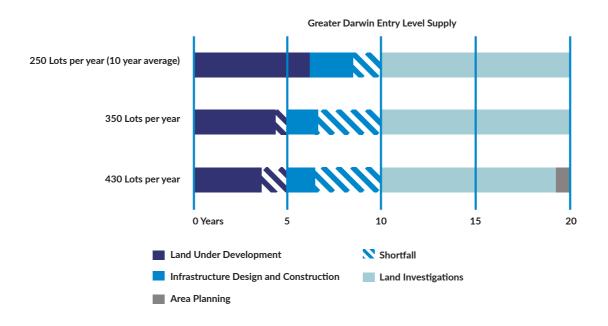
Based on the 10 year supply average, Darwin has sufficient Land Under Development and Land Supply to respond to growth conditions.

Figure 2 shows that under a high growth scenario there will be a shortfall of Land Under Development within the next 10 years, across both Crown land developments and private developments. Private developments will be driven by commercial incentives to bring forward delivery of Titled Land. In terms of Crown land, the DIPL is currently undertaking infrastructure design work for enabling infrastructure specifically for Holtze, which will support the first stages of Kowandi North, however the timing of the release of Kowandi North requires confirmation with the Commonwealth for the portion of land owned by the Commonwealth.

It is therefore critically important for the Northern Territory Government to continue to work with the Commonwealth to confirm the land release and timing of the release to provide assurance on a Land Development Strategy, particularly if land is required to meet a high growth scenario. Testing of entry level land in Figure 3 highlights the potential for a shortfall of an optimal level of competition in the entry level market with the next 5 years under high growth scenarios. This is particularly important for the timing of Crown land releases that supply the majority of entry level lots and act as a floor price for residential lots, maintaining downward pressure on house and land prices, and providing an affordable cost of living in the Territory.

Testing of outer years also shows long term supply is highly dependent on the development yields achieved in the Holtze to Elizabeth River (formerly Palmerston Environs) Subregional Land Use Plan (HESLUP) and the critical requirement to undertake robust community consultation with the public with the intent to achieve full development of the urban residential areas identified in the HESLUP.





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2.4.1.2 Alice Springs

Based on the 10 year supply average, Alice Springs has sufficient Land Under Development and Land Supply.

Under the high growth scenario there is a shortfall of Land Under Development within the next 5 years which would require the latter stages in Kilgariff West to be brought forward. In the high demand scenario the delivery of premium product in Alice Springs (Larapinta or Mt Johns) is increasingly important to prolong the supply of entry level product in Kilgariff.

To meet high growth, the design of enabling infrastructure for the future stages of Kilgariff West would need to be brought forward and land investigations for Kilgariff East would need to commence earlier to ensure there are no breaks in supply in the long term. Infrastructure design would also need to be progressed on the next premium development front to reduce reliance on Kilgariff and prevent overinvestment in the entry level location.

It should be noted that the level of demand depicted for high growth in Table 1: Growth Scenarios is likely to be understated should one or more major projects come on line in the short to medium term

2.4.1.3 Katherine

Based on the 10 year supply average, Katherine has sufficient Land Under Development and Land Supply.

Under the high growth scenario there is a shortfall of Land Under Development within the next 5 years and would require the bringing forward of the Katherine East Neighbourhood Centre (KENC), which has large amounts of Land Supply. There is additional land identified in the Katherine East Area Plan but land investigations in the area have yet to begin and would also need to be brought forward.

It should be noted that the level of demand depicted for high growth in Table 1: Growth Scenarios are likely to be understated should one or more major projects come on line in the short to medium term.

2.4.1.4 Tennant Creek

Based on the 10 year supply average, Tennant Creek has sufficient Land Under Development within the next 10 years, however there is a shortfall identified after 10 years and requires further land investigations to commence.

Under the high growth scenario Land Under Development within the next 5 years is impacted and would require that land investigations and infrastructure design for enabling infrastructure is to commence earlier than currently planned.

To avoid potential shortfalls under a high growth scenario, infrastructure design for future subdivisions on Peko Road would need to be brought forward and the next stage of Peko Road prepared for release. Investigations on a future development area would also be required.

Recommendation 6: Future Residential Land Supply

- 1. Based on the preliminary analysis and current understanding of future demand, ensure that the Land Development Strategy (Recommendation 4) identifies the land investigations and design of enabling infrastructure that will be required to address the potential for insufficient Titled Land in the event of increased economic growth;
- 2. Ensure that a Land
 Development Program includes
 delivery timeframes for the
 construction of enabling
 infrastructure based on the
 future demand profiling
 analysis (Recommendation 2)
 and informs future Budget bids
 or alternative funding sources;
 and
- 3. Advance negotiations with the Commonwealth to secure an agreement for the release of land for residential development at Kowandi North and an agreement on the timing for release, to ensure sufficient future Land Supply for the Greater Darwin area.

2.4.2 Land for Affordable and Social Housing

In the event of a high growth scenario, consideration of sufficient land for affordable and social housing is critical to support population growth and the economy, in particular within lower-income sectors and industries such as tourism, hospitality, health, education and social services.

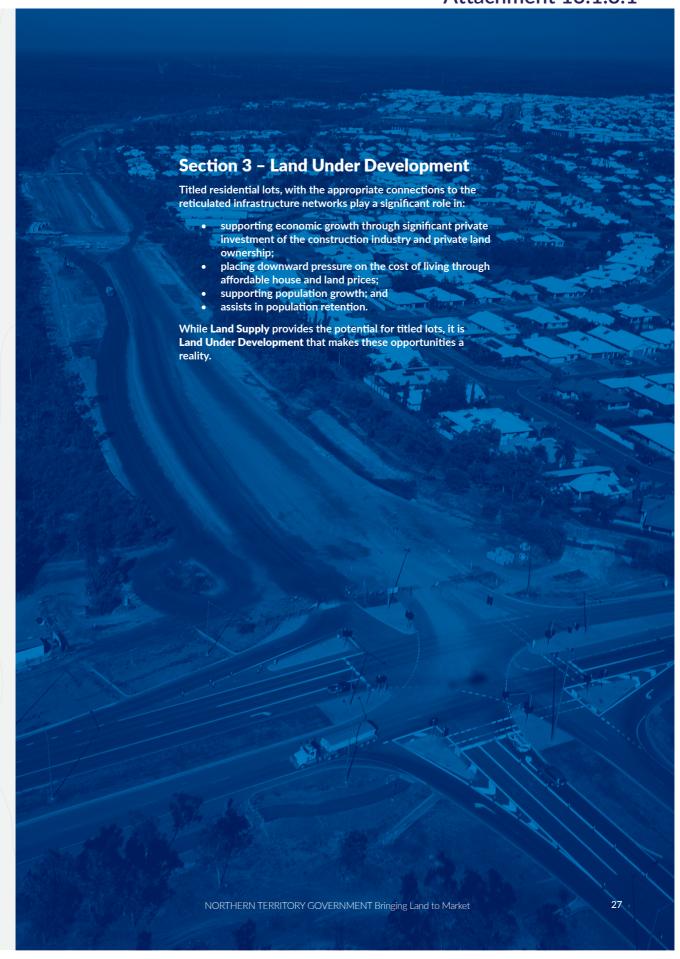
There is evidence of a significant demand for housing for low-income earners across the Northern Territory that predates Covid-19 and is exacerbated in times of high demand for residential land. This will be subject to further pressures in the event of a high growth scenario.

An option to address this demand would be to provide current and future Titled land (through Crown land developments) at a discounted price to affordable and social housing providers, with a covenant that building must commence within a specified timeframe. As an example, the discount could be equivalent to the royalty associated with Crown land developers and/or the stamp duty relief that would usually apply to first home buyers. The extent to which this option is exercised would be subject to a policy position by the Northern Territory Government.

Recommendation 7: Land for Affordable and Social Housing

Government to provide Titled Land (through Crown land developments) at a discounted price to affordable and social housing providers, with a covenant that building must commence within a specified timeframe. The extent to which this option is exercised would be subject to a policy position by the Northern Territory Government.

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3.1 Production Rate

While a key supply parameter in a formalised Land Development Strategy is maintaining five years development ready land in the hands of developers to respond to market cycles, it is the development's production rate that determines the number of titled lots delivered to market

The production rate is subject to the Subdivision Development Process, including master planning, planning approvals, design, construction and clearances/titles, and heavily influenced in the tropical north by the dry season construction window, which places additional time pressures on the ability of developers to increase production rates.

While construction can proceed through the wet season in some years, the risk of delay, cost increases and regulatory infringements (e.g. erosion and sediment control) is significantly increased.

Due to the cyclical nature of the Territory economy, the property market has historically seen rapid increases in demand after periods of low demand, which further exacerbates the deficit in available Titled Land.

3.2 Increasing Production Rates

While experienced development managers are able to maintain higher production rates mid-project, it may take two construction seasons to build up to a peak production rate, which can cause Titled Land to lag behind demand for the first year, potentially increasing land prices.

Rapidly increasing production rates after periods of relative low activity can be difficult and relies on developers and authorities remaining in a state of readiness in terms of:

- Titled Land in stock;
- engineering designs approved for the immediate stages; and
- planning approvals in place for at least two years' for Land Under Development.

Remaining in a state of readiness comes at a cost as planning and design approvals have limitations and would have to be updated to remain in a state of readiness. In a time of low demand, developers are generally reluctant to expend cashflow without some certainty as to when this investment will be recovered.

However, maintaining a state of readiness may be an option for larger multi-stage developments of entry level land (generally Crown land), where up-front costs are factored into the development costs, to be able to maintain a state of readiness even where there is low activity in the market.

Process-driven initiatives to encourage developers to maintain a state of readiness include extending design and approval validity periods or reducing design approval timeframes to accelerate production rates. This is covered in more detail in Section 4.

Availability of resources is an added risk. In times of an upturn there is generally an increased demand and competition for available resources which may hamper any increased production of lots that is required.



3.3 Buffering Land Under Development

A non-process option to address the lag in Titled Land is to provide a buffer of reserve stock of available Titled Land.

This Titled Land Reserve would be accumulated during periods of low demand as a proportion of each stage of development so that this reserve is available to be released to the market when a sharp upturn is identified (where there is a Titled Land deficiency).

There are a number of options through which the Territory can secure the Titled Land Reserve, including:

- purchasing surplus lots from developers as titled lots which can be released as freehold reserve stock through a public process; or
- securing an interest (for example, by means of a caveat) in the surplus lots by funding the construction cost and requiring that the developer hold this caveated reserve stock until demand increases and thus is agreed to release for sale by the developer.

The freehold reserve stock provides more security for the Territory's investment, but has less flexibility (to turn over the reserve stock) and requires a higher financial outlay by the Territory to purchase lots at retail prices.

The reserve stock, where the Territory secures an interest in lots, is flexible, requires a lower financial outlay as only construction costs are funded by the Territory, and the developer manages the reserve stock including marketing and sales. This option is the recommended option.

The implementation of the reserve stock option will occur during an economic downturn, and will act as a stimulus to the civil and construction industries to continue the production of titled stock in times of low market demand. In times of high market demand and where there is a gap of Titled Land availability, the reserve stock option will facilitate access to Titled Land in order to allow construction of dwellings to commence immediately and where applicable gain access to stimulus incentives.

The financial outlay by the Territory to secure an interest in the lots, will be recovered when the lots are sold during an upturn in the market. This funding can then be rolled back into the securing of reserve stock in the next market downturn.

This process can be implemented through the land release process under the *Crown Lands Act 1992*, and administered under the project development agreements used to manage the development of Crown land.

The most significant ongoing costs of holding Titled Land in reserve will be the requirement to pay rates to local governments. Given the strategic intent of the reserve to stimulate the Northern Territory economy and that lots will remain uninhabited until sold to the market, it is recommended that these lots will be exempt from local government rates whilst held in the reserve.

Recommendation 8: Security of Titled Residential Land

- 1. Government to incentivise the production of residential Titled Land (through Crown land developments) during a downturn in market demand, to ensure sufficient Titled Land is available as demand returns. This will include:
 - establishment of a framework to define trigger events;
 - as a result of a trigger event, a provision for the Territory to exercise a 'take-up' option (to create a Titled Land Reserve). The take-up option is dependent on the developer continuing the production of Titled land;
 - the Territory funding the cost of construction of Titled Land, at the time land is Titled. The Territory will determine the number of lots to be funded, with a financial interest secured over the Titled Land;
 - the funding to be reimbursed to the Territory upon sale of land to the consumer; and
 - Titled Land from the Reserve will be released to market as demand for Titled Land occurs.
- 2. Establish a regime that suspends the payment of rates to the local government until the land is sold to market.

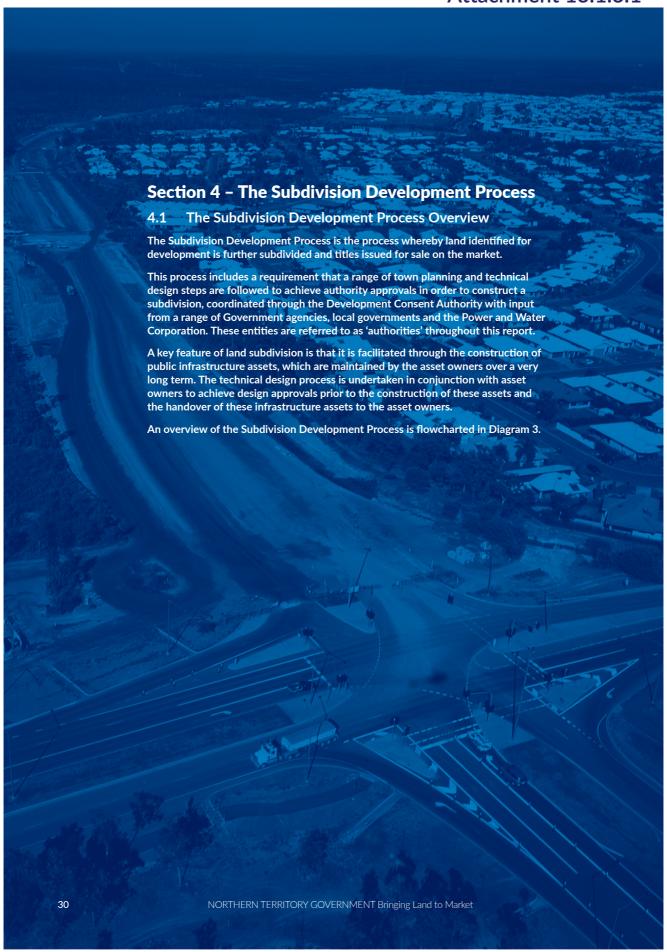
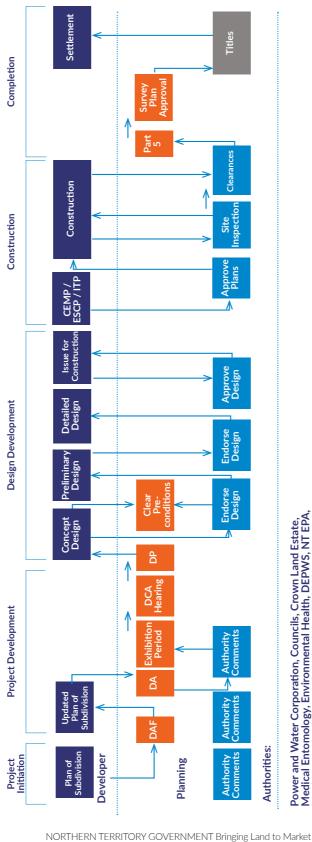


Diagram 3: The Subdivision Development Process Flow Chart



Power and Water Corporation, Councils, Crown Land Estate, Medical Entomology, Environmental Health, DEPWS, NT EPA, Road Networks, Telstra, NBN, VOCUS, NTPFES

DAF = Development Assessment Forum **DCA** = Development Consent Authority

DA = Development Application

DP= Development Permit

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4.2 Jurisdictional Comparison

The Northern Territory is unique in comparison to the states of Australia with the operation of one Planning Scheme that governs the permissible use of land and planning approval requirements across the entire Territory. Similar to the Australian Capital Territory, the Northern Territory Government sets all planning policy including strategic planning policy, development controls and development assessment requirements.

This is administered through the Northern Territory Planning Act, the Planning Regulations and the Planning Scheme.

In Queensland, as an example, the State Government administers the Queensland Planning Act, and each Council administers their own Planning Scheme with legislative responsibility for strategic planning, development controls and development assessment within their jurisdiction. Whilst the State still governs certain aspects of planning, such as Regional Plans, the Councils have a comparable role to the Northern Territory Government in terms of providing development approvals for the subdivision of land.

Regional cities in Queensland such as Townsville, Cairns and Mackay are also comparable in scale with the Greater Darwin Region (comprising of the Darwin, Palmerston and Litchfield jurisdictions) given similarity in size, population and total number of new urban residential lots released.

For the purposes of this Review, specific comparisons are made to Townsville City Council and Cairns Regional Council's subdivision development processes given their similarity in scale and legislative development approving role.

Table 2 provides a jurisdictional comparative summary of land development indicators for the Greater Darwin region to similar sized regional jurisdictions in QLD and to the Australian Capital Territory.

Table 2: Jurisdictional Comparative Summary

| | | Total Land size ^a | New lots titled for detached dwellings | New lots titled for detached dwellings- |
|-----------------------------------|-------------------------|---------------------------------|--|---|
| Jurisdiction | Population ^a | (hectares) | 20-21 | 10 year average ^c |
| Darwin, Palmerston and Litchfield | 146,628 | 306,713 | 316 | 419 |
| Mackay | 117,902 | 761,330 | 314 | 520 |
| Cairns | 168,449 | 168,931 | 555 | 483 |
| Townsville | 196,800 | 373,082 | 588 | 732 |
| Australian Capital Territory | 431,380 | 235,817 | 1417 ^b | na |

a ABS (2020)

4.3 The Northern Territory Subdivision Development Guidelines

As part of the design development and authority approval process, local governments and service authorities set conditions on the subdivision that relate to the design and construction requirements for public infrastructure either to be handed over or connecting into the existing network owned by the local government or service authorities, i.e. local roads, water, sewer, power and drainage.

Part 5 clearance is to confirm works have been constructed in accordance with the approved design. Having a set of uniform guidelines that set the minimum technical design and construction standards for public infrastructure is recognised by all stakeholders as important, giving certainty and consistency to the development industry and authorities alike, providing there is allowance for departures where it is justified.

The Department of Infrastructure, Planning and Logistics produced the Northern Territory Subdivision Development Guidelines (SDG) in August of 2020 in consultation with local governments, service authorities and industry. The SDG was developed to provide for subdivision process guidance, best practice engineering design and construction standards for public infrastructure.

