



Council Meeting

BUSINESS PAPER

WEDNESDAY 19/08/2020

Meeting to be held commencing 6:30pm
In Council Chambers at 7 Bees Creek Road, Freds Pass
and via video conference

Zoom <https://us02web.zoom.us/j/84104861372>

A handwritten signature in black ink, appearing to read 'Daniel Fletcher', with a long horizontal stroke extending to the right.

Daniel Fletcher, Chief Executive Officer

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Notice of Meeting
to be held in the Council Chambers, Litchfield
on Wednesday 19 August 2020 at 6:30pm



Daniel Fletcher
Chief Executive Officer

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COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 19 August 2020

1. Open of Meeting

An audio recording of this meeting is being made for minute taking purposes as authorised by the Chief Executive Officer.

2. Acknowledgement of Traditional Ownership

Council would like to acknowledge the traditional custodians of this land on which we meet on tonight. We pay our respects to the Elders past, present and future for their continuing custodianship of the land and the children of this land across generations.

3. Apologies and Leave of Absence / Electronic Attendance

THAT Council notes and approves:

Leave of Absence	Cr {Insert}	{dates}
Apologies	Cr {Insert}	{date}

4. Disclosures of Interest

Any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

5. Confirmation of Minutes

THAT Council confirm the minutes of the:

1. Council Meeting held 15 July 2020, 7 pages;
2. Confidential Council Meeting held 15 July 2020, 1 page; and
3. Special Council Meeting held 29 July 2020, 7 pages.



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Meeting

held in the Council Chambers, Litchfield

on Wednesday 15 July 2020 at 6:31pm

Present	Maree Bredhauer Christine Simpson Kirsty Sayers-Hunt Doug Barden Mathew Salter	Mayor Deputy Mayor / Councillor Central Ward Councillor East Ward Councillor South Ward Councillor North Ward
Staff	Daniel Fletcher Silke Maynard Wendy Smith Nicky McMaster	Chief Executive Officer Director Community & Corporate Services Manager Planning and Regulatory Services Community Engagement Advisor
Public	As per Attendance List	

1. OPENING OF THE MEETING

The Mayor opened the meeting and welcomed members of the public.

The Mayor advised that an audio recording of the meeting will be made for minute taking purposes as authorised by the Chief Executive Officer.

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, the Mayor acknowledged the traditional custodians of the land on which the Council meet on. The Mayor also conveyed Council's respect to the Elders past, present and future for their continuing custodianship of the land and the children of the land across generations.

3. APOLOGIES AND LEAVE OF ABSENCE

Nil

4. DISCLOSURES OF INTEREST

The Mayor advised that any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare the conflict of interest to enable Council to manage the conflict in accordance with its obligations under the Local Government Act and its policies regarding the same.

No disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council confirm the full minutes of the:

1. Council Meeting held 24 June 2020, 7 pages; and
2. Special Council Meeting held 9 July, 2 pages.

CARRIED (5-0)-1920/251

6. BUSINESS ARISING FROM THE MINUTES

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council receives and notes the Action List.

CARRIED (5-0)-1920/252

7. PRESENTATIONS

Nil.

8. PETITIONS

Nil.

9. PUBLIC FORUM

Nil.

10. ACCEPTING OR DECLINING LATE ITEMS

10.1 Late Report – 15.6 LGANT Executive – Nomination and Election

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT the late report item 15.6 LGANT Executive – Nomination and Election, be accepted and included under Officer’s reports for consideration.

CARRIED (5-0)-1920/253

11. NOTICES OF MOTION

Nil.

12. MAYORS REPORT

Moved: Deputy Mayor Simpson
Seconded: Cr Sayers-Hunt

THAT Council receive and note the Mayor’s monthly report.

CARRIED (5-0)-1920/254

13. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Councillors appointed by Council to external committees provided an update where relevant.

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council note the Councillors’ verbal report.

CARRIED (5-0)-1920/255

14. FINANCE REPORT

14.1 Council Finance Report – June 2020

Moved: Cr Barden
Seconded: Cr Salter

THAT Council receives the Litchfield Council Finance report for the period ended 30 June 2020.

CARRIED (5-0)-1920/256

15. OFFICERS REPORTS

15.1 Summary Planning and Development Report – July 2020

Moved: Cr Barden
Seconded: Cr Salter

THAT Council:

1. receives the July 2020 Summary Planning and Development Report and;
2. notes for information the responses provided to relevant agencies within Attachments A-B to this report.

CARRIED (5-0)-1920/257

15.2 Appointment of Committee Members to the Knuckey Lagoon Recreation Reserve Management Committee

Moved: Deputy Mayor Simpson
Seconded: Cr Salter

THAT Council:

1. appoint Ms Tou Saramat Ruchkaew to the Knuckey Lagoon Recreation Reserve Management Committee for a term of three years, commencing 16 July 2020;
2. write to Ms Tou Saramat Ruchkaew to inform her of Council's decision;
3. write to Mr Terry O'Conner to thank him for his commitment to the Reserve and Committee;
4. appoint Ms Cate-Linne Fraser to the Knuckey Lagoon Recreation Reserve Management Committee for a term of three years, commencing 16 July 2020;
5. write to Ms Cate-Linne Fraser to inform her of Council's decision; and
6. write to Mr Shane Walker to thank him for his commitment to the Reserve and Committee.

CARRIED (5-0)-1920/258

15.3 Special Purpose Grant Acquittal – Shared Library Services Framework

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council:

1. receive and notes the Special Purpose Grant Acquittal report; and
2. approve the partial acquittal of the Special Purpose Grant for the Library Shared Services Framework to the value of \$0.00 as of 30 June 2020.

CARRIED (5-0)-1920/259

15.4 Municipal Plan 2019-20 Quarterly Performance Report April to June 2020

Moved: Cr Salter
Seconded: Cr Barden

THAT Council receives the Municipal Plan 2019-20 Quarterly Performance Report for the fourth quarter ending 30 June 2020.

CARRIED (5-0)-1920/260

15.5 CEO Monthly Report

Moved: Cr Sayers-Hunt
Seconded: Cr Salter

THAT Council receive and note the Chief Executive Officer's monthly report for June 2020.

CARRIED (5-0)-1920/261

15.6 LGANT Executive – Nomination and Elections

Moved: Deputy Mayor Simpson
Seconded: Cr Sayers-Hunt

THAT Council:

1. Nominate Mayor Bredhauer and Councillor Sayers-Hunt for the position of President of the Local Government Association Northern Territory Executive;
2. Nominate Mayor Bredhauer and Councillor Sayers-Hunt for the position of Vice President – Municipals on the Local Government Association Northern Territory Executive;
3. Nominate Mayor Bredhauer and Councillor Sayers-Hunt for the position of Executive Board Member – Municipals on the Local Government Association Northern Territory Executive;
4. Forward the Council nominations to the Local Government Association Northern Territory.

CARRIED (5-0)-1920/262

16. COMMON SEAL

Nil.

17. OTHER BUSINESS

Nil.

18. PUBLIC QUESTIONS

Nil.

19. CONFIDENTIAL ITEMS

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

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

19.1 Administrative Review Committee Meeting Minutes – 2 July 2020

This item is considered ‘confidential’ pursuant to Section 65(2) of the Local Government Act and Section 8(c)(iv) of the Local Government (Administration) Regulations 8(b) information about the personal circumstances of a resident of ratepayer.

CARRIED (5-0)-1920/263

The meeting was closed to the public at 7:44pm.

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) regulations the meeting be re-opened to the public.

CARRIED (5-0)-1920/265

The meeting moved to Open Session at 7:55pm.

20. CLOSE OF MEETING

The Chair closed the meeting at 7:56pm.

21. NEXT MEETING

Wednesday 19 August 2020.

MINUTES TO BE CONFIRMED

Wednesday 19 August 2020.

.....
Mayor
Maree Bredhauer

.....
Chief Executive Officer
Daniel Fletcher



SPECIAL COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

**Minutes of Special Council Meeting
held in the Litchfield Council Chambers
on Wednesday 29 July 2020 at 6:00pm**

Present	Maree Bredhauer Christine Simpson Kirsty Sayers-Hunt Doug Barden Mathew Salter	Mayor (Chair) Deputy Mayor / Councillor Central Ward Councillor East Ward Councillor South Ward Councillor North Ward
Staff	Daniel Fletcher Silke Maynard Arun Dias Debbie Branson	Chief Executive Officer Director Community & Corporate Services Finance Manager Executive Assistant
Public	Andrew Mackay Hardy Schimmel Rachel Wright Susan Kilgour	Girraween Knuckey Lagoon Candidate for Goyder Herbert

1. OPENING OF THE MEETING

The Mayor opened the meeting and welcomed members of the public.

The Mayor advised that an electronic recording of the meeting will be made for minute taking purposes as authorised by the Chief Executive Officer.

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, the Mayor acknowledged the traditional custodians of the land on which the Council meet on. The Mayor also conveyed Council's respect to the Elders past, present and future for their continuing custodianship of the land and the children of the land across generations.

3. APOLOGIES AND LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF INTEREST

The Mayor advised that any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare the conflict of interest to enable Council to manage the conflict in accordance with its obligations under the Local Government Act and its policies regarding the same.

No further disclosures of interest were declared.

5. PUBLIC FORUM

5.1 Hardy Schimmel - Knuckey Lagoon

Mr Schimmel commented on the budget deficit and requested Council curtail its spending.

5.2 Rachel Wright – Territory Alliance Candidate for Goyder

Ms Wright advised that she was attending as an interested member of the community.

5.3 Andrew Mackay - Girraween

Mr Mackay expressed his concern in regard to the proposed rates.

5.4 Susan Kilgour – Herbert

Ms Kilgour expressed her confidence in the Council and conveyed her value and respect for the members

Mayor Bredhauer thanked the members of the public for their comments.

6. OFFICERS REPORTS

6.1 Elected Member Allowances 2020-2021

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council

1. Set the Elected Member allowances for the year 2020/21 as follows:
 - Mayor \$94,887.90 for the year paid on pro rata monthly basis in arrears (base allowance \$75,116.61, electoral allowance \$19,771.29) and subject to individual activity and prior approval a professional development allowance not more than \$3,753.17;

- Deputy Mayor \$32,719.85 for the year paid on pro rata monthly basis in arrears (base allowance \$27,776.12, electoral allowance \$4,943.73) and subject to individual activity and prior approval a professional development allowance not more than \$3,753.17; and
 - Councillors \$18,453.69 for the year paid on pro rata monthly basis in arrears (base allowance \$13,509.96, electoral allowance \$4,943.73) and subject to individual activity and prior approval a professional development allowance not more than \$3,753.17.
2. Sets the Extra Meeting Allowance at \$140 dollars per meeting with conditions as set out in EM05 Elected Member Benefit and Support Policy.

CARRIED (5-0)-2021/266

6.2 Fees and Charges 2020-2021

Moved: Cr Sayers-Hunt
 Seconded: Deputy Mayor Simpson

THAT Council adopts the:

1. Council Fees and Charges for 2020-2021 as presented in Attachment A to this report; and,
2. Thorak Regional Cemetery Fees and Charges for 2020-2021 as presented in Attachments B to this report.

**A Division was called
 Mayor Bredhauer, Cr Sayers-Hunt, Deputy Mayor Simpson and Cr
 Barden voted in favour of the motion
 Cr Salter voted against the motion
 CARRIED (4-1)-2021/267**

6.3 Rates Declaration and Rates Concession 2020-2021

Moved: Cr Sayers-Hunt
 Seconded: Deputy Mayor Simpson

THAT Council:

- a) receive and note the Chief Executive Officer's certification of the assessment records in line with Section 24(1) Local Government (Accounting) Regulations as per Attachment A to this report.
- b) pursuant to Section 158 of the Local Government Act, declares the following rates and charges for the financial year ending 30 June 2021:
 1. RATES

- 1.1 Pursuant to Section 149 of the Act, the Council adopts the Unimproved Capital Value as the basis of the assessed value of allotments within the Litchfield Municipality ("the Council Area").
- 1.2 Pursuant to Section 155 of the Act Council declares that the amount it intends to raise for general purposes by way of rates is \$8,168,316 by the application of a combination of the following fixed charges and differential valuation-based charges with minimum charges being payable:
- A. RURAL RESIDENTIAL
 - i. With respect to every allotment of rateable land within the Council Area zoned R, RR, RL, WM, CN, SL14, SL18 and FD (Excluding Portion 01872 Hundred of Ayers and Portion 01860 Hundred of Ayers) under the *NT Planning Scheme* (other than conditionally rateable land) a fixed charge of \$903.00.
 - B. URBAN RESIDENTIAL
 - i. With respect to every allotment of rateable land within the Council Area zoned SD, MD, MR and SL11 under the *NT Planning Scheme* (other than conditionally rateable land), a fixed charge of \$903.00.
 - C. HORTICULTURE/AGRICULTURE
 - i. With respect to every allotment of rateable land within the Council Area zoned H and A under the *NT Planning Scheme* (other than conditionally rateable land), a fixed charge of \$903.00.
 - D. COMMERCIAL
 - i. With respect to every allotment of rateable land within the Council Area zoned C, CP, CV, DV (excluding NT Portion 07002), GI, LI, OR, PS, RW, SC, TC, U, SL1, SL3, SL4, SL5, SL6, SL7, SL8, SL9, SL10, SL12, SL13, SL15, SL17 and SL23 under the *NT Planning Scheme* (other than conditionally rateable land), a valuation-based charge calculated at a rate of 0.2643374% of the unimproved capital value of the land, with the minimum amount payable in the application of that valuation-based charge being \$1,615.00;
 - E. GAS PLANT
 - i. With respect to every allotment of rateable land within that part of the Council Area, comprising Hun 045 P 01860, Hun 045 P 01872 and Hun 000 P 07002, a valuation-based charge calculated at a rate 0.933826% of the unimproved capital value of the land.
 - F. OTHER LAND
 - With respect to every allotment of rateable land (other than conditionally rateable land) within the Council Area not otherwise described above, a valuation-based charge

calculated at a rate of 0.2643374% of the unimproved capital value of the land with the minimum amount payable in the application of that valuation-based charge being \$1,615.00.

G. MINING TENEMENTS

With respect to every allotment of conditionally rateable land within the Council Area occupied under a mining tenement, a valuation-based charge calculated at a rate of 0.3475% of the unimproved capital value of the land with the minimum amount payable in the application of that valuation-based charge being \$890.96.

H. PASTORAL LEASES

With respect to every allotment of conditionally rateable land within the Council Area comprising a pastoral lease as defined in the *Pastoral Land Act*, a valuation-based charge calculated at a rate of 0.0306% of the unimproved capital value of the land held under the pastoral lease, with the minimum amount payable in the application of that valuation-based charge being \$376.45.

2. CHARGES

Pursuant to Section 157 of the Act, the Council declares a Waste Management Charge:

i. The purpose for which this Charge is imposed is to enable and assist Council to meet the cost of the waste disposal services, including management and operation of the three waste transfer stations, which Council provides for the benefit of all rateable land within the Council Area, other than the land described in paragraph 2 iv below, and the occupiers of such land.

ii. The amount to be raised by this Charge is \$2,941,705.

iii. The amount of the Charge declared is \$369.00 per allotment.

iv. The Charge will be levied on all rateable land within the Council Area mentioned under Sections A,B,C and F.

3. RELEVANT INTEREST RATE

THAT the Council fixes the relevant interest rate for the late payment of rates and charges in accordance with Section 162 of the Act at the rate of 17% per annum which is to be calculated on a daily basis.

4. PAYMENT

THAT the Council determines that the Rates and Charges declared under this declaration are all due and payable in three (3) approximately equal instalments on the following dates:

30 September 2020;

30 November 2020; and

28 February 2021.

c) Declares a rates concession under section 164 of the *Local Government Act 2008*:

- i. to the value of \$60 for all rateable allotments under the rating category Rural Residential, Horticulture/Agriculture and properties under the category Urban Residential not located in Coolalinga; and
- ii. a rates concession to the value of 4.5% to all rateable allotments under the rating category Commercial and Other land.

**A Division was called
Mayor Bredhauer, Deputy Mayor Simpson, Cr Sayers-Hunt and Cr Barden
voted in favour of the motion
Cr Salter voted against the motion
CARRIED (4-1)-2021/268**

6.4 Municipal Plan and Budget 2020-2021 and Long-Term Financial Plan 2021-2030

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council:

1. note submissions received for the Draft Municipal Plan 2020-2021 and Draft Long-Term Financial Plan 2021-2030 and thank all residents for their input;
2. approve of amendments to the Draft Municipal Plan 2020-2021 and Draft Long-Term Financial Plan 2021-2030 as listed in Attachment B to this report;
3. authorise the Chief Executive Officer to make necessary editorial changes to the Municipal Plan 2020-2021 and Long-Term Financial Plan 2021-2030 if required; and
4. adopt the Municipal Plan 2020-2021 and Long-Term Financial Plan 2021-2030.

**A Division was called
Mayor Bredhauer, Cr Sayers-Hunt, Deputy Mayor Simpson, Cr Barden voted in
favour of the motion
Cr Salter voted against the motion
CARRIED (4-1)-2021/269**

7. CONFIDENTIAL ITEMS

Nil.

8. CLOSE OF MEETING

The Chair closed the meeting at 7:02pm.

MINUTES TO BE CONFIRMED

Wednesday 19 August 2020

.....
Mayor
Maree Bredhauer

.....
Chief Executive Officer
Daniel Fletcher

Unconfirmed



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 19 August 2020

6. Business Arising from the Minutes

THAT Council receives and notes the Action List.

Resolution Number	Resolution	Action Officer	Meeting Date	Status	
15/0175/02	<p>Meeting Procedures By-Laws</p> <p>THAT Council instruct the Acting Chief Executive Officer to begin negotiating with Parliamentary Counsel on the drafting of Meeting Procedures By-Laws for Litchfield Council.</p>		19-11-15	DCCS	Review of Draft By-laws to be re-initiated in July 2020.
16/0203	<p>Signage, Roadside Vans and Events on Council Land</p> <p>1. Endorse a position that no approvals will be given for signage, roadside vans or events on council owned land until such time as appropriate policy, procedures and by-laws are developed. This excludes Council Reserves which are run under management by committee or under lease to an incorporated body;</p> <p>2. Develop Council by-laws to cater for the regulation of a permit system for signage within the municipality and roadside vans and events on council owned land;</p> <p>3. Develop policy and procedures to support any Council by-laws which are enacted; and</p> <p>4. To commence work on these by-laws, policy and procedures in 2017/18 financial year.</p>		21-09-16	DCCS	On hold until Meeting By-Laws are concluded.
17/0036/4	<p>Litchfield Aquatic Facility Needs Analysis Report</p> <p>THAT Council engages the Northern Territory Government to work together to address the gap in aquatic services in the southern part of the Litchfield municipality, in particular the provision of Learn to Swim facilities.</p>		15-02-17	DCCS	All Special Purpose grant funding has been repurposed for COVID19 related SCALE funding. A new grant opportunity needs to be sought for the project.
1718/240	<p>Berry Springs Water Advisory Committee - Council Representative</p> <p>THAT Council appoints Councillor Barden as its nominated representative to lodge an Expression of Interest for the Northern Territory Government Department of Environment and Natural Resources Berry Springs Water Advisory Committee.</p>		16-05-18	CEO	Appointments are on hold due to a legal issue relating to the Water Act 1992 and the number of water advisory committees that can operated in a water control district. Waiting on further advice from NT Government.
1819/145	<p>Recreation Reserve Leases and Funding Agreements Project</p> <p>THAT Council:</p> <p>1.notes the update on the development of leases and funding agreements as part of the Recreation Reserves Leases project;</p> <p>2.notes the draft lease agreement;</p> <p>3.approves the fixation of the Common Seal with the Mayor and the CEO signing the lease agreements on behalf of Council, providing no material changes are made to the lease agreement; and</p> <p>4.receives an update report on the progress made with each Reserve Management Committee and other User Groups on Council's Recreation Reserves in signing the lease agreement, no later than the June 2019 Council meeting.</p>		16-01-19	DCCS	The Lease Agreement for McMinns Lagoon Recreation Reserve has been executed. Lease Agreements for Livingstone, Berry Springs and Humpty Doo Village Green Recreation Reserves are due to be executed by the end of August 2020.

Mango Roads Project Update					
1920/078	<p>THAT Council:</p> <ol style="list-style-type: none"> receives and notes the update on the Mango Road project; notes Council as being a partner of the project, alongside the Federal Government and Northern Territory Government; notes the Northern Territory Government as coordinating the project delivery of the Mango Roads project; provides in-principle support to contribute \$3 million to the Mango Roads project; approves the use of up to \$250,000 from the Developer Contribution reserve in 2019/20 to fund the finalisation of designs and other works relating to the project, with any amount utilised being part of Council's \$3 million contribution; request the Finance Manager to include funding of the Mango Roads project in the future budget register for consideration within the 2020/21 budget, at a value to be determined through budget considerations; and write to Minister Canavan and Minister Lawler to express a desire to have the infrastructure bought forward to the 20/21 budget for immediate works. 	16-10-19	DIO	Complete	
Mira Square - Application for Crown Land					
1920/174	<p>THAT Council:</p> <ol style="list-style-type: none"> proceed with an application for Crown land for a portion of Mira Square for initial construction of a serviced shed and play area; and authorise the Chief Executive Officer to lodge such application and enter into a lease agreement for the site. 	19-03-20	DIO	Application submitted 17 July 2020 and currently under review by Crown Land for acceptance.	
RV/Caravan Park and Dump Point Investigation Update					
1920/175	<p>THAT Council:</p> <ol style="list-style-type: none"> receive and note the update on the investigation of a potential site for a dump point and RV-friendly park within the Municipality; write to Campervan and Motorhome Camping Association acknowledging appreciation for the interest in partnership with Council and advising that the opportunity is not suitable at this time; include the consideration of overnight visitors in the development of Tourism Strategy project in conjunction / liaise with the Litchfield Tourism Businesses and their relevant stakeholders and peak bodies; include consideration for the installation of a wastewater dump point as an advocacy priority project; and write to the NT Minister for Tourism, NT Minister for Essential Services and Local Members of the Legislative Assembly emphasising the need for an accessible free dump point within the Litchfield Municipality as part of NT tourism initiatives to service visitors throughout the region. 	19-03-20	DIO	Complete - letters sent to various ministers and the CMCA	
Proposed Road Opening Richards Road, Blackmore – Section 1719					
1920/176	<p>THAT Council:</p> <ol style="list-style-type: none"> proceed with the road opening process for Richards Road across 2415 Cox Peninsula Road, Blackmore; and authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the road, as required. 	19-03-20	DIO	Final step in process is Ministerial approval, which will occur once NT Government election results and Ministerial appointments are finalised.	

1920/182	<p>NGA20 Notice of Motion</p> <p>THAT Council endorse the submission of the following motion to the National General Assembly of Local Governments for consideration:</p> <p>“Litchfield Council calls on the Federal Government to provide increased funding towards reducing the amount of ‘fuel loads’ throughout the natural environment to specifically, but not exclusively, combat the spread of Gamba Grass (<i>Andropogon gayanus</i>) which is an Australian Government weed of National Significance and a declared weed in Western Australia, Northern Territory and Queensland.”</p>	19-03-20	CEO	Deferred until National General Assembly of Local Government reconvenes in 2021
1920/183	<p>COVID-19 Response Plan</p> <p>THAT Council:</p> <ol style="list-style-type: none"> 1. delegate to the Chief Executive Officer, pursuant to Section 32 (d) of the Local Government Act 2008 (NT), and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, its powers and functions as set out in sections 47 and of the Local Government Act 2008 (NT) being the power to determine opening times of Council’s offices and facilities and the opening times of the Libraries until such time as the Australian Government or Northern Territory Government have declared the emergency has ended; and 2. delegate to the Chief Executive Officer, pursuant to Section 32 of the Local Government Act 2008 (NT), and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, the authority to cancel or amend programs, service levels, budgeted council events and third party events held on council property under license, permit, or any other agreement until such time as the Australian Government or Northern Territory Government have declared the emergency has ended. 	19-03-20	CEO	This resolution of council continues to be active until the Australian and/or Northern Territory Governments declare the COVID-19 pandemic has ended.
1920/207	<p>Change to Meeting Protocols</p> <p>THAT Council:</p> <ol style="list-style-type: none"> 1. acknowledge the need to adapt GOV02 Meeting procedures policy to allow for the use of online platforms for conducting Council meetings; 2. suspend: <ol style="list-style-type: none"> a. section 4.1.2(d) of GOV02 Meeting Procedures policy to allow the Mayor to Chair meetings remotely, b. public accessing Chambers for Council meetings due to social distancing protocols, c. section 4.1.10(c) of GOV02 Meeting Procedures policy and require a member of the public to make a statement in reference to a petition remotely, and d. section 4.1.21 – Members will not be required to stand when addressing the meeting; 3. require all questions from the public related to the agenda be submitted via email to the Chief Executive Officer at least two days prior to the meeting to be read out at the meeting; 4. record all Ordinary and Special Council meetings and make these available on the Council website; 5. require requests for deputations (section 4.1.11 of GOV02 Meeting Procedures) be conducted by remote access; 6. request the Chief Executive Officer to develop appropriate Electronic Meeting Procedures; and 7. review these directives: <ol style="list-style-type: none"> a. at the first Council meeting in 2021, or b. when Social distancing protocols are lifted by the Northern Territory Chief Health Officer. 	15-04-20	DCCS	Ongoing as physical distancing rules regarding COVID19 still apply.

320 Arnhem Highway Master Plan				
1920/239	<p>THAT Council:</p> <ol style="list-style-type: none"> 1.adopts the 320 Arnhem Highway Master Plan included as Attachment A to this report; 2.authorises the Chief Executive Officer to make minor editorial changes as required; and 3.progress community engagement on 320 Arnhem Highway Masterplan. 	24-06-20	DIO	<p>Complete.</p> <p>Community consultation progressed through adoption of project within Council's adopted 20-21 Municipal Plan.</p>
Knuckey Lagoon Recreation Reserve Committee Request for Funds				
1920/243	<p>THAT Council approve the release of \$45,000 from the Knuckey Lagoon Recreation Reserve fund for the construction of a storage shed at the Reserve.</p>	24-06-20	DCCS	<p>Complete. Funding and project included in 2020-21 budget.</p>
Draft FIN05 Debt Recovery Policy				
1920/245	<p>THAT Council defers the approval of the FIN05 Debt Recovery Policy to the Council meeting in July 2020 to allow for a further review.</p>	24-06-20	DCCS	<p>Draft FIN05 Policy and Report included in the August 2020 Council Meeting Agenda.</p>
Mira Square Staging				
1920/248	<p>THAT Council proceed with development of any stage of the agreed site design, or part thereof, for Mira Square according to available funding.</p>	24-06-20	DIO	<p>Complete.</p> <p>Mira Square staging proposal included in submitted application to Crown Land (Resolution 1920/174).</p>
Appointment of Committee Members to the Knuckey Lagoon Recreation Reserve Management Committee				
1920/258	<p>THAT Council:</p> <ol style="list-style-type: none"> 1.appoint Ms Tou Saramat Ruchkaew to the Knuckey Lagoon Recreation Reserve Management Committee for a term of three years, commencing 16 July 2020; 2.write to Ms Tou Saramat Ruchkaew to inform her of Council's decision; 3.write to Mr Terry O'Conner to thank him for his commitment to the Reserve and Committee; 4.appoint Ms Cate-Linne Fraser to the Knuckey Lagoon Recreation Reserve Management Committee for a term of three years, commencing 16 July 2020; 5.write to Ms Cate-Linne Fraser to inform her of Council's decision; and 6.write to Mr Shane Walker to thank him for his commitment to the Reserve and Committee. 	15-07-20	DCCS	<p>Complete.</p> <p>New Committee members have been advised and welcomed. Letters of thanks sent to outgoing Committee Members.</p>
Special Purpose Grant Acquittal – Shared Library Services Framework				
1920/259	<p>THAT Council:</p> <ol style="list-style-type: none"> 1.receive and notes the Special Purpose Grant Acquittal report; and 2.approve the partial acquittal of the Special Purpose Grant for the Library Shared Services Framework to the value of \$0.00 as of 30 June 2020. 	15-07-20	DCCS	<p>Complete.</p>

LGANT Executive – Nomination and Elections

THAT Council:

1920/262

1.Nominate Mayor Bredhauer and Councillor Sayers-Hunt for the position of President of the Local Government Association Northern Territory Executive;

2.Nominate Mayor Bredhauer and Councillor Sayers-Hunt for the position of Vice President – Municipals on the Local Government Association Northern Territory Executive;

3.Nominate Mayor Bredhauer and Councillor Sayers-Hunt for the position of Executive Board Member – Municipals on the Local Government Association Northern Territory Executive;

4.Forward the Council nominations to the Local Government Association Northern Territory.

15-07-20

CEO

Complete - Nominations sent to LGANT



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 19 August 2020

7 Presentations

8 Petitions

9 Public Questions

10 Accepting or Declining Late Items

11 Notices of Motion

12 Mayors Report

12.1 Mayor's Report



COUNCIL REPORT

Agenda Item Number:	12.1
Report Title:	Mayor's Monthly Report
Author & Recommending Officer:	Maree Bredhauer
Meeting Date:	19/08/2020
Attachments:	Nil

Executive Summary

A summary of the Mayor's attendance at meetings and functions representing Council for the period 16 July 2020 to 19 August 2020.