Standardised subdivision design and construction guidelines provide certainty and consistency to industry on requirements, reducing the potential for extended timeframes associated with design approvals and/or costly re-work

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^b Programmed figure as per ACT's Indicative Land Release Program

As at 30 June 2021, urban only

of design or construction. Design and construction in accordance with agreed standards also facilitates the efficient handover of public infrastructure to local governments and service authorities and obtaining Part 5 clearance on development conditions.

For local governments and service authorities, the SDG is a tool to provide longevity and assurance that public infrastructure is constructed to Australian Standards that meet best practice engineering design in the industry, recognising that local governments and service authorities are the asset owners responsible for the costs of ongoing repairs and maintenance.

All major councils and the majority of regional councils have adopted the SDG either formally or in-principle. However, the full benefit of the SDG hasn't as yet been fully realised due to its voluntary nature and a perceived lack of integration with the NT Planning Scheme.

The full potential of the SDG would be realised as a result of the SDG being mandated. This will provide the accountability framework for all subdivisions in the Northern Territory covering off the submission of documents for technical assessment through to the approval of subdivision design and construction.

For comparison, both Townsville City Council and Cairns Regional Council have legislated their standards for design and construction of development infrastructure. Townsville City Council has their manual within a schedule attached to their Planning Scheme whereas Cairns Regional Council has adopted the Far North Queensland Regional Organisations Council (FNQROC) Development Manual and included it as a reference in a schedule to their Planning Scheme.

The benefit of the Cairns model which includes the Development Manual as a reference in the Planning Scheme is that changes to the manual can occur as required in accordance with FNQROC's management board review processes and outside of the legislative change requirements, allowing for greater flexibility, whilst maintaining authority.

To ensure sufficient flexibility to meet changes in best practice when required it is recommended that a model similar to the Cairns model be adopted in the Northern Territory, particularly given there is an existing SDG Management Committee that has been established (through policy) to manage and maintain the SDG as a live and current document.

To allow for regional and climatic differences of a jurisdiction, the SDG currently allows for local governments to nominate specific requirements or departures from the SDG as a separate section to the guidelines. This section can include requirements that are in addition to, or vary the minimum standards for each local government, once justified though the SDG Management Committee.

Furthermore, innovation should not be discouraged and an approval pathway for designs that do not strictly accord to the guidelines but meet the intent, or have departures for specific and justified circumstances should be provided for.

Mandating the SDG will require changes to the *Planning Act* and likely also the *Local Government Act* and the Acts that govern Power and Water Corporation.

Recommendation 9: Subdivision Development Guidelines

Legislate the Northern Territory Subdivision Development Guidelines (SDG), allowing for:

- 1. the existing guidelines to become mandatory;
- 2. formalisation of the SDG Management Committee through legislation, comprising of;
 - an Independent Chair;
 - representation by Local Government;
 - representation by the Power and Water Corporation;
 - representation by DIPL; and
 - representation by industry.
- **3.** a review process to maintain best practice industry standards;
- 4. each individual local government to have its own requirements specific to its jurisdiction approved through the SDG Management Committee; and
- 5. provision for innovation and a merit-based approval pathway within the guidelines.

4.4 Development Assessment Forum

At project initiation, there is currently the opportunity to request a Development Assessment Forum (DAF) with representatives from the Department of Infrastructure, Planning and Logistics, relevant local governments, service authorities and other relevant Government agencies present to provide early formal feedback on a subdivision development proposal prior to submitting a development application. This pre-application process is documented at Diagram 4.

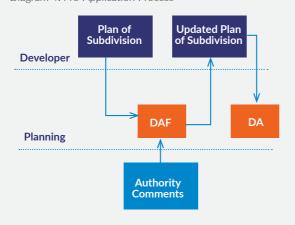
Feedback received through stakeholder engagement identified that these pre-meetings are valuable when the correct information is presented to make a preliminary assessment and representatives with the appropriate authority/delegation attend these meetings and provide advice.

There is an opportunity for Government to enhance this current service, both from the perspective of setting clear requirements on the type of information to be provided by developers for preliminary assessment and in terms of having the delegated representatives at the forum.

Having these early engagements between the developer and the right representatives from Government and authorities can identify any potential issues that could cause delays and possibly additional costs if not dealt with early on in the project. This advice should be specific to potential non-compliance and site constraints and can include, but is not limited to:

- compliance with the Planning Scheme;
- regional/sub-regional or district level infrastructure required and/or infrastructure charges;
- Land Suitability assessments:
- stormwater requirements; and
- issues that are unique to the site.

Diagram 4: Pre-Application Process



Recommendation 10: Development Assessment Forum

Enhance the existing development assessment forum (DAF) to facilitate informed preliminary advice regarding subdivision proposals from the Department of Infrastructure, Planning and Logistics, local government and service authorities. This should include:

- a checklist of information required from the developer in order for DAF to provide informed feedback;
- a requirement (to be included in the SDG) that appropriately delegated persons are in attendance at the DAF meeting; and
- 3. a formalised process and agreement between Chief Executives of relevant government agencies, local government and service authorities, including that the outcomes of DAF meetings are to be endorsed by DAF such that the positions of Government, local government and service authorities are documented and made clear for proponents early in the process.

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4.5 Development Application and Assessment

4.5.1 Planning Scheme Amendments Compliant with Strategic Land Use Plans

The process of developing an Area Plan by the Northern Territory Planning Commission, prior to its approval by the Minister for Infrastructure, Planning and Logistics, is a structured process that involves extensive community consultation and is underpinned by technical investigations that support the future land uses identified in the Area Plan.

The current requirement to submit a Planning Scheme Amendment for a rezoning that is fully compliant with an Area Plan within the Northern Territory Planning Scheme, requires consideration and approval by the Minister and may also require the application to be exhibited, revisiting and unnecessarily testing the work that has been done through the Planning Commission.

A rezoning application where the use is fully compliant with the Area Plan should be supported through a streamlined process that does not necessarily require public exhibition and can be assessed through a delegated approval process.

4.5.2 Fast-track Planning Approval Process

The current timeframe of the planning approval process from the lodgement of a development application through to an outcome should take on average 8-10 weeks (this depends on whether there are any delays from authority referrals for insufficient information or clarification and the timing of DCA hearing dates, with the potential for much longer periods over Dec/Jan).

Having a public exhibition process and DCA hearing for each subsequent stage of a multi-staged master planned subdivision development is considered to be inefficient where the overall master plan doesn't change and is re-visited for each approval through the DCA, stage on stage. It is recognised that a streamlined process should be formalised for these type of developments, whereby a master plan for the entire development that addresses established criteria to ensure a sufficient level of detail, is approved by the DCA, and subsequent stages do not require DCA approval, facilitating a fast-track planning approval process.

In jurisdictions such as Townsville and Cairns, both councils have adopted a *fast-track planning approval process* for subsequent stages of large master planned developments and adopt a practical risk-management approach whereby subsequent stages are processed without going back to the Planning/Council Committee (equivalent to the DCA) for approval.

Recommendation 11: Delegated Approval for Rezoning Compliant with Strategic Land Use Plans

Delegate approvals for rezoning where the use is fully compliant with an Area Plan within the Northern Territory Planning Scheme.

To incentivise developers to undertake upfront investment in the detailed preparation of a master plan and utilise the fast-track planning approval process, it is recommended that the base validity period of the development permit should be significantly extended and at minimum be 15 years to facilitate the timeframe required to complete a multistaged subdivision development.

Under a fast-track planning approval process, each and subsequent stages of the master planned development would not need to go back through the DCA for approval as approval would have been granted once at the beginning of the process.

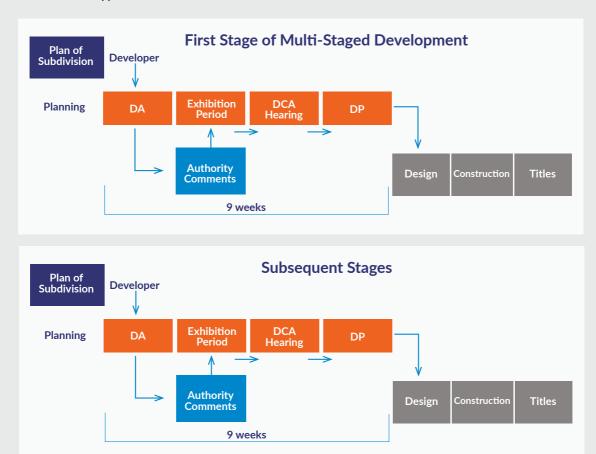
This equates to an estimated savings of 9 weeks for each subsequent stage of the subdivision that does not need to go to the DCA for approval and also alleviates the delays and uncertainties that can currently be experienced due to deferrals and scheduled timing of DCA hearings. As an example, a 10 stage subdivision would equate to a time savings of more than 22 months over the life of the project.

Diagram 5 provides a flow chart of the fast-track planning approval for a multi-staged subdivision over its life.

The benefit of fast-track planning approval process is fully realised in conjunction with a fast-track authority approval process (for the design and construction phase) addressed in Recommendation 14.

Diagram 5: Standard and Fast-track Planning Approval Process - Multi-Staged Subdivision Developments

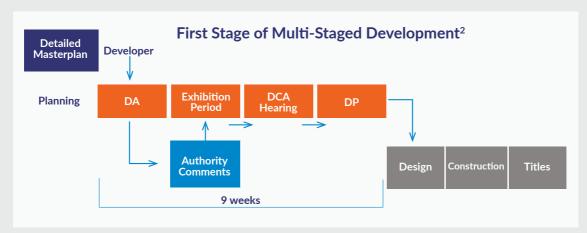
1. Standard Approval Process¹

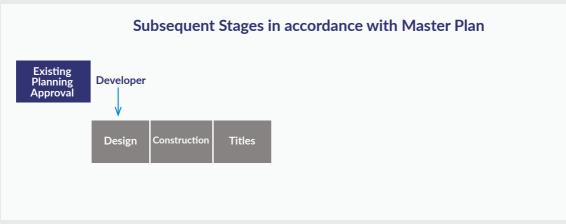


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2. Fast-track Planning Approval Process¹ – Potential savings of 9 weeks for each subsequent stage as no timeframe required for planning approvals – up to 22 months over the life of a large multi-staged residential subdivision (i.e. 10 years)





 $^{^{\}rm 1}$ In all scenarios, the process to clear development permit conditions applies.

² This includes DCA approval of the plan of subdivision for all stages.

Recommendation 12: Fast-Track Planning Approval Process

Implement the option for a formalised fast-track planning approval process for multi-staged subdivisions assessed by the Development Consent Authority (DCA), where if minimum criteria is met, all stages will be approved by the DCA and there will therefore be no need for development approvals for subsequent stages (as approval will be obtained once at the beginning of the process when the master plan is submitted). This will require:

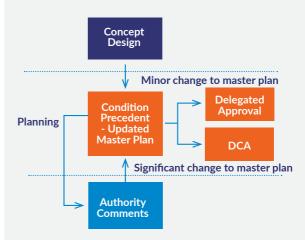
- well defined master plan criteria (to be defined in the SDG) and included as part of the development application submission;
- 2. a significantly extended validity period to the base development permit of 15 years, with works to commence within 4 years, and works to be completed within 15 years from date of issue;
- 3. a checklist included through the Development Assessment Online website that covers all relevant documentation to be submitted as part of a subdivision development application;
- **4.** the applicant to make a declaration stating that all documentation as required is included;
- 5. no significant changes to the master plan in subsequent stages; and
- 6. where there are changes to the master plan that would result in changes to the approved subdivision, these changes are to be assessed as either minor (requiring delegated approval) or significant (requiring DCA approval).

The benefit of this recommendation is fully realised in conjunction with a fast-track authority approval process (for the design and construction phase) addressed in Recommendation 14.

Any changes to the approved master plan which may occur over time, will need to be governed by a framework that defines what constitutes a minor change (approval by delegation) and what constitutes a material change (requires re-submission to the DCA). Any approvals by delegation will be a quicker process than the 9 weeks on average that is required for an approval through the DCA.

An example of types of changes that may occur include a change from two cul-de-sacs to a through road, which would be a minor change, whereas a major change may be a relocation or change in size of a commercial site or community purpose site. Refer to the flow chart at Diagram 6 for the process map for change approvals.

Diagram 6: Change Approvals Process



Delays in processing times can also occur from having development application submissions that are incomplete or lack sufficient information for assessment. A checklist that covers all the relevant documentation for submission (as stipulated in the Subdivision Development Guidelines) should be included through the Development Assessment Online website. A development application once checked as having all relevant information is then recognised as 'lodged' and assessment can commence.

4.6 Authority Approvals

4.6.1 Acceptance of Assets

It is essential to provide certainty for all stakeholders on the process by which service authorities and local governments will accept public infrastructure constructed as part of a subdivision. This is to ensure that public infrastructure is constructed to minimum standards and that responsibility is accepted for the ongoing maintenance of works and the continued provision of its function to the community.

Where a development is approved by the Development Consent Authority (DCA) and works are compliant with the requirements of the Subdivision Development Guidelines (SDG) then service authorities and local government councils are obliged to accept the asset, although current legislation isn't explicit in this regard. In the past, there are examples where local governments have refused to accept assets constructed as part of a subdivision and the ongoing maintenance becomes a requirement of the Northern Territory Government in the interim of achieving a negotiated outcome to facilitate handover.

It is recognised that non-compliant planning or infrastructure outcomes can impact on local governments' financial capacity for ongoing maintenance, and in some cases this may be greater than their ability to raise their revenue base. It is proposed that in order to provide certainty of acceptance of assets, that it is reasonable that any non-compliant requirements should be identified as part of the DCA process and that developers should demonstrate through whole-of-life costing that the completed works will not be an unreasonable cost burden on the authority.

Furthermore, a mediation process is proposed to manage any objections by authorities or local governments and facilitate an outcome where there is justifiable grounds for refusal. The mediation process is intended to not be onerous, whereby the objection is referred to the relevant CEO's to resolve and if remains unresolved at CEO level, is then referred to the Minister.

Recommendation 13: Authority Acceptance of Assets

Legislate the requirement that if a subdivision is compliant with an approved Development Permit and the requirements of the Subdivision Development Guidelines, then service authorities and local governments will accept the public infrastructure asset/s constructed as part of the subdivision.

Non-compliant planning or infrastructure requirements identified as part of the Development Consent Authority process, will require:

- any negative impacts mitigated;
- demonstration through a wholeof-life costing that it will not be an unreasonable cost burden on the authority or local government; and
- a mediation process is implemented to manage objections by authorities or local government.

4.6.2 **Fast-track** Authority Approval Process

4.6.2.1 Fast-track with Defined Master Plan

The processes to clear development permit conditions with local government and service authorities have been identified through stakeholder engagement as a cause of frustration, delay and additional costs for developers. Information gained through stakeholder engagement advised of delays of up to 13 weeks in the process to obtain approvals

Legislating to mandate the SDG provides certainty to industry and authorities of the technical requirements and standard of design of public infrastructure, with the aim to reduce delays where both parties have a clear understanding of these requirements up-front.

A framework that provides for clear lines of responsibilities to achieve quicker approvals in design and construction requires both developers and their consultants and local governments and service authorities to be accountable.

Multi-staged subdivision developments that opt-in for the fast-track planning approval process, and produce their detailed master plan as part of their development application, can also opt in for the fast-track authority approval process where works are compliant with the SDG. This involves engagement of an independent compliance auditor to be responsible for checking and collating all required documentation to confirm the subdivision has been designed and constructed in accordance with the approved master plan and the SDG. Diagram 7 provides an overview of this process.

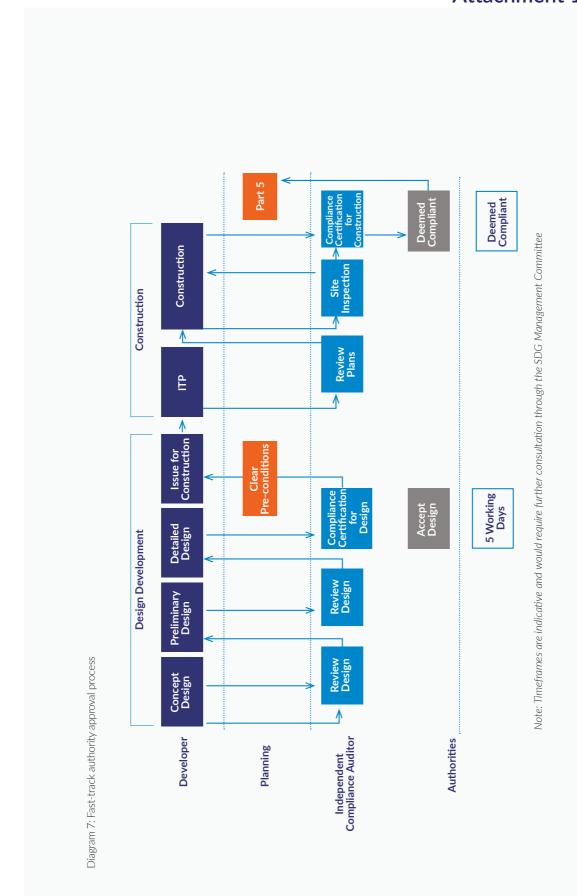
As required under the SDG currently, the design engineer will remain responsible for producing certification that design works are in accordance with the SDG and all relevant approvals (this will also include the master plan) and certification that constructed works are in accordance with design. As part of certification, the certifying engineer is required to identify any approved deviations.

As part of this process, maintaining independence and any perceived conflicts of interest is critical; therefore, it is intended that the independent compliance auditors are individually registered and qualified professionals that meet established criteria to be set by the SDG Management Committee.

An independent compliance audit provides a greater level of confidence to authorities that design and works are fully compliant and it is considered reasonable therefore that a response timeframe for this process is quicker (e.g. nominally 5 working days from the receipt of the Compliance Auditor Certification for Design Report). If a response is not received from authorities within the set timeframe, the design and/or works and subsequent assets are deemed as accepted by the authority.

Design review is currently undertaken by the relevant authorities and in some cases outsourced to private consultants due to limited capacity of in-house resources. It is expected that the fees associated with the provision of the compliance auditor will be funded from the current fees charged for this activity.

A high level assessment has been undertaken as part of this Review to confirm a *fast-track authority approval* can be implemented and applied to all local governments and/ or service authorities through legislative change. However, prior to implementation careful consideration upon a detailed assessment will need to be given to changes in existing business processes and any conflicts with current legislation.



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4.6.2.2 Fast-track with Endorsed Plan of Subdivision

The fast-track authority approval process can be an opt-in process for all other larger subdivision developments where design and works are compliant with the endorsed plan of subdivision and the SDG. For example, all single staged subdivisions can benefit from a fast-track authority approval process.

Multi-staged residential subdivision developments that do not opt-in for the fast-track planning approval process, and choose to go back to the DCA for subsequent stages, can still opt-in for a fast-track authority approval process which will facilitate quicker design and construction approvals from local governments and service authorities, where design and works are compliant with the endorsed plan of subdivision and the SDG.