Summary

Date	Event	Content/Comment
16 July 2020	Big Games Day – Bees Creek Primary School	School basketball event
17 July 2020	Territory FM Radio Interview	Regular interview
20 July 2020	LGANT Executive Meeting	Scheduled meeting
22 July 2020	ABC Darwin Grassroots Program	Regular interview
	Palmerston and Litchfield Regional Reconstruction Committee Meeting	Scheduled meeting
23 July 2020	Seniors Morning Tea – Cazalys Palmerston	Fortnightly event
24 July 2020	Territory FM Radio Interview	Regular interview
27 July 2020	Palmerston and Litchfield Regional Reconstruction Committee Meeting	Scheduled meeting
31 July 2020	Palmerston and Litchfield Regional Reconstruction Committee Meeting	Scheduled meeting
	Territory FM Radio Interview	Regular interview
6 August 2020	Palmerston and Litchfield Regional Reconstruction Committee Meeting	Scheduled meeting
7 August 2020	LGANT Stakeholders Event	
9 August 2020	Palmerston and Litchfield Seniors Association – Opening Ceremony	Annual event

Date	Event	Content/Comment
13 August 2020	Walking Group – Get Active in Litchfield McMinns Lagoon	Walking group activity
	Seniors Morning Tea – Cazalys Palmerston	Fortnightly event
14 August 2020	TOPROC	Scheduled meeting
	Territory FM Radio Interview	Regular interview
18 August 2020	Vietnam Veterans Day Commemoration	Annual event

Recommendation

THAT Council receives and notes the Mayor's monthly report.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 19 August 2020

Council Appointed Representatives provide a verbal update on activities over the past month relating to the committee meetings to which the Councillor has been formally appointed.

13 Verbal Reports from Council Appointed Representatives

Cr Barden	-	Freds Pass Upgrade Reference Group
Cr Simpson	-	Freds Pass Rural Show Committee
Cr Salter	-	Howard Park Reserve Committee
	-	Knuckey Lagoon Reserve Committee
Cr Sayers-Hunt	-	Freds Pass Sport & Recreation Reserve Governance Arrangements Review Reference Group
Mayor Bredhauer	-	Howard East Water Advisory Committee
	-	Litchfield Women in Business Network Committee
	-	Local Government Association of the Northern Territory (LGANT)

Activity Area Plans

Mayor Bredhauer Cr Simpson	Coolalinga/Freds Pass Rural Activity Centre Area Plan Community Advisory Committee
Mayor Bredhauer Cr Barden	Humpty Doo Rural Activity Centre Area Plan Community Advisory Group

RECOMMENDATION

THAT Council note the Councillors' verbal report.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 19 August 2020

14 **Finance Report**

14.1 Litchfield Council Finance Report July 2020



COUNCIL REPORT

Agenda Item Number:	14.1
Report Title:	Litchfield Council Finance Report – July 2020
Author:	Arun Dias, Finance Manager
Recommending Officer:	Silke Maynard, Director Community & Corporate Services
Meeting Date:	19/08/2020
Attachments:	Nil

Executive Summary

Council's Operational Deficit position as at July 2020 is a temporary result and relates to timing as Rates and Charges for 2020-21 Financial year will be levied in August. Total Operational expenses for July are in line with budget.

The full year 2020-21 Budgeted Capital Revenue and Capital Expense do not include recent grants received under the Special Community Assistance and Local Employment (SCALE) program in June 2020 and \$1.18 million receivable for the 2020-21 year under the Local Roads and Community Infrastructure Grant Agreement (LRCI). In addition to these, four projects have been identified as carry over projects from the 2019-20 financial year, these projects are well into the delivery phase. The 2020-21 budget is proposed to be adjusted for these changes during budget review process.

Council's cash position continues to remain strong with a high performance of current ratio representing enough cash resources to settle any outstanding liabilities for the next twelve months.

Prior year's rates have increased by compared to the same month in the 2019-20 financial year. Council is prioritising rates collection and will be taking steps to ensure debt collection strategies currently in place are promoted to create awareness among ratepayers on obligations and implications of unpaid Rates and Charges. This is done with view to ensure rates collectible remains at acceptable levels and as Council fulfills its Municipal Plan targets to remain financially sustainable.

Financial Statements for year ending 2019-20 have not been finalised which could have impacts on results presented in this report.

Recommendation

THAT Council note the Litchfield Council Finance Report for the period ended 31 July 2020.

Background

Detailed financial information presented in the following pages.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Not applicable.

Financial Implications

Nil.

Risks



Community Engagement

Not applicable.

Finance Report

July 2020

**LITCHFIELD
COUNCIL**

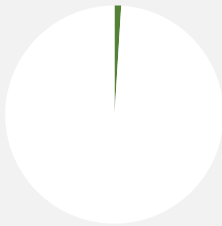


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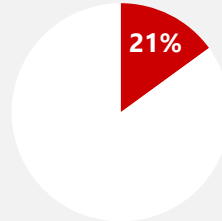
JULY 2020

DASHBOARD REPORTING



Asset Sustainability

Capital Spend
\$0.01M (1%) Spent
 Budget - 47% for full year



21% of Total Rates* Levied Outstanding

\$2.4M Outstanding
 Budget – 15% (\$1.6M) or less



Cash Investments **\$22M**

- **0 of 22** Completed Capital Works Program
- **\$17M** Forecast Cash Reserves June 2021

\$ 162K

OPERATIONAL REVENUE

\$16.7M Budget – 1% Target Achieved

\$ 0.00M

CAPITAL REVENUE

\$1.8M Budget – 0% Target Achieved

\$ 796K

OPERATIONAL EXPENSES

\$14.9M Budget – 5% Spent

\$ 0.01M

CAPITAL EXPENSES

\$6.57M Budget – 0.01% Spent

\$ (634K)

OPERATING SURPLUS/(DEFECIT)

Budget \$1.8M

\$ (0.01)M

CAPITAL SURPLUS/(DEFECIT)

Budget (\$4.74M)

RATIOS

- 1%** Asset Sustainability
Target 60% and more
- 21%** Rates Outstanding
Target less than 15%
- 10%** Own Source Revenue
Target 60% and more
- 16.53** Current Ratio
Target more than 1
- 0** Debt Service Ratio
Target less than 1

- Full Year Budgeted for 47%
- Not achieved for July 2020
- Budgeted to be Achieved
- Achieved
- Budgeted to be Achieved

* Excludes 2020-21 Rates and charges

CONSOLIDATED FINANCIAL STATEMENTS

The consolidated Financial Statements, including Thorak Regional Cemetery operations are presented in the same format as the full set of *End of Financial Year* Statements for greater transparency. In line with end of financial year procedures, adjustments and accruals to financials is currently underway. As such results presented in this report are subject to change until the conclusion of the 2019-20 financial year audit. Rates revenue for July 2020 does not reflect budgeted rates revenue which will be levied in the month of August 2020.

The statements do not include capital revenue, this is reported in the Capital Budget Position table. Capital expenditure is capitalised as Infrastructure, Property, Plant & Equipment in the Balance Sheet upon completion of the projects.

CONSOLIDATED OPERATING STATEMENT at 31 July 2020

	2020/21 Budget (\$)	2020/21 YTD Actuals (\$)	% of Budget
REVENUE			
Rates	11,050,208	0	0%
Stat Charges	125,200	4,921	4%
User Charges	1,186,723	138,900	12%
Grants	3,580,922	0	0%
Inv Income	678,201	18,690	3%
Other Revenue	118,200	0	0%
TOTAL REVENUE	16,739,455	162,511	1%
EXPENSES			
Employee Costs	6,619,542	614,942	9%
Auditors Fees	123,356	0	0%
Bad Debts	1,500	0	0%
Elected Member	248,321	0	0%
Election Costs	0	0	0%
Cemetery Operations	167,352	10,277	6%
Contractors	3,721,816	87,573	2%
Energy	222,550	3,846	2%
Insurance	403,396	(13,286)	(3%)
Maintenance	687,421	7,522	1%
Legal Expenses	163,004	221	0%
Donations and Community Support	131,131	5,804	4%
Computer / IT Costs	380,655	42,197	11%
Parts, Accessories & Consumables	523,900	7,510	1%
Professional Fees	779,687	19,062	2%
Sundry	784,924	10,787	1%
TOTAL EXPENSES	14,958,554	796,454	5%
RESULT	1,780,901	(633,943)	(36%)

CONSOLIDATED BALANCE SHEET at 31 July 2020

Balance sheet presented is in draft format and is subject to changes as the preparation of Financial Statements for 30 June 2020 are still underway. Revised accounting standards from AASB 1058 and AASB16 are expected to impact the overall result of the balance sheet and the movements in the Accumulated Surplus for 30 June 2020.

	30-Jun-20 (\$)	31-Jul-20 (\$)	Movement
CURRENT ASSETS			
Cash & Cash Equivalents	1,823,183	2,077,021	253,838
Trade and Other Receivables	1,948,326	1,775,328	(172,998)
Other Financial Assets	22,083,282	20,111,023	(1,972,259)
Other Current Assets	120,038	117,860	(2,177)
TOTAL CURRENT ASSETS	25,974,829	24,081,233	(1,893,595)
NON-CURRENT ASSETS			
Infrastructure, Property, Plant & Equipment	309,111,798	299,273,630	(9,838,168)
Other Non-Current Assets	3,739,185	4,538,930	799,745
TOTAL NON-CURRENT ASSETS	312,850,983	303,812,560	(9,038,423)
TOTAL ASSETS	338,825,811	327,893,793	(10,932,018)
CURRENT LIABILITIES			
Trade and Other Payables	1,459,499	763,844	(695,655)
Current Provisions	654,477	693,355	38,878
TOTAL CURRENT LIABILITIES	2,113,976	1,457,199	(656,777)
NON-CURRENT LIABILITIES			
Non-Current Provisions	402,070	402,070	0
TOTAL NON-CURRENT LIABILITIES	402,070	402,070	0
TOTAL LIABILITIES	2,516,046	1,859,269	(656,777)
NET ASSETS	336,309,765	326,034,523	(10,275,242)
EQUITY			
Accumulated Surplus	17,168,546	8,451,360	(8,717,186)
Asset Revaluation Reserve	295,859,891	294,301,835	(1,558,056)
Other Reserves	23,281,329	23,281,329	0
TOTAL EQUITY	336,309,766	326,034,524	(10,275,242)

SECTION 2

OPERATING POSITION BY DEPARTMENT

The 2020/21 rates and charges have not been applied to properties and recognised in Council's accounts for the month of July, which is reflected in revenue for July. The deficit for the month of July 2020 is temporarily and reflects a timing issue until Rates and Charges are levied for the full year.

Note. This does not include Thorak Regional Cemetery.

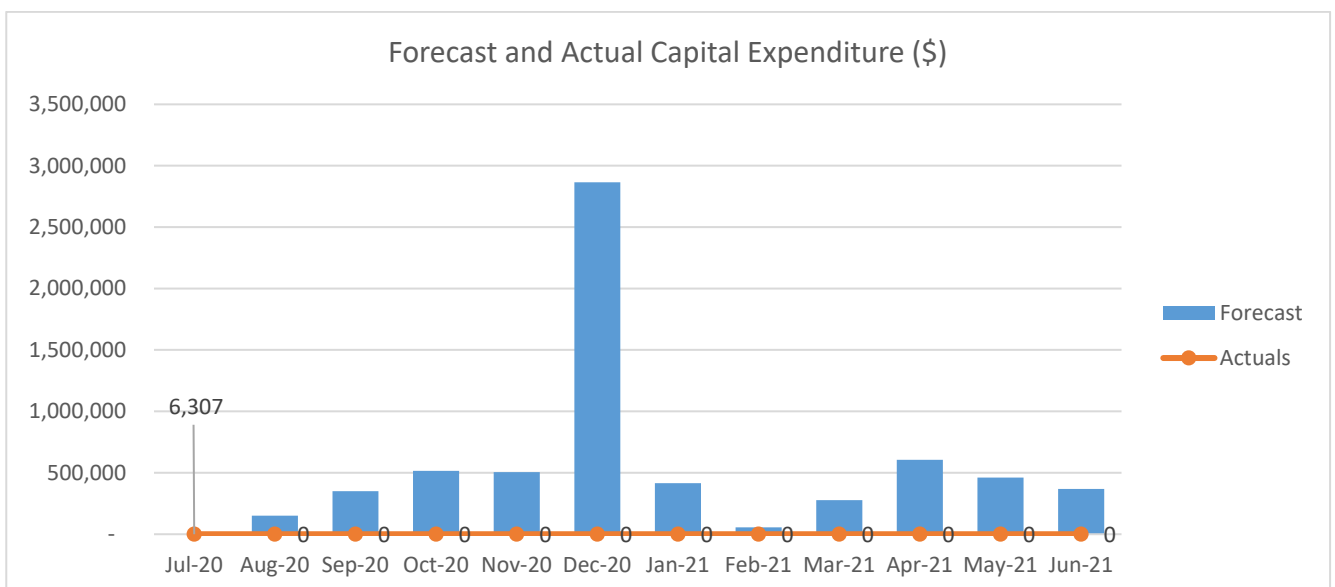
	2020/21 Budget (\$)	2020/21 YTD Actuals (\$)	% of Budget
REVENUE			
Council Leadership	0	0	0%
Corporate	0	0	0%
Finance & Customer Service	9,047,699	19,951	0%
Infrastructure & Assets	2,924,174	419	0%
Planning & Development	53,040	3,608	7%
Waste Management	3,162,705	12,693	0%
Community	78,000	200	0%
Community – Library	419,953	0	0%
Mobile Workforce	0	0	0%
Regulatory Services	125,400	4,921	4%
TOTAL REVENUE	15,810,972	41,793	0%
EXPENSES			
Council Leadership	1,065,068	89,525	8%
Corporate	610,392	17,132	3%
Information Services	614,000	32,271	5%
Finance & Customer Service	1,615,906	91,384	6%
Infrastructure & Assets	2,745,312	141,066	5%
Planning & Development	701,502	37,136	5%
Waste Management	3,131,132	181,355	6%
Community	1,452,426	13,550	1%
Community – Library	419,953	19,521	5%
Mobile Workforce	1,289,009	70,744	5%
Regulatory Services	402,716	44,082	11%
TOTAL EXPENSES	14,047,416	737,766	5%
OPERATING RESULT	1,763,556	(695,974)	(39%)

CAPITAL BUDGET POSITION

The table below compares capital revenue and expenditure to budget by the end of July 2020. Budgeted Capital Revenue and Capital Expenses exclude funding received under the SCALE funding and funding receivable under the LRCI program.

Four projects from the 2019-20 financial year have been carried forward to the current year, these are currently assessed to be non-compliant from a timing perspective. Whilst these projects are not included in the 2020-21 budget, they are still compliant from a budget perspective as they are not expected to exceed their 2019-20 allocated budgets. The projects are well underway in their delivery phase. Some of these projects are grant funded and funds are required to be acquitted by December 2020. Appropriate project extension periods are in place to ensure compliance with grant funding guidelines.

	2020/21 Budget (\$)	2020/21 Actuals (\$)	YTD	% of Budget
REVENUE				
Infrastructure & Assets	1,520,525	0	0	0.00%
Planning & Development	0	0	0	0.00%
Mobile Workforce	0	0	0	0.00%
Community	300,000	0	0	0.00%
Regulatory Services	0	0	0	0.00%
Waste Management	0	0	0	0.00%
TOTAL REVENUE	1,820,525	0	0	0.00%
EXPENSES				
Infrastructure & Assets	5,743,518	2,153	2,153	0.04%
Planning & Development	75,000	0	0	0.00%
Waste Management	230,000	0	0	0.00%
Mobile Workforce	0	0	0	0.00%
Thorak Cemetery	80,000	0	0	0.00%
Community	377,000	4,154	4,154	1.10%
Regulatory Services	60,000	0	0	0.00%
TOTAL EXPENSES	6,565,518	6,307	6,307	0.10%
CAPITAL RESULT	(4,744,993)	(6,307)	(6,307)	0.13%



Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	July-2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
2020-21 budgeted Capital Works projects									
Street Lighting Replacement	Aug-2020	Dec-2020	10,000	423	Project Delivery	Yes	Yes	4%	
Productive Roads - Mango Roads	Jul-2020	Jun-2021	2,450,000	-	Project Commencement	Yes	Yes	0%	
Drainage Renewal and Upgrade	Aug-2020	Jun-2021	560,000	-	Project Initiation	Yes	Yes	0%	
Vehicle Replacement	Aug-2020	Jun-2021	280,000	-	Project Initiation	Yes	Yes	0%	
Shared Path Program	Aug-2020	Jun-2021	100,000	-	Project Initiation	Yes	Yes	0%	
Pathway Renewal	Aug-2020	Jan-2021	80,000	-	Project Initiation	Yes	Yes	0%	
Gravel Surface Renewal	Aug-2020	Jun-2021	300,000	-	Project Initiation	Yes	Yes	0%	
Road Seal Renewal	Jul-2020	Dec-2020	945,000	3,818	Project Initiation	Yes	Yes	0%	
Road Safety Upgrades	Aug-2020	Sep-2021	463,518	-	Project Initiation	Yes	Yes	0%	
Thorak Cemetery Asset Renewal	Aug-2020	Jun-2021	20,000	-	Project Initiation	Yes	Yes	0%	
Thorak Cemetery Vehicle Replacement	Aug-2020	Jun-2021	60,000	-	Project Initiation	Yes	Yes	0%	
Waste Vehicle Replacement	Sep-2020	Jun-2021	170,000	-	Project Initiation	Yes	Yes	0%	
Reserve Building Renewal & Compliance	Sep-2020	Jun-2021	20,000	-	Not Started	Yes	Yes	0%	
Reserve Playground Renewal	Sep-2020	Jun-2021	12,000	-	Not Started	Yes	Yes	0%	
Fred's Pass Upgrade	Jul-2020	Jun-2021	300,000	-	Not Started	Yes	Yes	0%	
Knucky Lagoon Building works	Sep-2020	Jun-2021	45,000	-	Not Started	Yes	Yes	0%	
Council Administration Building Renewal	Oct-2020	Feb-2021	20,000	-	Not Started	Yes	Yes	0%	
Driveway Surface and Culvert Renewal	Oct-2020	Jun-2021	40,000	-	Not Started	Yes	Yes	0%	
Kerb Renewal and Upgrade	Oct-2020	Jun-2021	10,000	-	Not Started	Yes	Yes	0%	
Pavement Renewal	Aug-2020	Sep-2021	485,000	-	Not Started	Yes	Yes	0%	
Mira Square Development	Oct-2020	Jun-2021	75,000	-	Not Started	Yes	Yes	0%	

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	July-2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
Dog Pound Upgrade	Apr-2021	Jun-2021	60,000	-	Not Started	Yes	Yes	0%	
Waste Transfer Station Renewal	Aug-2020	Jun-2021	50,000	-	Not Started	Yes	Yes	0%	
Waste Strategy	Sep-2020	Jun-2021	10,000	-	Not Started	Yes	Yes	0%	
Carry over Capital Works projects from 2019-20 budget*									
Pavement Renewal - Whitewood Road	Started in 2019-20	Jun-2020	320,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020
Pavement Renewal - Stevens Road	Started in 2019-20	Jun-2020	500,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020
BlackSpot – Girraween and Hillier Road	Started in 2019-20	Jun-2020	398,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020
Shoulder Widening - Pioneer Norm Lane	Started in 2019-20	Jun-2020	300,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020
Whitstone Road Sealing	Started in 2019-20	Jun-2020	400,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020
Smart Controls for LED lighting	Started in 2019-20	Jun-2020	10,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020
LED streetlighting	Started in 2019-20	Jun-2020	60,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020
Council office – automatic doors all ability access	Started in 2019-20	Jun-2020	9,000	-	Project Planning	No	Yes		Scheduled completion Oct-2020
Kentish Road Re-sheeting	Started in 2019-20	Jun-2020	78,123	529	Project Closure	No	Yes		Scheduled completion Oct-2020
Swamp Road Re-sheeting	Started in 2019-20	Jun-2020	47,095	421	Project Closure	No	Yes		Scheduled completion Oct-2020
Brougham Road - January Monsoonal Damage	Started in 2019-20	Jun-2020	768,529	780	Project Closure	No	Yes		Scheduled completion Oct-2020
Waste Transfer Stations Howard Springs and Berry Springs Safety Improvements	Started in 2019-20	Jun-2020	140,000	-	Project Planning	No	Yes		Scheduled completion Oct-2020
Waste compactor Bin	Started in 2019-20	Jun-2020	40,000	-	Project Delivery	No	Yes		Scheduled completion Oct-2020

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	July-2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
FPSRR Equine Facilities Upgrade	Started in 2019-20	Dec-2020	380,000	-	Project Delivery	Yes	Yes		
FPSRR Cricket Club Change Rooms	Started in 2019-20	Dec-2020	500,000	-	Project Delivery	Yes	Yes		
FPSRR Roads and Carpark Upgrades	Started in 2019-20	Dec-2020	760,000	-	Project Delivery	Yes	Yes		
FPSRR Building Certification	Started in 2019-20	Dec-2020	115,000	-	Project Delivery	Yes	Yes		
FPSRR Project Management	Started in 2019-20	Dec-2020	110,000	-	Project Delivery	Yes	Yes		
SCALE Grant funding Capital Works projects*									
Humpty Doo Village Green Playground	Jul-2020	Sep-2020	80,000	168	Project Planning	Monitor	Yes		Depending on play equipment delivery
Shared Path Plan Safety Program	Jul-2020	Sep-2020	150,000	-	Project Initiation	Yes	Yes		
Berry Springs Hall electrical upgrades	Jul-2020	Sep-2020	50,000	-	Project Planning	Yes	Yes		
Livingstone Recreation Reserve Playground	Jul-2020	Sep-2020	70,000	168	Project Initiation	Monitor	Yes		Depending on play equipment delivery
Digital Whiteboards	Jul-2020	Sep-2020	39,100	-	Project Delivery	Yes	Yes		
IT remote work set up	Jul-2020	Sep-2020	27,300	-	Project Initiation	Monitor	Yes		Depending on IT equipment delivery
Entrance Signage to the Municipality	Jul-2020	Sep-2020	40,000	-	Project Initiation	Yes	Yes		
Mira Square Development	Jul-2020	Sep-2020	60,000	-	Project Initiation	Monitor	Yes		Depending on Crown lease approval
LRCI Grant funding Capital Works projects*									
Resealing of various roads (roads to be confirmed by Council)	Aug-2020	Jun-2021	1,183,429	-	Project Initiation	Yes	Yes		

**Un-budgeted capital works include projects carried over from the 2019-20 year and grant funded projects under the SCALE and LRCI program which are not budgeted in the 2020-21 budget. These projects will be proposed to be included in the 2020-21 as part of the budget review process.*

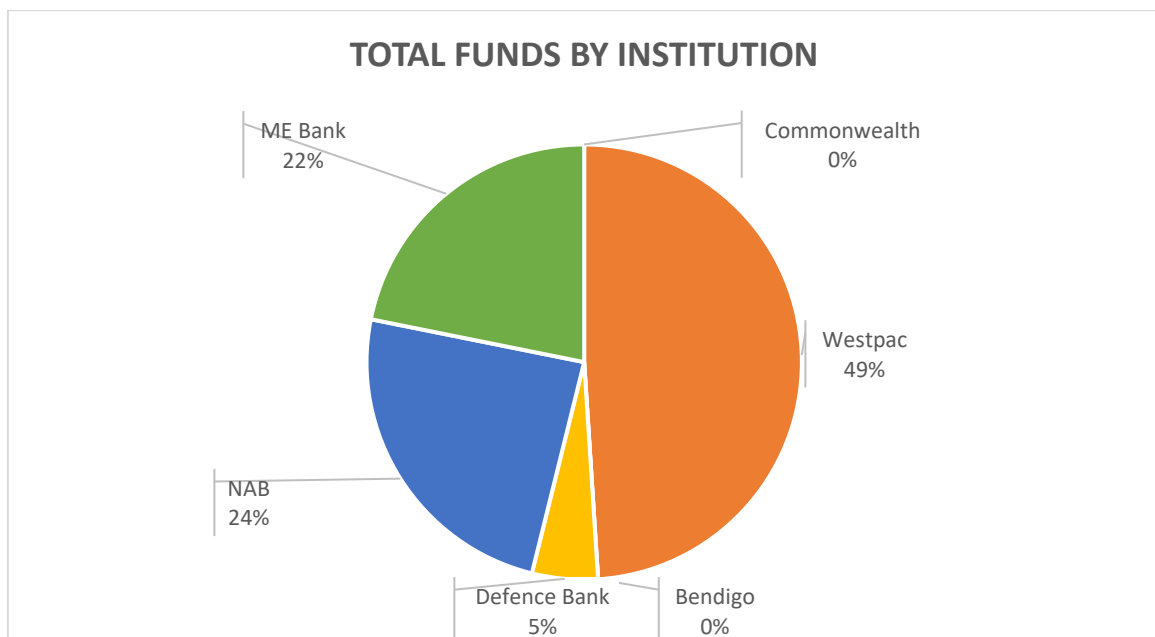
SECTION 3

CASH ON HAND & INVESTMENTS

Investment Schedule as at 30 June 2020

Council invests cash from its operational and business maxi accounts to ensure Council is receiving the best return on its cash holdings.

Date Invested	Invested Amount (\$)	Days Invested	Invested with	Interest Rate	Due Date	Expected return to Maturity Date (\$)
3/12/2019	\$1,020,559	245	ME Bank	1.55%	4/08/2020	\$10,618
11/12/2019	\$1,000,000	251	ME Bank	1.59%	18/08/2020	\$10,934
10/01/2020	\$1,100,000	235	Westpac	1.70%	1/09/2020	\$12,040
14/01/2020	\$2,027,814	245	Westpac	1.63%	15/09/2020	\$22,187
7/02/2020	\$1,500,000	242	ANZ	1.56%	6/10/2020	\$15,515
19/02/2020	\$1,051,938	244	Westpac	1.57%	20/10/2020	\$11,040
11/03/2020	\$1,012,673	238	NAB	1.30%	4/11/2020	\$8,584
24/03/2020	\$1,011,153	231	NAB	0.90%	10/11/2020	\$5,759
11/03/2020	\$1,000,000	251	NAB	1.30%	17/11/2020	\$8,940
7/04/2020	\$1,552,315	238	Westpac	1.40%	1/12/2020	\$14,171
6/05/2020	\$1,000,000	251	ME Bank	1.35%	12/01/2021	\$9,284
13/05/2020	\$1,000,000	258	Westpac	1.10%	26/01/2021	\$7,775
1/06/2020	\$1,000,000	253	Westpac	0.95%	9/02/2021	\$6,585
1/06/2020	\$2,000,000	267	NAB	0.97%	23/02/2021	\$14,191
2/06/2020	\$1,500,000	280	ME Bank	1.05%	9/03/2021	\$12,082
28/11/2019	\$1,010,669	245	Defence Bank	0.85%	23/03/2012	\$5,766
TOTAL INVESTMENTS	\$19,787,120					\$119,787



FINANCIAL RESERVES

Table showing forecasted reserve balance for 30 June 2021.

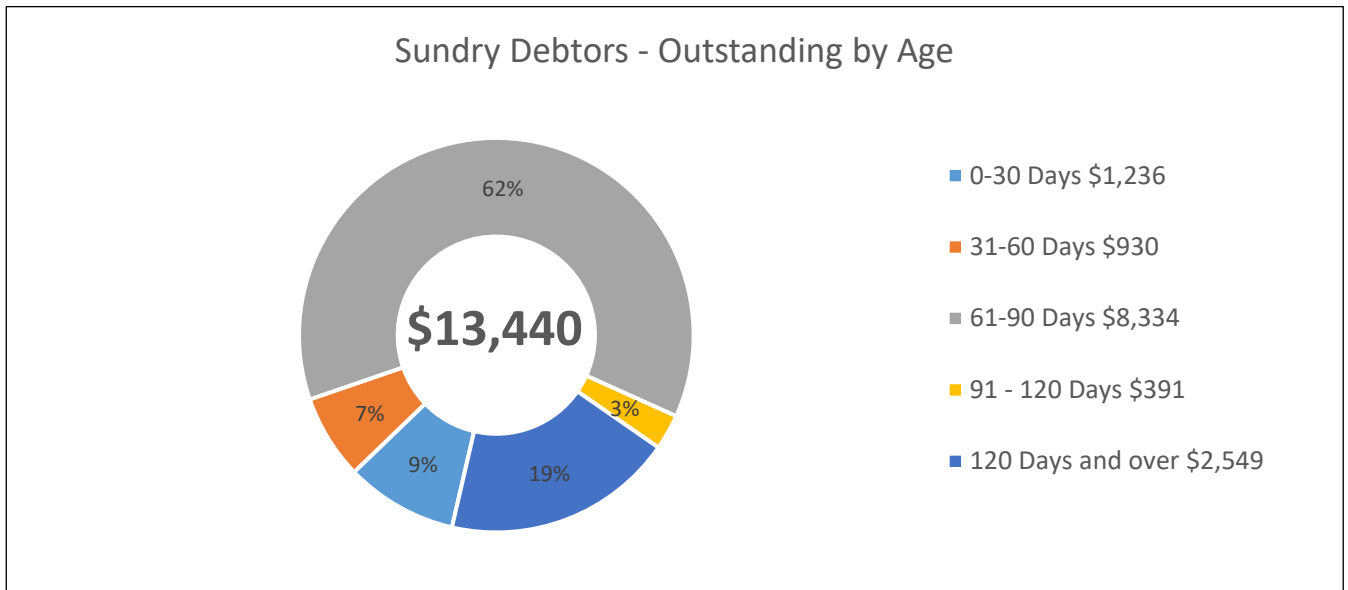
	Forecasted Balance* at 1 July 2020 (\$)	Net Increase/(Decrease) During the year (\$)	Forecasted Balance at 30 June 2021 (\$)
Developer Contribution Reserve	406,052	(403,500)	2,252
Unexpended Grants and Contributions	3,831,520	0	3,831,520
Asset Reserve	10,072,629	(2,299,511)	7,773,118
Waste Management Reserve	4,296,158	(198,427)	4,097,731
Election Reserve	100,000	0	100,000
Disaster Recovery Reserve	500,000	0	500,000
Strategic Initiatives Reserve	500,000	0	500,000
TOTAL	19,706,359	(2,901,438)	16,804,921

*Forecasted Balance amount as at the 1st of July 2020 is expected to change subject to audited financial statements for 30 June 2020 which will impact closing balances as at 30 June 2021.