Under the fast-track authority approval process, it will be a requirement for the independent compliance auditor to be engaged early (i.e. at concept design) to facilitate the design and construction approvals for local governments and service authorities.

4.6.2.3 Maximum Statutory Response Timeframes

For developments that do not opt-in to the fast-track authority approval process, it is considered essential that there should be maximum statutory response timeframes for local governments and service authorities to provide a level of certainty within the process and alleviate unreasonable delays.

Currently the SDG provides guidance on the design, development and handover processes of public infrastructure to local governments and service authorities, and it is recommended that this is further strengthened to include maximum timeframes for authorities to respond once all required documentation is received by the developer.

The importance of having all required documentation submitted by the developer in order for local governments and service authorities to commence their assessment cannot be understated. As the ultimate asset owner responsible for whole-of-life costs of public infrastructure, local governments and service authorities must have assurance that the infrastructure is built to minimum standards to mitigate the potential of higher costs associated with ongoing repairs and that whole-of-life costs are relative to the additional rates base collected as a result of new residents in a subdivision.

For example, the approval of detail design documentation by a local government or service authority is dependent on developers providing a design certification report, confirming that design is compliant with the endorsed plans/master plan and the SDG (with all relevant certified drawings), and to identify any exceptions or variations to the SDG which will require agreement by the local government or service authority. Once this documentation is received, the authority is to respond within a statutory timeframe to facilitate timely approvals.

Recommendation 14: Authority Approvals

- 1. Implement the **option** for a **fast-track authority approval process** that includes an independent compliance audit by a registered and appropriately qualified individual for the design approval and construction compliance of subdivisions, where;
 - a. for developments approved under the fast-track planning approval process, is in accordance with the approved master plan and the SDG; and
 - b. for other subdivision developments, is in accordance with the endorsed plan of subdivision and the SDG.
- Develop and publish a register of professionals permitted to certify a compliance audit certification report (independent certifier), and implement a framework for their engagement in the SDG, including:
 - a. the independent auditor to be engaged early as part of the design approval process; and
 - b. the cost of the independent auditor to be funded from existing charges for the assessment of design and construction.
- 3. Implement a deemed compliant process for approvals sought under the **fast-track authority approval** process.
- 4. Separately, enhance the SDG through legislation to require;
 - a. statutory maximum response timeframes for the assessment of design and construction compliance by local government and service authorities; and
 - minimum documentation requirements to be submitted by developers prior to the timeframe for an assessment to commence, including design and construction certification reports by the certifying engineer.

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Diagram 8 provides indicative maximum statutory response timeframes. These timeframes are to be tested through the SDG Management Committee during implementation.

Design Development Construction Developer Concept **Preliminary** Detailed Issue for CEMP/ESCP Construction Design Design Design Construction Planning Clear Part 5 re-conditions Authorities **Endorse Endorse Approve** Site Clearances Approve Design Design Design Inspection Plans 20 Working Days 10 Working Days

Diagram 8: Maximum Statutory Response Timeframes

Note: Timeframes are indicative and would require further consultation through the SDG Management Committee

4.6.3 Energisation of Subdivisions

A noted delay in the Part 5 clearance process raised by a number of stakeholders that requires separate mention is the energisation of subdivisions and specifically the commissioning of streetlights.

It takes on average 8 weeks for Power and Water Corporation to energise power to a subdivision upon lodgement of an application. This has become an issue more recently given the impact this has on streetlights which has changed in ownership from Power and Water Corporation to local governments (in around 2018 and prior to the introduction of the SDG).

As a result, certain local governments changed their risk profile resulting in requirements on developers to address safety and liability concerns in relation to streetlights not yet operational in the subdivision, delaying the provision of Part 5 clearance.

A variety of solutions to address the safety concerns of local governments has been implemented across different developments (and to facilitate Part 5 clearance) including the provision of a traffic risk assessment report and light towers at nominated areas until such time that power is 'turned on'.

The main concern raised by developers is the inconsistency in the application of a solution and the time lost waiting for Part 5 clearance for a subdivision that has reached practical completion, but does not have power to the streetlights.

In Townsville and Cairns, the energisation of subdivisions is also delayed by long lead-times, in some cases significantly longer than 8 weeks. However both jurisdictions take a more risk tolerant approach than in the Northern Territory, recognising that there will be at least 6 months of house building activity occurring before consumers move in. Both jurisdictions require confirmation from Ergon (the power provider) that the works have been programmed and provide their clearance, requiring bonds for security.

To provide clarity and consistency it is recommended that a practical risk-management approach to the situation is included in the SDG. This approach should be discussed at the SDG technical working groups to determine an appropriate guide, which may include a traffic risk assessment report where the risk of traffic volumes is considered high.

In addition, it is recognised that there is the potential to reduce delays if Power and Water Corporation was able to increase its resource base to undertake the energisation of subdivisions in a more timely manner. As such, it is recommended that if additional in-house resources cannot be increased to meet demand, then PWC implement engagement of accredited private contractors to manage periods of high demand.

Recommendation 15: Energisation of Subdivisions

- 1. PWC to identify options to improve timeframes for the energisation of subdivisions, including the option of engaging accredited private contractors to manage periods of high demand when in-house resources are not able to meet established timeframes (noting timeframes are to be established through Recommendation 14).
- 2. Include in the SDG, a practical risk-management approach for the handover of street lights to authorities that have not yet been commissioned, to facilitate Part 5 clearance.

4.6.4 Standard Conditions

Development conditions that are inconsistent or unclear can add delays to the authority approval process which requires formal notification by local governments or service authorities that conditions have been cleared. Specifically, the following have been identified during stakeholder engagement:

- conditions that reference two authorities often result in each authority referring to the other before formal clearance is provided;
- use of terminology 'to the satisfaction of' which creates vague generality;
- inconsistency of conditions between different stages of a multi-staged master planned subdivision; and
- condition precedents that may not align with the processes of land development and can unnecessarily delay the commencement of preliminary works.

The preparation of standard conditions for development permits that follow consistent structure, language and terminology will lead to development consents and conditions that are easy to understand and that are more easily satisfied.

Consistency is a simple but effective way to create an easier system for applicants, authorities and certifiers, while also reducing workloads for clearing conditions and therefore reducing delays in the process.

Recommendation 16: Development Permit Conditions

- Prepare standard conditions for development permits that are clear and actionable that reference the Subdivision Development Guidelines.
- 2. Where relevant, conditions are to be detailed and not generic, and each authority is responsible for the formal clearance of their conditions only.

4.7 Expediting Survey Plan and Titles

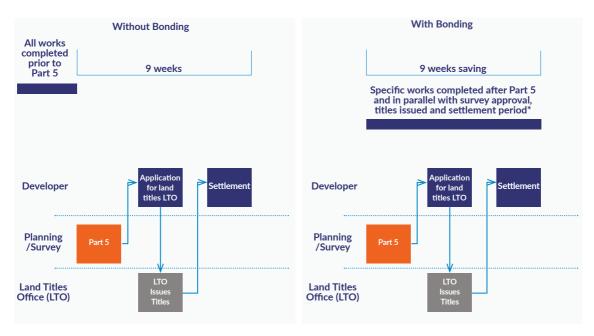
4.7.1 Bonding of Incomplete Works

Lodgement of the Survey Plan can only be done currently once all works are complete and Part 5 clearance of a development permit is obtained. Once the Survey Plan is lodged with Part 5 clearance, the approval process only takes 4-6 days by the Survey branch, DIPL.

In other jurisdictions, early approval of the Survey Plan is facilitated in certain circumstances where minor works remain incomplete and to allow for titles to be issued so the process of settlement can progress in parallel with works being completed. Jurisdictions such as Townsville will consider early approval of the Survey Plan, with a bond from the developer for any incomplete works, and the requirement that certain works are to be completed prior to settlement being finalised.

This process allows for incomplete works to be finalised during the settlement period and effectively reduces the potential for delays associated with incomplete works, nominally up to 9 weeks. Refer to Diagram 9.

Diagram 9: Bonding of Incomplete Works



^{*} For certain types of infrastructure (i.e. footpaths) construction is completed after settlement.

In the Northern Territory, bonding is done as an administrative process through individual local governments at their discretion, in order to facilitate Part 5 clearance. There is currently no guidance on the process of bonding and the minimum construction requirements by a developer prior to bonding being considered by local governments and service authorities.

It is recommended that this guidance is included in the SDG to provide clarity to developers as well as local governments and service authorities, including bond value guidance and a template bonding deed.

Recommendation 17: Bonding

Include in the SDG, bonding guidance as to when bonding can be considered, including minimum construction requirements, bond value guidance and a template bonding deed.

4.7.2 Early Lodgement of Survey Plan

From a consumers' perspective, settlement on the land means that the home build can commence and the full advantage of any stimulus such as HomeBuild can be realised.

In the Northern Territory, the formalisation of loan documentation by the financier is not undertaken until a title is issued and the final valuation completed. Information gained through stakeholder engagement has identified this process can take at least 4 weeks after a title is issued and impacts on the settlement date.

Delays can be further exacerbated in times of high demand (as has been recently experienced post COVID-19) whereby high volumes of titles issued in a relatively short time-frame has resulted in backlogs for bank valuations and loan approvals. The ability to start the formalisation of loan documentation as early as possible can mitigate these delays and facilitate an earlier settlement date.

Currently, the formalisation of loan documentation is based on a valuation completed post-title issue. Lodgement and registration of a survey plan that meets prescribed criteria to deem the subdivision sufficiently progressed for a survey plan to be lodged, can bring forward the bank valuation and formalisation of loan documentation. Criteria will be required to limit the likelihood of any substantial changes to the survey plan, including all lot connections are complete, and easements finalised.

This will allow licenced surveyors to lodge a survey plan with the Surveyor General ahead of having to wait until Part 5 clearance is obtained. The time saved associated with an early survey plan lodgement is equivalent to the time taken to obtain Part 5 clearance once a subdivision is practically complete. This can take on average 4 weeks (negating longer timeframes identified through stakeholder engagement) and can often be a result of the administrative requirements associated with handover of public infrastructure, rather than any material issue that impacts marketability and value of a lot.

Implementation of a process whereby the bank valuation and formalisation of loan documentation is undertaken upon receipt of a registered Survey Plan, provides a framework which carries minimal risk to the financier. Given the registered Survey Plan will require a subdivision to be sufficiently progressed and meet prescribed criteria, there is little risk of any substantial changes impacting marketability and value of a lot. When title is issued, an administrative check will be required to confirm no changes to the Approved Survey Plan on title. This would meet requirements as set out in the Residential Valuation Standing Instructions issued by the Australian Banking and Finance Industry.

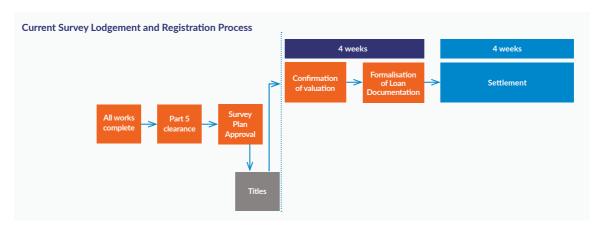
This process has been confirmed as valuable through stakeholder engagement with financiers. Similar processes for early lodgement of the Survey Plan exist in Townsville, Cairns and other jurisdictions in Australia.

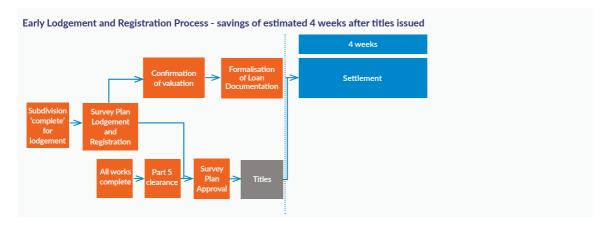
Diagram 10 shows the flow chart of the current survey plan lodgement process and the early lodgement and registration survey plan process.

Titles will also not be issued until Part 5 clearance is obtained to protect from third parties (home owners and/ or builders) physically accessing lots that remain under the care and control of the developer. Such a scenario increases risks of occupational health and safety issues and disputes over damage to public infrastructure that has not yet been accepted by authorities.

Developers and/or their licensed surveyors will be required to obtain Part 5 clearance and confirm that the registered Survey Plan has not changed, in order for the Surveyor General to approve the release of the registered Survey Plan to the Land Titles Office (LTO). The DIPL will continue to report and monitor KPI's on the time taken from lodgement of Part 5 clearance and confirmation of no changes to the registered Survey Plan by the licensed surveyor.

Diagram 10: Lodgement of Survey Plan





Recommendation 18: Lodgement and Registration of a Survey Plan

Implement a formalised process to enable licensed surveyors to submit a survey plan ahead of Part 5 clearance, to facilitate an early valuation and loan approval process and bring forward settlement for the consumer.

The subdivision must be sufficiently progressed (to the extent that the final location of the lot boundaries are identified on site, including easements and the like) for the purposes of lodgement and registration of a Survey Plan. The registered survey plan will not be released to the Land Titles Office until such time that Part 5 clearance has been obtained and there is formal confirmation that there are no changes to the registered Survey Plan.

4.8 Place Names

The current process of naming streets and parks in subdivisions is time consuming and requires months to undertake. If not commenced early in the subdivision process this can cause extensive delays as street names are required in order to connect services, and prior to settlement.

A number of factors result in this process taking months, specifically the time taken to consult with all interested parties which includes local government approval, prior to an application being lodged with the Place Names Committee. This timeframe can be longer if Aboriginal names are used, as this requires agreement between Aboriginal Land Councils and native title prescribed bodies representing custodians also.

In addition, the Place Names Committee has only 4 scheduled meetings per year so missing one of the scheduled meetings may result in a wait until the next meeting. Recent regulative changes however have allowed for the Chair of the Place Names Committee to convene a Committee meeting outside of the scheduled meetings and where it is requested.

To have a pre-approved bank of names based on themes for different suburbs would create a streamlined process that concentrates the efforts of naming requirements within the Place Names Unit, with personnel that have the necessary expertise and ongoing relationships already established in order to obtain a timely approval. For example, the Place Names Unit could be undertaking the necessary consultation and approval of names for the future residential suburbs of Holtze/Kowandi early as part of the Area Planning process and based on a theme that is place specific, years ahead of when a developer lodges a request for place names.

This would allow a developer to choose from a pre-approved bank of names once a development permit is approved. If the developer wishes to choose names outside of the pre-approved bank, then the timeframes to undertake consultation with interested parties would need to be factored into the land development process.

Given the expertise within the Place Names Unit that supports the Committee, all necessary consultation required to facilitate the approval of new names is best placed to be undertaken by the Place Names Unit to achieve streamlined outcomes.

Additionally, there should be maximum statutory timeframes for the Place Names Committee to respond to an application (once the consultation has been undertaken). This will require the Committee to meet on an as required basis, rather than having set scheduled times throughout the year.

It has also been identified through stakeholder engagement, that minor adjustments to approved names that relate to the type of road (i.e. from court to street) has required resubmission to the Place Names Committee. This process is better managed through a delegation and the DIPL has drafted legislation change for this to occur.

Recommendation 19: Place Names

- Establish a list of pre-approved names for developers to choose from that are place specific and theme based, to be undertaken concurrently with the Area Planning process for future residential developments.
- 2. Undertake a jurisdictional comparison of the Place Names framework to identify areas for process improvement outside of the pre-approved names list. This is to include review of:
 - the governance framework;
 - timeframes for approval; and
 - criteria for naming places.
- 3. Allow for the delegated approval of minor changes to approved place names that impact the type of road (i.e. a change from street to road) and not require re-submission to the Place Names Committee.

4.9 Summary Flow Chart

In summary, the recommendations within this Section provide efficiencies to the subdivision development process, with Recommendations 12, 14 and 18 having the potential to create substantial time savings for multi-staged subdivision developments.

A summary flow chart that shows estimated time savings in the Subdivision Development process associated with Recommendations 12, 14 and 18 is included in Diagram 11.

*Estimated time savings is based on the potential time benefits that can be achieved from a standard multistaged residential subdivision development, such as Zuccoli, as follows;

Fast-Track Planning Approval - Recommendation 12; potential savings of 36 weeks over 5 years, where there is no change to the master plan. Developers will be required to undertake more detail design work up-front.

Fast-Track Authority Approval - Recommendation 14; potential savings of 30 weeks over 5 years, where developers will be required to provide design and construction certification as per the SDG.

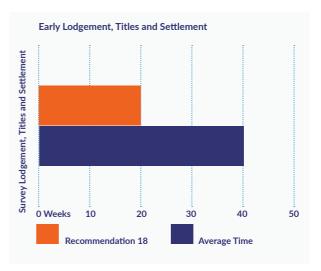
Early Survey Lodgement - Recommendation 18; potential savings of 20 weeks over 5 years, where developers will be required to meet criteria to ensure subdivision is practically complete for the purposes of early lodgement.

Important Note: Times shown do not reflect developer activity timeframes.

Diagram 11: Summary Chart and Estimated Time-Savings over a 5 Year Multi-Staged Subdivision Project*







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While the land development review has focused predominantly on the availability of titled residential land, it is recognised that the availability of industrial and commercial land is vital in order to support economic growth.

5.1 Greater Darwin

There is an abundant amount of available industrial and commercial lots in Greater Darwin either through private holdings or through the Land Development Corporation holdings in East Arm.

Land for strategic industrial (Zone DV) development outside of East Arm is constrained by a lack of enabling infrastructure, environmental constraints and native title.

Future industrial developments are planned around future port and loading facilities in Middle Arm and Glyde Point, but the cost of resolving constraints and building infrastructure to support strategic industries is significant and will require support from the Commonwealth.

Additional commercial land is being considered through the HESLUP to support population growth in Palmerston without negatively impacting on the commercial viability of existing activity centres.

5.2 Katherine

Katherine has a limited supply of general and light industrial land in Chardon Street (Katherine East) and Emungalan Road. Expansion of Chardon Street is constrained by Q100 flooding and filling of land will be required to expand this area in the future.

The large industrial lots on Emungalan Road is significantly impacted upon by a lack of water capacity and pressure to support firefighting, which requires the owners of the lots to invest in large water tanks at great expense for fire suppression.

Investing in a water supply north of the Katherine River (ground and elevated water tanks and a rising main) will support the development of more industrial land and rural residential land.

Future industrial land is planned within the Katherine Logistics Agribusiness Hub (KLAH), with the design in progress, and resolution of tenure (Native title) underway. The KLAH will support 60-80 years of industrial development in a strategically located, multi-modal facility to support growth in the Katherine region.

Future commercial land has been identified in the Katherine East Area Plan in the Katherine East Neighbourhood Centre (KENC) and near the future Katherine Hospital site on Chambers Drive. This commercial land has been sized to support commercial development that caters the needs of the existing Katherine East neighbourhood and its associated suburban growth, and to complement the current Town Centre.