SECTION 4

DEBTORS

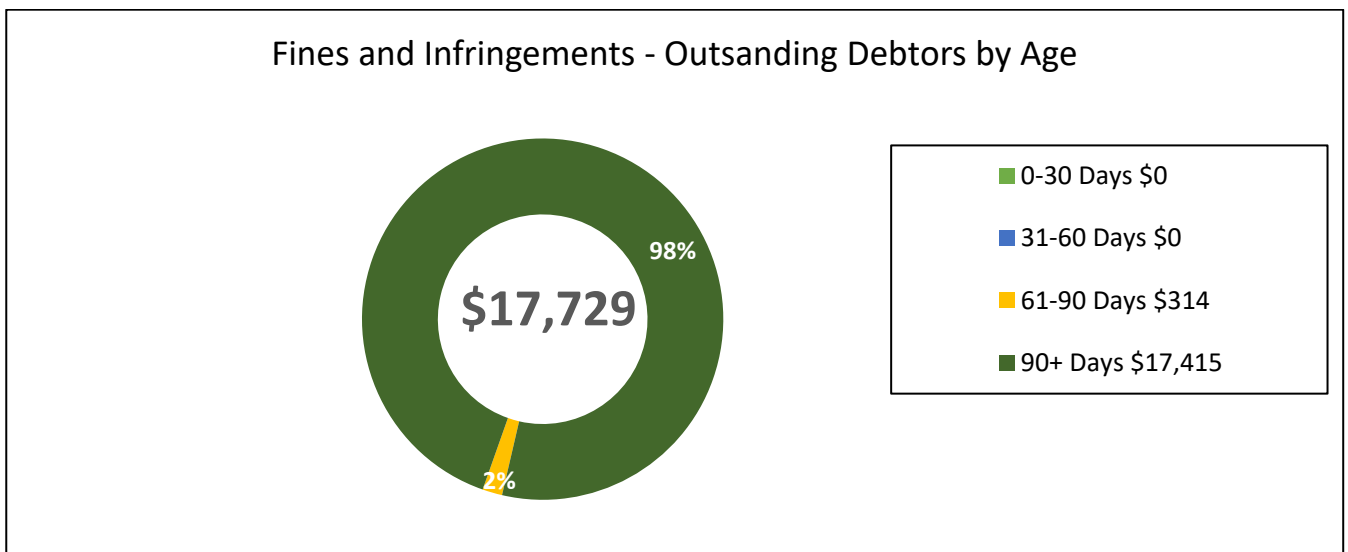
Total Debtors as at 31 July 2020 is \$13,440.



In line with Council procedures aged debts are being pursued and depending on requirement will be forwarded to debt collection agencies. One outstanding debt more than 120 days is under consideration for debt write off.

FINES AND INFRINGEMENTS

As at 31 July 2020, Council has 70 infringements outstanding with a balance of \$17,729. Council in accordance with its debt recovery procedures is in the process of recovering the outstanding debt. Outstanding debt exceeding 90 days have been forwarded to the Fines Recovery Unit (FRU) and is awaiting payment.



OUTSTANDING RATES

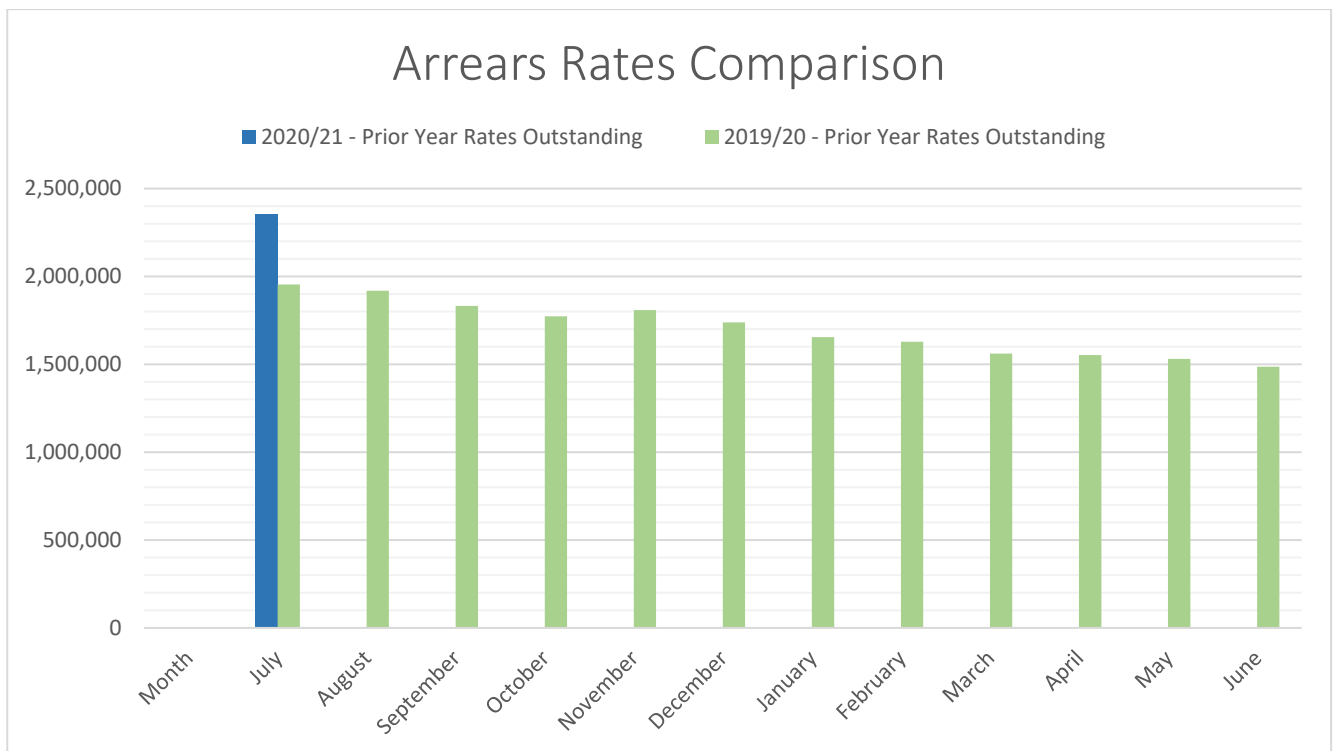
PRIOR YEAR RATES

The below table illustrates the split of prior year outstanding rates. Prior year rates as at 31 July 2020 are \$2.4 million, this is an increase of 23% compared to prior year July 2019.

Council is prioritising rates collection and will be taking steps to ensure we promote awareness among ratepayers on obligations and implications of unpaid Rates and Charges. This is done with a view to ensure rates collectible remains at acceptable levels and as Council fulfills its Municipal Plan targets to remain financially sustainable.

The graph below compares prior year rates between 2020-21 and 2019-20 financial years. As rates and charges for 2020-21 were not levied in July 2020.

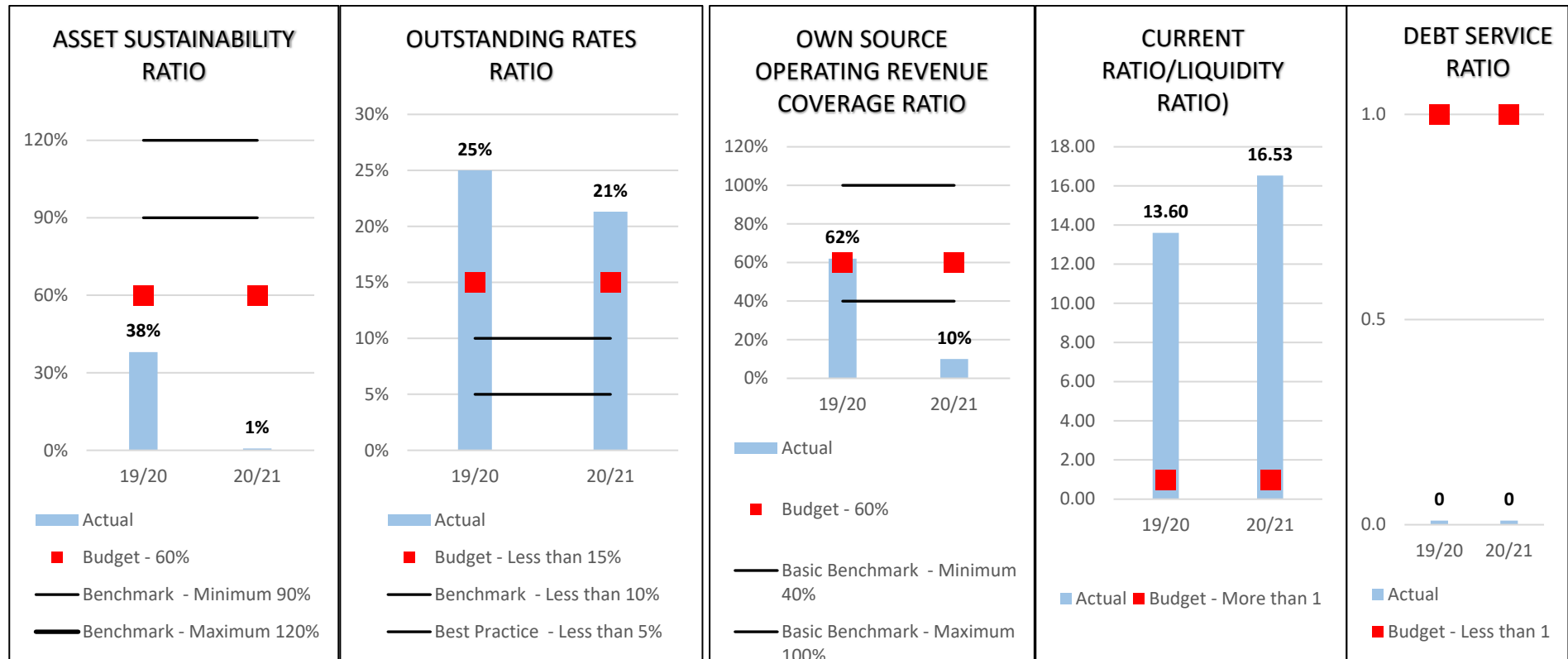
	Beginning 2020/21 Prior Years Outstanding (\$)	Previous Month (June 2020) (\$)	Current Month (July 2020) (\$)	Monthly Variance (\$)
COMMERCIAL	89,301	51,662	89,301	37,639
GAS PLANT	30	31	30	(1)
MINING	107,229	88,956	107,229	18,273
NON-RATEABLE MINING	8,802	0	8,802	8,802
NON-RATEABLE WASTE	27,378	33,301	27,378	(5,923)
PASTORAL	0	0	0	-
RURAL RESIDENTIAL	1,966,232	1,238,250	1,966,232	727,982
URBAN RESIDENTIAL	155,687	73,724	155,687	81,963
TOTAL	2,354,659	1,485,924	2,354,659	868,735



SECTION 5

FINANCE KEY PERFORMANCE INDICATORS (KPI)

Council’s 2020/21 Municipal Plan includes the following KPIs for the Finance area to meet; these are listed and reported on in the table below.



<p>Indicates if Council is replacing or renewing existing assets in a timely manner as the assets are used up.</p>	<p>Identifies if Council is collecting rates and charges in a timely manner and the effectiveness of debt recovery efforts.</p>	<p>This ratio measures the degree to which Council relies on external funding to cover its operational expenses.</p>	<p>Identifies Council’s ability to meet its short-term financial commitments as and when they fall due.</p>	<p>Indicates Council’s ability to repay loans. Council currently has no loans.</p>
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KPI	Explanation
Asset Sustainability Ratio	<p>A ratio of 90% indicates Council is replacing assets in a timely manner as assets reach their end of useful life. A ratio of less than 90% over the long-term indicates a build-up Infrastructure Backlog*.</p> <p>Council's Asset Sustainability ratio for month of July is a timing issue as most of the capital projects are in 'planning' and 'project initiation' stages and expenditure are expected to increase during the year. Many projects are not scheduled to start later during the year. It is expected by June 2021 the full year ratio will reach 47% based on current forecasts, this falls short of the Municipal Plan target of 60% and is also well below the Local Government Benchmark of 90%.</p>
Outstanding Rates Ratio	<p>Whilst there is no Standard local government benchmark, an industry benchmark of 5% for City Councils and 10% for Regional Councils is considered best practice and is used by many jurisdictions across Australia.</p> <p>Council's Outstanding Rates Ratio of 21% as at July sits unfavourably high than the maximum budgeted target of 15%. Council is currently in the process of reviewing its overall approach to rates collections and will be taking steps to ensure education and awareness and strategies are in place to ensure rates collectible remains below target levels.</p>
Own Source Revenue Ratio	<p>This ratio indicates Council's ability to pay for its operational expenditure through its own revenue sources** and is therefore more self-reliant. In other words, the higher the ratio the less Council must rely on external grants to provide services to the community. A ratio of 40% to 60% is considered as a basic level, between 60% to 90% is considered intermediate level and more than 90% is considered advanced level.</p> <p>Council's Own Source Operating Revenue Coverage ratio of 10% for July relates to timing of Revenues and Expenses. The ratio is expected to increase as Rates and Charges for 2020/21 are levied and as Expenses are incurred during the year. Current forecasts for full indicate the ratio will reach 47% which falls short of the Municipal Plan target of 60%.</p>
Current Ratio (Liquidity Ratio)	<p>A ratio of greater than 1 is required to provide assurance that Council has enough funds to pay its short-term financial commitments.</p> <p>Council's Current Ratio of 16.53 for July sits favourably against the Municipal Plan target and benchmark of 1. This ratio indicates Council is well placed in the short term to fulfill its short-term liabilities as and when they fall due.</p>
Debt Service Ratio	<p>Council has no debt or loan commitments and therefore fully meets the Municipal Plan target of 1 and less than 1.</p>

*Infrastructure back-log refers to capital replacement (renewal) cost not spent to bring assets to a satisfactory condition.

** Own Source Revenue refers to revenue raising capacity excluding all external grants, that is, through rates, charges, user fees, interest income, profit on disposal of assets etc.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 19 August 2020

15 Officers Reports

- 15.1 August 2020 Summary Planning and Development Report
- 15.2 PA2020/0119, a Planning Scheme Amendment Application to Introduce the Coolalinga/Freds Pass Area Plan
- 15.3 Proposed Update to the Litchfield Subregional Land Use Plan - Gunn Point Peninsula
- 15.4 Local Roads and Community Infrastructure Program - LRCI
- 15.5 Draft Tourism and Events Strategy
- 15.6 CEO Monthly Report
- 15.7 Electoral Review 2020 – A report to the Minister for Local Government, Housing and Community Development
- 15.8 Acquittal of Special Purpose Grant Energy Efficiency and Sustainability Grant
- 15.9 Draft FIN05 Debt Recovery Policy



COUNCIL REPORT

Agenda Item Number:	15.01
Report Title:	August 2020 Summary Planning and Development Report
Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Author:	Wendy Smith, Manager Planning and Regulatory Services
Meeting Date:	19/08/2020
Attachments:	A: Letter of Comment on PA2020/0196 B: Letter of Comment on PA2020/0195 C: Letter of Comment on PA2020/0206 D: Letter of Comment on PA2020/0198 E: Letter of Comment on PA2020/0216 F: Letter of Comment of Liquor Licence Ref 2020/9006

Executive Summary

The purpose of this report is to provide to Council a summary of planning and development applications received, and comments provided, for the period of 4 July 2020 to 31 July 2020.

The following is a summary of all planning and development applications received and comments provided during the noted period.

Type of Application	No. Applications
Development Applications	5
Mining Applications	0
Sale, Lease, or Occupation of Crown Land Applications	0
Liquor Licence Applications	1
Water Licence Applications	0
Clearances for Development Conditions	2
Stormwater/Driveway Plan Reviews	21
Works Permits	13

Letters of comment for the noted applications are provided for information in the attachments to this report.

Recommendation

THAT Council:

1. receives the August 2020 Summary Planning and Development Report and
2. notes for information the responses provided to relevant agencies within Attachments A-B to this report.

Background

DEVELOPMENT APPLICATIONS

The *NT Planning Act* requires that all Development Applications within Council's municipality be advertised to Council for comment. Council assesses whether the application meets Council's requirements for roads, drainage, and waste collection and comments on the expected impact of the proposal on the amenity of Council's residents.

The following is a summary of all Development Applications received and comments provided during the noted period.

Council Outcome on Development Applications	No. Applications
Development applications – supported, subject to normal Council conditions	3
Development applications – supported, subject to specific issues being adequately addressed	1
Development applications – submission lodged under NT Planning Act to object to the proposal	1
Note: Additional detail is provided below on all development applications.	

For all development applications, should the applications be approved by the consent authority, the applications may be subject to Council's normal Development Permit conditions in regard to areas of Council authority, including, but not necessarily limited to, access and stormwater drainage.

Development Applications supported, subject to normal Council conditions

The table below describes the Development Applications that are supported by Council.

Application Number, Address, and Attachment Reference	Purpose and Summary
PA2020/0196 Section 6488 1(5) Grice Crescent, Coolalinga, Hundred of Bagot	2 x 1 and 4 x 2 Bedroom Multiple Dwellings in Four Single Storey Buildings This site was previously granted a Development Permit in 2018 for the same proposal; however, that permit has since expired. The intent of this application is to seek a current approval for the proposed development of six multiple dwellings.
PA2020/0195 Section 1611 and 1688 (255 and 405) Alphatonia Road, Lambells Lagoon, Hundred of Guy	Intensive Animal Husbandry (Crocodile Farm) with an Ancillary Office and Caretaker's Residence The application proposes to establish a crocodile farm on the site in Zone H (Horticulture) noting the site needs to have reliable access to water.

	<p>The site is adequately serviced to meet the needs of the proposal.</p> <p>The application proposes to refurbish an existing house on the site and to install a four-bedroom caretaker's residence for a site manager.</p>
<p>PA2020/0206</p> <p>Lot 4879 50 Caldwell Road, McMinns Lagoon, Hundred of Strangways</p>	<p>Shed Addition to an Existing Single Dwelling with a Reduced Side Setback</p> <p>The application proposes a shed located within the side setback. The adjoining neighbour has an existing shed on their site near the proposed new shed and has provided a letter of support for the application.</p> <p>Under the new NT Planning Scheme 2020, the application appears to meet the tests for suitability for setback reduction.</p>

Development Applications supported, subject to specific issues being adequately addressed

The table below describes the Development Applications that are supported by Council only if the specific issues outlined are adequately addressed.

Application Number, Address, and Attachment Reference	Purpose and Summary	Specific Issues to be Addressed
<p>PA2020/0198</p> <p>Lot 6533 (1) Havelock Street, Coolalinga, Hundred of Bagot</p>	<p>4 x 2 Bedroom Multiple Dwellings in Two Single Storey Buildings</p> <p>This site was previously granted a Development Permit in 2018 for the same proposal; however, that permit has since expired. The intent of this application is to seek a current approval for the proposed development of four multiple dwellings.</p>	<p>Due to the site's location on the corner and an existing electricity easement, access to the site is somewhat limited, resulting in car parking bays for one unit that must reverse within a turning bay within the site to exit the site in a forward gear. It is recommended that the proposed turning bay be required to be clearly marked on the ground such that it is to be always available to provide for the turning movements of vehicles at the subject unit.</p>

Development Applications - Submission Lodged under the NT Planning Act to Object to the Proposal

The table below describes the Development Applications that are objected to by Council for reasons not directly related to areas of Council authority. Typically, these are reasons related to

preservation of amenity of the surrounding neighbourhood and compliance with the NT Planning Scheme.

Application Number, Address, and Attachment Reference	Purpose and Summary	Reasons for Objection
<p>PA2020/0216</p> <p>Section 4699 (131) Beddington Road, Herbert, Hundred of Strangways</p>	<p>Independent unit exceeding 80m² in floor area</p> <p>The application proposes to relocate an existing elevated dwelling onto the property. The existing dwelling is noted as “approximately” 100m² in area. The drawings indicate a three-bedroom dwelling with living area, kitchen, and verandah. There is also an existing sizeable dwelling on the property that appears from aerial photos to be quite similar in size to the proposed new dwelling.</p>	<p>The plans provided do not clearly show the floor area of the proposed independent unit, nor are there clear measurements for the intended siting of the dwelling on the lot. Additional information is required to ensure an accurate understanding of the proposal.</p> <p>Clause 5.4.13 of the NT Planning Scheme indicates an independent unit should be ancillary to the single dwelling on the site; ancillary is defined as being auxiliary and subordinate to the primary use of the site. Both the existing and proposed dwelling appear to be approximately the same size and are noted in the application as being capable of and intended to service two separate family units. The new proposed dwelling appears the same as the existing dwelling, rather than in any way being auxiliary to or subordinate to the existing dwelling.</p> <p>Additional dwellings beyond the single dwelling planned for a site and a minor ancillary addition have extensive cumulative impacts upon Council infrastructure, in particular Council’s roads and waste system. Council’s infrastructure is not designed or planned to manage multiple dwellings on all rural sites.</p>

ASSESSMENT OF PLANS/REPORTS/DRAWINGS FOR CLEARANCE OF DEVELOPMENT PERMIT CONDITIONS

Council reviews plans, reports, and drawings as part of the process to clear conditions on Development Permits to ensure that the proposals meet Council requirements and will not have adverse effects upon neighbouring properties or Council assets. Examples of include driveway crossover plans, stormwater drainage plans, environmental management reports, traffic impact assessments, and infrastructure designs. The following table notes the number of requests for assessment received by Council for clearance of conditions for plans/ reports/drawings during the noted period.

No. Requests for Assessment of Plans/Reports/Drawings for Clearance of Development Permit Conditions
2

STORMWATER DRAINAGE AND/OR DRIVEWAY CROSSOVER APPLICATIONS FOR BUILDING CERTIFICATION

Council reviews stormwater drainage plans and driveway crossovers for structures requiring building certification to ensure that the proposals meet Council requirements and will not have adverse effects upon neighbouring properties or Council assets. The following table notes the number requests for assessment for building certification that Council received during the noted period.

No. Building Certification Applications
21

WORKS PERMIT APPLICATIONS

Council reviews Works Permit applications for all works undertaken by external parties within Council's road reserve to ensure the works meet Council requirements and will not have adverse effects upon the public using the road reserve or Council assets. The following table notes the number of Works Permit applications received by Council during the noted period.

No. Works Permit Applications
13

LIQUOR LICENCE APPLICATIONS

The table below describes the new applications for amendments to existing liquor licences or new applications for special event liquor licences to which Council has responded during the noted period.

Address and Attachment Reference	Purpose and Summary	Comments Provided
2020/9006	Transfer of Liquor Licence at One Stop Bottleshop Pinelands	The application was supported.

Section 7452 (4) Mander Road, Holtze, Hundred of Bagot	The bottleshop has been sold and there is a request to transfer the licence to the new owner. The nominee on the licence is to remain the same.	
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Links with Strategic Plan

A Great Place to Live - Development and Open Space

Legislative and Policy Implications

Not applicable to this report

Risks



Community Engagement

Not applicable to this report



15 July 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0196

**Section 6488 1(5) Grice Crescent, Coolalinga, Hundred of Bagot
2 x 1 and 4 x 2 Bedroom Multiple Dwellings in Four Single Storey Buildings**

Thank you for the Development Application referred to this office on 03/07/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) The proposal provides for a range of housing types in a developing urban area.
- b) The proposal is not expected to have any negative impacts upon the amenity of the surrounding area.
- c) The proposal is not expected to have any negative impacts upon Council infrastructure.

The noted support is only given provided the following issues are adequately addressed:

- a) The proposal is compliant with the requirements of the NT Planning Scheme except for two items: the distance between units 5 and 6 and being over density by one unit, at a difference of 60m².
 - i. In relation to the distance between units, the non-compliance was previously approved by the consent authority for a similar application for the same site with a requirement for good neighbour fencing between the units. A similar approach to this application can be supported.
 - ii. In relation to being over density, in this instance, as the subject site proposes a range of dwelling sizes in a developing urban area, Council can support the variation to one additional unit.
- b) Council notes that the internal driveway, waste bin location, fence and letter boxes are proposed to be built over an existing drainage easement. This underground drainage pipe needs to be accessible by Council if any repairs are ever required. If there is a situation in future where this pipe needs to be accessed, all associated repairs to bring the said infrastructure back to its original state will be at the cost and

responsibility of the developer and/or property owners rather than Council. Council also requires that any roof or eaves that encroach on the easement be at least 3m in height and illustrated on the drawings, so as not to obstruct the ability to conduct works within the drainage easement.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council. The plan shall include details of site levels and Council's stormwater drainage connection point(s).
 - i. The plan shall demonstrate how all stormwater is to be collected on the site and discharged underground to Litchfield Council's stormwater drainage system.
 - ii. It is necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.
 - iii. The plan shall demonstrate that the drainage system is designed to cater for both initial storm events (Q5) and major storm events (Q100).
 - iv. The applicant's plans shall demonstrate that no contaminated water shall enter any waterway or Litchfield Council's drainage system.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of the Director Infrastructure and Operations, Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



15/7/2020

Daniel Fletcher
Chief Executive Officer



9 July 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0195

**Section 1611 and 1688 (255 and 405) Alphatonia Road, Lambells Lagoon, Hundred of Guy
Intensive Animal Husbandry (Crocodile Farm)
with an Ancillary Office and Caretaker's Residence**

Thank you for the Development Application referred to this office on 26/06/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) Council supports appropriate economic development within the municipality.
- b) There are not expected to be any negative effects upon the amenity of the surrounding neighbourhood as a result of the proposal.
- c) Provided Council's conditions are appropriately addressed, there are not expected to be any negative effects upon Council infrastructure as a result of the proposal.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) The driveway crossover shall be upgraded to a sealed standard to Litchfield Council's requirements, to support the proposed commercial use.
- b) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the stormwater drainage system shall be submitted to and approved by Litchfield Council.

- c) An Operational Environmental Management Plan (OEMP) that addresses the day to day waste management requirements for the use shall be prepared to the satisfaction of Litchfield Council. The use must at all times be conducted in accordance with the plan.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers, collect stormwater and discharge it to the drainage network, and undertake reinstatement works, all to the technical requirements and satisfaction of Litchfield Council, at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



10/7/2020

Daniel Fletcher
Chief Executive Officer



4 August 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0206

**Lot 4879 50 Caldwell Road, McMinns Lagoon, Hundred of Strangways
Shed Addition to an Existing Single Dwelling with a Reduced Side Setback**

Thank you for the Development Application referred to this office on 07/07/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

Given the implementation of new NT Planning Scheme 2020 (adopted 31 July 2020) and the assessment measures within that document, Council wishes to withdraw our earlier comments from 21 July 2020 and the following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) The proposal will minimise the adverse effects of building massing when viewed from adjoining land and the street.
- b) The shed design avoids overlooking of adjoining properties and breeze penetration of the site is not expected to be inhibited.
- c) The proposal is somewhat compatible with a similar structure on the neighbouring site; however, the structure on the neighbouring site is set farther back from the site boundary, approximately 7 metres. Council continues to note that previous communication to the Development Consent Authority has referenced a requirement from NT Fire and Rescue Services for a 4-metre firebreak in this locality. The proposed 3 metre setback would not meet this requirement. Further, it is also noted that should the site area be any less than the 1ha, a minimum 5-metre firebreak would be permitted.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater, and its discharge into Litchfield Council's stormwater drainage system, shall be submitted to and approved by Litchfield Council.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of Litchfield Council, at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to an Interim Development Control Order.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Rodney Jessup
Project Engineer

22 July 2020

Development Assessment Services
 Department of Infrastructure, Planning and Logistics
 GPO Box 1680
 Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0198

**Lot 6533 (1) Havelock Street, Coolalinga, Hundred of Bagot
 4 x 2 Bedroom Multiple Dwellings in Two Single Storey Buildings**

Thank you for the Development Application referred to this office on 03/07/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) While the proposal has minor non-compliances for distances between buildings and setback requirements, it is noted the proposal had a previous Development Permit granted for the same design.
- b) The proposal is not expected to have a negative effect upon Council infrastructure.

The noted support is only given provided the following issues are adequately addressed:

- a) Council recommends that the proposed turning bay be required to be clearly marked on the ground such that it is to be always available to provide for the turning movements of vehicles at Unit 1. Vehicles should only be entering the street in forward gear.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge

into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of the Director Infrastructure and Operations, Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Rodney Jessup
Project Engineer



31 July 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0216

**Section 4699 (131) Beddington Road, Herbert, Hundred of Strangways
Independent unit exceeding 80m² in floor area**

Thank you for the Development Application referred to this office on 17/07/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council wishes to lodge the following submission under the NT *Planning Act*, in which Council objects to the granting of a Development Permit for the following reasons:

- a) The plans provided do not clearly show the floor area of the proposed independent unit, nor are there clear measurements for the intended siting of the dwelling on the lot. Additional information is required to ensure an accurate understanding of the proposal.
- b) From the information that has been presented in the application, Council understands that the proposal is for a new dwelling on the site that is approximately 100m², though the exact floor area is unclear. The drawings indicate a three-bedroom dwelling with living area, kitchen, and verandah. There is also an existing sizeable dwelling on the property that appears from aerial photos to be quite similar in size to the proposed new dwelling.

Clause 5.4.13 of the NT Planning Scheme indicates an independent unit should be ancillary to the single dwelling on the site; ancillary is defined as being auxiliary and subordinate to the primary use of the site. Both the existing and proposed dwelling appear to be approximately the same size and are noted in the application as being capable of and intended to service two separate family units. The new proposed

dwelling appears the same as the existing dwelling, rather than in any way being auxiliary to or subordinate to the existing dwelling.

Additional dwellings beyond the single dwelling planned for a site and a minor ancillary addition have extensive cumulative impacts upon Council infrastructure, in particular Council's roads and waste system. Council's infrastructure is not designed or planned to manage multiple dwellings on all rural sites.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system, shall be submitted to and approved by Litchfield Council.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of Litchfield Council, at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Jessup', written in a cursive style.

Rodney Jessup
Project Engineer



30 July 2020

Licensing NT
Department of the Attorney-General and Justice
Northern Territory Government
GPO BOX 1154
Darwin NT 0801

RE: Application for Transfer of Liquor Licence

2020/9006
Section 7452 (4) Mander Road, Holtze, Hundred of Bagot
Application for Transfer of Liquor Licence at One Stop Bottleshop Pinelands

Thank you for the Transfer of Liquor License application referred to this office on 14/07/2020, regarding the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

In this instance, the transfer of the license due to sale of the business, noting the retention of the same nominee, can be supported by Litchfield Council.

For all liquor licence applications, Council wishes to note the recent investigations and reports into the consumption of alcohol in the Northern Territory and notes support for limiting the harmful use of alcohol in the community.

If you require any further discussion in relation to this application, please contact me on 08 8983 0600.

Yours faithfully

Wendy Smith
Manager Planning and Regulatory Services



COUNCIL REPORT

Agenda Item Number:	15.2
Report Title:	PA2020/0119, a Planning Scheme Amendment Application to Introduce the Coolalinga/Freds Pass Area Plan
Author:	Wendy Smith, Manager Planning and Regulatory Services
Recommending Officer:	
Meeting Date:	19/08/2020
Attachments:	A: Council's Letter of Comment for PA2020/0119, a Planning Scheme Amendment Application to Introduce the Coolalinga/Freds Pass Area Plan B: Planning Scheme Amendment Application PA2020/0119.

Executive Summary

The purpose of this report is to provide a summary and assessment to Council of PA2020/0119, a Planning Scheme Amendment Application to introduce the Coolalinga/Freds Pass Area Plan.

This report recommends that Council endorse the letter provided in Attachment A, on the application, included as Attachment B. The letter indicates that Council broadly supports the principles, objectives, and acceptable responses contained within the Area Plan that are designed to create a viable and vibrant rural activity centre, while noting a few minor amendments that could provide clarity and strengthen the Area Plan.

Recommendation

THAT Council:

1. receive and note the report; and
2. endorse Attachment A, Council's Letter of Comment for PA2020/0119, a Planning Scheme Amendment Application to Introduce the Coolalinga/Freds Pass Area Plan.

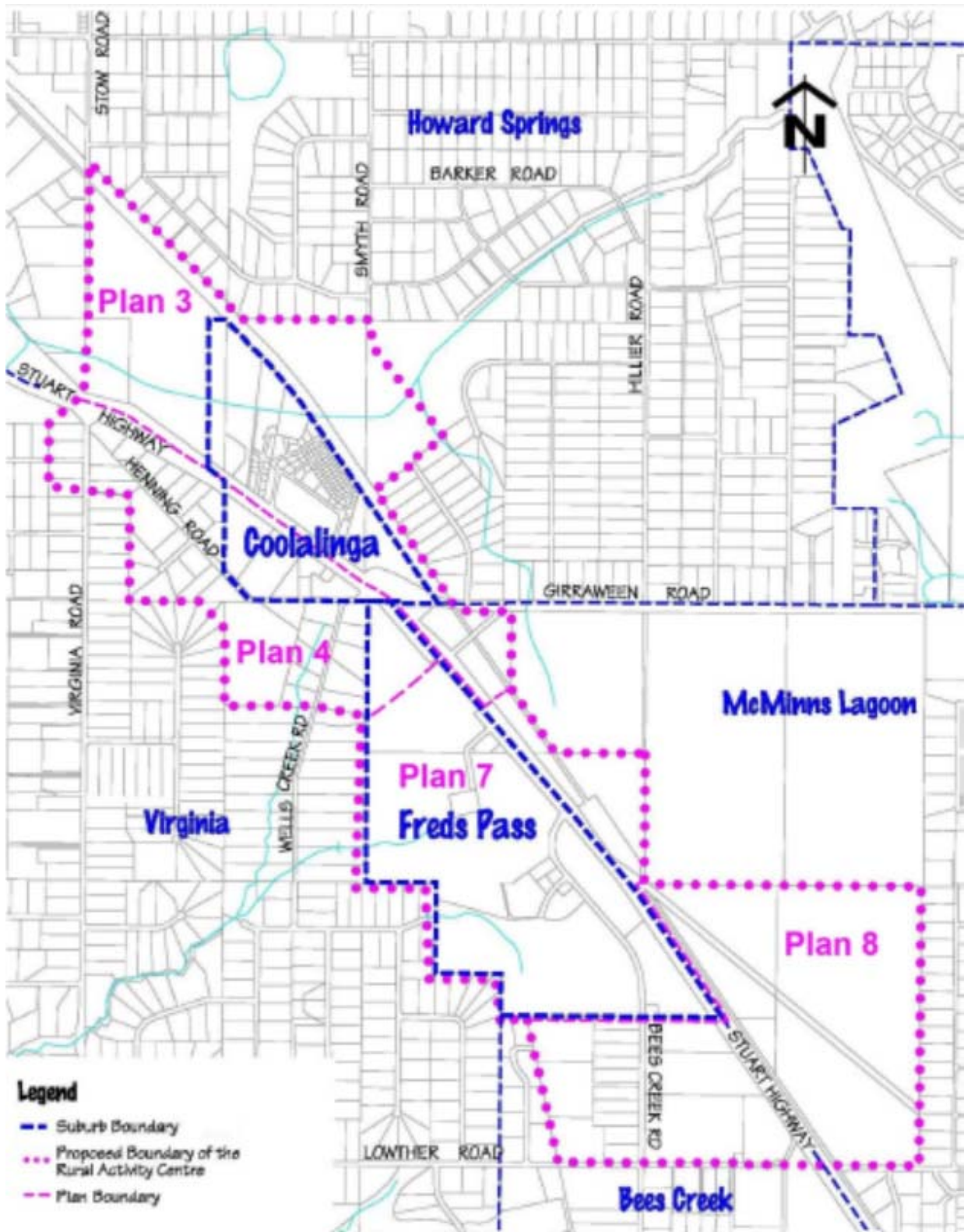
Background

This application proposes to adopt a new Coolalinga/Freds Pass Rural Activity Centre Area Plan (Area Plan). The adoption would replace the existing Coolalinga North Rural Village Area Plan within the NT Planning Scheme and replace preliminary information related to the Coolalinga Rural Activity Centre within the Litchfield Subregional Land Use Plan strategic planning document.

Under the NT planning system, applications for rezoning, development, and subdivision in the locality should be evaluated for their adherence to the Area Plan.

Site and Surrounds

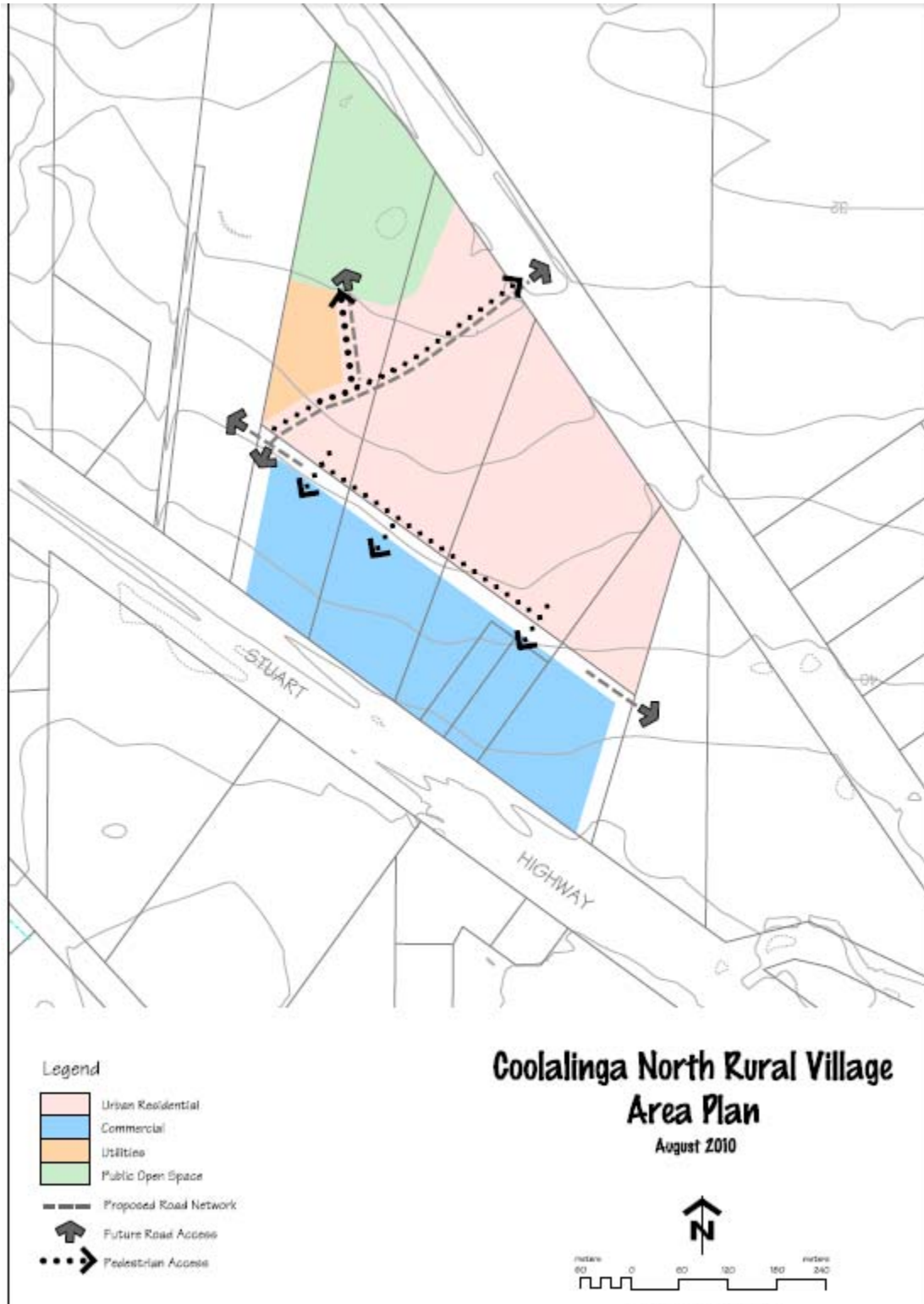
The area to which the proposal applies is generally the localities of Coolalinga and Freds Pass, as shown in the following map as the area marked by the line of large dots. In addition, the area outlined, areas within 250m, as measured directly, and areas within 500, measured as travelled, from this boundary may also see changes upon the adoption of the Area Plan as currently proposed.



Locality Plan – Coolalinga and Freds Pass Rural Activity Centre
Source: PA2020/0119

History

There is an existing Coolalinga Area Plan within the NT Planning Scheme, as pictured below and accompanied by guiding Planning Principles.



Current Coolalinga Area Plan
Source: NT Planning Scheme

The above plan is ten years old and no longer adequately reflects the realities of the local environment for Coolalinga.

In 2016, the NT Government adopted the Litchfield Subregional Land Use Plan (LSLUP), which provided updated strategic direction for the Coolalinga and Freds Pass area, to align with the latest vision for the rural community.

Since 2017, the NT Planning Commission has been working on revisions to the existing Coolalinga Area Plan, based upon the strategic direction of the LSLUP, current development realities in the Top End, and the latest best practice planning principles. This work has involved extensive background research studies and consultation with the local community.

The result of this ongoing work is the current proposal, which is made up of three parts:

1. a new Coolalinga/Freds Pass Area Plan, including mapping and planning principles, that will be incorporated in the NT Planning Scheme as a strategic document;
2. consequential amendments to the LSLUP to incorporate information relevant to the new Coolalinga/Freds Pass Area Plan; and
3. a Land Capability and Needs Assessment document for the area that provides background information that has informed the development of the Area Plan.

Current Proposal

The proposed Area Plan is contained in its entirety in Attachment B to this report and is composed of 18 pages of Planning Principles and associated mapping.

Each planning principle describes a high-level goal for the locality and is accompanied by supporting contextual information to explain the intent of the principle. Each principle then has a range of Objectives that describe outcomes to achieve the principle's intent. Finally, each objective describes a series of acceptable responses that may be utilised to achieve the noted outcome. Additional responses may be acceptable if it can be demonstrated that the proposed response also accomplishes the noted objective.

The following planning principles are addressed within the Area Plan:

1. The natural environment
2. Movement and transport
3. The rural activity centre
4. Residential growth and housing choice
5. Essential infrastructure
6. Coolalinga commercial centre
7. Coolalinga urban reticulated services
8. Coolalinga interconnected road network
9. Mosquito mitigation
10. Future urban framework
11. Freds Pass recreation uses
12. Freds Pass community uses
13. Bees Creek and McMinns Lagoon transition areas.

Due to the size of the Area Plan area, the Area Plan map is divided into four separate maps, as Plans 3, 4, 7, and 8, on pages 10, 11, 15 and 17 of Attachment B.

The Area Plan proposes to concentrate commercial development and higher density residential development near the existing commercial development and the Stuart Highway. Higher density urban residential uses are proposed to occur within a 400m walkable catchment from the commercial centre. Outside the walkable catchment area (see plans 3 and 4 within Attachment B), the minimum site area per dwelling is 800m². Multiple dwellings are located within the walkable catchment area and are generally to be limited to two storeys. Within the Area Plan boundary but outside of the walkable catchment area, the minimum lot size is generally 4,000m². Outside of the Area Plan boundary, lots within 250m as measured directly and lots within 500m as travelled may be considered for rural residential development to 1ha in size, provided servicing requirements are met, including reticulated water. Consideration is provided for the inclusion of retirement living.

The plan also provides for proposed new road and pedestrian connections, including the extension of Stow Road and Smyth Road into Coolalinga, Henning Road to Virginia Road to the west and Henning Road towards Freds Pass to the east. A pedestrian crossing point is proposed across the Stuart Highway to link the two commercial centres and upgraded pedestrian and cycling connections are emphasised throughout the plan.

The Freds Pass area is primarily maintained as an area for expanded sport and recreation, as well as additional education and community uses. Tourist commercial uses are encouraged near the Sattler Airstrip.

Information on required servicing is provided, including notations about the requirement for reticulated water to urban lots, the rectification of historic spaghetti lines when new connections are made available, and specific requirements for sewer servicing. New developer contribution plans are proposed to be prepared for the area and new development should not proceed the installation of required servicing to support the proposed development. Stormwater drainage concerns are also addressed, with encouragement for detention basins to address stormwater drainage flows and notations on mosquito mitigation to ensure suitable amenity.

Application Assessment

Coolalinga/Freds Pass Rural Activity Centre Area Plan

Council has been involved in the development of the Area Plan for a number of years and the proposal reflects the comments provided by Council and the local community. Existing and proposed future Council infrastructure is noted in the plan where appropriate, particularly for new road networks and stormwater drainage systems. It is noted that the standard practice is for all new roads as part of new development are to be constructed at the cost of the developer, with no cost to Council. There may be some upgrades required to existing Council roads as a result of the proposal; these features are expected to be addressed through the development of the Developer Contribution Plans noted in the Area Plan, such that development that will necessitate the upgrades contribute to the cost of those upgrades.

Council can support the focus of urban development within the centre of the Rural Activity Centre, adjacent the existing commercial uses to provide a walkable catchment to those areas. The noted limitations on lot sizes and height can be supported. One area of comment is the notation for sound attenuation measures and acoustic barriers for residential development proposed adjacent the Stuart Highway. While the acceptable outcomes in proposed Clause 4.5

should include vegetation screening to enhance visual amenity, it should be clearly noted in the document that vegetation screening alone will not provide sound attenuation.

Council can also support the strong focus in the plan on alternative transportation networks, including the provision of new and upgraded pedestrian and cycling facilities. Council is aware of concerns with pedestrian connections within the area, particularly around the Stuart Highway; the plan addresses these concerns.

For new road connections, Council will accept roads that are designed to Council Standards. For the Area Plan, in the discussion on the connections proposed to link Henning Road over to Freds Pass, Plan 6 of the document shows and states “Two possible options for future local road connections”; however, in Object 10.1, acceptable outcomes note “one or more options for a local road connection”. It is recommended that Plan 6 be updated to clarify that the two options drawn may not be the only acceptable options for providing the desired connection. This is essential to ensuring that any future Developer Contribution Plans are legally able to collect contributions on an alternative acceptable option not currently drawn on the plan.

In reference to Council’s reserve at Freds Pass, Council notes the full name of the reserve is Freds Pass Sport and Recreation Reserve and requests minor changes to the Area Plan to accurately reflect this title. In addition, in reference to the acceptable outcomes point (iv) to Objective 11.1, Council requests that this point in relation to upgraded and new facilities meeting national and international competition standards have a minor amendment at the end to note “as required to service the needs of the local community”. There is concern that as currently worded, every new facility installed would be required to meet international competition standards, when that level of facility may not be expected or warranted to service the needs of the wider community, resulting in costly construction and maintenance, as well as underutilised facilities.

Litchfield Subregional Land Use Plan

Council can support the proposed amendments to the LSLUP to incorporate information adopted as part of the new Area Plan.

Land Capability and Needs Assessment

The information contained in this document addresses some of the background information gathered and analysed for the development of the Area Plan. For clarity, Council recommends the following two minor amendments.

1. There is a reference on page 13 to “the new hospital at Palmerston”; Council notes that the new Palmerston Regional Hospital is in Litchfield and recommends that this document be amended to accurately reflect the hospital’s location in our municipality.
2. The overall Area Plan includes a pedestrian connection across the Stuart Highway in roughly the middle of the two commercial areas; however, this link is missing from Figure 12 that illustrates the Draft Cycle and Pedestrian Network.

Finally, Figure 10 provides a clear illustration of the lots affected by the 250m as measured buffer for rural residential lots adjacent to the Area Plan area that could have a reduced lot size. The Area Plan could benefit from this inclusion of this mapping to clearly illustrate what areas will be affected by this provision. It is acknowledged that it may be difficult to have an updated and accurate map of the areas affected by the 500m as travelled provision as new roads are constructed.

Conclusion

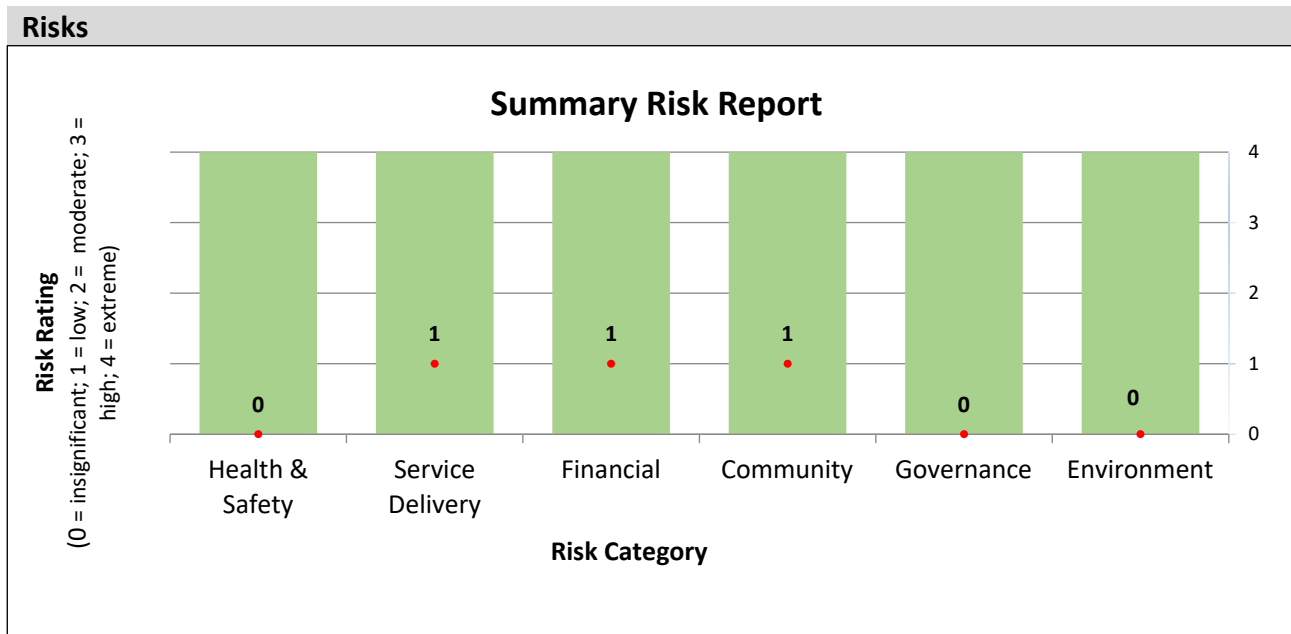
It is recommended that Council support the application overall, providing a letter of comments that covers both the principles Council support and the areas noted herein where minor amendments could be made to add clarity and strengthen the plan.

Links with Strategic Plan

A Great Place to Live - Development and Open Space

Legislative and Policy Implications

Should the Area Plan be adopted, it will be incorporated into the NT Planning Scheme and the Litchfield Subregional Land Use Plan. All future applications for rezoning, development, and subdivision in the locality will be evaluated for their adherence to the Area Plan. Council's assessment of any applications should reflect the policy nature of the adopted documents.



Service Delivery and Financial

The addition of urban land within the Area Plan area may result in increased servicing requirements for Council, for example in the number of times per year Council maintains the verge in these areas. Any determined increase in service delivery is likely to represent an increase in financial costs for Council.

Community

Extensive community consultation was undertaken by the NT Planning Commission on this proposal. As the plan includes some changes to existing land uses, densities and road designs, there will naturally be some effects upon the local community, some of whom may or may not agree with the proposed changes. Council is confident that the level of community engagement, combined with the range of alternatives presented in the plan, can mitigate community risks.

Community Engagement

The NT Government has undertaken a range of consultation activities throughout the development of the proposed Area Plan, as detailed on pages 8 and 19 of the Land Capability and Needs Assessment document within the application. Council staff and Councillors participated in the development of the Area Plan throughout the process.



10 August 2020

Lands Planning
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Planning Scheme Amendment Application

PA2020/0119

Introduction of the Coolalinga/Freds Pass Area Plan

Thank you for the Planning Scheme Amendment Application referred to this office, concerning the above. This letter was endorsed at Litchfield Council's 19 August 2020 Council Meeting.

Comments are divided into sections based on the three documents presented in the application. The following issues are raised for consideration by the Authority:

Council supports the granting of a Planning Scheme Amendment with the following and further recommendations:

Coolalinga/Freds Pass Rural Activity Centre Area Plan

Council can **support** the focus of urban development within the centre of the Rural Activity Centre, adjacent the existing commercial uses to provide a walkable catchment to those areas. The noted limitations on lot sizes and height can be **supported**.

Regarding the notation for sound attenuation measures and acoustic barriers for residential development proposed adjacent the Stuart Highway - while the acceptable outcomes in proposed Clause 4.5 should include vegetation screening to enhance visual amenity, it is **recommended** that it be clearly stated that vegetation screening alone will not provide sound attenuation.

Council can also **support** the strong focus in the plan on alternative transportation networks, including the provision of new and upgraded pedestrian and cycling facilities. Council is aware of concerns with pedestrian connections within the area, particularly around the Stuart Highway; the plan addresses these concerns.

For new road connections, Council will accept roads that are designed to Council Standards. For the Area Plan, in the discussion on the connections proposed to link Henning Road over to Freds Pass, Plan 6 of the document shows and states "Two possible options for future local road connections"; however, in Object 10.1, acceptable outcomes note "one or more options for a local road connection". It is **recommended** that Plan 6 be updated to clarify that the two options drawn may not be the only acceptable options for providing the desired

connection. This is essential to ensuring that any future Developer Contribution Plans are legally able to collect contributions on an alternative acceptable option not currently drawn on the plan.

In reference to Council's reserve at Freds Pass, Council notes the full name of the reserve is Freds Pass Sport and Recreation Reserve and **requests minor changes** to the Area Plan to accurately reflect this title. In addition, in reference to the acceptable outcomes point (iv) to Objective 11.1 for the Reserve, Council **requests a change** to this point in relation to upgraded and new facilities meeting national and international competition standards have a minor amendment at the end to note "as required to service the needs of the local community". There is concern that as currently worded, every new facility installed would be required to meet international competition standards, when that level of facility may not be expected or warranted to service the needs of the wider community, resulting in costly construction and maintenance, as well as underutilised facilities.

Litchfield Subregional Land Use Plan

Council can **support** the proposed amendments to the LSLUP to incorporate information adopted as part of the new Area Plan.

Land Capability and Needs Assessment

The information contained in this document addresses some of the background information gathered and analysed for the development of the Area Plan. For clarity, Council the following two **minor amendments are recommended**.

1. There is a reference on page 13 to "the new hospital at Palmerston"; Council notes that the new Palmerston Regional Hospital is in Litchfield and recommends that this document be amended to accurately reflect the hospital's location in our municipality.
2. The overall Area Plan includes a pedestrian connection across the Stuart Highway in roughly the middle of the two commercial areas; however, this link is missing from Figure 12 that illustrates the Draft Cycle and Pedestrian Network.

Finally, Figure 10 provides a clear illustration of the lots affected by the 250m as measured buffer for rural residential lots adjacent to the Area Plan area that could have a reduced lot size. The Area Plan could benefit from this inclusion of this mapping to clearly illustrate what areas will be affected by this provision. It is acknowledged that it may be difficult to have an updated and accurate map of the areas affected by the 500m as travelled provision as new roads are constructed.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully

Wendy Smith
Manager Planning and Regulatory Services

NORTHERN TERRITORY OF AUSTRALIA
PROPOSAL TO AMEND NT PLANNING SCHEME

PA2020/0119

INTRODUCTION OF THE COOLALINGA / FRED'S PASS AREA PLAN

The Minister for Infrastructure Planning and Logistic is seeking comments on a proposal to amend the NT Planning Scheme.

The proposed amendment is to include the Area Plan for Coolalinga / Freds Pass Rural Activity Centre into Part 8 of the Planning Scheme. The inclusion of this Area Plan will supersede the existing Coolalinga North Area Plan.

Introduction of the Area Plan for Coolalinga / Freds Pass will require consequential changes to the Litchfield Subregional Land Use Plan. These changes form part of this amendment.

This introduction is part of the exhibition package for this amendment, which includes:

- a locality plan
- an explanatory overview of the proposed Area Plan;
- the proposed Area Plan for the Coolalinga / Freds Pass Rural Activity Centre;
- the Land Capability and Needs Assessment reference document for the Area Plan; and
- the consequential changes to the Litchfield Subregional Land Use Plan.

Period of Exhibition and Lodging a Submission

The exhibition period is from Friday 10 July 2020 to Friday 7 August 2020.

Written submissions about the proposed planning scheme amendment are to be received by 11:59pm on Friday 7 August, 2020 and made to:

Director Lands Planning
Department of Infrastructure Planning and Logistics
GPO Box 1680
DARWIN NT 0801; or

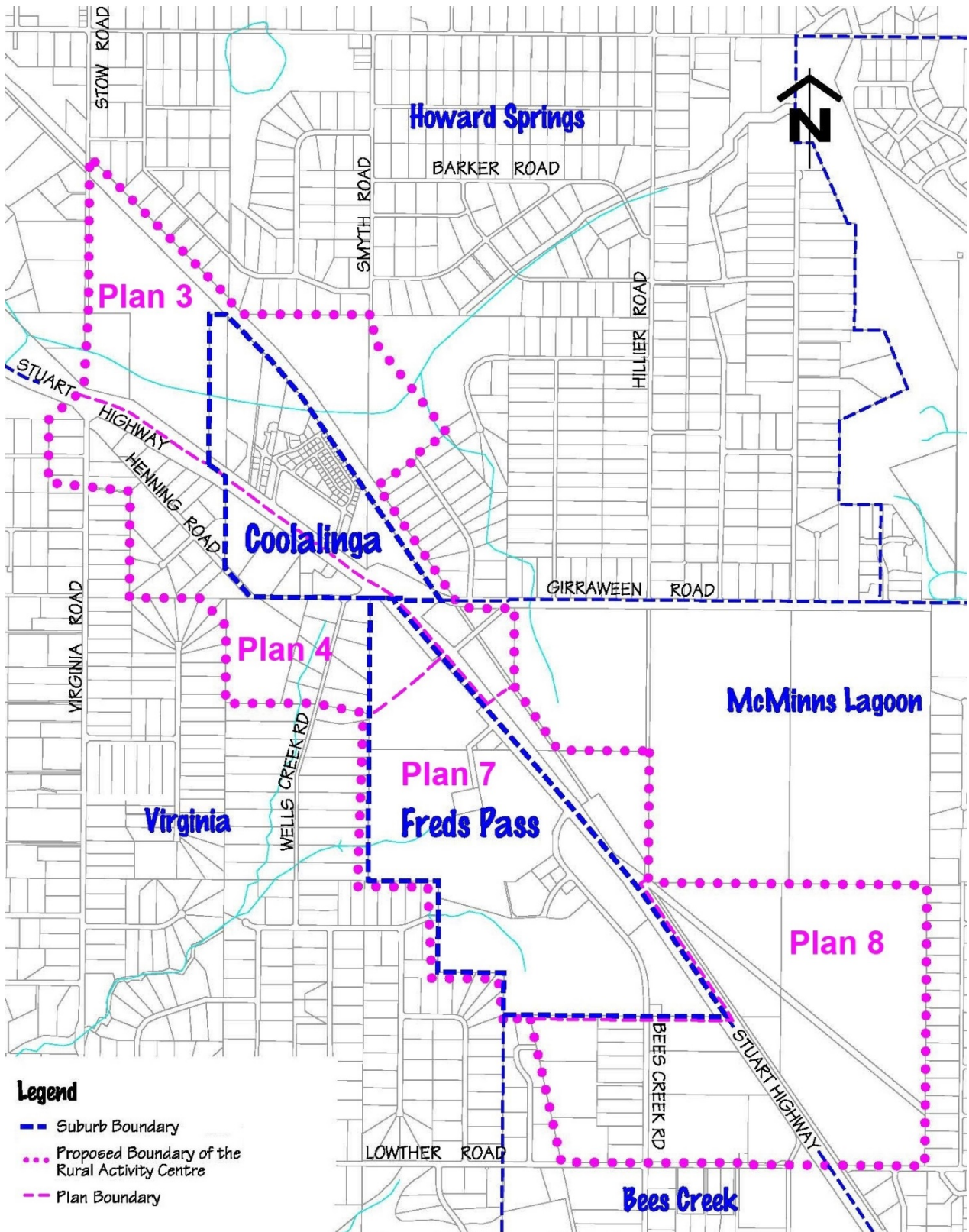
Email: Planning.NTG@nt.gov.au; or

Fax: (08) 8999 7189; or

Hand delivered to First Floor, Energy House, 18 - 20 Cavenagh Street, Darwin For

more information please telephone 8999 6036.