5.3 Tennant Creek

Industrial land is limited in Tennant Creek, with future industrial land in design for Udall Road Stage 2 and 3. Further planning for general and light industrial land uses in the Udall Road area is underway.

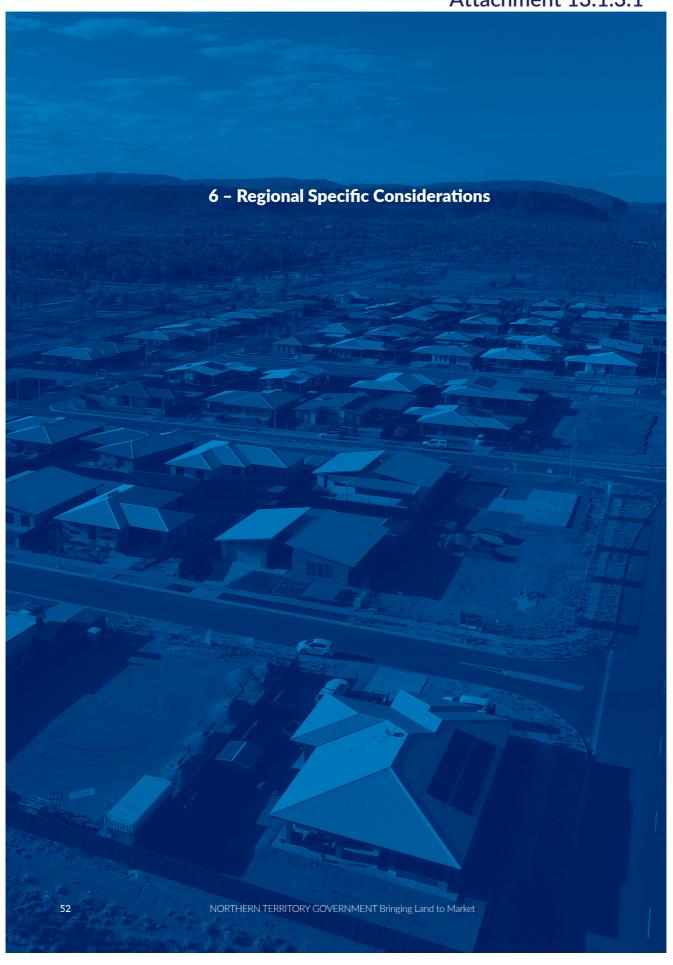
Planning for a large multi-modal precinct north of Tennant Creek is also underway. Work has progressed to address environmental and land constraints (flooding and geotechnical), as well as understanding the infrastructure needs of industries in the region.

5.4 Alice Springs

Industrial land is limited in Alice Springs north of the Gap, with Titled Land available in the Alice Springs Airport industrial area and in Brewer Estate.

Planning is underway for the future subdivision of Arumbera (near Kilgariff) to accommodate general and light industrial land uses. Work is in progress to address environmental and tenure constraints, as well as undertaking infrastructure planning.

Commercial land is being planned for population growth in Kilgariff through the Kilgariff Area Plan.



Major Regional Centres are addressed in this section, acknowledging there are unique and specific considerations that exist for Katherine and Alice Springs.

6.1 Katherine

While Katherine does not have a current shortage in Titled Land, and there is sufficient future residential Land Supply identified (15 years) within the KENC, there is an immediate and pressing need for more housing supply, and in particular a current shortage of houses available for rent.

Indicative data gained through stakeholder engagement identified higher than usual demand for long-term rental accommodation since at least September 2020, most likely a combination of COVID-19 and the return of residents to regional areas, as well as increased activity in construction associated with defence and large civil projects within the surrounding Katherine region.

As a result of low rental housing supply, rents have increased significantly over the last 9 months with reports of \$1500 per week for a 4 bedroom house at the time stakeholder engagement was undertaken in June 2021.

The most concerning impact of the accommodation shortage in Katherine appears to be on low and middle income workers who are either forced to live in temporary or sub-standard accommodation, or leave Katherine altogether due to a lack of accommodation availability, creating a workforce shortage in some critical sectors such as social services, education, health and hospitality.

Private investment in the real estate market in Katherine appears to be low or lagging, driven by either high costs of house construction or a lack of confidence in achieving high returns over the long-term (i.e. 10 years) due to limited visibility of long-term demand.

Data obtained through Master Builders Fidelity Fund indicates that Katherine's cost of house construction is higher than Darwin by around 5%. The reason is likely due to a less competitive house construction market in Katherine, higher costs associated with freighting materials, costs associated with travel and temporary accommodation for staff and workers and reduced productivity associated with remote work. It is also recognised that Katherine's construction market competes with projects in Darwin and other regional areas (including civil projects) and this can also impact on supply within Katherine.

The information gained throughout stakeholder engagement has recognised that further detailed investigations based on reliable data is needed to better understand housing needs and supply constraints over the short, medium and long-term. A housing study is considered critical to understand what is driving the accommodation shortages in Katherine and the constraints in the market. This information will also aid future planning for Titled Land and better inform lot type and size to meet the future housing needs of Katherine.

This is particularly important as future demand for either accommodation or land is predicted over a number of fronts to continue to grow; Defence investment in the expansion of RAAF Base Tindal and new sustainment agreements (contractors) for the servicing of military equipment at Tindal; the potential for a new workforce housed in Katherine if Mount Todd becomes operational; future agribusiness opportunities; and the potential for servicing and support industries based in Katherine if the Beetaloo Basin becomes economical. All have the potential to grow Katherine in the medium to long term, placing further pressure on housing and the underlying infrastructure to support it.

Recommendation 2 of this Review has identified the need to undertake detailed demand forecasting to inform Land Supply planning. This work is critical to better understand how future economic growth may impact on land requirements and to inform timing for Land Supply planning. Given the pressing housing shortage in Katherine, a housing study will need to focus on current data to understand immediate potential responses by Government, but should also look to the long-term, underpinned by the same demand analysis, to understand how private investment into the right type of housing can be maximised into the future.

Recommendation 20: Katherine

Commission a housing demand and supply study for Katherine that addresses housing preferences and cost constraints (including cost premiums) to inform the immediate accommodation needs of Katherine, but also looks to medium and long term needs, underpinned by the same demand profile work required for Land Supply planning.

6.2 Alice Springs

Alice Springs has sufficient new residential Land Under Development, with lots for sale off the plan for Kilgariff Stage 2, however as identified in Section 2.4.1.2, there is a current shortage of titled residential land which delays the ability for new house construction to commence.

A significant portion of land for future development in Alice Springs is also subject to native title with negotiations underway with Lhere Artepe Corporation to resolve native title on a number of key pieces of Crown land to facilitate future development (i.e. Larapinta).

The recommendations in this Review regarding the improvement of Land Supply planning and streamlining the Subdivision Development Processes, will alleviate the potential for future delays in Titled Land to the market for the Alice Springs region, subject to resolution of native title.

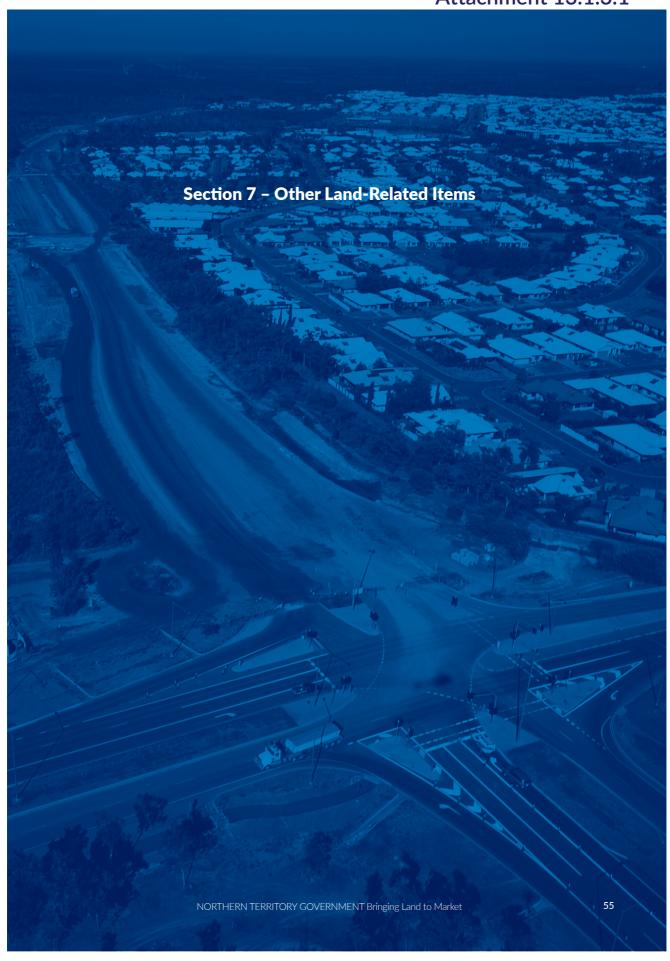
Future economic growth and private investment in Alice Springs requires mechanisms in place to 'unlock' private development so that opportunities can be capitalised when the market turns. Further demand profiling work as identified in this Review, will aim to forecast the potential for future growth in the town associated with the ambitious goal to reach a \$40 billion economy. One example is the impact of the Arafura Resources project, 135km from Alice Springs, which may opt to house its construction and operational workforce in the town.

To this end, further work needs to be undertaken to better understand the infrastructure constraints to facilitate private development. Stakeholder engagement identified that enabling infrastructure such as stormwater and roads can be significantly more costly in Alice Springs due to the specific requirements for the locality, to the point that these costs become unviable for any one individual development to absorb.

The work identified in Recommendation 5 of this Review will assist in informing the cost of infrastructure to support future Land Supply, including the potential for viable cost sharing under an Infrastructure Contribution Plan that facilitates private urban land development in accordance with the Alice Springs Regional Land Use Plan.

Recommendation 21: Alice Springs

Prioritise land-use planning and infrastructure planning for the key localities (specifically south of the Gap) in Alice Springs in order to facilitate private land development in accordance with the Alice Springs Regional Land Use Plan, including the potential for viable cost sharing under Infrastructure Contributions that private developers can opt into.



7.1 Stamp Duty Concession

House and land packages and speculative builds are not a common practice in the Northern Territory due to the disincentive associated with the cost of stamp duty to the buyer.

House and land contracts are currently two separate contracts, one contract with the builder for the construction component and one contract with the developer for the land component. Having the one contract between the buyer and the builder for the house and land where the total property transfers to the buyer upon completion of the house construction, would currently attract stamp duty for the land including total improvements on the land. This is currently at a huge disincentive to the buyer/home owner.

Allowing a buyer to secure both a block of land and the construction of their home in one streamlined process provides certainty for the buyer and their financier. The buyer knows the combined price of their home and land from the outset and where it is in a fixed price package, locks in the price for the construction of the home as well as the land, meaning no surprise additional costs. This is also more favourable from a financier's perspective as they receive one contract for the house and land at the same time, which provides certainty on total finance required and facilitates a quicker loan approval process.

Similarly, providing choice to consumers to purchase a speculative build whereby the house construction may already be close to or already complete, without being penalised for stamp duty, facilitates a quicker process to home ownership.

In order to encourage additional home building activity by speculative builders and not penalise home owners, and to encourage the take up of house and land packages, it is proposed to provide stamp duty concession to the first buyer/occupier of the property. The stamp duty concession to the first buyer/occupier is to apply to the house construction value of the package and for the land component. Stamp duty would apply to the sale of land from the developer to the builder in all cases.

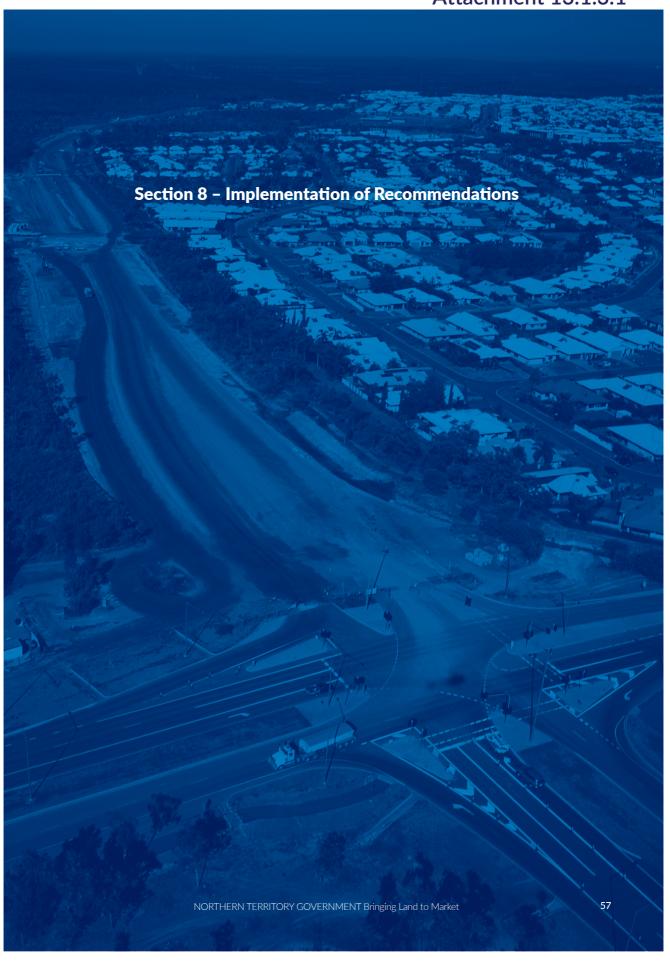
Recommendation 22: Stamp Duty Concession

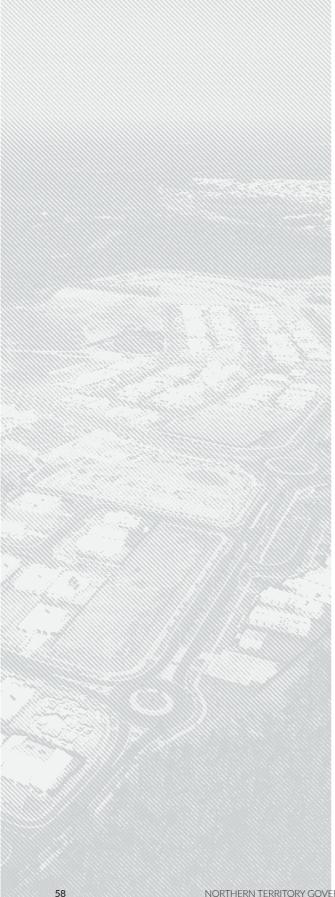
To encourage builders to utilise house and land packages and speculative builds, introduce a stamp duty concession as follows:

- where a buyer enters into a house and land package with a developer/ builder and the builder has purchased the land from the developer, a stamp duty concession to the first house owner is to be provided (stamp duty on the land component will have previously been paid for by the builder); and
- where a builder engages in the construction of a speculative build and a buyer enters into a contract to purchase the house and land directly from the speculative builder, then, on the basis that the property has not been previously occupied, a stamp duty concession to the first house owner is provided (stamp duty on the land component will have previously been paid by the builder).

In order to receive a stamp duty concession, the first buyer/occupier must produce a house and land or speculative build contract in order to be eligible for the stamp duty concession.

The concession is provided to the buyer/ occupier of the property and not to the developer/builder.





In order to progress the recommendations resulting from this Review, subject to approval by Government, it is important to provide a level of external visibility and oversight into the implementation phase.

It will be crucial to establish an appropriate governance structure in order to monitor and provide transparency around the progress and status of implementation in accordance with an Implementation Plan. This is to ensure the intent of the recommendations are achieved.

The focus will also be to develop efficient and effective processes to achieve the intent of the recommendations whilst not generating overly cumbersome procedures which will erode the intended efficiency gain.

Recommendation 23: Implementation Plan

- 1. Develop an Implementation Plan to manage the implementation process for those recommendations that are approved by Government. The plan is to be in sufficient detail to facilitate the development of processes and procedures to cover all aspects of the recommendations and to allow progress to be measured.
- 2. Establish an appropriate governance structure to provide oversight and regular reporting on the implementation of the Plan and recommendations.