Locality Plan – Coolalinga / Freds Pass Rural Activity Centre



Explanatory Document for the Area Plan for Coolalinga / Freds Pass Rural Activity Centre

Background

In 2016, the *Litchfield Subregional Land Use Plan* was included in the NT Planning Scheme. It identifies that the Litchfield subregion could accommodate a projected need for 500 dwellings over the next five to ten years within existing rural activity centres.

As well as the future urban areas of Holtze, Weddell and Murrumujuk, the Litchfield Subregional Land Use Plan identifies four rural activity centres with potential for growth. These are Howard Springs, Coolalinga / Freds Pass, Humpty Doo and Berry Springs.

In May 2017, the NT Planning Commission commenced public consultation to develop the proposed Area Plan and planning principles for the Coolalinga / Freds Pass Rural Activity Centre. The land use concept for Coolalinga and Freds Pass within the Litchfield Subregional Land Use Plan was used as the starting point for infrastructure investigations and community engagement to develop options for the draft planning principles and area plan.

Purpose

The Area Plan will guide the development of land within the Coolalinga / Freds Pass Rural Activity Centre. The identified opportunities for change will accommodate growth without impacting on the amenity of the broader rural living area and support the efficient delivery of infrastructure for the continued viability of the rural activity centre.

The Area Plan promotes urban growth only within Coolalinga because it is not practical to extend reticulated sewerage to Freds Pass. Particular issues affecting Coolalinga are mosquito breeding in the paperbark swamp which impacts on residential opportunity; and community concern with land use change in the Wells Creek Road locality.

For Freds Pass, the Area Plan promotes a future land use structure that will continue to support the regional and local recreation functions while preserving Crown land for community purposes. Future opportunities for rural residential development provides a buffer to the south.

The Area Plan and planning principles respond to all key issues raised during community engagement. The Area Plan is intended to provide guidance for the preparation of and decisions on rezoning and development proposals within the rural activity centre.

Should the proposed area plan be amended into the Planning Scheme, it will supersede the 'Coolalinga North Area Plan' that currently applies to commercial land north of the Stuart Highway.

The proposed area plan will not automatically rezone land or change existing land use rights.

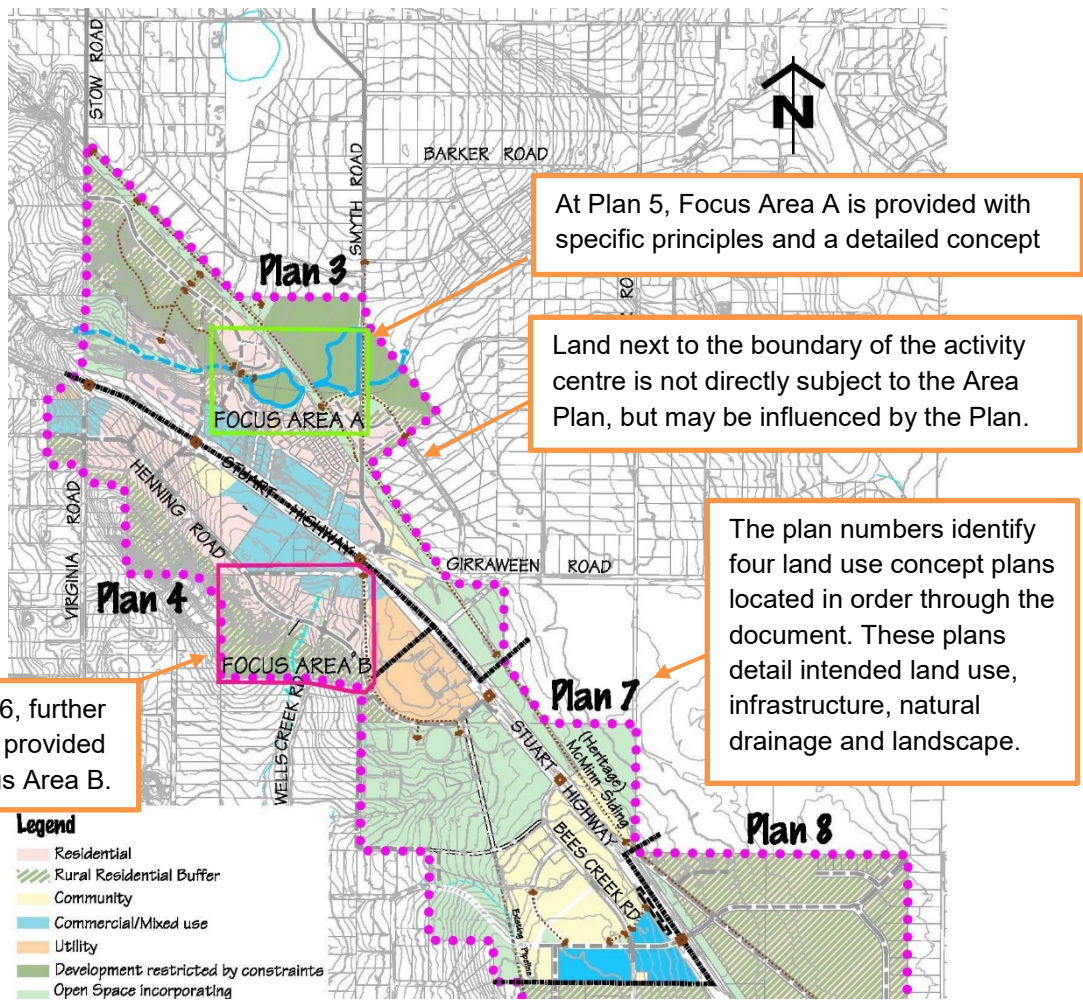
Structure of the proposed area plan

The proposed Area Plan is at Attachment A1 after this explanatory document. Page 1 of the Plan provides a high level 'Context', 'Purpose', and 'Vision Statement'; and includes the 'Plan Structure'.

Page 2 is the locality plan, as shown above, which shows the boundary of the rural activity centre and the boundaries of Coolalinga and Freds Pass in the context of the surrounding localities.

An index on page 3 is followed by the landscape and natural constraints of the rural activity centre. Planning principles one to five apply generally to the whole rural activity centre and Plan 2 on page 6 gives the intended land use structure and references the constituent plans.

Plan 2 is extracted below with explanatory notes.



The Area Plan includes **planning principles** associated with key themes and land use concepts. These principles guide development, and must be addressed when applying to rezone or develop land within the activity centre. The format of planning principles is shown on the following extract.

A planning principle may belong to a theme and describes a high level goal

Freds Pass – education, aged care and tourist accommodation

12. Ensure that community and commercial uses in Freds Pass are appropriate for the locality

The community and tourist commercial areas of Freds Pass serve the subregion and provide opportunities to be made available for compatible development. There is an expectation that education and tourist accommodation some opportunities for other community uses such as aged care. The opportunity is retained in a location convenient to Coolalinga and to provide accommodation for...

Context is provided to explain the intent of the principle.

Objective	Acceptable Land Use and Development Response
12.1 To continue the role of Freds Pass for community uses, especially education, and for tourist accommodation	<ul style="list-style-type: none"> i. The Freds Pass community area is used for education and compatible community uses such as aged care and the provision of community services ii. Development proposals, especially for education, demonstrate how opportunities to share existing and proposed facilities will be realised iii. Development proposals, including for tourism, are consistent with Concept Plan ... de connecti

Objectives are outcomes that will achieve the intent of the principles. A developer must demonstrate how a proposal complies with objectives.

Acceptable responses describe requirements to achieve the stated objective. A developer should act in accordance with all the listed responses or demonstrate how their proposal provides an equal or better response to the objective.

Explanatory notes

The Area Plan is presented across four precincts, and includes the two focus areas of within Coolalinga, as indicated on the above as Focus Areas A and B.

The following notes explain the key themes of the planning principles in the area plan. The bold numbers provide a reference to where these principles appear in the Area Plan.

1. *The Natural Environment*

The Area Plan includes Primary Environmental Management (PEM) areas which identify a number of high biodiversity locations within the rural activity centre. The PEM areas are significant wetlands, sandsheet heaths and the natural drainage lines associated with the Howard River, Brookings Creek and Wells Creek catchments.

Principle 1 sets out to protect and minimise impacts on these areas by introducing measures which address land use, stormwater management and the removal of native vegetation.

2. *Movement and Transport & 8. Interconnected Local Road Network in Coolalinga*

Additional connections from Coolalinga via Howard Springs to the Palmerston Regional Hospital are identified to improve access to health facilities and support a future public transport connection. In addition, arterial road improvements through Coolalinga will assist in connecting local area traffic safely across the Highway, while maintaining the arterial function of the Stuart Highway.

The provision of footpaths, bicycle ways and bridle paths is also prioritised in the activity centre, to provide alternative movement options and promote active transport modes.

Principles 2 & 8 in general seeks to achieve this through the strict management of arterial access and upgrades through the relevant Northern Territory Government agency, and facilitating the interconnection of the local road network and movement corridors through subdivision development. Principle 8 emphasises enhanced connections within Coolalinga.

3. *The Rural Activity Centre*

A key distinction of Coolalinga / Freds Pass from other activity centres in the Litchfield region is the area's link to the past, in particular the site of Sattler Airstrip from WWII and the North Australian Railway (NAR) corridor.

Principle 3 supports a diverse commercial centre that provides for the needs of rural residents and visitors, whilst including measures which respect the areas heritage, such as promoting the use of the NAR corridor as a pedestrian/cycle trail and encouraging tourist development of the airstrip which reflects its former use and development pattern.

4. *Residential Growth and Housing Choice*

This Area Plan seeks to encourage a range of housing choices that cater for different life stages, and at a range of residential densities which:

- supports existing commercial, community and recreational activities available in the area;
- provides a spatial transition between urban and rural lifestyle choice; and
- considers the natural environment and access to infrastructure.

Principle 4 does this by allowing increased density in locations of higher amenity, in particular areas in close proximity to Activity Centres, whilst introducing density transition zones to limit land use conflict between urban, rural lifestyle and environmentally sensitive areas.

5. *Essential Infrastructure & 7. Urban Services in Coolalinga*

To protect ground water quality and capacity, reticulated water and sewer services will be required for new commercial development and urban residential areas within Coolalinga. Other essential infrastructure includes the upgrading and new construction of road connections.

Objectives found under **Principles 5 & 7**, include minimising impacts to groundwater systems, the provision of trunk services when applicable, requirement of developer contributions for required road connections and stormwater management. Principle 7 emphasises the provision of urban utilities within Coolalinga.

6. *Coolalinga Commercial Centre*

Maintain Coolalinga as a core commercial centre in Litchfield which supports its rural catchment whilst developing a distinctive character and sense of place.

Principle 6 allows a range of responses which can achieve this, such as reflecting the areas local heritage through urban design, encourage commercial diversity and encouraging higher densities in targeted areas.

9. *Mosquito Mitigation*

The Area Plan recognises the challenges of mitigating human health impacts associated with seasonal mosquito breeding areas, such as the seasonal lagoon in the north-western corner of Coolalinga within the Howard River catchment.

Principle 9 follows on from **Principle 1**, but is specifically in reference to Focus Area A.

The objectives seek mosquito management plans or strategies, integrated with stormwater management and retaining native vegetation within the lagoon.

10. *Future urban residential development*

The Area Plan identifies areas suitable for increased residential density either side of Henning Road within Focus Area B and including future road connections through to Freds Pass.

Principle 10 objectives require that a transition of residential density between the commercial centre and rural living areas be applied. This is to interconnect with the local road networks as sought through Principle 8.

11. *Freds Pass – Sport and recreation*

The Area Plan acknowledges the role of Freds Pass Recreation Reserve in the subregional context as a multi-user sporting facility that serves the broader Darwin region.

Principle 11 seeks to enable the Reserve to continue to develop into a high level sporting and recreational facility, by identifying opportunities for the development of new facilities to enhance the precinct and provide user groups greater recreational opportunities.

12. *Freds Pass – education, aged care and tourist accommodation*

The community and tourist commercial areas of Freds Pass serve the subregion and include Crown land that may be made available for compatible development.

Principle 12 reiterates the role of Freds Pass for community uses, in particular encouraging those which are compatible with educational and community services.

13. *Bees Creek and McMinns Lagoon – transition area*

Principle 13 in conjunction with **Principle 4**, facilitates rural residential development on lots between 4000 m² and one hectare to the south of Freds Pass. This allows for increased residential density around existing schools and commercial land without compromising surrounding rural communities of Bees Creek and McMinns Lagoon.

Land Capability and Needs Assessment for Coolalinga / Freds Pass

At Attachment A2, after the proposed Area Plan, is the Land Capability and Needs Assessment for the Coolalinga / Freds Pass Rural Activity Centre. This is a reference document that presents in summary form the range of data that informed the preparation of the Area Plan.

This reference document is not part of the proposed planning scheme amendment. The intent is that it will assist with interpretation of the Area Plan by providing context relevant at the time.

Consequential amendment to the Litchfield Subregional Land Use Plan

At Attachment A3, the last component of the exhibition package is the consequential amendment to the *Litchfield Subregional Land Use Plan*. The proposed alterations provide a reference to the proposed Area Plan, and remove any inconsistencies between the two documents.

The discussion on Page 24 of the Subregional Plan will be altered, and the land Use Concept on Page 25 will be replaced with a locality plan for Coolalinga / Freds Pass. This will ensure that future references to policy for the locality will be to the current and more detailed planning concepts and principles provided in the Area Plan.

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Attachment A1 commences on following page

14.7 Litchfield

14.7.1	Area Plan for the Coolalinga / Freds Pass Rural Activity Centre
<p>Amendment No 145 gazetted 29.9.2010 included an area plan & planning principles for <i>Coolalinga North</i></p> <p>Amendment No ??? advertised ???.?.2020 superseded <i>Coolalinga North</i> with the <i>Area Plan for the Coolalinga and Freds Pass Rural Activity Centre</i>.</p>	<p>Context</p> <p>The Litchfield Subregional Land Use Plan 2016 discusses the Coolalinga and Freds Pass Rural Activity Centre and its two distinct areas. Coolalinga being the commercial centre in a process of transition with some capacity for urban residential growth; and Freds Pass providing organised recreation for a regional catchment and Crown land for education and other community uses.</p> <p>The Subregional Plan also promotes the old North Australian Railway corridor as public open space and an active transport 'spine' connecting the two areas.</p> <p>The Land Use Concept plan included in the Subregional Plan has been superseded by this Area Plan, but a copy is provided in the Land Capability and Needs Assessment reference document. The Land Use Concept identified opportunities to increase the diversity of housing options within the rural activity centre.</p> <p>Areas adjacent to the commercial precinct can accommodate moderate growth with the provision of an interconnected local road network, reticulated sewerage and upgraded water supply. This growth will support local businesses and community facilities that serve the surrounding rural area.</p> <p>Areas transitioning to the surrounding localities can support rural residential opportunities.</p>
	<p>Purpose</p> <p>This Area Plan is to guide the development of land within the Coolalinga / Freds Pass Rural Activity Centre. The proposed land use changes cater for future population growth, and support the efficient delivery of infrastructure and ongoing viability of the commercial centre. The Area Plan provides a focus for growth and development, relieving pressure from the wider rural area.</p>
	<p>Vision Statement</p> <p>The Coolalinga / Freds Pass Rural Activity Centre will become a conveniently accessible, interconnected and diverse service centre with a unique and defining rural character.</p> <p>Coolalinga will continue to grow as a successful commercial and social activity centre that reflects the rural setting with development of appropriate scale and character.</p> <p>Freds Pass will continue to improve its capacity to support outdoor sports and recreation, education and other community uses that provide for the local and subregional community.</p>
	<p>Plan Structure</p> <p>Plan 1 shows the landscape and environment of the activity centre and transport connections. Plan 2 is a land use structure to meet community and government needs for the activity centre.</p> <p>Planning principles 1 to 5 apply generally to development within the rural activity centre.</p> <p>The Area Plan is divided into four sub areas and two focus areas, associated with specific planning principles 6 to 13.</p> <p>Objectives of these principles are actions that will achieve the outcome described by the principle. Acceptable responses are standards or measures of the objective. Alternate responses of an equal or higher standard or outcome may also be considered.</p>

Locality of the Coolalinga and Freds Pass Rural Activity Centre

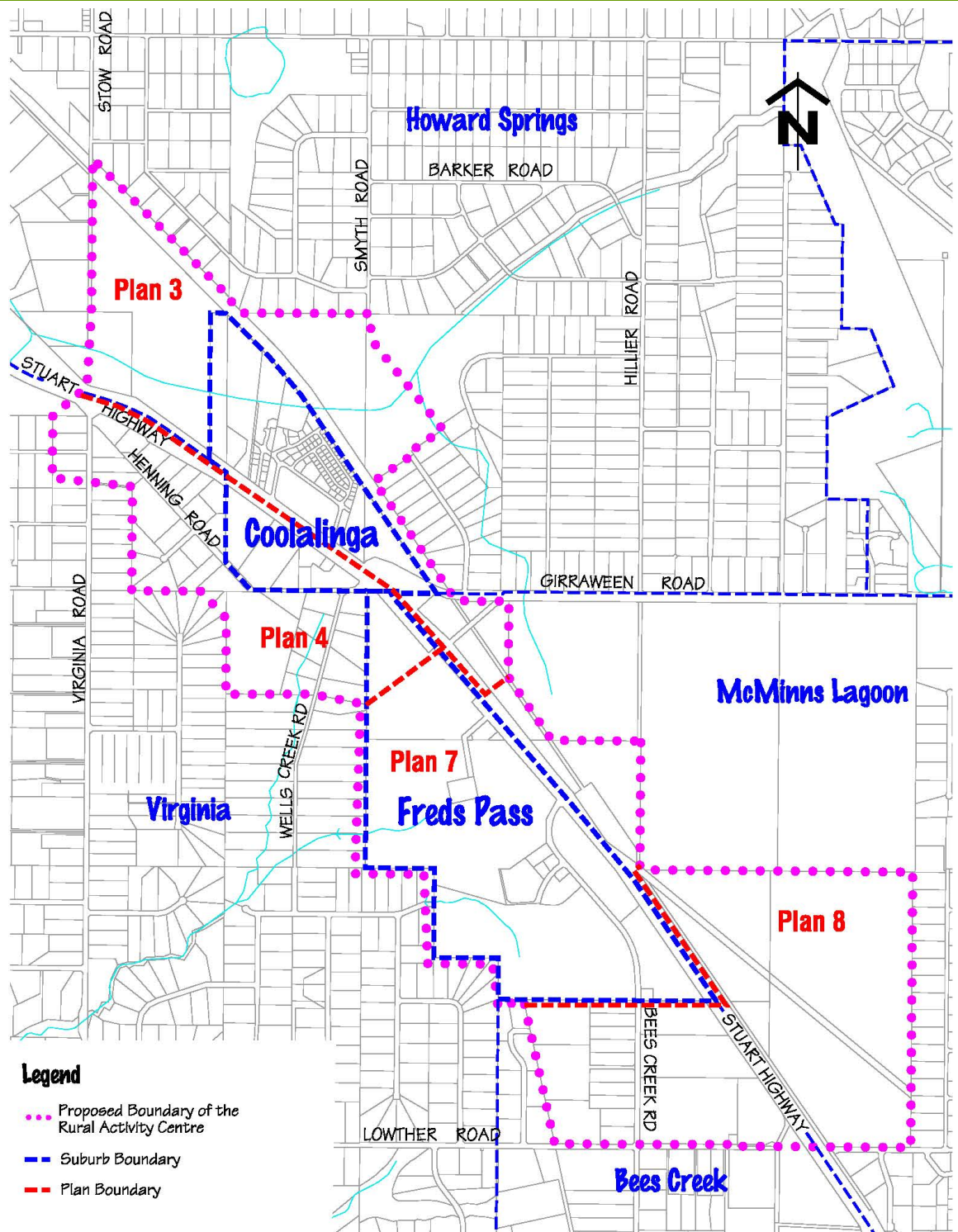
Locality

The Coolalinga and Freds Pass Rural Activity Centre encompasses the whole suburbs of Coolalinga and Freds Pass as shown below, and includes transition areas into adjacent localities.

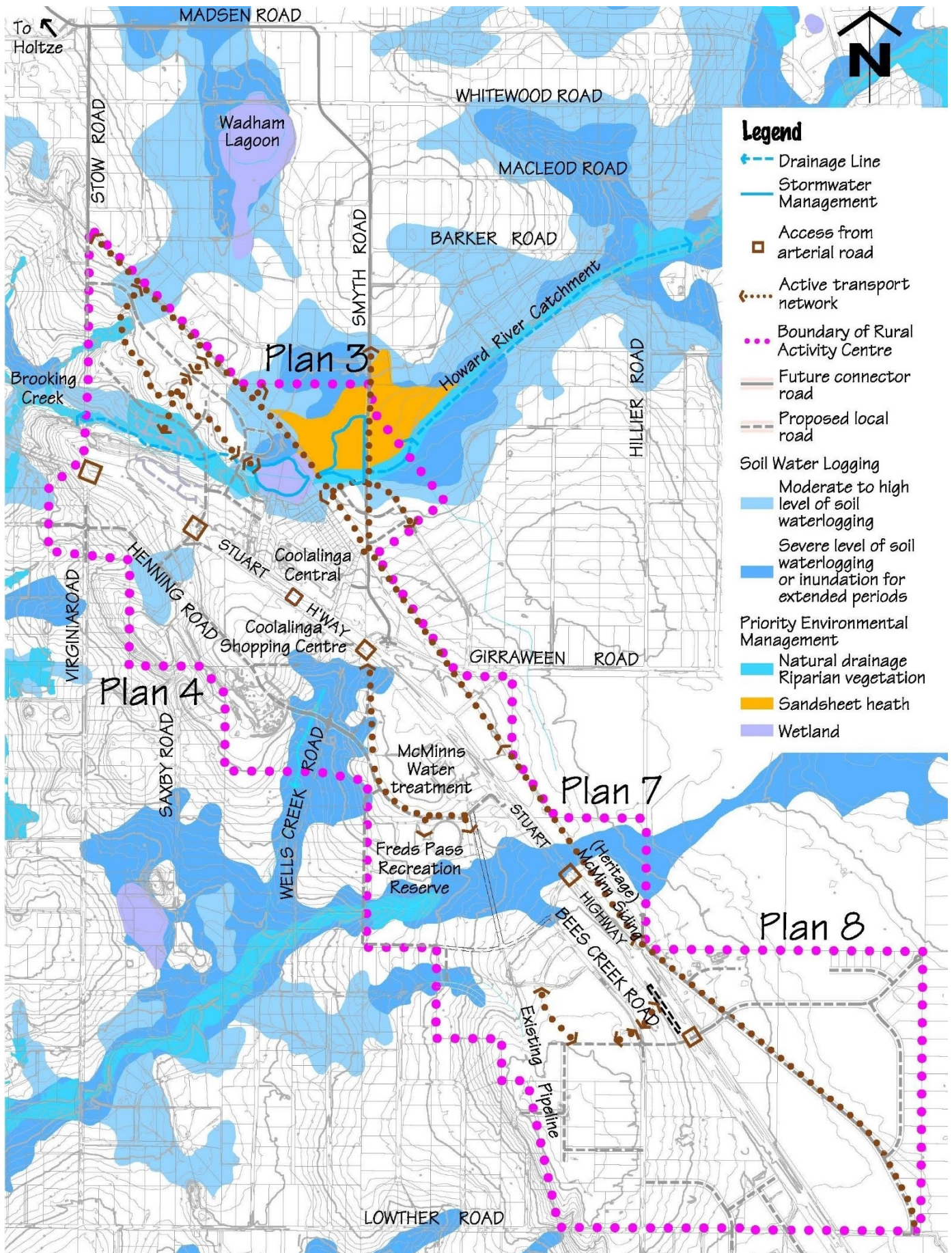
Compilation of Plans

The boundary of the Rural Activity centre encompasses just over six kilometres of the Stuart Highway and, for clarity, the Area Plan divides the long activity centre into four sub areas.

The compilation of the land use concept plans 3, 4, 7 and 8 for these sub areas is shown below.



14.7.1	Area Plan for the Coolalinga / Freds Pass Rural Activity Centre	
<p>Amendment No 145 gazetted 29.9.2010 included an area plan & planning principles for <i>Coolalinga North</i></p> <p>Amendment No ??? advertised ???.?.2020 superseded <i>Coolalinga North</i> with the <i>Area Plan for the Coolalinga and Freds Pass Rural Activity Centre</i>.</p>	Content of this area plan page	
	The Rural Activity Centre - General Plans and Planning Principles	
	Plan 1 – Local Context, Landscape and Natural Constraints	4
	Planning Principle 1 – The natural environment	5
	Planning Principle 2 - Movement and transport	5
	Plan 2 – Land Use Structure for the Rural Activity Centre	6
	Planning Principle 3 - The rural activity centre	7
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	Planning Principle 5 – Essential infrastructure	9
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	Plan 3 – Coolalinga - north of the Highway	10
	Plan 4 – Coolalinga - south of the Highway	11
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Plan 1 Local Context, Landscape and Natural Constraints

PLANNING PRINCIPLES for the Rural Activity Centre

The natural environment

1. Minimise detrimental impacts of development on the environment

The landscape and natural environment contributes to the rural character and amenity of the activity centre. Development must have regard to the natural environment, especially by protecting the natural drainage system, retaining native vegetation, and maintaining habitat for native wildlife where possible.

Objective	Acceptable Land Use and Development Response
1.1 Minimise impacts of development on Priority Environmental Management areas.	<ul style="list-style-type: none"> i. Development includes measures to minimise adverse impacts on Priority Environmental Management (PEM) areas shown in Plan 1 on page 4. ii. Native vegetation outside the PEM areas is also retained wherever practical to do so for visual amenity, wildlife habitat, and to contribute to public open space.
1.2 Maintain and manage natural waterways and drainage flows.	<ul style="list-style-type: none"> i. Stormwater drainage systems are integrated with the natural system and designed to minimise modification or disturbance to the natural system. ii. The discharge of concentrated stormwater will not exceed pre-development flows and complies with the requirements of the relevant government agencies. iii. Pollutants or nutrients in stormwater and associated weed growth is managed to comply with the requirements of the relevant government agencies. iv. Development addresses existing stormwater drainage issues.

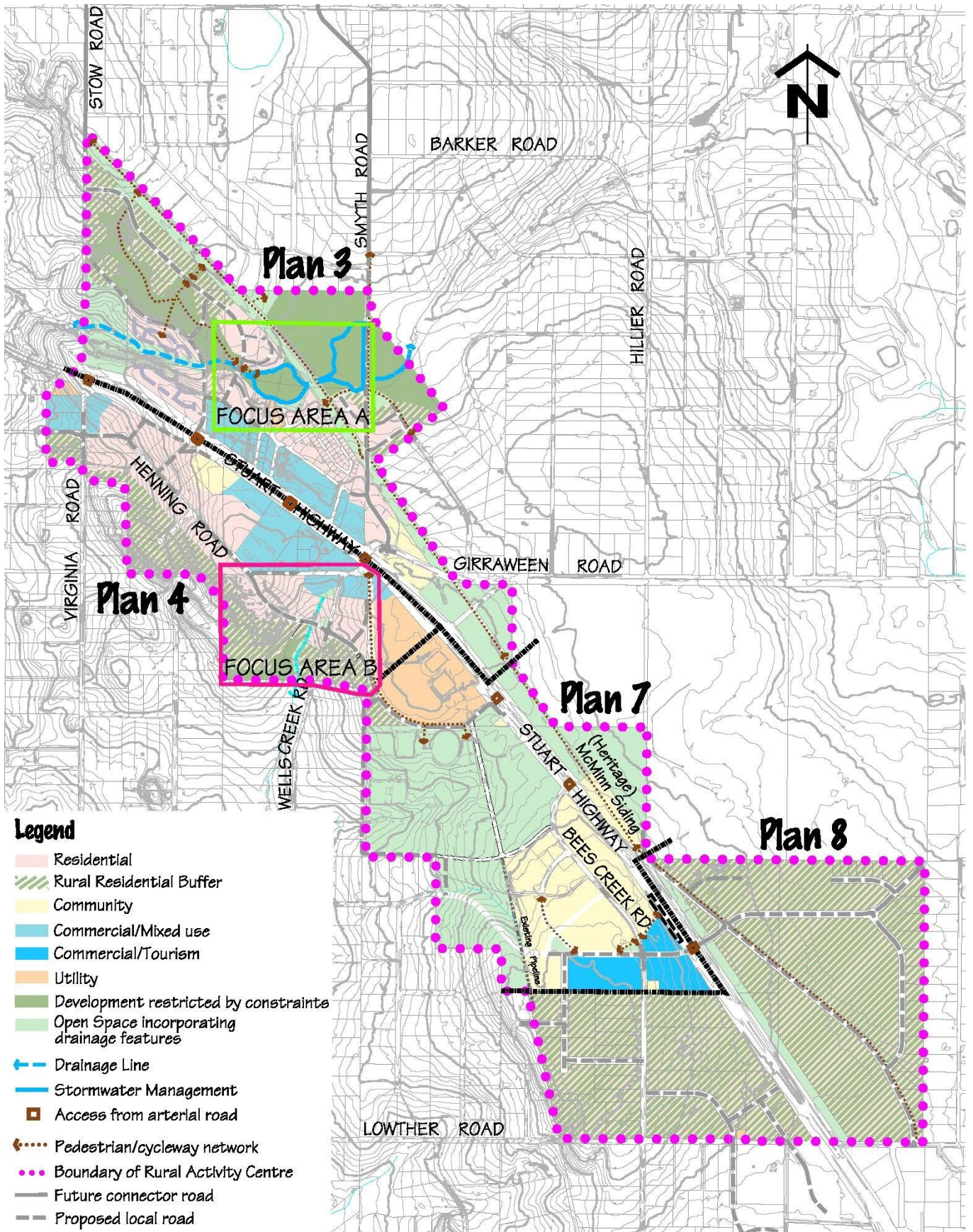
Movement and Transport

2. Provide a coordinated, efficient and interconnected transport network

Strategic transport connections are supported, including the future extensions of Stow Road and Smyth Road to Coolalinga. In time, these road corridors will connect Coolalinga to the Palmerston Regional Hospital and to Howard Springs respectively. In addition, the proposed arterial road improvements through Coolalinga will assist in connecting local area traffic across the Highway, while maintaining the arterial function of the Stuart Highway.

Active transport is encouraged by providing for footpaths, bicycle ways and bridle paths; as well as planning for an interconnected local road network to improve route choice and access options for all modes of transport.

Objective	Acceptable Land Use and Development Response
2.1 Protect the role of the Stuart Highway as a link in the national highway network	<ul style="list-style-type: none"> i. All intersections and individual accesses to the Stuart Highway and its service roads are approved by the responsible Northern Territory Government agency. ii. Development is not to occur within the Stuart Highway road reserve unless approved by the responsible road authority.
2.2 Facilitate the sub-regional transport network	<ul style="list-style-type: none"> i. Development facilitates strategic connector roads from the activity centre to the broader region, especially the extensions of Smyth Road and Stow Road from Howard Springs to Coolalinga which will support active and public transport.
2.3 Enhance the local road network to facilitate safe and convenient movement through and around the Activity Centre	<ul style="list-style-type: none"> i. Subdivision provides for an interconnected road network that: <ul style="list-style-type: none"> • supports efficient access and route choices; • prioritises the safety of pedestrians and cyclists; and • facilitates strategic links as identified in this Area Plan (refer plans 3 to 8). ii. Development provides local area traffic management to moderate traffic speed and improves pedestrian safety and access to the commercial centre, public open space and community facilities. iii. Development provides for and prioritises the safety of pedestrians and cyclists. iv. A Traffic Impact Assessment accompanies development that would contribute significant additional traffic in the local road network.
2.4 Preserve the role of service roads to connect the local and arterial road networks	<ul style="list-style-type: none"> i. Service roads maintain their role as a connection between the arterial road network and the local road network. ii. Access to development along the Stuart Highway is via the local road network where possible so that the higher function of the service roads is maintained.
2.5 Provide for convenient and accessible public transport	<ul style="list-style-type: none"> i. Development identifies and preserves viable public transport corridors through the activity centre and connecting to the Coolalinga Bus Interchange. ii. Where applicable, development provides for bus stops and taxi ranks.



Plan 2 Land Use Structure

The Rural Activity Centre

3. Support a successful and diverse activity centre to meet the needs and aspirations of the community

The Coolalinga/Freds Pass Rural Activity Centre provides a range of commercial, community and recreational opportunities that support the surrounding rural community and provides facilities for the broader region. The locality also has WWII and North Australian Railway (NAR) heritage. This Area Plan supports a diverse commercial centre that will continue to provide for the needs of rural residents and visitors.

Objective	Acceptable Land Use and Development Response
3.1 To facilitate Coolalinga as a viable subregional commercial centre and an attractive gateway to Litchfield.	<ul style="list-style-type: none"> i. Development within the Rural Activity Centre responds to climate and the rural setting through building design, scale, and street landscaping. ii. Commercial development extends the nature and range of services provided to the local community, the Litchfield subregion and visitors to the area. iii. Appropriate buffers and transitions are provided between incompatible land uses and to the rural living area adjacent to the Rural Activity Centre. iv. Roads and public thoroughfares of the Rural Activity Centre provide a visually appealing environment sympathetic to the climate and rural locality. v. Development provides for landscaping in public spaces on private and government land that will contribute to the visual amenity of the Stuart Highway.
3.2 Provide for active transport such as walking, cycling and horse riding.	<ul style="list-style-type: none"> i. Development areas and public open spaces are connected to each other and the built environment by active transport corridors. ii. The North Australia Railway (NAR) land is developed as a 'green corridor' through the Rural Activity Centre supporting active transport. iii. A shared bicycle path is extended to Howard Springs via Smyth Road. iv. Development contributes to a network of footpaths, cycleways and bridle trails that provide a safe walking and riding environment for the community.
3.3 Enhance public and private amenity.	<ul style="list-style-type: none"> i. Provisions are included for street tree planting for shade over footpaths, and to enhance the visual amenity of the streetscape. ii. Urban subdivision includes accessible public open space that is consistent with the relevant NT Planning Scheme provisions and contributes to public amenity.
3.4 Recognise and celebrate the locality's WWII and railway heritage.	<ul style="list-style-type: none"> i. Sattler Airstrip is developed as tourist node, incorporating interpretative signage and a visitor and cultural information centre. ii. The local road, pedestrian and bicycle path network design reflects historical airstrip taxiways where safe and practical to do so. iii. Development respects and references the history of the NAR railway corridor. iv. Development responds to the heritage values of the site or adjacent land.
3.5 Provide for community facilities in appropriate locations.	<ul style="list-style-type: none"> i. The design and development of community facilities and meeting spaces are multipurpose in nature to encourage use by a variety of user groups. ii. Community facilities are close to other community services and infrastructure.
3.6 Access to public transport is safe and convenient.	<ul style="list-style-type: none"> i. Footpaths, wayfinding measures, and traffic management at conflict points are provided to ensure safe and convenient pedestrian access to the Coolalinga Bus Interchange. ii. Facilities for public transport, including bus stops, are included in new development as required by the relevant public authority.
3.7 Increase permeability across and through the Rural Activity Centre, particularly in the commercial area.	<ul style="list-style-type: none"> i. A pedestrian crossing provides a safe active transport corridor between the two commercial precincts on either side of the Stuart Highway. ii. Urban residential development is provided within a convenient walking distance (approximately 400m) of the commercial area. iii. A pedestrian/cyclist connection is provided between Coolalinga and Freds Pass, having regard to the safety of pedestrians, cyclists and road users, and to minimise impacts on the amenity of any adjoining residential properties.

Residential growth and housing choice

4. Provide for growth and housing choice compatible with the future role of Coolalinga and Freds Pass

The *Litchfield Subregional Land Use Plan 2016* identifies the need for an additional 500 dwellings within the rural activity centres of Litchfield in the near term. This Area Plan for Coolalinga and Freds Pass seeks to encourage a range of housing choices that cater for different life stages, including smaller lots that are more affordable and can provide lower-maintenance living within walking distance of local services.

Additional areas of urban residential development within the activity centre will increase housing choice, underpin the provision of reticulated services and community infrastructure, and will support a greater variety of retail and commercial services.

The transition model at Figure 1 is intended to accommodate rural residential lots and minimise the impacts of urban land uses on existing rural living areas, thus protecting the rural character of the locality.

Objective	Acceptable Land Use and Development Response
4.1 Support housing choices in appropriate locations	<ol style="list-style-type: none"> i. Residential density is not increased on land affected by flooding, biting insects or other constraints to residential land uses. ii. The urban design and engineering for residential development responds to the site's physical constraints and attributes, and shows how potential adverse impacts on the site's environmental values will be avoided. iii. Urban residential development is located in residential areas shown in this Area Plan, with higher densities located inside the walkable catchment area. iv. Notwithstanding objective 4.4, the minimum site area per dwelling is 800m² for dwellings outside the indicated walkable catchment (refer to Plans 3 and 4).
4.2 Promote a sequence of residential density in the rural activity centre by providing a transition of residential lot sizes	<ol style="list-style-type: none"> i. A transition of residential density is achieved by subdivision design that: <ul style="list-style-type: none"> • locates Zone SD (Single Dwelling Residential) lots, of no less than 800m², next to areas of Zone RR (Rural Residential) so that, in effect, only two Zone SD lots share a boundary with any one Zone RR lot; and • locates Zone RR (Rural Residential) lots, no less than 4000m², to transition from the urban core to the activity centre boundary so that, in effect, only two Zone RR lots share a boundary with any one Zone RL (Rural Living) lot. <p>Figure 1 illustrates a transition model of residential lot sizes from the commercial centre to the existing rural area.</p> ii. Multiple dwelling developments are within the indicated walkable catchment and generally limited to two storeys. iii. Rural residential development outside and near the Activity Centre boundary must comply with the requirements of the <i>Litchfield Subregional Land Use Plan</i>, and, for the purpose of this Area Plan, "close proximity to community facilities" means within 250m, measured directly, or 500m, measured as travelled, from the boundary of the rural activity centre.
4.3 Provide public open space	<ol style="list-style-type: none"> i. Informal recreation is encouraged through the provision of play and exercise equipment and public open space. ii. Useable public open space is provided in accordance with the communal and open space requirements of the NT Planning Scheme.
4.4 Facilitate retirement living	<ol style="list-style-type: none"> i. A subdivision and development for the purpose of retirement living may have a residential density consistent with Zone MD (Multiple Dwelling Residential), subject to meeting the residential density transition requirements at 4.2. ii. A development for the purpose of retirement living is consistent with principles 4.1 (Accessibility) & 4.2 (Neighbourhood Character) of the NT Government's Northern Territory Compact Urban Growth Policy 2015.
4.5 Provide visual buffers and noise attenuation to arterial roads	<ol style="list-style-type: none"> i. Residential development adjacent to the Stuart Highway is provided with appropriate sound attenuation measures. ii. The use of noise attenuation barriers includes vegetation screening to enhance visual amenity. iii. A transition of non-residential land uses is provided to separate residential development from exposure to arterial traffic noise.

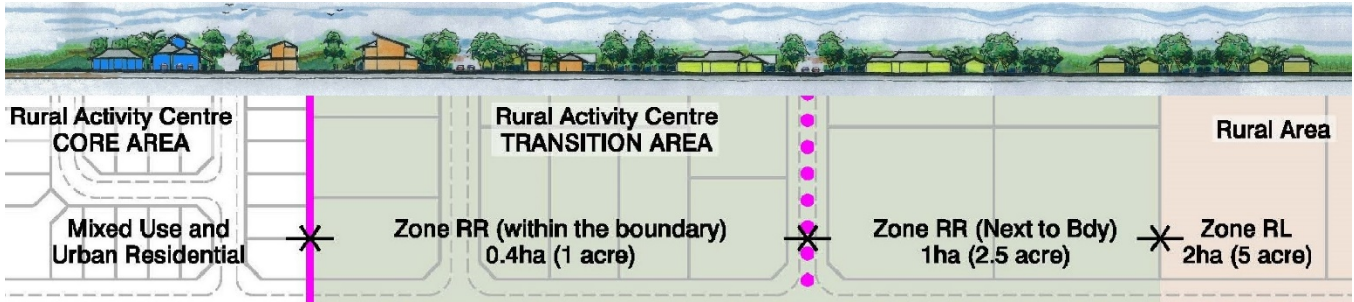


Figure 1: Transition model for residential lot sizes for rural activity centres

Essential Infrastructure

5. Provide reticulated services to the Coolalinga / Freds Pass Rural Activity Centre

The provision of urban utilities is essential for growth in the Coolalinga / Freds Pass Rural Activity Centre.

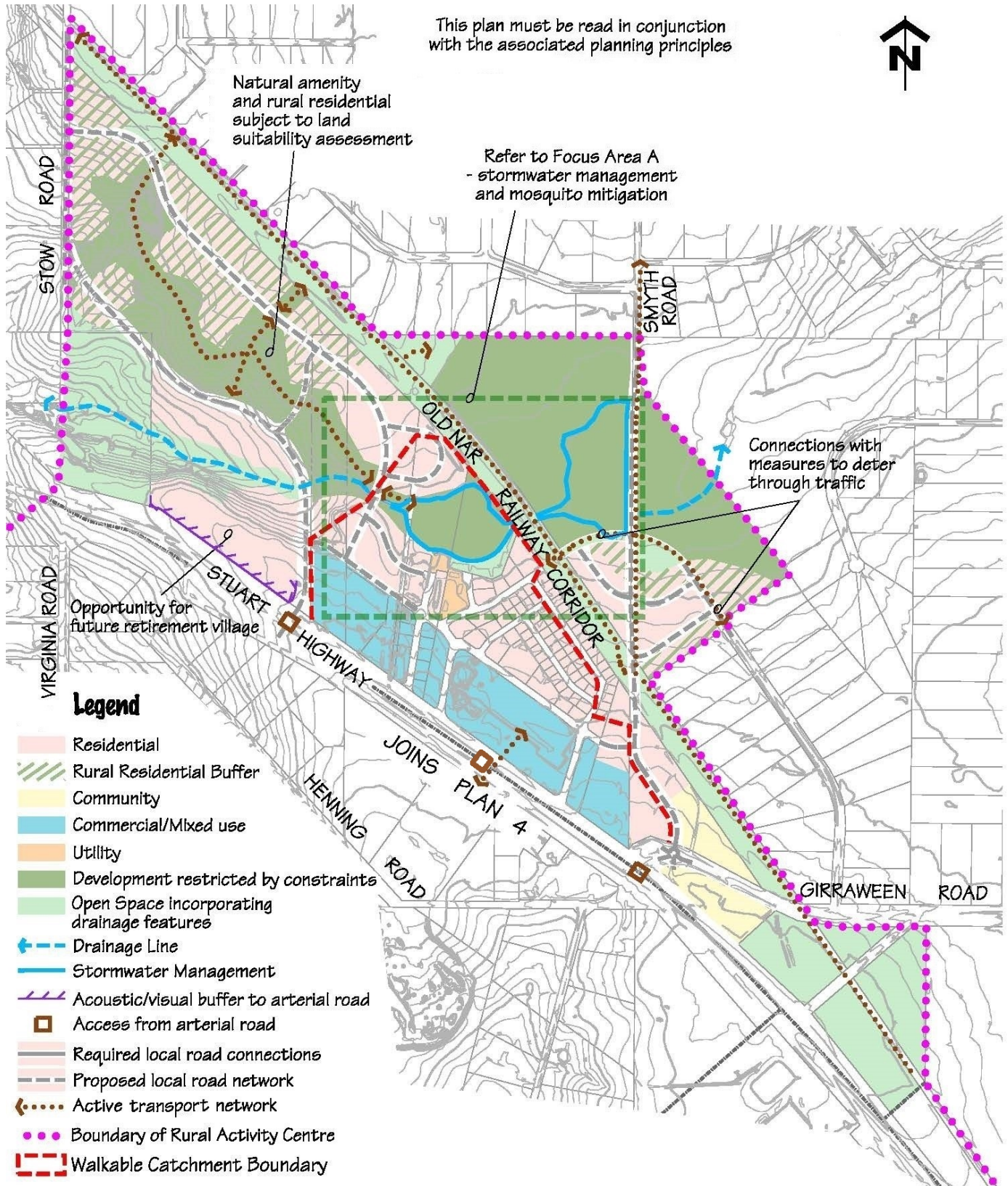
In particular, reticulated sewer and water are required to support urban development and protect groundwater quality and capacity. This will help to sustain the viability of rural properties reliant on groundwater.

To ensure the sequential and cost-efficient provision of infrastructure, the following objectives require an Infrastructure Plan for Coolalinga and Freds Pass and a mechanism to coordinate the design, development and funding contribution for infrastructure upgrades.

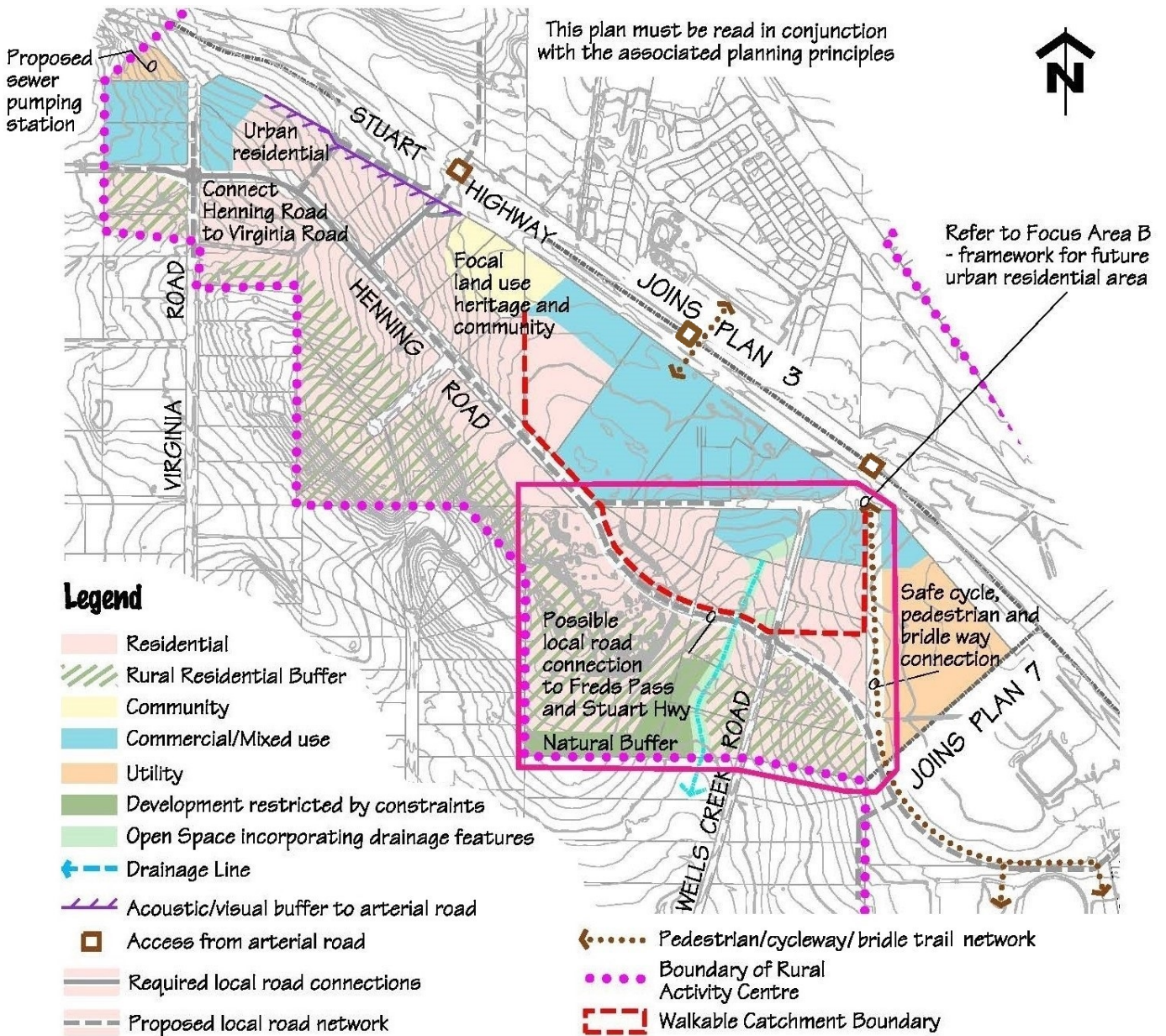
Objective	Acceptable Land Use and Development Response
5.1 Provide urban utilities to minimise adverse impacts on groundwater systems.	<ul style="list-style-type: none"> i. All new residential lots and commercial uses are connected to the reticulated water supply. ii. Existing properties that rely on informal water supply lines are to connect to the reticulated system when it becomes available. iii. Residential lots less than 4000m² and all commercial uses are connected to reticulated sewerage. iv. Sewage pumping stations are situated to efficiently service the commercial and urban residential land within the activity centre.
5.2 Provide utilities and trunk services sequentially and cost efficiently to service proposed development.	<ul style="list-style-type: none"> i. Trunk infrastructure for reticulated services is incorporated into the engineering design for development. ii. Infrastructure is provided and funded in accordance with an approved infrastructure plan for the rural activity centre; or iii. The proponent demonstrates how a proposed development will be serviced to a standard that satisfies the requirements of the responsible service authority; and the proponent demonstrates how the required infrastructure will be paid for.
5.3 Require developers to contribute to the funding of required road connections.	<ul style="list-style-type: none"> i. Where Council or the NT Government has established an infrastructure contribution plan to fund the construction of road connections required by this Area Plan, contributions are made in accordance with the contribution plan.
5.4 Manage stormwater in the rural activity centre	<ul style="list-style-type: none"> i. Development is consistent with the stormwater management requirements of the responsible government authority.

LAND USE CONCEPTS AND PLANNING PRINCIPLES FOR COOLALINGA

This plan must be read in conjunction with the associated planning principles



Plan 3 Land Use Concept for Coolalinga north of the Stuart Highway



Plan 4 Land Use Concept for Coolalinga south of the Stuart Highway

Planning principles 6, 7 and 8 apply to land that is subject to Plans 3 and 4

Coolalinga commercial centre	
6. Support an attractive, safe and sustainable commercial centre in Coolalinga	
The Coolalinga commercial centre will continue to develop to support the rural catchment and passing trade; and opportunities will be taken to provide visual amenity and develop a sense of place.	
Objective	Acceptable Land Use and Development Response
6.1 Support the viability of commercial land uses	<ul style="list-style-type: none"> i. Commercial premises are developed to support a wide range of businesses. ii. Urban density residential land is developed within convenient walking distance of the commercial land uses.
6.2 Support public safety, amenity, and activity in public places	<ul style="list-style-type: none"> i. Commercial development provides active interfaces with the public domain and incorporates the principles of the <i>Community Safety Design Guide</i>. ii. Opportunities are taken to provide amenity to public spaces through, for example, shade tree planting and seating etc.
6.3 Include heritage and support place making	<ul style="list-style-type: none"> i. Identified heritage is reflected in urban design and the treatment of the public domain to interpret the story of Coolalinga.

Planning principles 7 and 8 apply to land that is subject to Plans 3 and 4

Urban services in Coolalinga

7. Provide infrastructure to support urban development within Coolalinga

This planning principle should be read in conjunction with general planning principles 1 to 5.

The provision of urban utilities, especially reticulated sewerage and town water is essential to support growth in Coolalinga without impacting on local groundwater. Development will not source water from the local aquifer and wastewater will be managed to not create a contamination risk to groundwater. Any downstream impact of urban stormwater drainage must be managed with reference to objective 1.2 and the requirements of focus area A.

To ensure the sequential and cost-effective provision of infrastructure, an Infrastructure Plan for Coolalinga will be required to coordinate the design, development and funding contribution for infrastructure upgrades.

Objective	Acceptable Land Use and Development Response
7.1 Provide urban utilities without causing any risk to groundwater systems	<ul style="list-style-type: none"> i. Reticulated water is provided to all new lots. ii. Reticulated sewerage is provided to all residential lots less than 4000m². iii. Reticulated sewerage is provided to all commercial and industrial lots in Coolalinga, including lots currently serviced by on-site wastewater systems.
7.2 Provide stormwater drainage without adversely impacting on the environment	<ul style="list-style-type: none"> i. Development augments the network of urban roads, urban drainage, public open space and natural drainage areas in order to minimise adverse impacts on the natural drainage system. ii. Development is consistent with any relevant stormwater management strategy provided by the responsible government agency.
7.3 Provide public open space to support urban development	<ul style="list-style-type: none"> i. Development is accompanied with public open space in compliance with the requirements of the Planning Scheme, either by <ul style="list-style-type: none"> a) providing public open space as part of the development, or by b) showing that appropriate public open space is available in the locality. ii. Public open space encourages informal recreation, and provides appropriate play and exercise equipment.

Interconnected local road network in Coolalinga

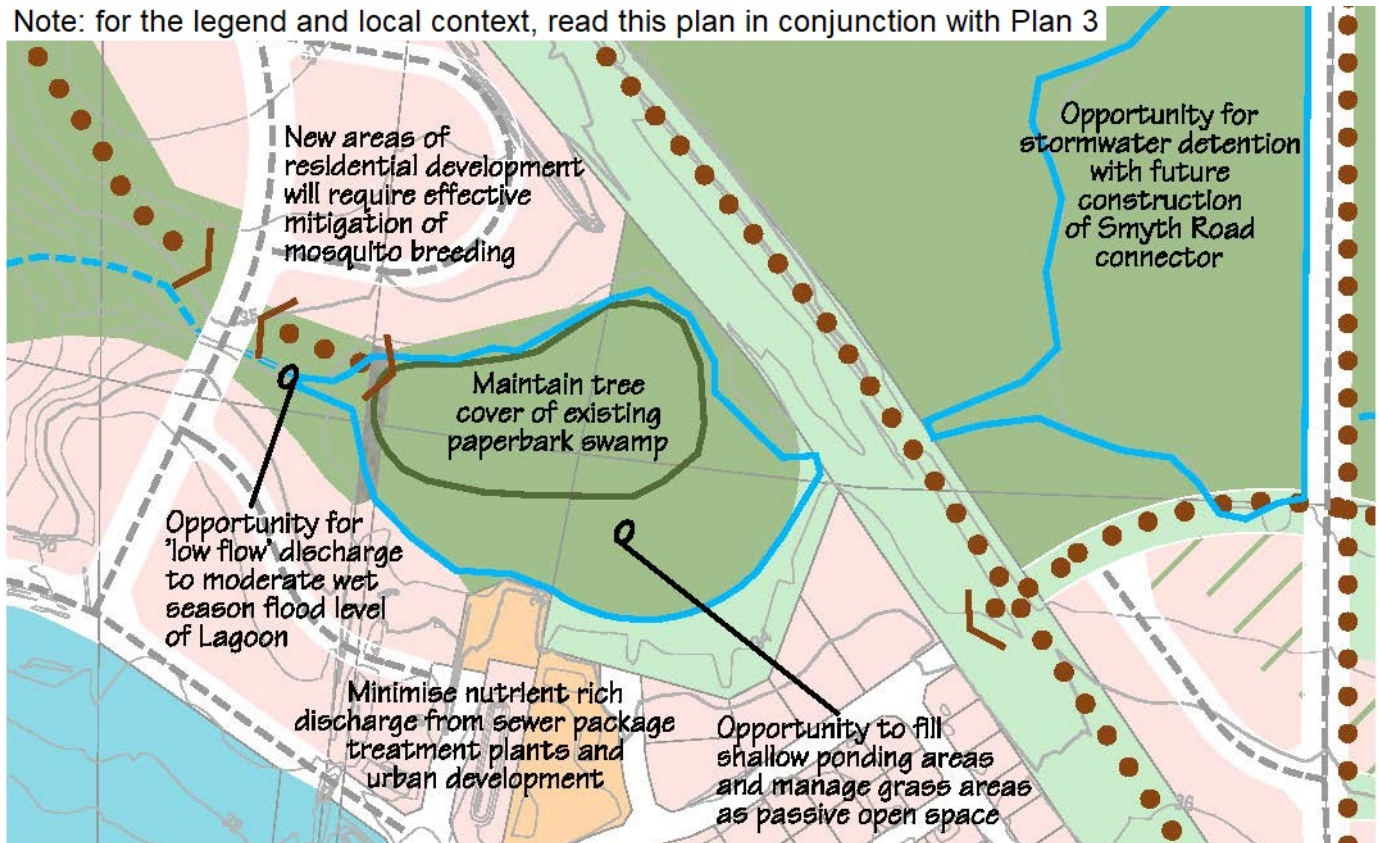
8. Provide a safe and connected network for vehicular traffic and active transport

Further to planning principle 2, connecting local area traffic across the Stuart Highway and within the local areas either side of the Highway, is important to support the national arterial function of the Stuart Highway.

The local road networks within Coolalinga will be extended with development to both complement the access points to the Stuart Highway, and to increase route choices for access into the adjacent rural living areas. Extension of the local road networks will provide for public and active transport.