8.1 - Summary of Recommendations

A summary of the recommendations of the Land Development Process Review is included in the below table.

| | | Page Reference | |
|-----|--|-------------------|--|
| Lan | d Supply | | |
| 1 | Standardised Terminology Standardised terminology is adopted by Government and Industry to cover definitions for Land Supply, Land Under Developmentand Titled Land, as follows; Land Supply – Land with the potential for providing serviced lots, identified through strategic plans with constraints to be resolved (e.g. tenure, environmental factors) and trunk enabling infrastructure to be delivered, through the integrated strategic land use and infrastructure planning process, before land is released for development. Land Under Development – Land in the hand of developers, to be subdivided and reticulated infrastructure service connections provided through the subdivision development process, to | 12 | |
| | produce <i>Titled Land</i> to market. Titled Land - Land available to the end consumer (allows residential construction to commence). This will require operational policy change. | | |
| 2 | Future Demand Profiling In order to achieve a greater level of certainty in regards to future demand to inform Land Supply planning for residential, commercial and industrial land, establish an ongoing external consultancy through the Department of Chief Minister and Cabinet, to undertake detailed demographic/demand forecasts. This consultancy is to be engaged on a rolling program to be reviewed on an annual or as required basis, for the medium to long term to influence the decisions regarding the start date for future supply planning for the Greater Darwin, Katherine and Alice Springs regions. | 14 | |
| | This will require operational policy change. | | |
| 3 | Integrated Strategic Land Use and Infrastructure Planning Framework Finalise and adopt the Integrated Strategic Land Use and Infrastructure Planning framework (ISLIP) to guide and coordinate the planning of future Land Supply, to: effectively plan for sufficient Land Supply to meet the needs of the market; and provide certainty to industry and the community on the prioritisation and timing for the investment in trunk infrastructure to support development. This will require operational policy change. | 15 | |
| 4 | | | |
| 4 | Land Development Strategy and Program Finalise and adopt a Land Development Strategy, that prioritises future Land Supply for the next 20 years, under the ISLIP, including regular reviews and publication at five year intervals. This, in turn, will inform a Land Development Program that sets out infrastructure delivery priorities over time for the construction of trunk infrastructure to support development in accordance with Area Plans. Investigate alternative funding options to provide trunk infrastructure to support land development. This will require operational policy change. | 19 | |

| | | Page Reference | |
|-----|--|-------------------|--|
| 5 | Infrastructure and Contribution Plans Address land and infrastructure constraints to land developments, including private land through: preparation of stand-alone infrastructure plans that provide clarity and certainty regarding the extent and cost of infrastructure required to support development; inclusion of land constraint mitigation measures that private land owners can opt into and contribute to when they seek to develop their land in accordance with an Area Plan (e.g. strategic environmental assessments and ILUA agreements); and develop Infrastructure Contributions Guidelines to facilitate the equitable cost sharing of infrastructure to support private land development. | | |
| 6 | This will require operational policy change. Future Residential Land Supply Based on the preliminary analysis and current understanding of future demand, ensure that the Land Development Strategy (Recommendation 4) identifies the land investigations and design of enabling infrastructure that will be required to address the potential for insufficient Titled Land in the event of increased economic growth; Ensure that a Land Development Program includes delivery timeframes for the construction of enabling infrastructure based on the future demand profiling analysis (Recommendation 2) and to inform future Budget bids or alternative funding sources; and Advance negotiations with the Commonwealth to secure an agreement for the release of land for residential development at Kowandi North and an agreement on the timing for release, to ensure sufficient future Land Supply for the Greater Darwin area. This will require operational policy change. | 25 | |
| 7 | Land for Affordable and Social Housing Government to provide Titled Land (through Crown land developments) at a discounted price to affordable and social housing providers, with a covenant that building must commence within a specified timeframe. The extent to which this option is exercised would be subject to a policy position by the Northern Territory Government. This will require operational policy change. | 26 | |
| Res | idential Land Under Development | | |
| 8 | Security of Titled Residential Land Government to incentivise the production of residential Titled Land (through Crown land developments) during a downturn in market demand, to ensure sufficient Titled Land is available as demand returns. This will include: establishment of a framework to define trigger events; as a result of a trigger event, a provision for the Territory to exercise a 'take-up' option (to create a Titled Land Reserve). The take-up option is dependent on the developer continuing the production of Titled Land; the Territory funding the cost of construction of Titled Land, at the time land is Titled. the Territory will determine the number of lots to be funded, with a financial interest secured over the Titled Land; the funding to be reimbursed to the Territory upon sale of land to the consumer; and Titled Land from the Reserve will be released to market as demand for Titled Land occurs. Establish a regime that suspends the payment of rates to the local government until the land is sold to market. | 29 | |

| Rec | commendations F Buildivision Development Process | |
|-----|---|----|
| Sub | | |
| 9 | Subdivision Development Guidelines Legislate the Northern Territory Subdivision Development Guidelines (SDG), allowing for: the existing guidelines to become mandatory; formalisation of the SDG Management Committee through legislation, comprising of; an Independent Chair; representation by Local Government; representation by the Power and Water Corporation; representation by DIPL; and representation by industry. a review process to maintain best practice industry standards; each individual local government to have its own requirements specific to its jurisdiction approved through the SDG Management Committee; and provision for innovation and a merit-based approval pathway within the guidelines. | 33 |
| 10 | This will require legislative policy change. Development Assessment Forum Enhance the existing development assessment forum (DAF) to facilitate informed preliminary advice regarding subdivision proposals from the Department of Infrastructure, Planning and Logistics, local government and service authorities. This should include: a checklist of information required from the developer in order for DAF to provide informed feedback; a requirement (to be included in the SDG) that appropriately delegated persons are in attendance at the DAF meeting; and a formalised process and agreement between Chief Executives of relevant government agencies, local government and service authorities, including that the outcomes of DAF meetings are to be endorsed by DAF such that the positions of Government, local government and service authorities are documented and made clear for proponents early in the process. | 34 |
| 11 | This will require operational policy change. Delegated Approval for Rezoning Compliant with Strategic Land Use Plans Delegate approvals for rezoning where the use is fully compliant with an Area Plan within the Northern Territory Planning Scheme. This will require operational policy change. | 35 |

| | | Page Reference | |
|----|---|-------------------|--|
| 12 | Fast-Track Planning Approval Process Implement the option for a formalised fast-track planning approval process for multi-staged subdivisions assessed by the Development Consent Authority (DCA), where if minimum criteria is met, all stages will be approved by the DCA and there will therefore be no need for development approvals for subsequent stages (as approval will be obtained once at the beginning of the process when the master plan is submitted). This will require: well defined master plan criteria (to be defined in the SDG) and included as part of the development application submission; a significantly extended validity period to the base development permit of 15 years, with works to commence within 4 years, and works to be completed within 15 years from date of issue; a checklist included through the Development Assessment Online website that covers all relevant documentation to be submitted as part of a subdivision development application; the applicant to make a declaration stating that all documentation as required is included; no significant changes to the master plan in subsequent stages; and where there are changes to the master plan that would result in changes to the approved subdivision, these changes are to be assessed as either minor (requiring delegated approval) or significant (requiring DCA approval). The benefit of this recommendation is fully realised in conjunction with a fast-track authority approval process (for the design and construction phase) addressed in Recommendation 14. This will require operational policy change. | 38 | |
| 13 | Authority Acceptance of Assets Legislate the requirement that if a subdivision is compliant with an approved Development Permit and the requirements of the Subdivision Development Guidelines, then service authorities and local governments will accept the public infrastructure asset/s constructed as part of the subdivision. Non-compliant planning or infrastructure requirements identified as part of the Development Consent Authority process, will require: • any negative impacts mitigated; • demonstration through a whole-of-life costing that it will not be an unreasonable cost burden on the authority or local government; and • a mediation process to be implemented to manage objections by authorities or local government. This will require legislative policy change. | 39 | |

| Rec | ecommendations | |
|-----|---|----|
| 14 | Authority Approvals | |
| | Implement the option for a fast-track authority approval process that includes an independent compliance audit by a registered and appropriately qualified individual for the design approval and construction compliance of subdivisions, where: a. for developments approved under the fast-track planning approval process, is in accordance with the approved master plan and the SDG; and b. for other subdivision developments, is in accordance with the endorsed plan of subdivision and the SDG. Develop and publish a register of professionals permitted to certify a compliance audit certification report (independent certifier), and implement a framework for their engagement in the SDG, including: a. the independent auditor to be engaged early as part of the design approval process; and b. the cost of the independent auditor to be funded from existing charges for the assessment of design and construction. Implement a deemed compliant process for approvals sought under the fast-track authority approval process. Separately, enhance the SDG through legislation to require; a. statutory maximum response timeframes for the assessment of design and construction compliance by local government and service authorities; and b. minimum documentation requirements to be submitted by developers prior to the timeframe for an assessment to commence, including design and construction certification reports by the certifying engineer. This will require legislative policy changes. | 42 |
| 15 | Energisation of Subdivisions PWC to identify options to improve timeframes for the energisation of subdivisions including the option of engaging accredited private contractors to manage periods of high demand when in-house resources are not able to meet established timeframes (noting timeframes are to be established through Recommendation 14). Include in the SDG, a practical risk-management approach for the handover of street lights to authorities that have not yet been commissioned, to facilitate Part 5 clearance. This will require operational policy change. | 44 |
| 16 | Development Permit Conditions | |
| 10 | Prepare standard conditions for development permits that are clear and actionable that reference the Subdivision Development Guidelines. Where relevant, conditions are to be detailed and not generic, where each authority is responsible for the formal clearance of their conditions only. | 44 |
| 47 | This will require operational policy change. | |
| 17 | Bonding Include in the SDG, bonding guidance as to when bonding can be considered, including minimum construction requirements, bond value guidance and a template bonding deed. | 46 |
| | This will require operational policy change. | |

| Rec | Is Lodgement and Registration of a Survey Plan Implement a formalised process to enable licensed surveyors to submit a survey plan ahead of Part 5 clearance to facilitate an early valuation and loan approval process and bring forward settlement for the consumer. The subdivision must be sufficiently progressed (to the extent that the final location of the lot boundaries are identified on site, including easements and the like) for the purposes of lodgement and registration of a Survey Plan. The registered survey plan will not be released to the Land Titles Office until such time that Part 5 clearance has been obtained and there is formal confirmation that there are no changes to the registered Survey Plan. This will require operational policy change in the interim and legislative change for the longevity of the policy. | |
|-----|---|----|
| 18 | | |
| 19 | Place Names Establish a list of pre-approved names for developers to choose from that are place specific and theme based, to be undertaken concurrently with the Area Planning process for future residential developments. Undertake a jurisdictional comparison of the Place Names framework to identify areas for process improvement outside of the pre-approved names list. This is to include review of: | 48 |
| 20 | Katherine Commission a housing demand and supply study for Katherine that addresses housing preferences and cost constraints (including cost premiums) to inform the immediate accommodation needs of Katherine, but also looks to medium and long term needs, underpinned by the same demand profile work required for Land Supply planning. This will require operational change. | 53 |
| 21 | Alice Springs Prioritise land-use planning and infrastructure planning for the key localities (specifically south of the Gap) in Alice Springs in order to facilitate private land development in accordance with the Alice Springs Regional Land Use Plan, including the potential for viable cost sharing under Infrastructure Contributions that private developers can opt into. This will require operational change. | 54 |

| Recommendations | | Page Reference | |
|-----------------|---|-------------------|--|
| 22 | Stamp Duty Concession To encourage builders to utilise house and land packages and speculative builds, introduce a stamp duty concession as follows: where a buyer enters into a house and land package with a developer/builder and the builder has purchased the land from the developer, a stamp duty concession to the first house owner is to be provided (stamp duty on the land component will have previously been paid for by the builder); and where a builder engages in the construction of a speculative build and a buyer enters into a contract to purchase the house and land directly from the speculative builder, then, on the basis that the property has not been previously occupied, a stamp duty concession to the first house owner is provided (stamp duty on the land component will have previously been paid by the builder). In order to receive a stamp duty concession, the first buyer/occupier of the property must produce a house and land or speculative build contract in order to be eligible for the stamp duty concession. The concession is provided to the buyer/occupier and not to the developer/builder. This will require legislative policy change. | | |
| 23 | Implementation Plan Develop an Implementation Plan to manage the implementation process for those recommendations that are approved by Government. The plan is to be in sufficient detail to facilitate the development of processes and procedures to cover all aspects of the recommendations and to allow progress to be measured. Establish an appropriate governance structure to provide oversight and regular reporting on the implementation of the Plan and recommendations. This will require operational change. | 58 | |

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Appendices

Appendix A - Terms of Reference

Appendix B - Stakeholders Engaged

Appendix C – Draft Integrated Strategic Land and Infrastructure Planning (ISLIP) framework

Appendix D - Indicative Weddell Infrastructure Plan

Appendix E - Illustrative Example for a Titled Land Reserve

Appendix F - Pro Forma Compliance Auditor Certification

Appendix A – Terms of Reference

Objectives

Dick Guit (Team Territory) has been appointed to undertake a review of the Land Development process. A reference group will be convened to support this process.

The review will provide recommendations to the Northern Territory Government and Northern Territory Development Industry on the land development process and improvements that can be made to streamline land development in the Northern Territory.

The review will be guided by consideration of:

- existing processes of Government and Industry (Developers) that relate to the release and development of residential land development (subdivision) and identifying areas for improvement;
- developer processes for the production of lots to the market and identifying areas for improvement
- examining the input and approval process of Service Authorities and identifying areas for improvement;
- examining infrastructure bonding and other reform initiatives to support the expedient issue of titles;
- stakeholder engagement and participation in the process review.

Context

Whilst considerable land is available for residential development, the recent sudden turn in the market and increased demand for housing lots has impacted the supply of readily available titled lots in the Greater Darwin Area. As a result the Northern Territory Government has committed to a review of the land development process to support industry in the timely release of land and issue of land titles.

Land is currently being released across the Northern Territory on multiple development fronts. In Greater Darwin the largest development fronts are in Palmerston East, Berrimah (Northcrest), Lee Point/Muirhead and other smaller private land releases.

Land is also being released in Katherine East, Kilgariff in Alice Springs, Tennant Creek and regional centres such as Timber Creek and Pine Creek.

In Budget 21-22 Government has identified \$1.1 million to support the release of land in Holtze and Kowandi. This development front has the potential for over 5000 lots. Headworks (for enabling infrastructure) are scheduled to commence in 22-23.

The land development (residential subdivision) process can be broadly categorised into the following: project initiation; project development; design development; construction and completion. This system and process is primarily regulated through the *Planning Act*, *Licensed Surveyors Act* and the *Land Titles Act*. The *Planning Act* regulates the rezoning and subdivision of land. The *Licensed Surveyors Act* provides for the approval of survey plans which supports the issue of title in accordance with the *Land Titles Act*. The *Land Titles Act* essentially completes the process whereby land is registered and a title issued. The Northern Territory provides for indefeasibility of title based on the Torrens Title System.

Developers, Government and Authorities such as Power and Water Corporation, Local Councils, NT EPA, NTPFES and other Government agencies have input into the approval processes.

Review Focus

The review will identify current processes of Government and developers and where improvements can be made with the current arrangements. It will examine changes to the existing process to improve its operation and efficiency, and make recommendations to ensure the framework is fit for purpose and delivers the timely production of lots to the market. This will include:

- stakeholder engagement including seeking input from: the development industry and developers; service authorities; Local Government; and, other NTG Agencies such as the Department of Treasury and Finance and Department of Chief Minister and Cabinet (Local Government);
- examining existing Government processes related to the planning and subdivision of residential land;
- jurisdictional comparison of residential land development processes in other jurisdictions;
- existing Developer processes in the production and release of residential lots to the market;
- new initiatives and reforms such as 'bonding' for incomplete works to enable the timely delivery of lots to the market;
- understanding of any delays or hold points across the land development process;
- connections between Government and Developers in the existing process and areas of responsibility;
- analysis of available data and or case studies; and
- consideration of options to improve coordination and responsiveness in the approval processes.



Governance

A reference group will be convened to support the review of the Land Development Process. Members of the Lands and Planning Industry Forum include industry representatives who may wish to nominate to be part of the reference group. Other nominations will be sought to support the reference group (such as service authorities). The review will be undertaken by Dick Guit with secretariat support provided by the Department of Infrastructure, Planning and Logistics.

The review members will meet regularly as required to undertake the review and report back to the Lands and Planning Industry Forum.

The Lands and Planning Industry Forum representatives who have agreed to participate in the review are listed (below).

- UDIA NT;
- Property Council NT;
- HIA NT;
- MBA; and
- REINT.

Government agencies (Service Authorities) will be invited to meetings as required.

The review members may be required to consider commercial in confidence information in respect of private sector land development agreements, processes, statistics and concerns. Review members agree to adhere to confidentiality requirements during the review process.

Milestones

The review is to be completed by August 2021.

Review

These Terms of Reference will be reviewed as needed as the review progresses.

NORTHERN TERRITORY GOVERNMENT Bringing Land to Market

Appendix B - Stakeholders Engaged

The following stakeholders have contributed to the development of this report;

| Function | Entity |
|------------------------------|--|
| Industry representative | Urban Institute of Australia (UDIA) NT |
| bodies | Property Council of Australia (PCA) NT |
| | Chamber of Commerce NT |
| Developers ¹ | Urbex |
| (External to | Larrakia Development Corporation |
| Government) | Bellamack Pty Ltd t/a Territory Life |
| | Halikos Developments |
| | Costajic Pty Ltd |
| | Downes Graderways |
| | Intrapac Property |
| | NT Airports |
| | Australian Property |
| | Projects Pty Ltd |
| Builders | Housing Institute of Australia (HIA) |
| | Master Builders Association (MBA) NT |
| | Zuccoli Homes |
| | Bendella Group |
| | AusCon NT |
| | Blueprint Construction NT |
| | Asbuild NT |
| Real Estate | Real Estate Institute of Australia (REI) NT |
| | Knight Frank |
| | LJ Hooker – Katherine |
| | Elders Real Estate - Katherine |
| Contractors | BMD Group |
| | Allan King and Son |
| | DTA Contractors |
| Conveyancers | Ward Keller |
| Local Government Councils | Local Government Association (LGA) NT |
| | City of Darwin |
| | City of Palmerston |
| | Litchfield Council |
| | Katherine Town Council |
| | Alice Springs Town Council |

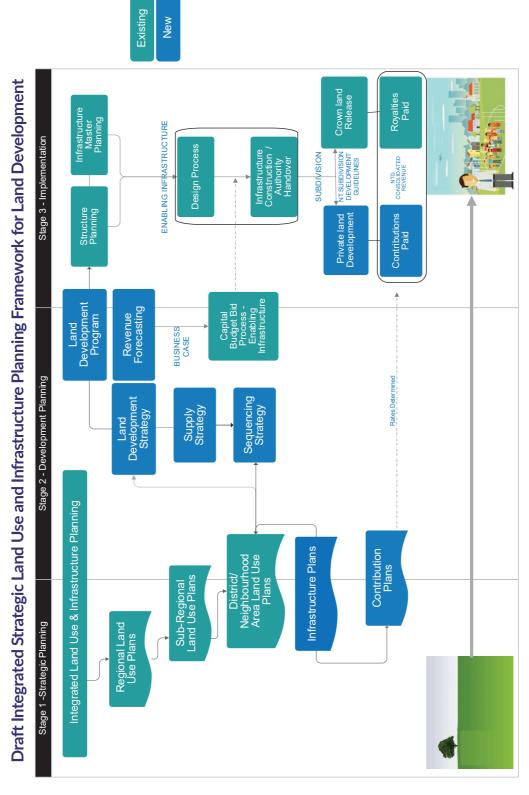
| Function | Entity |
|--|---|
| Regional Councils | Tiwi Islands Regional Council, Barkly Regional Council, Coomalie Community Government Council, East Arnhem Regional Council, Central Dessert Regional Council |
| Native Title | Lhere Artepe Aboriginal Corporation |
| Land Developers (Government) | Land Development Corporation (LDC) |
| | DIPL (Land Development) |
| | DIPL (Housing Program Office) |
| Power and Water Corporation | Power Services |
| | Water Services (water and sewer) |
| Department of | Crown Land Estate |
| Infrastructure, | NT Planning Commission |
| Planning and Logistics | Development Assessment Services (DAS) |
| | Development Consent Authority (DCA) |
| | Place Names Committee (PNC) |
| | Survey General (SG) |
| | Valuer General |
| | Land Services - ILIS |
| Department of the Attorney-General and Justice | Land Titles Office (LTO) |
| Department of | Rangeland Management (ESCP) |
| Environment, Parks | Fauna/Flora (threatened species) |
| and Water Security | Weed Management |
| | Water Resources |
| | Environment (impact assessment, contamination) |
| Department of Health | Medical Entomology (biting insects) |

 $^{^{1}\}mbox{Developers}$ includes developer representatives.

| Function | Entity |
|---|--|
| Department of Treasury and Finance | Revenue |
| | Economic Policy |
| Department of Industry, Tourism and Trade | Small Business |
| | Strategic Infrastructure |
| Department of Chief Minister and Cabinet | Territory Economic Reconstruction Implementation |
| Committees | Central Australian Economic Reconstruction Committee |
| | Rural Residents Association |
| Jurisdictional Comparison | RPS Group, Townsville |
| | Maidment Group, Townsville |
| | UDIA Townsville |
| | Townsville City Council |
| | Kelly Reaston Development and Property Services, Cairns |
| | Cairns Regional Council |
| | Urban Sync, Cairns |
| | Holding Redlich, Cairns |
| | UDIA Cairns |

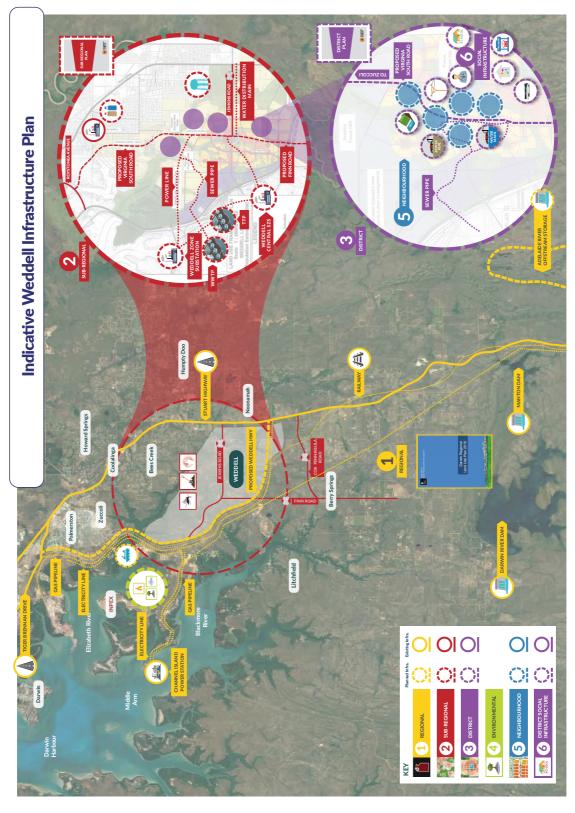
Land owners were also consulted during the Review but have not been individually named for privacy reasons.