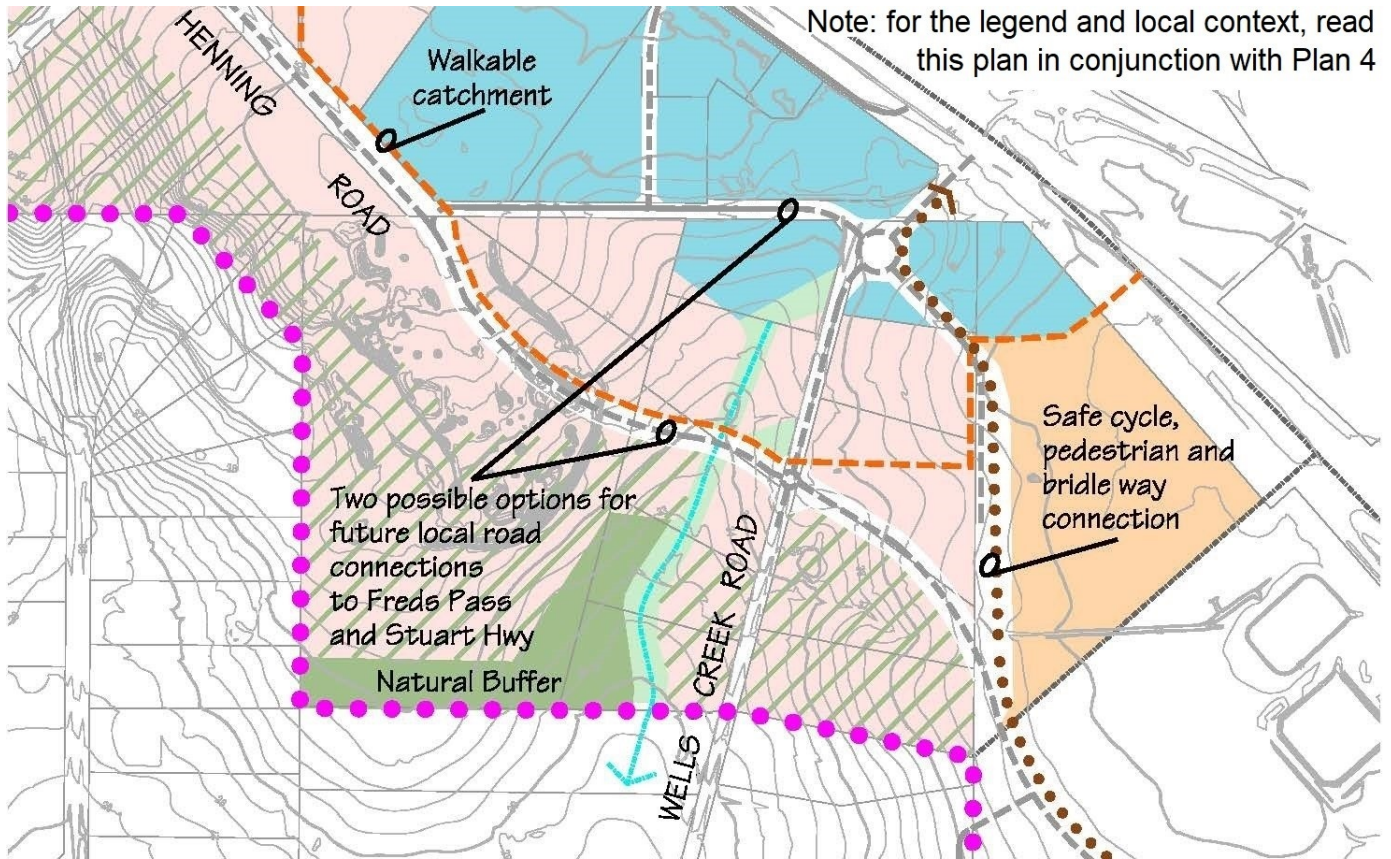
Objective	Acceptable Land Use and Development Response
8.1 The local road network in Coolalinga supports the role of the Stuart Highway	<ul style="list-style-type: none"> i. The local road network is extended to improve connections to the Stuart Highway in accordance with local road network indicated in this Area Plan. ii. Development of land along the Stuart Highway is not directly accessed from the Stuart Highway, and access from the service lanes complies with the arterial road strategy as amended from time to time by the responsible road authority.
8.2 Local roads in Coolalinga and adjacent areas are extended into effective networks	<ul style="list-style-type: none"> i. Development demonstrates how opportunities to extend the local road network in keeping with this Area Plan are achieved. ii. Future local and subregional road interconnections are provided for. iii. Development demonstrates efficient connections to the local road network.
8.3 Local roads provide safe networks for active transport	<ul style="list-style-type: none"> i. Development includes footpaths and cycleways that connect to the existing network and provide connections for future extensions of the network. ii. Pedestrian crossing points are provided at appropriate locations to support safe access to and within the active transport network.

Note: for the legend and local context, read this plan in conjunction with Plan 3



Plan 5 Focus Area A – Stormwater Management and Mosquito Mitigation

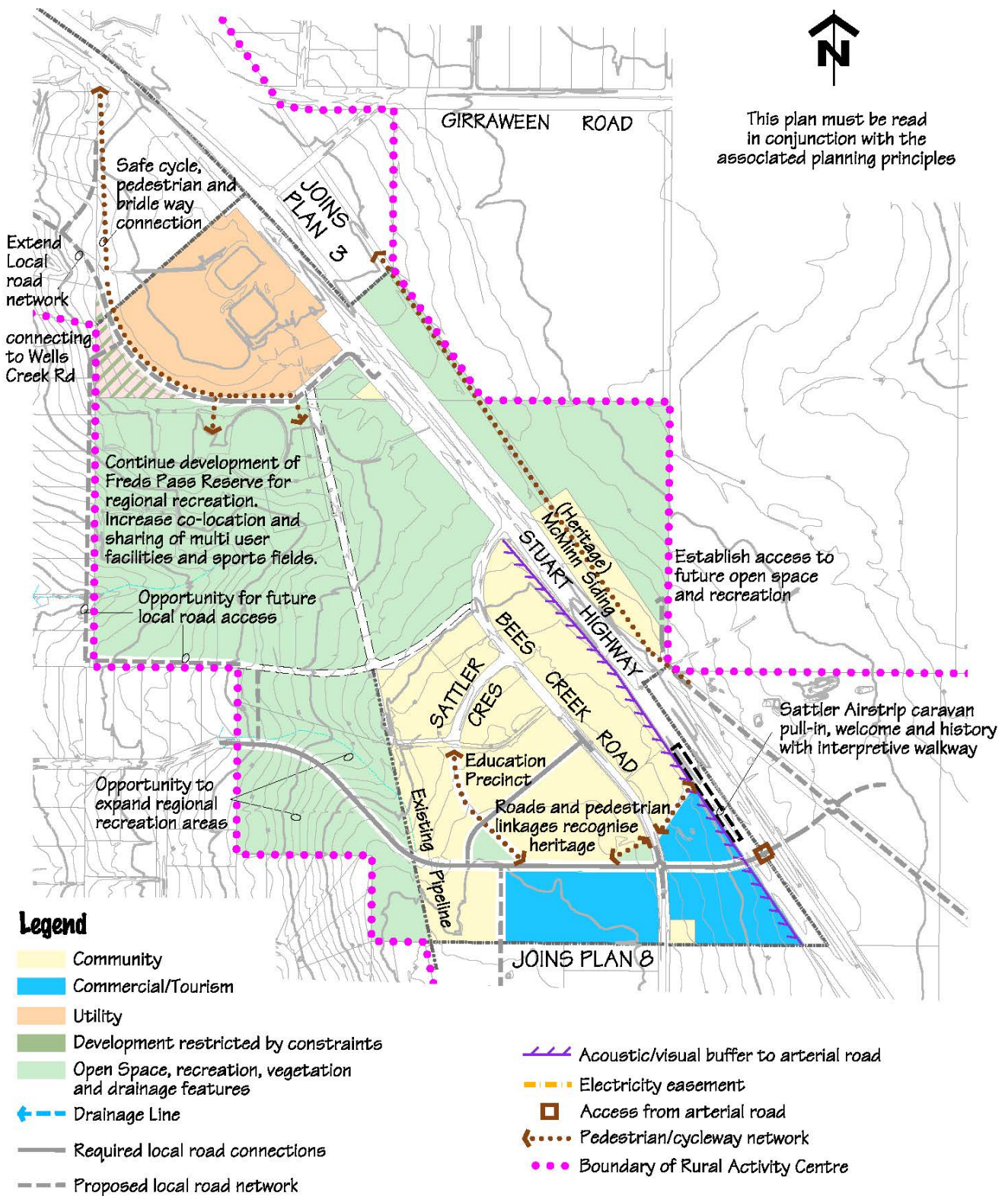
Mosquito mitigation	
9. Focus Area A - Manage stormwater drainage and mitigate mosquito breeding	
<p>The seasonal lagoon in the north-western corner of Coolalinga is part of the natural drainage system and habitat for native wildlife, including mosquitoes. Urban development must have regard to how it interacts with and impacts on this natural feature and associated drainage paths. The retention of native vegetation, which is predominantly a paperbark swamp, can both maintain habitat for native wildlife, and minimise mosquito breeding by mitigating weed growth and providing access for predatory native fish.</p>	
Objective	Acceptable Land Use and Development Response
9.1 Retain the wetland native vegetation of the seasonal lagoon	<ul style="list-style-type: none"> i. Native vegetation is retained for its role in shading the seasonal waterbody and minimising weed growth; and thereby maintaining access for native fish to mosquito larvae.
9.2 Maintain and manage the seasonal lagoon for its stormwater detention function and management of drainage flows	<ul style="list-style-type: none"> i. A proposed stormwater drainage system is integrated with the natural system and designed to minimise modification or disturbance to the natural system. ii. The discharge of concentrated stormwater does not exceed pre-development flows and complies with the requirements of the relevant government agencies. iii. Pollutants or nutrients in stormwater and associated weed growth are managed to comply with the requirements of the relevant government agencies.
9.3 Mitigate against mosquito breeding	<ul style="list-style-type: none"> i. A strategy and associated works to manage mosquito breeding in the paperbark swamp is established prior to any development of adjacent land for residential land uses. The mosquito management strategy and associated works will: <ul style="list-style-type: none"> • accord with advice from the government agency responsible for medical entomology; • minimise any impact on natural systems; and • be compatible with recreation uses of the immediate area.



Plan 6 Focus Area B – Opportunity for Future Urban Residential Development

Future urban residential development	
10. Focus Area B – Amend this Area Plan to include a framework for future residential development	
<p>The supermarket, shops and businesses north of Henning Road underpin the potential for urban residential development south of Henning Road that would benefit from the convenience of the existing shopping centre.</p> <p>Future redevelopment of this area also holds the opportunity to connect the local road network through to Freds Pass and provide a safe active transport corridor, especially for children, to the education and sporting facilities.</p> <p>Plan 4 identifies this area of land as being within a walkable catchment of the shops, but resident’s views on the proposed change in land use are mixed, and hence a framework for future detailed planning is provided</p>	
Objective	Acceptable Land Use and Development Response
10.1 An orderly planning framework is provided to guide future urban residential land uses	<ul style="list-style-type: none"> i. A detailed framework provides for the development of this focus area. This plan is to include an implementation strategy for local roads and supporting services. ii. The plan identifies one or more options for a local road connection from Henning Road to Freds Pass. iii. The plan is adopted into this Area Plan to provide certainty for directly affected land owners and residents.
10.2 A transition of residential density is provided from the commercial centre to rural living areas	<ul style="list-style-type: none"> i. Urban residential development is within the indicated walkable catchment ii. Higher density residential development is identified along Henning Road opposite the Coolalinga shopping centre. iii. Rural residential development is provided as a transition from the walkable catchment to the rural living area to the south. iv. Subdivision design incorporates the transition mechanisms at principle 4.
10.3 An interconnected local road network is provided for efficient access and to support active transport	<ul style="list-style-type: none"> i. The plan required at 10.1 for this focus area identifies access and movement corridors for pedestrians, cyclists and horse riders. ii. A local road network is provided for that: <ul style="list-style-type: none"> • supports access to private property within the walkable catchment such that subdivision to create urban residential lots is viable; and • maximises the opportunity for private land to be developed.

LAND USE CONCEPTS AND PLANNING PRINCIPLES FOR FRED'S PASS



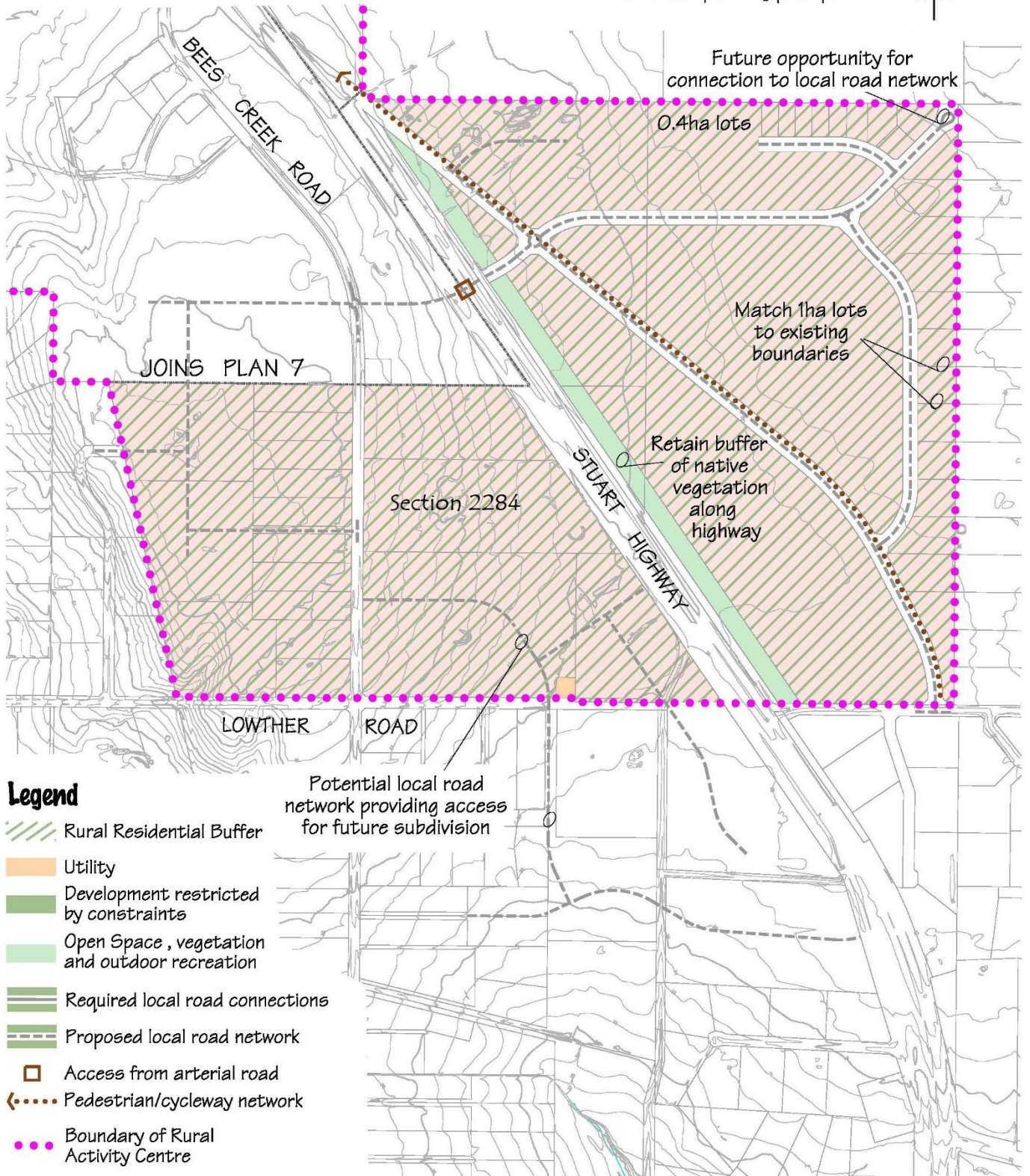
Plan 7 Freds Pass

Planning principles 11 and 12 apply to land that is subject to Plan 7

Freds Pass – sport and recreation	
11. Ensure that Freds Pass Recreation Reserve continues to provide a sports and recreation facility that meets the needs of the subregion and region	
Freds Pass Recreation Reserve is a subregional facility that also serves the broader Darwin region. The Area Plan acknowledges this role and seeks to enable the Reserve to continue to develop into a high level sporting and recreational facility.	
Objective	Acceptable Land Use and Development Response
11.1 To continue the role of Freds Pass as a regional facility for sports and recreation	<ul style="list-style-type: none"> i. The Freds Pass Recreation Reserve is used as the central sporting and recreational facility in the Litchfield subregion and Greater Darwin region. ii. The management and future development of Freds Pass Recreation Reserve is appropriately defined in a master plan. iii. User groups of Freds Pass Recreation Reserve implement opportunities to share existing and future facilities to capitalise on investment and to minimise the environmental footprint of the Reserve. iv. Existing facilities are upgraded, and new facilities built, to a standard that enables national and international competition.
11.2 To facilitate expansion to meet essential sporting and recreation needs	<ul style="list-style-type: none"> i. Applications to develop available Crown land demonstrate how opportunities to share existing and proposed facilities will be realised. ii. Applications to develop new facilities respond to Concept Plan 7, and provide local road connections and extend the active transport network.

Freds Pass – education, aged care and tourist accommodation	
12. Ensure that community and commercial uses in Freds Pass are appropriate for the locality	
The community and tourist commercial areas of Freds Pass serve the subregion and include Crown land that may be made available for compatible development. There is an expectation that education will be a strong theme with some opportunities for other community uses such as aged care. The opportunity for a tourist development is retained in a location convenient to Coolalinga and to provide accommodation for major sporting events.	
Objective	Acceptable Land Use and Development Response
12.1 To continue the role of Freds Pass for community uses, especially education, and for tourist accommodation	<ul style="list-style-type: none"> i. The Freds Pass community area is used for education and compatible community uses such as aged care and the provision of community services ii. Development proposals, especially for education, demonstrate how opportunities to share existing and proposed facilities will be realised iii. Development proposals, including for tourism, are consistent with Plan 7 and provide connections to the local road and active transport networks.

This plan must be read in conjunction with the associated planning principles



Legend

-  Rural Residential Buffer
-  Utility
-  Development restricted by constraints
-  Open Space, vegetation and outdoor recreation
-  Required local road connections
-  Proposed local road network
-  Access from arterial road
-  Pedestrian/cycleway network
-  Boundary of Rural Activity Centre

Potential local road network providing access for future subdivision

Plan 8 Bees Creek and McMinns Lagoon

Planning principle 13 applies to land that is subject to Plan 8

Transition area	
13. Ensure that land uses in this area provide a transition from Freds Pass to rural living areas	
<p>This area, immediately south of Freds Pass, is identified as a transition area from the recreation and community land uses of Freds Pass to the rural living areas of Bees Creek and McMinns Lagoon. This area, being only a short distance from the facilities of the activity centre, is considered ideal for rural residential development. The transition mechanism at planning principle 4 will minimise adverse impacts on established rural amenity.</p> <p>Continuation of existing community uses is supported providing these uses have no impact on residential amenity.</p>	
Objective	Acceptable Land Use and Development Response
13.1 To provide for rural residential development	<ul style="list-style-type: none"> i. A rural residential proposal demonstrates compliance with Planning Principle 4 of this Area Plan. i. Development proposals are consistent with Concept Plan 4 and provide for interconnected local roads connections and the active transport network.
13.2 To allow conditional continuation of community uses on Section 2284 Bees Creek Road	<ul style="list-style-type: none"> i. Any community use proposal for land subject to Plan 8 is only for Section 2284 and is ancillary to the existing community purpose. ii. A proposal to expand the existing community use demonstrates that the proposal will have no adverse impact on the amenity of adjacent land for rural residential purposes. iii. The continuation of community uses on Section 2284 does not preclude or compromise the future use of this site for rural residential development.

Land Capability and Needs Assessment

for the

Coolalinga / Freds Pass
Rural Activity Centre
AREA PLAN

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Introduction

The Northern Territory Planning Commission is responsible for preparing land use plans and policy as part of the strategic framework that guides land development.

The Area Plan for the Coolalinga / Freds Pass Rural Activity centre is such a strategic policy document. It provides a framework for future land use to give certainty and confidence to residents, property owners and the broader community. The Area Plan is prepared to guide decision-making on future rezoning and development proposals.

Purpose of this Document

This document presents information that underpinned the preparation of the Area Plan.

This document brings together:

- previous planning work;
- land capability investigations;
- studies regarding social infrastructure, transport and essential services; and
- outputs from community engagement.

The document provides a contemporary context to the content of the Area Plan and will hopefully assist with questions regarding the Plan's intent.

The Study Area

The Litchfield suburbs of Coolalinga and Freds Pass are located along the Stuart Highway approximately 5 kilometres southeast of Palmerston. The extent of the study area is consistent with the land use concept in the Litchfield Subregional Land Use Plan and encompasses the boundaries of Coolalinga and Freds Pass. This is illustrated at Figure 1.

Adopting this study area as the boundary of the rural activity centre has the benefit of allowing 'transition' areas to be provided as buffers to protect the amenity of the established rural living areas.

The Coolalinga / Freds Pass Rural Activity Centre plays a major role in the Litchfield Subregion by providing commercial services and community facilities of a higher order than the other rural activity centres.

Coolalinga, with the potential to connect to mains sewerage in the future, is expected to offer a growing range of retail premises and commercial facilities. Further provision of full reticulated services will also enable some new areas of urban housing to be developed.

Freds Pass does not have a cost effective option for the delivery of reticulated sewerage, but will remain highly suitable for the continued expansion of community facilities, especially for education, sport and recreation.

The Growth Context of the Study Area

The Darwin Regional Land Use Plan 2015 identifies threshold populations of 150 000 and 250 000 people to guide the identification of land required to accommodate growth in the short and longer term. In 2016, the subregional plan was premised on the need for Litchfield to accommodate 500 new dwellings to meet demand over the following 5 to 10 years.

In the longer term, approximately 20 000 dwellings will be required in Litchfield. This will be met by greenfield development and growth within the rural activity centres of Howard Springs, Coolalinga / Freds Pass, Humpty Doo and Berry Springs.

In the shorter term, the activity centres of Howard Springs, Coolalinga / Freds Pass and Humpty Doo will have an important role in accommodating some of this population growth.

How this document works

This report presents information collated from technical investigations and feedback relating to land use and development of the activity centre.

Issues which informed the preparation of a draft Area Plan for the Coolalinga / Freds Pass are overviewed.

The report structure is chronological with the preliminary information and investigations addressed first, followed by the outcomes of community consultation leading into the land use themes incorporated into the area plan.

The Area Plan and this report were finalised in 2020 and should be understood in that context.

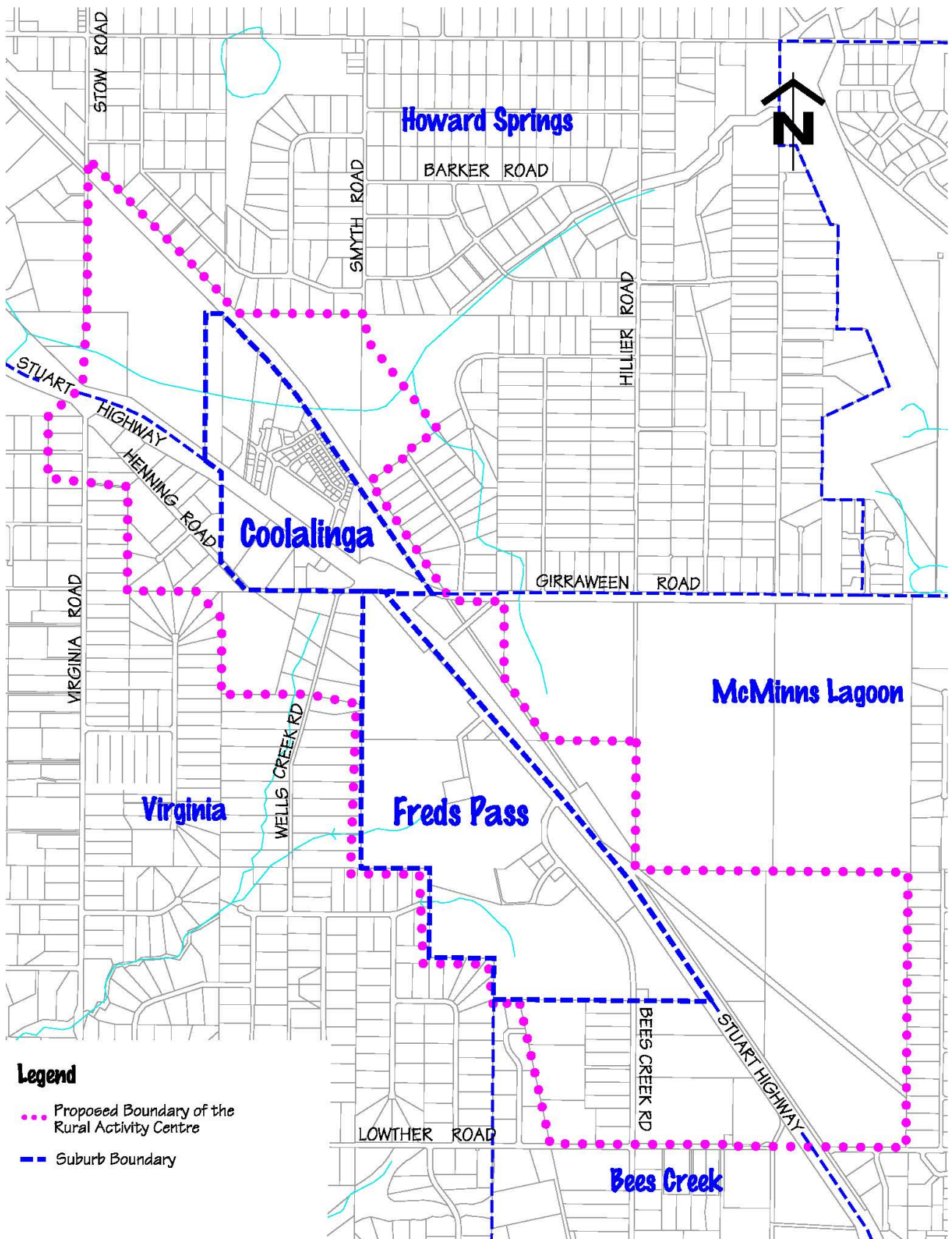


Figure 1 – The Study Area (the Rural Activity Centre boundary) and Locality Boundaries

Regulatory and Policy Context

The use and development of land in Coolalinga and Freds Pass is regulated and guided by the following policy documents.

Northern Territory Planning Act 1999

The objects of the *Planning Act 1999* (the Act) are to plan for, and provide a framework of controls for the orderly use and development of land. These objects are to be achieved by:

- the strategic and sustainable use of land and resources;
- protection of the natural environment; and
- maximising the amenity of development.

The Act also establishes the NT Planning Commission as an independent body with various functions, including to prepare and consult with the community regarding integrated strategic plans, guidelines, and assessment criteria for inclusion in the NT Planning Scheme.

The Planning Commission does not have decision-making powers under the Act. The inclusion of an area plan into the Planning Scheme remains a responsibility of the Minister.

Northern Territory Planning Scheme

The *Planning Act 1999* enables the NT Planning Scheme and allows it to contain:

- statements about land use policy;
- development controls, instructions, guidelines, and development assessment criteria to guide decision making of the consent authority;
- zoning maps; and
- plans, designs and diagrams.

Policy statements within the Planning Scheme establish the expected nature of future development and guide the interpretation of the zones and associated development provisions.

A zoning map of the study area is at Figure 2.

The Planning Scheme includes area plans to assist with the interpretation of the Scheme and the determinations of the consent authority.

The Area Plan for the Coolalinga / Freds Pass Rural Activity Centre has been prepared to provide detailed guidance on future land uses with the rural activity centre.

This Land Capability and Needs Assessment document is intended to be referenced by the Planning Scheme as a background document to the Coolalinga / Freds Pass Rural Activity Centre Area Plan.

Litchfield Subregional Land Use Plan 2016

The Litchfield Subregional Land Use Plan (LSLUP) is a policy document in the Planning Scheme that establishes a strategic policy framework to guide the future growth and development of the municipality of Litchfield, including Coolalinga and Freds Pass.

The LSLUP guides land use, transport and infrastructure planning to deliver growth and infrastructure outcomes for the community while safeguarding the valued rural lifestyle.

The LSLUP also guides more detailed planning, including the preparation of area plans for the rural activity centres. The statements of policy and land use concept in the LSLUP informed the Planning Commission's work to prepare the draft Coolalinga / Freds Pass Area Plan.

The final Area Plan superseded the role of the land use concept in the LSLUP and the latter was removed. The land use concept, as it appeared in the LSLUP, is copied at Figure 3.

The Compact Urban Growth Policy 2015

The Compact Urban Growth Policy 2015 is a policy document in the NT Planning Scheme that provides a framework to guide the development of area plans and to inform decisions on rezoning applications.

Compact urban growth allows the efficient use of land, services and infrastructure to create compact and mixed-use activity centres that play a role in improving people's lifestyle and convenient access to services.

The commercial area of Coolalinga will accord with the Compact Urban Growth Policy as it continues to develop into a compact mixed-use centre within the broader rural area.

The Area Plan for the Coolalinga / Freds Pass Rural Activity Centre will provide for a range of opportunities for people to work, rest and play, supported by physical and social infrastructure.