Appendix C - Draft Integrated Strategic Land Use and Infrastructure Planning (ISLIP) Framework



NORTHERN TERRITORY GOVERNMENT Bringing Land to Market





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NORTHERN TERRITORY GOVERNMENT Bringing Land to Market

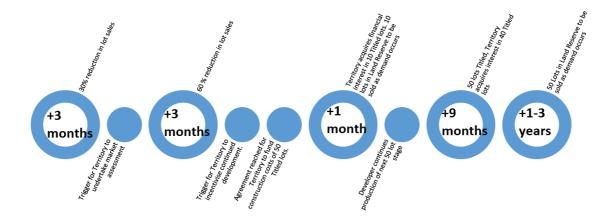
Appendix E - Illustrative Example for a Titled Land Reserve

Example 1

Developer A has a Development Agreement for the release of Crown Land. From stage 1, 10 lots remain unsold.

Developer A approaches the Territory for an extension on timing to commence the next stage of development (50 lots) in accordance with timing in the Development Agreement due to a significant downturn in the market.

Following the trigger of a reduction in lot sales (as defined in the terms of the Development Agreement), a market assessment is undertaken by the Territory to determine if a future option to provide a financial contribution to Developer A is warranted. If the trend of a market downturn continues, the Territory can choose to exercise the option to acquire an interest in Titled lots, and in return Developer A is required to maintain continued production of lots from Stage 2. As an indicative example, a timeline for these triggers is depicted in the illustrated example.



The option for the Territory to provide the financial contribution to Developer A is triggered when there is a sustained downturn in the market and in order to incentivise the development of the next stage of 50 lots during times of low construction activity. In order for Developer A to access the financial contribution, Developer A is required to continue production of lots at an agreed level.

The Territory in turn, will agree to acquire an interest (by way of payment of all construction costs) for an agreed number of Titled lots. In this example, the Territory will pay all construction costs associated with 10 Titled lots in Developer A's Stage 1, and 40 Titled lots in Developer A's Stage 2.

At the end of the Stage 2, Developer A will have 10 Titled lots (as was the case initially), and an additional 50 Titled lots (within the Land Reserve), with all construction costs funded under the financial contribution arrangement for the 50 Titled lots.

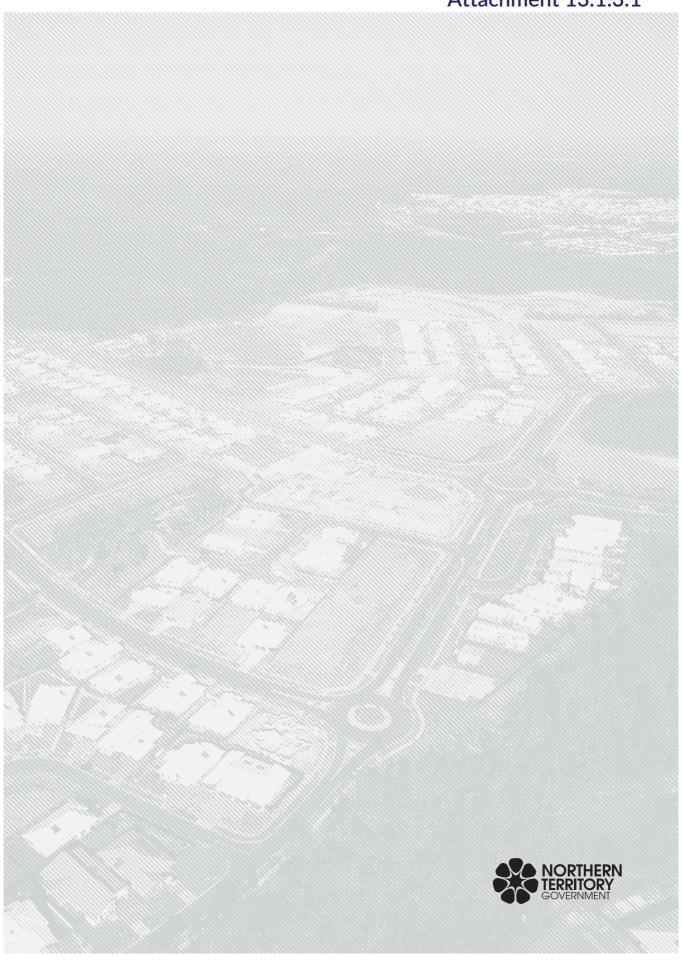
The Territory will provide the financial contribution to cover the construction costs at the point in time that lots are titled and in exchange for a financial interest in the lots to be registered on Title. The financial contribution will be recovered upon the time of settlement with a third party.

Titled lots are to be released to market from the Land Reserve as demand occurs, and at the request of Developer A.

Note: The total number of lots that the Territory will agree to acquire an interest in, at any particular point in time, is dependent on the number of Crown land developments and stages currently contracted.

Appendix F - Pro forma Compliance Auditor Certification (Independent Certifier)

| Accredited Certifier |
|--|
| Description of Development Subdivision |
| Development Consent No Date of Determination |
| Address of land on which development is being carried out |
| |
| Description of work inspected Subdivision Works authorised and/or required by the above development consent. |
| Date Subdivision works commenced on site |
| Date Subdivision works completed |
| Copies of all tests, inspection reports, CCTV pipeline reports and the like |
| Copies of plans as required by the Development Permit and in compliance with the Subdivision Development Guidelines |
| Copies of all Scheduled Inspections as required by xx. Copies of all Non Compliance and revised approved plans. |
| Certification |
| I certify that based on inspections as detailed in Schedule X, the subdivision works have been designed in accordance with the Conditions of the Development Permit, approved masterplan and design plans and in compliance with the Subdivision Development Guidelines. |
| Signature Date |





MINISTER FOR INFRASTRUCTURE, PLANNING AND LOGISTICS

Parliament House State Square Darwin NT 0800 minister.lawler@nt.gov.au GPO Box 3146 Darwin NT 0801 Telephone: 08 8936 5566 Facsimile: 08 8936 5609

Mr Luccio Cercarelli Chief Executive Officer City of Palmerston

Via Email: Luccio.cercarelli@palmerston.nt.gov.au

Dear Mr Cercarelli

On 19 February 2022, the Government released the Bringing Land to Market Report (the Report), which was the result of the independent review undertaken by Mr Dick Guit. The Government accepted in principle all of the Recommendations of the Report and a cross agency effort is underway to implement a number of the Recommendations.

As part of this work and to address Recommendation 23: Implementation, the Government has established a governance structure to oversee and report on the implementation of the Recommendations. This includes a Land Development Committee (the Committee) that will have two primary functions; to oversee the delivery of the Report's Recommendations; and to provide governance and oversight on the land development subdivision technical guidelines.

Mr Guit is appointed as the Chair of the Committee. A draft Terms of Reference has been attached to provide further information on the Committee and its responsibilities.

Given the City of Palmerston is not currently a member of the Local Government Association, we are now seeking your nomination for <u>one</u> of two local government council representatives on the Committee. Nominations will also be sought from the Local Government Association (Northern Territory) to represent the interests of its members on the Committee.

The representative should be suitably senior to represent local government and be in a position to seek technical support and advice from other local government officers as required.

Could please provide a nomination from your organisation by close of business 5 August 2022 to <u>Land.Development@nt.gov.au</u>. For further information you can contact Mr Graeme Finch on 8924 7361.

Yours sincerely

EVA LAWLER

1 9 JUL 2022

DICK GUIT Chair, Land Development Committee



Land Development Committee Terms of Reference

Version No: 1 - May 2022

1 Background

1.1 Land Development

The land development process is complex and includes a number of key stakeholders to ensure the delivery of land at the right place and the right time to meet demand.

Ensuring the efficiency of processes that delivers land availability to market is key to supporting the Northern Territory's growth. This is achieved through:

- integrated strategic land use and infrastructure planning to identify and plan for future Land Supply (land with the potential for providing serviced lots); and
- the land subdivision process, where Land is Under Development, and in the hands of developers, to be subdivided and reticulated infrastructure service connections provided to produce titled land to market.

1.1.1 The Bringing Land to Market Report

The independent report, 'Bringing Land to Market, an independent review of the Land Development Processes, Land Under Development and Titled Land' (the Report) was released by Government on 19 February 2022.

The 22 recommendations in the report collectively aim to support a growing Northern Territory economy through the provision of sufficient titled land to meet future upswings in demand, in particular to support future growth.

A key role of the Land Development Committee is to provide advice and guidance on the initial implementation of recommendations of the Report. Recommendation 23 of the Report specifically identifies the need for an appropriate governance structure, to provide oversight and regular reporting. This governance structure includes:

- a Land Development Committee with an independent chair, to provide oversight of the initial implementation of the recommendations of the Report; and
- a Project Steering Group, as an interagency group to progress the necessary actions and effect legislative, policy or operational changes necessary to achieve the objective of each recommendation, including reporting status against each deliverable.

1.1.2 Subdivision Development Guidelines

The Subdivision Development Guidelines (SDG) is a document system that aims to provide increased consistency and certainty for developers and asset owners in the design and delivery of subdivisions in the Northern Territory.

The SDG has been developed based on existing policies and standards and consists of:

 (a) Part 1 – Design Guidelines that establish a framework of key principles for the design of subdivision infrastructure;

- (b) Part 2 Reference Documents that incorporate approved policies from both Asset Owners and Regulatory Authorities that guide the design, construction and maintenance of subdivision infrastructure;
- (c) Part 3 Standard Drawings that outline specific design requirements to meet relevant technical standards; and
- (d) Part 4 Technical Specifications that provide construction standards and asset handover and maintenance requirements.

The SDG has been designed to align existing approved standards to the extent practicable and bring them together into a single place, while retaining the ability to update standards and allow variations to the standards where appropriate (for example to meet specific local or regional needs). It does not remove the ability for asset owners and other authorities to set standards, but does seek to achieve consensus by all key stakeholders, in relation to appropriate uniform standards.

An operational framework has been developed through an online platform that is central to accessibility to key information by stakeholders. It provides access to all the SDG documents and links to Part 2 Reference Documents, is searchable and has version control.

As well as front of house functionality it has back of house management, communication and reporting functions.

The SDG is currently voluntarily adopted by the regulatory authorities and asset owners identified in Page 1V, Part 1 of the SDG. The legal imprimatur of the SDG is provided through the Development Permit process where regulatory authorities have the responsibility of approving the technical design requirements for public infrastructure assets within a subdivision prior to providing clearance of Development Permit conditions.

2 Role of Land Development Committee

The Role of the Land Development Committee is to:

- provide strategic guidance and advice on all land development related matters, including Land Supply and Land Under Development.
- oversight the implementation of the 22 recommendations of the Bringing Land to Market Report for a period of up to 18 months.
- ongoing oversight of the operation and management of the SDG; including;
 - o review and approve applications for variations and amendments;
 - where appropriate delegate approval of minor amendments to the Independent Chair;
 - o ensure the currency and relevance of the SDG is maintained;
 - periodically review the SDG to ensure relevance and alignment with Australian standards;
 - ensure the SDG aligns with the requirements of stakeholder groups to the extent practicable; and
 - establish technical working groups to resolve technical matters with stakeholders and maintain established working relationships.

3 Membership of the Land Development Committee

3.1 Members

The membership will be comprised of:

- Independent Chair;
- two representatives of local governments across the Territory;
- one representative of Lands and Planning from the Department of Infrastructure,
 Planning and the Logistics (DIPL);
- one representative of Housing Program Office from DIPL;
- one representative of Power and Water Corporation;
- one representative of the land development industry including Urban Development Institute of Australia (NT); and Property Council of Australia (NT) and the Civil Contractors Federation (NT); and
- one representative of the building industry, including Master Builders NT and the Housing Industry Association (NT).

Proxies: Members may appoint a proxy to attend meetings in their absence.

Invitees: Non-voting individuals may be invited to present to the Land Development Committee on particular matters.

3.2 Chair

An Independent Chair is proposed to maintain the functionality of the Land Development Committee and the implementation of the role of the Land Development Committee in a manner that is fair and unbiased

The Independent Chair shall convene the Land Development Committee meetings.

If the designated Chair is not available, they will nominate an Acting Chair to be responsible for convening and conducting that meeting. The Acting Chair is responsible for informing the Chair as to the salient points/decisions raised or agreed to at that meeting.

The Independent Chair will nominate a Chair for each Technical Working Group as coordinator and facilitator, in conjunction with the Secretariat support of the Department of Infrastructure, Planning and Logistics.

3.3 Decisions

The Land Development Committee may from time to time be required to make a decision regarding a technical matter relating to elements of the Subdivision Development Guidelines.

The Land Development Committee will seek to make decisions by consensus. Where consensus cannot be reached a decision on any matter shall be determined through voting.

4

All members and nominated proxies present shall have the right to vote on these matters. Invitees shall not have voting rights. The Department of Infrastructure, Planning and Logistics Secretariat will not have voting rights. Voting will be through a show of hands, however on significant issues the Chair may

Voting will be through a show of hands, however on significant issues the Chair may agree to a ballot system.

The Chair will count votes for and against an issue to determine the outcome. If the outcome is tied, the Chair shall cast a deciding vote.

The Land Development Committee will abide by the decision based on the outcome of the vote.

4 Technical Working Groups

The role of the Technical Working Groups (TWG) is to provide advice to the Land Development Committee with regards to specific technical content of the various Parts of the SDG or other land development matters.

TWGs will be convened on an as required basis as approved by the Land Development Committee, to address issues as they arise.

The TWGs will be comprised of Land Development Committee members or their representatives with relevant technical experience and expertise and other relevant stakeholders, as determined by the Independent Chair.

The issues that TWGs will consider include, but are not limited to:

- Roads/Drainage/Landscaping;
- Power/Lighting/Telecoms;
- Sewer/Water;
- Land Suitability;
- Standard Drawings;
- Technical Specification; and
- General Governance and Process.

The TWGs will provide technical advice to the Land Development Committee through the Independent Chair.

5 General

5.1 Secretariat

The Department of Infrastructure Planning and Logistics will provide Secretariat services to the Land Development Committee.

5.2 Agenda Items

All Land Development Committee agenda items must be forwarded to the Department of Infrastructure, Planning and Logistics by C.O.B. fourteen (14) working days prior to the next scheduled meeting.

The Land Development Committee agenda, with attached meeting papers will be distributed at least seven (7) working days prior to the next scheduled meeting.

The Chair has the right to refuse to list an item on the formal agenda, but members may raise an item under 'Other Business' if necessary and as time permits.

5.3 Minutes & Meeting Papers

The Minutes of each Land Development Committee meeting will be prepared by the Department of Infrastructure, Planning and Logistics' Secretariat.

Full copies of the Minutes, including attachments, shall be provided to all Land Development Committee members no later than ten (10) working days following each meeting.

By agreement of the Committee, out-of-session decisions will be deemed acceptable. Where agreed, all out-of-session decisions shall be recorded in the Minutes of the next scheduled Land Development Committee meeting.

5.4 Frequency of Meetings

The Land Development Committee shall meet on an as and when required basis and nominally, will meet quarterly.

Meeting dates for each year will be agreed in advance, at the first meeting of that year.

5.5 Quorum Requirements

The quorum for a meeting of the Land Development Committee is a majority of its members (or their proxies).

5.6 Communications

All formal communications from the Land Development Committee shall be through the Independent Chair, on behalf of the Land Development Committee.

5.7 Confidentiality

Any items of discussion that are deemed confidential by the Independent Chair, either due to privacy of information or other reasons, may not be discussed with third parties by members of the Land Development Committee.

Draft guidelines, documents and/or statements shall not be shared with third parties by members of the Land Development Committee. In some instances, draft guidelines or information, may be shared, upon agreement with the Independent Chair.



COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM: 13.1.4

REPORT TITLE: 2022 Palmerston Youth Festival

MEETING DATE: Tuesday 2 August 2022

AUTHOR: Community Services Manager, Melanie Tighe **APPROVER:** Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

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

PURPOSE

This Report provides Council with an overview of the 2022 Palmerston Youth Festival held between 10 and 16 July 2022.

KEY MESSAGES

- City of Palmerston delivered the third Palmerston Youth Festival held between 10 and 16 July 2022, with sponsorship from the Northern Territory Government.
- Youth under 25 represent 39% of the Palmerston Community.
- Over 7000 people participated in or attended events across the week, an increase in attendance of 2000 people since 2019.
- The Palmerston Youth Festival concluded with over a thousand people watching the first ever Drone display in the Northern Territory.
- The Palmerston Youth Festival (Festival) was made up of seven events, (two major and five bespoke), over seven days and included eight competitions worth \$25,000 in prize money. 60 young people shared in this prize pool.
- Events and activities were designed to be free, accessible, inclusive and to cater to a broad range of interests including culture, music, sports, arts, hobbies, and technology.
- The Festival was very well received by the community and the demographic reach extended beyond the youth audience to families and adults.
- The Northern Territory Government, Department of the Chief Minister and Cabinet (DCMC) committed grant funding of \$300,000 to City of Palmerston, to deliver the Palmerston Youth Festival
- City of Palmerston committed \$50,000 towards the Festival.
- The Northern Territory Government current funding agreement includes one further Palmerston Youth Festival in 2023.
- Mayor writes to Chief Minister thanking the Northern Territory Government for their funding to date and a request for further funding to continue to deliver the Palmerston Youth Festival beyond 2023.



RECOMMENDATION

- 1. THAT Report entitled 2022 Palmerston Youth Festival be received and noted.
- 2. THAT the Mayor writes to Chief Minister thanking the Northern Territory Government for their funding to date and request further funding to deliver the Palmerston Youth Festival beyond 2023 as outlined in report entitled 2022 Palmerston Youth Festival.

BACKGROUND

In November 2018, the Northern Territory Government (NTG) committed \$300,000 per annum grant funding, to coordinate a week-long Palmerston Youth Festival during the July school holidays.

At the 2nd Confidential Council Meeting of 20 November 2018 Council made the following decision:

Palmerston Youth Festival Grant

- 1. THAT Report Number C9/0121 entitled Palmerston Youth Festival Grant be received and noted.
- 2. THAT Council accept the Department of the Chief Ministers offer of ongoing grant funding of \$300,000 per annum to organise a week-long Palmerston Youth Festival in the July school holiday.
- 3. THAT Council, pursuant to Section 32 (2) of the Local Government Act 2008 (as amended), hereby delegates to the Chief Executive Officer, the power to finalise and enter the ongoing grant funding agreement with Northern Territory Government for a Palmerston Youth Festival.
- 4. THAT this matter be moved into Open following the joint public announcement with the Northern Territory Government.

CARRIED 9/0386 - 20/11/2018

In 2019 and 2021, City of Palmerston delivered the Palmerston Youth Festival between 13-20 July 2019 and 10-16 July 2021.

The 2019 program included three major events as well as several smaller bespoke events with over 5250 participations/attendances by young people. Festival highlights included:

- A week of youth related activities and events, including visual and performance arts, cooking, sport, dance, gaming and geek culture, comedy, and drama activities.
- Participation from 16 young people in the Festival Working Group.

Following this highly successful event in 2019, Northern Territory Government (NTG) committed a further three consecutive years of funding for the Youth Festival from 2020-2022. However, in 2020, the Festival was postponed due to the COVID-19 pandemic, with NTG subsequently amending the funding agreement from 2020-2022 to 2021-2023.

In 2021 the Festival delivered two major and five bespoke events, with over 5800 participations/attendances by young people at the Festival events. Festival highlights included:

- The addition of a Major Arena, Medieval Land, Collectors Fair/Artist Alley, Game Development Testing Station, Adults Gaming Zone, Escape Room and JDM Car Display at Geekfest Top End.
- Esports and Cosplay Competitions had a focus on inclusivity with a new tournament added for female/non-binary gamers and gender categories were removed from the Cosplay Competition.
- The inaugural Great Duck Race, Comedy Gold, NBL 3 x 3 Hustle, NT Championships and Suburban Sounds closing the Festival.



Despite the challenges faced leading up to the event, including a seven-day lockdown due to COVID-19, the Festival was well attended with the most popular event, Geekfest Top End seeing approximately 3800 people attend.

DISCUSSION

Council delivered an engaging and diverse program of events for the third instalment of the Palmerston Youth Festival.

It is recommended that the Mayor writes to Chief Minister thanking the Northern Territory Government (NTG) for their funding to date and a request for further funding to continue to deliver the Palmerston Youth Festival beyond 2023. The Festival funding agreement with NTG is for three consecutive years. If Council fails to secure recurrent NTG funding this will have considerable impact to delivery of the Festival, as Council will need to significantly scale back the activities and events of the Festival. Council would also be required to secure extra funding to deliver and/or cancel the Festival.

The Festival was delivered over seven days between 10- 16 July 2022. The program involved two major events and five smaller events that were delivered in partnership with various community organisations and groups. The Festival also included eight competitions with 60 young people sharing in the overall prize pool.

Festival highlights included:

- High youth attendance and engagement with over 7000 people participating/attending the 2022 Palmerston Youth Festival across seven days of events and activities. This was up from 5800 in 2021.
- Events and activities were designed to be free, accessible, inclusive and to cater to a broad range of interests including culture, music, sports, arts, hobbies, and technology.
- Delivery of the Festival included partnerships between City of Palmerston and several community groups and organisations.
- Over 1000 people viewed the first ever Drone Show in the Top End. This show is available to view here: https://youtu.be/OMV-4ym5MbY and will be shown at the Council Meeting on 2 August 2022.

Sunday 10 July - Suburban Sounds

Suburban Sounds opened the Festival at Goodline Park with an all-indigenous music line up and over 1300 people attending including many families.







Suburban Sounds - Justine Wellington, Yenz Face Painting, Yung Milla



Monday 11 July - Late Skates

Late Skates, in partnership with Build Up Skateboards, was a free skateboard event at Palmerston Skatepark. Over 80 people, aged between 4 years – 40 years, joined in the activities, with both experienced and novice skaters taking part. The more experienced skaters were assisting and encouraging children and young people to have a go and take part.

Late Skates has grown from a weekly community development program supported by City of Palmerston which is designed to engage local young people. The program has been a success at creating a supportive environment from which to assist young people in building their skills and confidence.







Participants at Late Skate Event





Tuesday 12 July - Art Jam

Durack Community Arts Centre opened its doors for an afternoon of free workshops and events including an Art Jam Exhibition, an NT Teen Clicks Photography Portraiture Workshop hosted by Australian Teachers of Media NT, leading into the NT Teen Clicks Annual Exhibition; an exhibition capturing Teenage Territorians, a Zine Workshop and in the evening, we catered to our older youth audience 18+ with a DJ led Karaoke Klub.

Durack Community Arts Centre was well received as an exhibition space and artists discussed future collaborative opportunities and exhibitions in the Durack Community Arts Centre. The range of ages



attending workshops indicates the importance of providing activities and events for 18+ demographics.







Photography Workshop

Zine Workshop

Art Exhibition

Wednesday 13 July - SportsFest

Over 500 young people attended Sportsfest, an afternoon/evening of free come and try sporting activities in the Palmerston Recreation Centre, in partnership with PaRBA, concluding with a 3*3 basketball final. There were over 25 3x3 Basketball teams. Level Up Esports delivered five different sports through gaming content.

In attendance on the day were Olympians and NWBL Darwin Salties assisting young people with the sport of wheelchair basketball and the Irish Heavyweight Boxing champion. One volleyball court was adapted to a blind volleyball session where the net is covered and a ball with a bell is utilised. Participants enjoyed the less competitive aspect of this session. Catering was provided by PaRBA Youth Drop in Sports participants who came through the program via the Community Work Order program.





Participants at SportsFest







Thursday 14 July - Culture Connect

Palmerston Youth Leadership Forum where five young people shared their stories, achievements, world views, adversities they have overcome and hopes for the future. It was hosted by the Young Palmerston Resident of the Year.

Palmerston Pride Picnic celebrated young LGBTQIA+ Community in Palmerston and beyond. Created in partnership with the 2022 Northern Territory Youth Achiever for Create Change. There were drag performances, a panel discussion, stall holders, glitter station, craft station, live painting, photobooth and more.

Palmy Cypher (rap dance at the Palmerston Pool SWELL, where three cultural dance groups, Garramilla Dancers (Larrakia) PHL the beat (Philippines), Afro House Boys (Republic of the Congo) and a DJ came together to showcase their skills, share, teach their dance style and culture, and enjoyed a dance off.





Culture Connect - Forum, Picnic, Cypher Dance









Friday 15 July Geekfest Top End 2022 (Day 1)

900 people attended Geekfest Day One at Event Cinemas. The Annual Esports Competition for all ages was hosted by Level Up Esports. In the lead up to the Festival, Geek Culture Collective supported and mentored Level Up Esports to run their first professional Esports Tournament. Event Cinema allocated three cinema rooms to run Esports, free Anime films and the latest blockbuster Thor movie.





Geekfest Top End Participants







Saturday 16 July - Geekfest Top End 2022 (Day 2)

Geekfest Top End closed the Festival, with over 4000 people attending, taking over the Palmerston CBD including the City of Palmerston Library, Recreation Centre, Gulwa Recording Studio, and Goyder Square. This event was again the most popular of the Festival with Cosplay Competitions for all ages and Level Up Esports Competition for Super Smash Brother Ultimate.

Medieval Land showcased historic weapons and handcrafted skills such as black smithing and leather works. There was also a Collectors Fair/Artist Alley, Game Development Testing Station, and an Adults Gaming Zone. Two panel discussions were offered: Women in Tech, showcasing local female talent in the NT and Geek Culture Collective together with Director of Business Innovation, Dept. of Industry, Tourism and Trade, Northern Territory, sharing information about all things geeks and innovation in the Top End.

Other Geekfest activities included Flicnics, Fire show, Questacon Showcase, Laser Tag, Escape Room and Board Games in the library and a Silent Disco in Gulwa Recording Studio.

Over 1000 people enjoyed the grand finale of a Geek themed Drone Show, which was the first of its kind in the Top End, with displays of Space Invaders, Mario Brothers, Pong, and Star Wars.







Participants at Geekfest Day 2







Palmerston Youth Festival Drone Show



CONSULTATION PROCESS

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

- Festival Partners
- Youth Working Group
- Geek Culture Collaborative and Geek Squad
- Northern Territory Government, Department of the Chief Minister

A Palmerston Youth Festival Working group was established with young community members being involved at various stages throughout the planning process. The group were consulted on the overall Festival program content and events, promotional activities, and marketing materials. They also volunteered during the Festival.

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

Under the funding agreement, the Northern Territory Government grant contribution is \$300,000.00 per year with City of Palmerston contributing an additional \$50,000.00 per year. Grant funding has been committed for three consecutive years from 2021 to 2023.

City of Palmerston have ensured all funding requirements have been met, including allocating \$25,000.00 for competitions and prizes, and \$25,000.00 for partnerships.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS.

The Festival funding agreement with NTG is for three consecutive years. If Council fails to secure recurrent NTG funding this will have considerable impact to delivery of the Festival, as Council will need to significantly scale back the activities and events of the Festival Council would also be required to secure extra funding to deliver the Festival and/or cancel the Festival.

A Festival report (September 2022) will be presented to NTG to demonstrate that all the contract funding requirements and special conditions have been meet. City of Palmerston works in partnership with the NTG as the key stakeholder. Any risks around this relationship are mitigated by intentionally involving NTG stakeholders throughout the Festival planning processes and key updates are provided to NTG throughout. Initial assessment by staff is that NTG are pleased with the Festival's delivery and outcome.

As part of the delivery of the Palmerston Youth Festival, staff engaged and worked in partnership with several community partners. The Festival's success was dependent on maintaining and managing relationships with the key partners. Staff worked extensively to ensure that effective working relationships were maintained and managed expectations through the development of partnership agreements, this was further supported through consistent communication and the coordination of strategic meetings.

This Report addresses the following City of Palmerston Strategic Risks:

- 1 Fails to be trusted as a Council Context: Achieving credibility & trust with majority of those within and external to the City.
- 8 Fails to develop effective relationships and manage expectations of relevant parties



Context: Engagement & communication with stakeholders (internal and external to the City).

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



1st Ordinary Council Meeting

AGENDA ITEM: 13.2.1

COUNCIL REPORT

REPORT TITLE: Office of the Deputy Chief Executive Officer Quarterly Report April to

June 2022

MEETING DATE: Tuesday 2 August 2022

AUTHOR: Executive Manager People and Customer, Emma Blight

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 summarises the key activities undertaken by the Office of the Deputy Chief Executive Officer in the April to June 2022 quarter.

KEY MESSAGES

- Successful design and development of the City of Palmerston Municipal Plan and Long-Term Financial Plan 2022/23.
- City of Palmerston social media channels received an increase of 485 new followers and a total organic reach of 153,874.
- Over 80k unique visits to the website an increase of 3.76% from same period last year.
- Over the reporting period, Council sent out nine Media Releases and received 78 pieces of earnt media across the local network including print articles, radio and broadcast.
- Council attracted an additional 258 new followers on Facebook and 80 new followers on Instagram this quarter.
- Organic social media reach for the quarter was 128,078 people and 72,030 for paid advertising.
- We continue to support the professional development, health, safety, and wellbeing of our people through various initiatives that are regularly reviewed for effectiveness.
- Our staffing continues to be managed within budget and Full Time Equivalents (FTE), and we recognise and celebrate the diversity of our workforce.
- The health, safety and wellbeing of our staff continues to be a focus, with 18 incidents recorded.
- There has been a 5% reduction in reporting incidents compared to the same period last year.

RECOMMENDATION

THAT Report entitled Office of the Deputy Chief Executive Officer Quarterly Report April to June 2022 be received and noted.



BACKGROUND

The Office of the Deputy CEO provides a quarterly report to Council on key activities undertaken during the quarter. The Directorate includes the functions of Media and Communications and People and Customer Experience including Safety and Wellbeing.

DISCUSSION

As enabling functions, the departments within the ODCEO supported organisational activities aligned to City of Palmerston's Community Plan outcomes and objectives.

Media and Communications

Community Engagement

City of Palmerston consulted with the community on four publications during this quarter.

- Draft Municipal Plan 2022-2023
- Draft Communications Strategy 2022-2023
- Palmerston Creative Industries Plan 2022-2027
- Draft Social Media Strategy 2022, which is still available for comment, closing on 21 July 2022.

Community feedback was encouraged across multiple platforms including website, online forms, survey, social media, print, and radio.

Social Media

Over this quarter, the City of Palmerston Facebook social page organic reach was 128,078 with the paid reach being 72,030. Council attracted 258 new Facebook followers this quarter, making a total of 16,350-page followers.

City of Palmerston's Instagram page reached 25,796 people organically, and currently has 1615 followers which is an increase of 80 from last quarter.

City of Palmerston's LinkedIn profile received 147 new followers in this quarter, resulting in 1,258 total followers.

Organic Posts (term that means unpaid)

This quarter there were 96 organic posts created on City of Palmerston's Facebook page. The top performing post was ANZAC Day Water Tower display. This post had a reach of 12,550 with 518 Likes and Reactions, 56 Comments and 41 shares. Results like this are generally attributed to commemorative events. ANZAC Day is a significant day for the Palmerston community as many current and former defence personnel and family call Palmerston home. The water tower is an iconic landmark for the city and is instantly recognised in moments such as this light display.

Top 5 Organic Posts

| | Reach | Likes and Reactions | Comments | Shares |
|----------------------------|--------|---------------------|----------|--------|
| ANZAC Day Water Tower | 12,550 | 518 | 56 | 41 |
| Barramundi Release | 10,628 | 81 | 45 | 8 |
| myPalmerston Did You Know? | 10,491 | 44 | 8 | 10 |
| Live at the Lake | 9,030 | 168 | 52 | 17 |
| Flicnics | 7,865 | 119 | 76 | 15 |

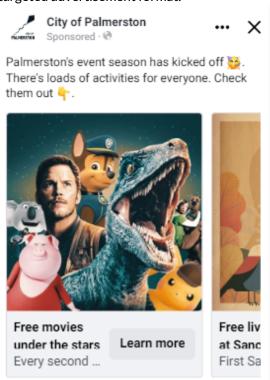


This quarter there were five posts and 36 stories created on City of Palmerston's Instagram page. On LinkedIn there were six posts created. The post with the highest engagement was the LG Pro Challenge win, with 3,644 impressions and 243 clicks through to the website. A post on the Zuccoli and Surrounds Community Hub saw 1,716 impressions and 66 clicks, with the Palmerston Youth Festival announcement achieving impression 1,192 impressions and 30 clicks.

Social Media Campaigns (paid advertising)

During this quarter, nine advertising campaigns were run across our social channels targeting a large demographic. The total reach for these campaigns was 72,030 with an average of 8,003 reach per advertisement.

This quarter saw a trial of a monthly event campaign, in the format of a carousel. In June this carousel included details on Flicnics, Live at the Lake, Ranger dog walks, Brekkie in the Park and the Multicultural festival. Results were much more successful than when these events were promoted individually in a targeted advertisement format.





FLICNICS

PALMERSTON PRIDE

The top performing ad campaign was Palmerston Pride example above) which ran from 16 May – 28 May. This campaign reached 53,676 users across Facebook and Instagram.

Top 5 Advertisements

| | Reach | Likes and Reactions | Link Clicks |
|----------------------|--------|---------------------|-------------|
| Palmerston Pride | 53,676 | 49 | 164 |
| Event Season - June | 46,703 | 7 | 332 |
| Event Season - July | 40,889 | 38 | 311 |
| Easter Eggs-perience | 7,538 | 4 | 75 |
| Get Active - May | 5,038 | 12 | 141 |



Public Relations/Media

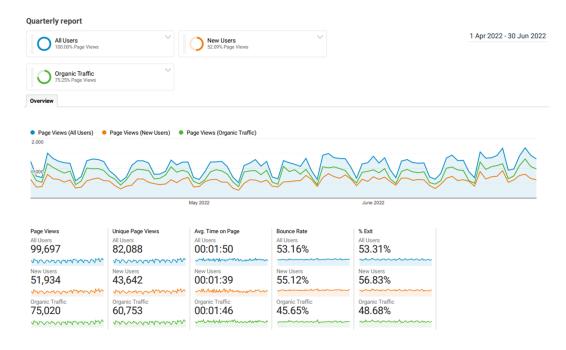
Council sent out nine Media releases during the period and received 78 pieces of organic earnt media including print articles, radio and broadcast. The coverage recorded a potential reach of 890k people with an estimated ASR (advertising sales rate) of \$2.5 million. Although media release numbers were down from previous quarters, reach has significantly increased which is a good result.

These releases included the 'Gulwa' Community Recording Studio; the installation of the HMAS Ipswich ship mast; the Draft Municipal Plan and Budget 2022-23; Zuccoli and Surrounds Community Hub; and the announcement of the Palmerston Youth Festival.

The Mayor completed three 'Head Honcho' interviews on ABC with Adam Steer and in addition to these another eight interviews across other interview segments on ABC and Mix 104.9. The Mayor also featured twice on Channel 9 for the Palmerston Youth Festival with Minister Lawler, and the Zuccoli and Surrounds Community Hub with the Chief Minister. The Mayor featured on ABC talking about Palmerston Pride.

City of Palmerston Website

170 updates have been made to the website last quarter

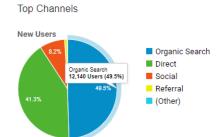


In comparison to the same period in the previous year, website statistics increased by 3.76% on unique page views, 14.57% time on page and an increase in organic traffic of 4.62% coming to Council's website (that is via google not clicking a link). Top pages viewed included the myPalmerston media release, library, careers, waste management, Council pound and the swimming pool, with searches for the Palmerston Youth Festival bringing in over 1,000 page views.





As opposed to the previous quarterly report, where we saw an increase in desktop usage, there is now an increase in accessing the website via mobiles. This information feeds into how Council moves forward with ensuring the website is mobile friendly and the importance of layout and accessibility.



myPalmerston Website

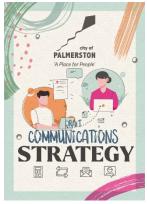
In addition to this, the mypalmerston website statistics have shown 24,578 new users to site staying on there for an average of 2 min 45 sec. 49.5% came organically ie Google search, 41% came direct through marketing efforts and 8% came from social media.

Publications

Council has designed and delivered in June the following publications:

Draft Communications Strategy – 17 May Draft Social Media Strategy – 7 June Municipal Plan (adoption) – 21 June Long Term Financial Plan (adoption) – 21 June









Marketing Campaigns

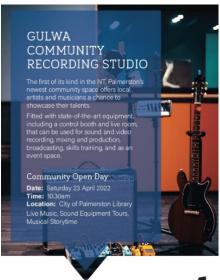
Communications and marketing support was provided throughout the quarter including:

- Council projects Gulwa Community Recording Studio, including the community open day, myPalmerston and Zuccoli and Surrounds Community Hub project
- Infrastructure Queen's Platinum Jubilee, tree giveaway opportunities, Lakes management
- Community and Culture Palmerston Youth Festival, FlicNics, Live at the Lake, Brekkie in the Park, Reboot Your Loot, Country Roadshow Circus, Youth activities, Families Week, Palmerston Library school holiday program

Advertising appeared across multiple platforms including websites (City of Palmerston and Off the Leash), social media, print (newspaper, magazine), TV, radio, bus backs and outdoor signage.













Our Customer Experience

Community Interactions

The Customer Experience Team interacted with an average of 85 community members per business day last quarter, with a total of 5071 interactions. We saw the lowest volume of community interaction this year compared to 6004 total interactions in the previous quarter, decreasing across all methods of interaction. This decrease can be attributed to no payment or instalment due dates within the quarter.

The most popular method of communication was phone calls, with 2947 total calls recorded (58% of total customer interactions), compared to 841 walk in customers (16% of total customer interactions). The highest volume of interactions by department were both Finance/Rates and Regulatory Services. Our team actioned 76% of the 1290 Finance/Rates enquiries and 81% of the 1282 Regulatory Services enquiries. The Customer Experience team actioned 98% of the 910 Waste Management enquiries received.

The quarter saw a decrease of 2171 interactions compared to the same quarter in 2021.

Customer Service Charter

Further living our Customer Service Charter and our commitment to Make It Easy, from 4 July 2022 Civic Plaza extended its opening hours to our community. This comes in time for the busiest quarter of the year; Annual Rates Notices are distributed through July/August with the first rates instalment being due by the end of the first quarter, in addition to dog registration renewals being due by the end of the first quarter. With the Palmerston municipal boundary extension effective 1 July 2022, we can predict an increase in community contact.

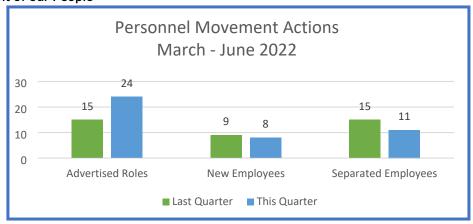
The Customer Experience team provided short-term support to both the Rates and Records teams. The Customer Experience team conducted a proactive audit on residents who held 240L General Waste bins that were ineligible to do so as per waste charges on their Annual Rates Notices

Our People

Employee Movements

The April to June 2022 quarter saw **eight** new employees welcomed to City of Palmerston and we bid farewell to **11** employees. Council's approved Full Time Equivalent (FTE) was 91.55, with an actual of 74.55 FTE as at 30 June 2022. Council's headcount at 30 June 2022 was 90 employees, comprising full-time, part-time, casuals, and labour hire staff.

Recruitment of our People



Breakdown of Personnel Movement Actions across April to June 2022



The People and Customer Team supported **24** recruitment activities across Council in the quarter, with all positions being externally advised for an average of 14 days per advertisement. Recruitment activities were attributed to natural attrition, as well as the recruitment of roles to support the delivery of Community Plan outcomes.

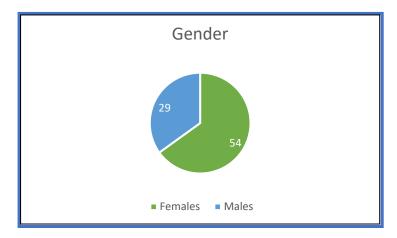
We are increasing our promotion of roles through the LinkedIn platform and other job sites in an attempt to reach a wider network of applicants.

Quarterly Workforce Statistics

Council has a dedicated workforce performing many functions on behalf of the Community. As 30 June 2022, Council employed staff of over 16 different nationalities demonstrating a culturally diverse workforce reflective of our community.

Our employees excluding labour hire comprise 54 females and 29 males and the average age of a staff member is 39.91 years, a slight reduction from the last quarter.

The average length of service with Council has increased slightly and is 4.10 years in comparison to 3.5 years last quarter, with ten staff completing 11 plus years of service.



Development of Our People

Over the past quarter Council has continued to invest in the professional development of our employees.

Training activities and professional development opportunities have been undertaken by staff within the quarter. This development included, but was not limited to:

- Procurement Training
- ARCGis Introduction and Walk through
- Council First Upgrade
- Induction Training
- Recruitment and Selection Training
- AHRI Conference
- ALIA National Conference
- Online WHS compliance courses



Go1, a new learning management system was launched on 28 April 2022. This content hub houses over 100,000 learning resources. Topics range from general to industry-specific such as compliances courses, leadership, MS Office suite, general personal development courses among others.

Employee Wellbeing and Culture

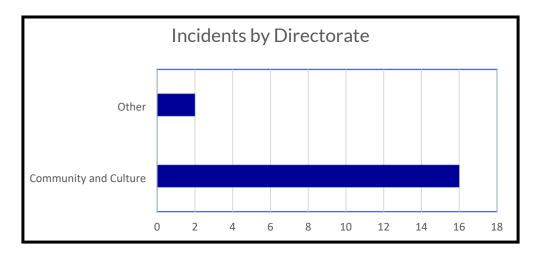
Roadshow Barbeque

On 16 June 2022, the People and Customer team hosted a staff barbeque to promote employee health and wellbeing. This event was scheduled in between CEO Roadshow sessions and provided an opportunity for employees to get to know staff from other departments as well as new staff members. It was also a perfect way to appreciate everyone's and celebrate our accomplishments over the last six months.

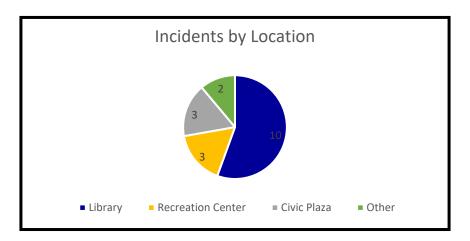
Employee Safety

The health, safety and wellbeing of our people continues to be a focus, with 99% of incidents recorded being related to anti-social behaviour or members of the public requiring medical attention in and around our facilities. There was a 5% reduction in reporting incidents compared to the same period last year.

Incidents reported by Directorate



Incidents reported by Worksite





CONSULTATION PROCESS

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

- Executive Manager, People and Customer
- Media and Communications Manager
- Human Resources Lead
- Customer Experience Advocate

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This Report addresses the following City of Palmerston Strategic Risks:

1 Fails to be trusted as a Council Context: Achieving credibility & trust with majority of those within and external to the City.

There are no risk, legal and legislative implications relating to this Report.

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, 16 August 2022 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

19 CLOSURE OF MEETING TO PUBLIC

THAT pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

COUNCIL AGENDA Attachment 24.1.1



MINUTES

2nd Ordinary Council Meeting Tuesday 19 July 2022

The Ordinary Meeting of the City of Palmerston held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830





A Place for People

Minutes of Council Meeting held in Council Chambers Civic Plaza, 1 Chung Wah Terrace, Palmerston on Tuesday 19 July 2022 at 5:30pm.

PRESENT

ELECTED MEMBERS Mayor Athina Pascoe-Bell (Chair)

Deputy Mayor Amber Garden Councillor Danielle Eveleigh Councillor Sarah Henderson

Councillor Damian Hale (Via Audio Visual)

Councillor Lucy Morrison

STAFF Chief Executive Officer, Luccio Cercarelli

General Manager Community and Culture, Anna Ingram

Director of Finance and Governance, Wati Kerta Acting General Manager Infrastructure, Peter Lander

Minute Secretary, Chloe Hayes

GALLERY N

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

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 5:31pm.

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: Deputy Mayor Garden Seconded: Councillor Henderson

- THAT the leave of absence received from Councillor Hale for 25 July to 26 July 2022 inclusive be received and noted.
- 2. THAT the leave of absence received from Councillor Morrison for 12 August to 30 August 2022 inclusive be received and noted.
- 3. THAT the leave of absence received from Mayor Pascoe-Bell for 22 July to 25 July 2022 inclusive be received and noted.
- THAT the leave of absence received from Councillor Giesecke for 19 July to 19 July 2022 inclusive be received and noted.
- 5. THAT the leave of absence received from Councillor Fraser for 19 July to 19 July 2022 inclusive be received and noted.

CARRIED 10/438 - 19/07/2022

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Moved: Councillor Hale Seconded: Councillor Eveleigh

THAT Council note approval for Audio/Audiovisual Conferencing received from Councillor Hale who will be physically prevented from attending a meeting due to circumstances relating to COVID-19.

CARRIED 10/439 - 19/07/2022

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

5 DECLARATION OF INTEREST

5.1 Elected Members

Nil

5.2 Staff

Nil

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Councillor Henderson Seconded: Councillor Eveleigh

THAT the Minutes of the Council Meeting held on 5 July 2022 pages 10779 to 10786 be confirmed.

CARRIED 10/440 - 19/07/2022

6.2 Business Arising from Previous Meeting

Nil

7 MAYORAL REPORT

Moved: Mayor Pascoe-Bell Seconded: Deputy Mayor Garden

THAT Report entitled Mayoral Update Report - June 2022 be received and noted.

CARRIED 10/441 - 19/07/2022

8 DEPUTATIONS AND PRESENTATIONS

Nil

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

Nil

10 CONFIDENTIAL ITEMS

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

10.1 Moving Confidential Items into Open

Confidential Business

Moved: Councillor Eveleigh Seconded: Councillor Morrison

- 1. THAT a review of the City of Palmerston Sponsorship Policy be undertaken and presented to Council at the first ordinary meeting in September 2022.
- 2. THAT this matter be moved into the open section of the Council Meeting Minutes of the 19 July 2022 Council Meeting.

CARRIED 10/457 - 19/07/2022

Tender TS2021_11 SWELL Construction

Deputy Mayor Amber Garden, Councillor Benjamin Giesecke declared a conflict of interest and left the meeting at 7:03pm.

General Manager Community Culture, Director Governance Finance, Executive Support left the meeting at 7:03pm.

Moved: Councillor Morrison Seconded: Councillor Eveleigh

- 1. THAT the Council adopt the tabled additional documents being Probity Auditor and Alterations plan.
- 2. THAT Report entitled Tender TS2021_11 SWELL Construction be received and noted.

CARRIED 10/419 - 21/06/2022

Moved: Councillor Eveleigh
Seconded: Councillor Henderson

- 3. THAT Council approve the full utilisation of the approved \$5 million external loan for the Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL) project.
- 4. THAT Council approve the following reserves to be drawn to a total value of \$1.5 million for the Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL) project.;
- a. \$500,000 from the Major Initiatives Reserve
- b. \$500,000 from the Working Capital Reserve
- c. \$500,000 from the Funds in Lieu of Construction Reserve
- THAT Council approve the Funds in Lieu of Construction Reserve to be drawn to a total value of \$400,000 for the Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL) project, with a repayment period of 5 years of principal only repayments commencing in the 2023/24 budget.

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

- 6. THAT Council approve the total project construction cost for the Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL) project, as per TS2022_11, of \$19.4 million.
- 7. THAT Council approves the utilisation of the Major Initiatives Reserve, to the available remaining funds of \$295,923 as contingency for the Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL) project, and notes that any further funding required from reserves will be presented to Council for approval.
- 8. THAT Council award TS2021_11 Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL) with the final scope to include the reduction of items from the contract as identified within Table 2 of this Report entitled Tender TS2021_11 SWELL Construction, at a contract value of no more than \$19.4 million, excluding GST, to Jaytex Constructions Pty Ltd.
- THAT pursuant to section 183 of the Local Government Act 2019, Council appoints Chief Executive Officer as an authorised person to finalise contract terms and sign the award of Tender TS2021_11 Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL).
- 10.THAT the decisions of this Report entitled Tender TS2021_11 SWELL Construction remain confidential until the award of Tender TS2021_11 Swimming, Wellness, Events, Leisure, and Lifestyle (SWELL) is finalised and announced.

CARRIED 10/420 - 21/06/2022

Deputy Mayor Amber Garden, Councillor Benjamin Giesecke, General Manager Community Culture, Director Governance Finance, Executive Support returned to the meeting at 7:30pm.

10.2 Moving Open Items into Confidential

Nil

10.3 Confidential Items

Moved: Councillor Morrison Seconded: Councillor Henderson

THAT pursuant to Section 99(2) and 293(1) of the *Local Government Act* 2019 and section 51(1) of the *Local Government (General) Regulations* 2021 the meeting be closed to the public to consider the following confidential items:

| Item | Confidential | | | Confidential Clause |
|--------|---------------------|---------|-----|---|
| | Category | | | |
| 25.1.1 | External Support | Request | for | This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(b) of the Local Government (General) Regulations 2021, which states a 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 about the personal circumstances of a resident or ratepayer. |

CARRIED 10/442 - 19/07/2022

Initials

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

- 13 OFFICER REPORTS
 - 13.1 Action Reports

13.1.1 Council Policy Review - Elected Members Allowance and Expenses

Moved: Mayor Pascoe-Bell Seconded: Councillor Henderson

THAT the matter lay on the table subject to further clarity on a number of matters raised by Elected Members.

CARRIED 10/443 - 19/07/2022

13.1.1 Council Policy Review - Elected Members Allowance and Expenses

- 1. THAT Report entitled Council Policy Review Elected Members Allowance and Expenses be received and noted.
- 2. THAT amended Council Policy Elected Member Allowances and Expenses at **Attachment 13.1.1.3** of Report entitled Council Policy Review Elected Members Allowance and Expenses be adopted.

13.1.2 Communications Strategy Consultation Outcomes

Moved: Councillor Eveleigh Seconded: Councillor Morrison

- 1. THAT Report entitled Communications Strategy Consultation Outcomes be received and noted.
- 2. THAT Council adopts the Communications Strategy, as presented as **Attachment 13.1.2.1** to report entitled Communications Strategy Consultation Outcomes.

CARRIED 10/444 - 19/07/2022

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

13.2 Receive and Note Reports

13.2.1 Community and Culture Quarterly Report - April to June 2022

Moved: Deputy Mayor Garden Seconded: Councillor Morrison

THAT Report entitled Community and Culture Quarterly Report - April to June 2022 be received and noted.

CARRIED 10/445 - 19/07/2022

13.2.2 Capital Projects Rollover from 2021/22 to 2022/23

Moved: Councillor Hale Seconded: Deputy Mayor Garden

- THAT Report entitled Capital Projects Rollover from 2021/22 to 2022/23 be received and noted.
- 2. THAT Council adopts the capital works rollover movements for 30 June 2022 of:
 - \$5,414,853.00 transferred to Unexpended Capital Works Reserve
 - \$2,595,514.00 transferred to Unexpended Grants
- 3. THAT Council adopts the capital works rollover movements and associated expenditure as of 1 July 2022 of:
 - \$5,414,853.00 transferred from Unexpended Capital Works Reserve
 - \$2,595,514.00 recognised as Capital income
- 4. THAT Council adopts the capital works rollover movements and associated income and expenditure as of 1 July 2022 and included in the First Budget Review 2022-23.
- THAT Council acknowledged that the Long-Term Financial Plan for 2023-2032 will be amended and presented to council for adoption in the First Budget Review for 2022-23.

CARRIED 10/446 - 19/07/2022

13.2.3 Community Benefit Scheme End of Financial Year Update

Moved: Councillor Morrison Seconded: Councillor Eveleigh

THAT Report entitled Community Benefit Scheme End of Financial Year Update be received and noted.

CARRIED 10/447 - 19/07/2022

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

13.2.4 myPalmerston June update

Moved: Deputy Mayor Garden Seconded: Councillor Henderson

THAT Report entitled myPalmerston June update be received and noted.

CARRIED 10/448 - 19/07/2022

13.2.5 Financial Report for the Month of June 2022

Moved: Councillor Morrison Seconded: Councillor Eveleigh

THAT Report entitled Financial Report for the Month of June 2022 be received and noted.

CARRIED 10/449 - 19/07/2022

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil

14.2 Correspondence

14.2.1 Correspondence from the Hon Selena Uibo MLA, Minister for Aboriginal Affairs

Moved: Councillor Eveleigh Seconded: Deputy Mayor Garden

THAT correspondence dated 12 July 2022 received from the Hon Selena Uibo MLA, Minister for Aboriginal Affairs be received and noted.

CARRIED 10/450 - 19/07/2022

15 REPORT OF DELEGATES

Nil

16 QUESTIONS BY MEMBERS

Moved: Councillor Henderson Seconded: Councillor Eveleigh

- THAT the question asked by Councillor Henderson regarding street light outages, and the response provided by the Chief Executive Officer be received and noted.
- THAT the question asked by Mayor Pascoe-Bell regarding irrigation issues, and the response provided by the Acting General Manager of Infrastructure be received and noted.

CARRIED 10/451 - 19/07/2022

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022



A Place for People

17 GENERAL BUSINESS

17.1 Palmerston Youth Festival

Moved: Councillor Morrison Seconded: Councillor Eveleigh

THAT Council expresses its thanks to all staff and volunteers involved in the delivery of the Palmerston Youth Festival 2022.

CARRIED 10/452 - 19/07/2022

18 NEXT ORDINARY COUNCIL MEETING

Moved: Deputy Mayor Garden Seconded: Councillor Eveleigh

THAT the next Ordinary Meeting of Council be held on Tuesday, 2 August 2022 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED 10/453 - 19/07/2022

19 CLOSURE OF MEETING TO PUBLIC

Moved: Deputy Mayor Garden Seconded: Councillor Henderson

THAT pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

CARRIED 10/454 - 19/07/2022

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Nil

The Chair declared the meeting closed at 6:24pm.

| Chair |
|------------|
| |
| |
| |
| Print Name |
| |
| |
| |
| Date |
| Dute |

Initials:

MINUTES ORDINARY COUNCIL MEETING - 19 JULY 2022