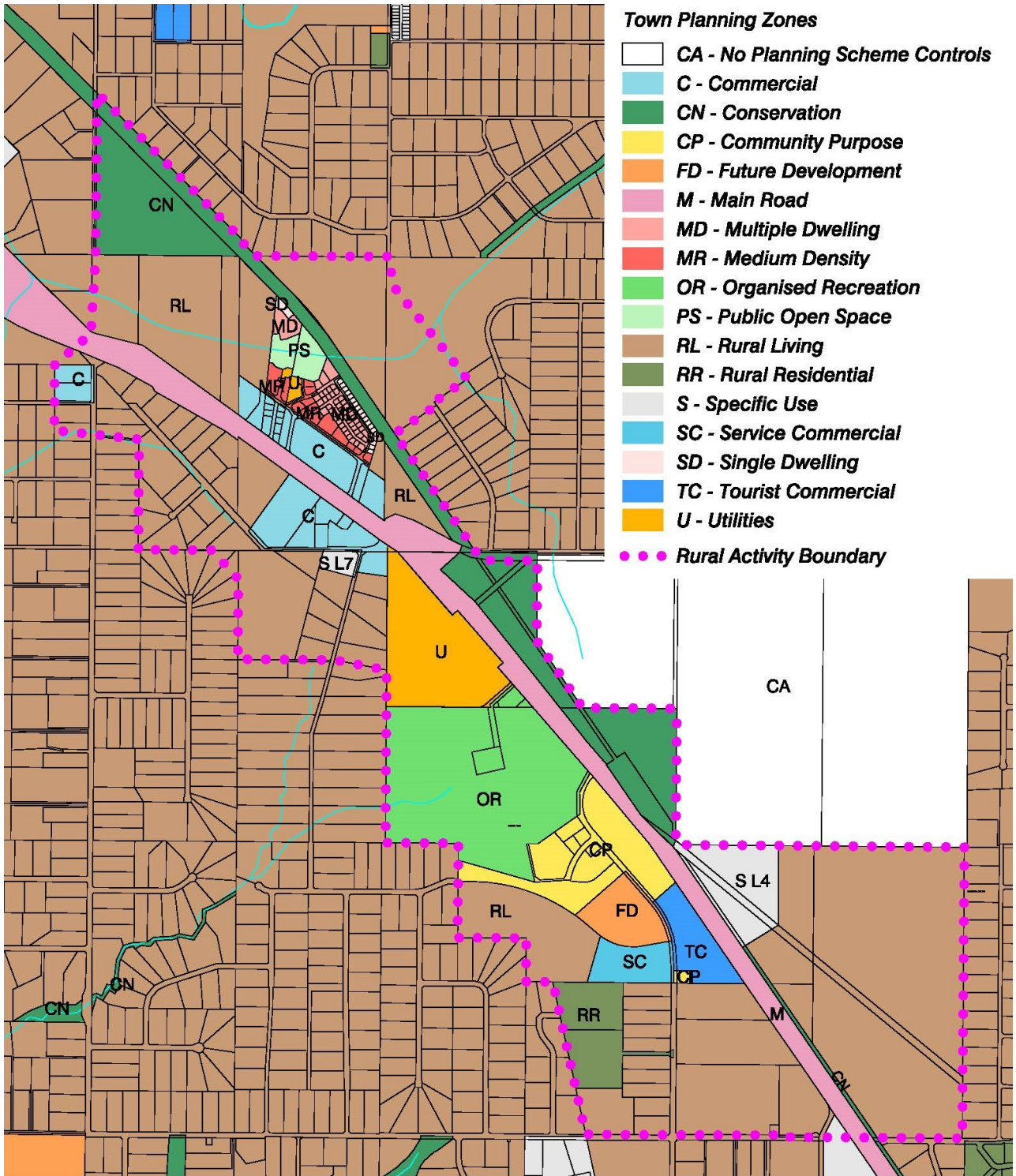
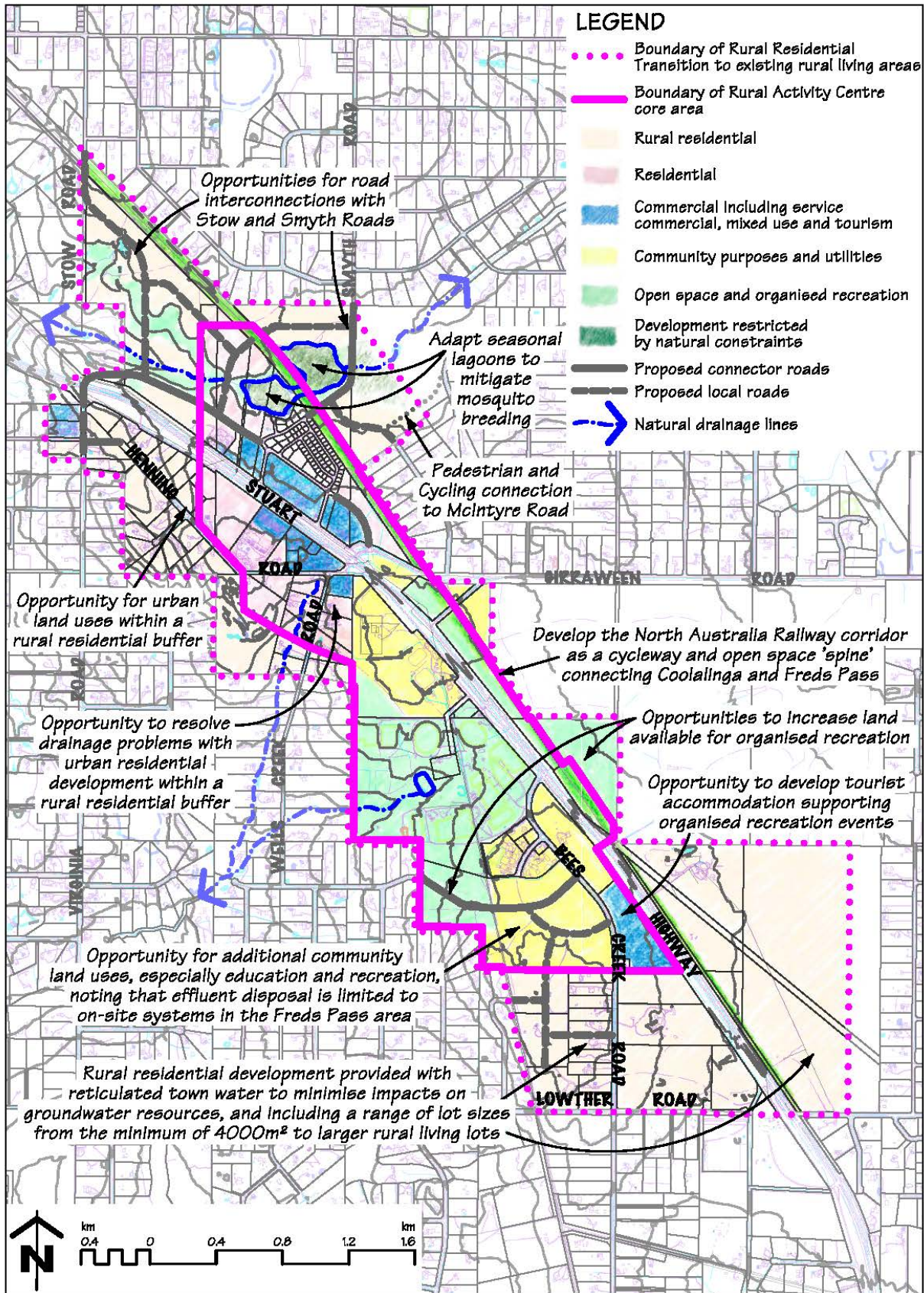


Figure 2 – Land use zones within the Coolalinga / Freds Pass Rural Activity Centre



Land Use Concept for Coolalinga and Freds Pass Rural Activity Centre

L:\Richfield Subregional Land Use Plan 2015.dgn

Figure 3 – Land Use Concept for Coolalinga / Freds Pass as it appeared in the LSLUP

The Area Planning Process

The Planning Commission Stages

The Area Plan for the Coolalinga / Freds Pass Rural Activity Centre was prepared following the process outlined in Figure 4 below.

Stage 1 included the Social Infrastructure Assessment completed in 2016 for the Litchfield Subregional Plan and the engineering assessment completed by Tonkin Consultants in 2017 for the rural activity centres of both Howard Springs and Coolalinga / Freds Pass.

From the information outlined in this section, the Planning Commission prepared “*Towards an Area Plan for the Coolalinga / Freds Pass Rural Activity Centre*”, a discussion paper for Stage 1 community consultation.

A Community Advisory Group was established with the assistance of Litchfield Council.

Expected Outcomes of the Area Plan for Coolalinga and Freds Pass

The Area Plan for Coolalinga / Freds Pass Rural Activity Centre provides a detailed land use framework within the context of the strategic planning directions established by the Litchfield Subregional Land Use Plan.

The Area Plan responds to the development constraints and opportunities identified in stage one of the Planning Commission’s process, and to the feedback received through two stages of community engagement. These inputs and subsequent discussion with the Community Advisory Group, has shaped the activity centre plan, and informed land use policy that will guide future development.

As a framework for future land use, the Area Plan will also inform the further investigations and concept design required to ensure that infrastructure and services are provided commensurate with growth.

In summary the Area Plan for Coolalinga and Freds Pass:

1. responds to the natural and built environment to facilitate growth within the rural activity centre;
2. identifies the constraints and opportunities of the locality and provides a framework for the coordinated provision of servicing infrastructure apace with growth;
3. provides a land use framework and associated policy to guide both public and private sector investment; and
4. provides residents, businesses and the wider community with confidence on future outcomes.

STAGE 1	STAGE 2	STAGE 3
<p>Initial investigation includes information gathering, analysis and definition of the character of the study area. Importantly, the capacities of engineering and social infrastructure to support growth are assessed.</p> <p>This informs the preparation of documentation for initial community engagement.</p>	<p>In response to initial investigations, any further studies and community feedback, options for a draft Area Plan are prepared in consultation with a community advisory group.</p> <p>Further engagement with the community provides a review of the options and a draft Area Plan is prepared.</p>	<p>The NT Planning Commission finalises the draft Area Plan and forwards to the Minister, for consideration as a draft Planning Scheme Amendment.</p> <p>The Minister decides whether to place the Plan on exhibition. Submissions are considered. The Minister decides whether to amend the Area Plan into the Planning Scheme.</p>

Figure 4 – Stages of the Planning Commission’s Area Planning Process

Preparation and Investigation

Land Capability Assessment

The study area is approximately 945ha with a range of landscape types and capabilities.

The landscape can be broadly characterised as gently sloping land that drains into minor drainage lines and seasonally waterlogged areas. Some areas with steeper side slopes exist within the western and south-western boundaries of the study area.

The developable land within the study area is generally located along the Stuart Highway and includes flat to gently undulating eucalyptus woodland or open forest with slopes less than 2%, and eucalypt open woodland with side slopes of 2 to 5%.

Areas of more constrained land are associated with the drainage catchments of the study area. These areas are generally narrow upland alluvial plain grasslands with scattered trees and gradients of <1%, and swamp depressions of open or closed Melaleuca forests with <0.5% gradients. These areas make up approximately 12% of the study area.

Figure 5 shows the topography and naturally constrained areas of the locality's landscape.

Seasonal Waterlogging

The following areas within the rural activity centre are affected by seasonal waterlogging:

- an area in Coolalinga north associated with a perched seasonal lagoon that drains north-east into the Howard River catchment and potentially west into Brooking Creek;
- an area due south of Coolalinga associated with Wells Creek; and
- an area connecting Wells Creek across Freds Pass reserve to Girraween Lagoon.

Mosquito breeding areas

Preliminary studies carried out by the Department of Health identify seasonally high levels of mosquitos within the Coolalinga / Freds Pass Rural Activity Centre area.

The lagoon in the north of Coolalinga, and connected areas of seasonal waterlogging, are of particular interest due to their proximity to existing and potential new urban areas. Both these sites breed mosquitoes that could potentially carry viruses such as Kunjin, Ross River Fever and Murray Valley Encephalitis.

The potentially higher risk of mosquito borne disease to urban residents near these breeding sites is an issue that must be addressed. One challenge is that mosquito mitigation works should not undermine the drainage function and natural amenity of the wetland areas.

Other areas that experience seasonal water-logging are in less populated rural settings away from urban residential development.

Drainage Catchments and Flood Management

The study area encompasses five natural drainage catchments. To the north, two catchments drain into Brooking Creek and the Howard River tributary. To the south, three catchments drain via Wells and Burdens Creeks into the Elizabeth River.

Some properties adjacent to drainage lines, especially those in Wells Creek Road, regularly experience wet season flooding.

Peak stormwater flows could be reduced by mitigation measures, such as detention basins, implemented with development. In this way urban development can introduce stormwater management systems to potentially reduce the current flooding of rural properties.

Groundwater Availability

Groundwater use in Coolalinga / Freds Pass currently exceeds sustainable yield. The Department of Environment and Natural Resources is undertaking ongoing groundwater assessments for the rural area and implementing management strategies.

Any future development in the Coolalinga / Freds Pass area must have a sustainable water supply that does not increase draw from the underlying aquifer. It follows that future development is likely to be contingent on the availability reticulated town water.

Areas of Environmental Significance

The natural environment is an asset of the rural activity centre, providing natural amenity for the enjoyment residents and visitors. Some parts of these natural areas are potentially significant and may present constraints that limit the feasibility of development.

The Priority Environmental Management (PEM) mapping for Litchfield identifies areas of potential environmental significance. Figure 5 is taken from the PEM mapping.

The PEM mapping identifies the wetlands and riparian areas discussed above and also an area of 'Sandsheet Heath' in Howard Springs.

Any proposal to develop these areas would need to address the identified environmental

significance. It can also be noted that these PEM areas are within the severely seasonally waterlogged areas shown at Figure 6.

Broadly, the uncoloured areas of Figure 6 are not constrained by environmental values.

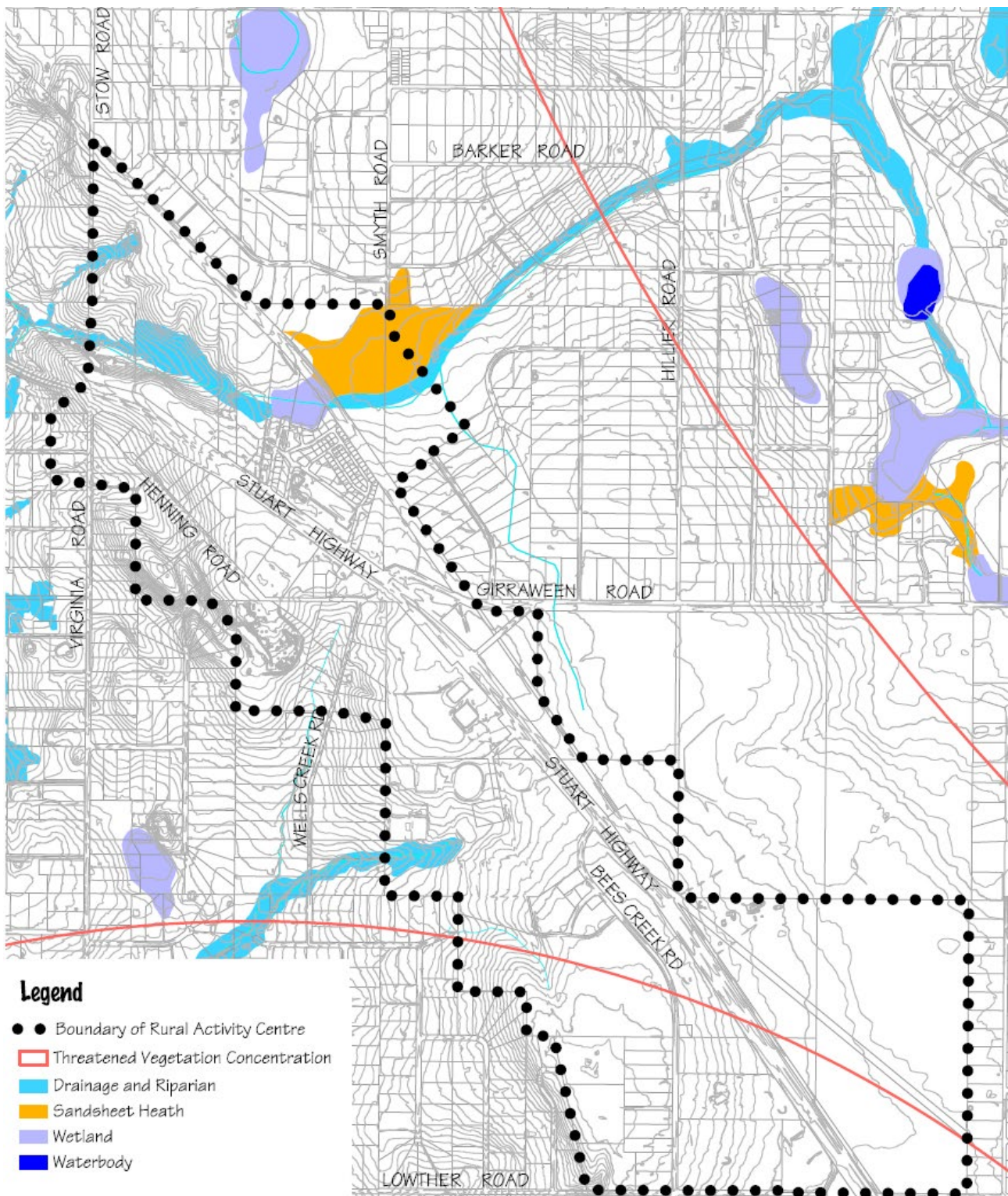


Figure 5 – Areas identified for Priority Environmental Management

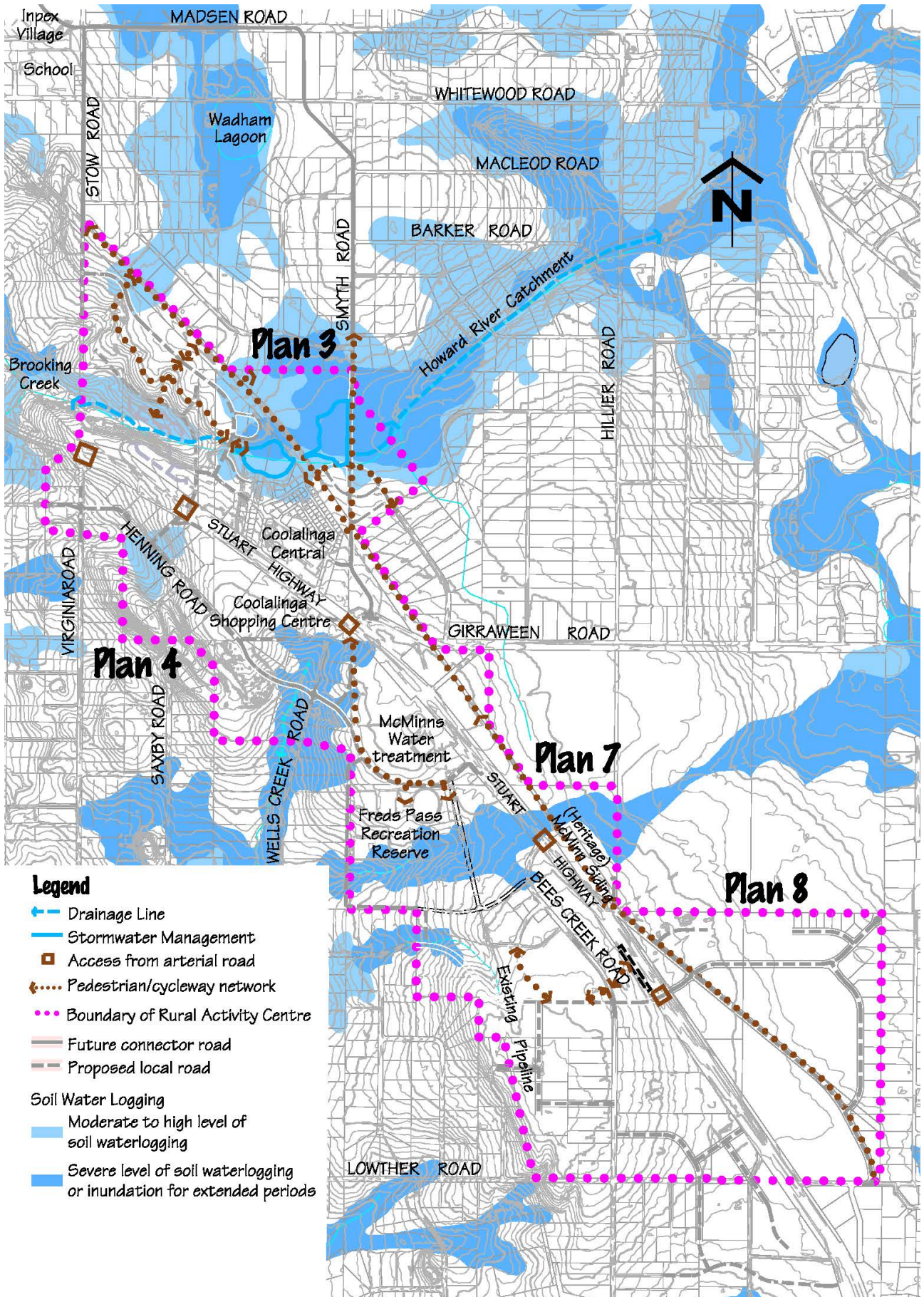


Figure 6 – Landscape and Land Capability

Demography and Growth

Referencing 2016 census data, the demographic character of Litchfield is summarised here in order to highlight the demographic differences between Coolalinga, Freds Pass and the broader subregion.

In 2016 the population of Litchfield had grown from 18 994 in 2011 to 23 855 people, which amounts to an average yearly growth of just over 4.65% for that census period.

The median age was 37 and approximately 60% of residents were male. Aboriginal people made up nearly 10% of the population.

At 2.9 people, the household size was consistent with the Territory average of 2.9 and above the Australian average of 2.6.

Population Growth

Population rise and fall is relatively volatile in the Territory and particularly sensitive to interstate and overseas migration. Employment availability is a commonly the driving factor. In 2020, the population growth had slowed largely in response to completion of the Inpex LNG plant, but it is expected to remain stable at an average of 1.69% growth through to 2026.

Coolalinga

In 2017, the population of Coolalinga was estimated at 9256 people.

Employment and Occupation

Residents of Coolalinga have a high rate of employment with only 2% unemployed in 2016. Similar to the broader Litchfield region, the highest identified occupations are technicians and trades workers, but there is also a high proportion of labourers.

Defence is the highest employer of Coolalinga residents at 8%, compared to 6% in Litchfield and 4.7% Territory wide.

Population and Housing

Strategic projects coming on-stream soon in the Territory will probably benefit Katherine and the southern region, rather than the Darwin region. Population growth in the Top End is expected to be modest but steady through the 2020s. The slower housing market has provided the opportunity to plan for growth and introduce area plans for the rural activity centres before the demand for housing increases again.

The Area Plan for Coolalinga / Freds Pass supports an increase in residential capacity by identifying new urban residential areas adjacent to the commercial area of Coolalinga and rural residential lots in the transition areas.

The result will be a range of residential lot sizes supporting housing choice and availability.

Commercial and Community Land Uses

The Litchfield Subregional Land Use Plan recognises the role of Coolalinga as a key subregional commercial centre. Coolalinga serves the subregional catchment with higher order shopping, commerce, entertainment, health, education and community facilities.

Population and employment growth will drive demand for additional commercial office space.

Steady growth will help to underpin economic activity in the commercial centre and drive the demand for social infrastructure, both of which will benefit the broader community.

Retail

There is currently an oversupply of retail floor space which will remain for the short term. Over time the availability of space will increase the range of goods and services for the community.

Commercial growth in the rural activity centre should build on the existing commercial area of Coolalinga. Retail development in particular should be located to contribute to the diversity and viability of Coolalinga and its role in providing a mix of consumer services.

Freds Pass

In 2017, the population of Freds Pass was estimated at approximately 3 000 people. The population of Freds Pass is anticipated to grow in the near to medium term at a slow rate.

A large proportion of Freds Pass is utilised for open space recreation, especially the Freds Pass Recreation Reserve, and some parts of the community purpose land to the south.

Regional Context

The recreation and community land uses of Freds Pass provide a balance to the urban and commercial land uses in Coolalinga. Freds Pass is where the community goes to play, learn, recreate and socialise.

Social Infrastructure

Social infrastructure is community, health, education and cultural facilities, and includes community centres, public libraries, parks, organised recreation and sporting facilities.

In 2016, Fyfe Consulting completed a Social Infrastructure Assessment (SIA) to inform the Litchfield Subregional Land Use Plan. The rural activity centres were a focus of this study. Figures 7 and 8 identify social infrastructure land uses within the study area.

The need for social infrastructure to support population growth in the rural activity centres is a key element of future planning for Litchfield.

Components of social infrastructure considered as part of the SIA include:

- health and aged care services;
- child care establishments;
- educational establishments;
- places of worship
- civic and community facilities;
- community meeting and activity spaces;
- libraries, art and culture facilities;
- open space; and
- sport and recreation facilities.

The SIA found that the subregion only had two aspects of social infrastructure in undersupply:

- aged care establishments; and
- sport and recreational facilities.

It is important to recognise that Litchfield residents utilise the social infrastructure of the Greater Darwin region especially facilities provided in Palmerston and Darwin.

For example, the new hospital at Palmerston is a regional facility that provides overnight stay health services and some critical care and hospital services for Litchfield residents.

Looking more closely at an activity centre level, the Coolalinga / Freds Pass area was identified as having an undersupply of social infrastructure facilities for:

- health care;
- aged care; and
- community groups, events and meetings.

Health Services

The SIA identified the Coolalinga / Freds Pass area as meeting suggested standards for the number of General Practitioners.

A gap of one dentist was identified, however there are currently sufficient vacant tenancies to allow the establishment of a dental surgery.

Aged Care and Retirement in Place

In 2016, there were 991 people over the age of 70 in the Litchfield Subregion, which is less the average across the remainder of the Northern Territory and Australia.

There are national benchmark figures for the provision of aged care through home care packages and residential care. By 2021-2022, the targeted figure for residential care is 78 beds per 1000 people aged 70 years and over.

Based on the steady population growth forecast of 1.69%, 87 beds will be required in Litchfield by 2021-2022.

The SIA identified that there are currently no aged care services in Litchfield and that Coolalinga / Freds Pass, along with Humpty Doo are the most appropriate locations for aged care facilities. Both rural activity centres are in central rural locations and have access to public transport and social infrastructure.

The SIA recommends one aged care residential facility of approximately 40 places for Coolalinga / Freds Pass located close to health services, retail and community uses to cover existing and near term aged care facility gaps.

Consistent with the SIA, a need for more 'retirement in place' options was separately raised during community consultation.

In response to the need for aged care, the Area Plan shows a retirement village site on Crown land west of Coolalinga and promotes aged care as a potential use of Crown land in Freds Pass (refer to Planning principle 11).

Child Care

In Litchfield there are four long-term childcare centres offering a total of 328 places. Two of these are in the locality (*Good Start Early Learning Centre* in Bees Creek Road and *Creative Kids Childcare* in Virginia Road), and in 2020 a new childcare is opening on Patsalou Road in Coolalinga.

At the recommended ratio of 120 places per 8000 to 10 000 people, these childcare centres should be more than sufficient to cater for existing and near term needs.

Education

In Freds Pass there are currently two schools that accommodate the needs of the area. These are the government Bees Creek Primary School and the private Sattler Christian College, both of which provide pre-school / early learning centres and primary school education facilities. The Sattler College also provides a middle school facility that caters for Years 7 – 10.

Bees Creek Primary School has a total capacity of 46 places in the pre-school facility and 453 places in the primary school facility. The school is operating at about 75% capacity.

Sattler Christian College has 44 places in the early learning centre facility; and the primary and middle school facilities have a combined capacity of 300 places.

Secondary education is provided at Taminmin College in Humpty Doo, which caters for Years 7 to 12 and in 2015 had a total enrolment of 1023 students. Construction of the STEAM (Science, Technology, Engineering, Arts and Mathematics) facility has expanded the school's overall capacity to 1500 places. This will meet subregional demand for the near to mid term.

Regional Culture and Heritage

Places of cultural and historical significance contribute to a sense of belonging, and represent the region's colourful past. They connect people with others, with history and with landscapes.

The *Heritage Act (NT) 2011* gives provision to protect and manage regional culture and heritage significance, particularly WWII sites.

There are no listed heritage sites in the Coolalinga /Freds Pass area, but features such as the North Australian Railway (NAR) corridor and sites with WWII artefacts are important connections to the past.

Adaptive reuse of the NAR corridor is a key attribute of the Rural Activity Centre. The staged re-use for active transport (pedestrians, cyclists, horse trails) provides for continued use and active maintenance while respecting the significant associations, meanings and activities of the past.

Community Facilities

Libraries

No public library facilities are currently provided

within the Coolalinga / Freds Pass Rural Activity Centre. The closest public library is at Taminmin College in Humpty Doo.

The 'Smile-A-Mile' toy library at Freds Pass provides a toy and play equipment borrowing service to the community. A mobile toy library is also provided as part of the facility that services the entire Litchfield Subregion. This is an important community asset.

Community Meeting and Activity Spaces

Space for community groups to meet, undertake activities and hold events is an important element of social infrastructure. These spaces assist in building community networks, support the health and wellbeing of residents, assist in addressing social issues, and promote community identity.

The only meeting hall in the study area is in Freds Pass Recreation Reserve, and this is not air-conditioned. There is a clear need for a community meeting venue in the activity centre.

Places of Worship

There is no standard or broadly agreed ratio of providing places of worship per head of population. Currently, Humpty Doo has a stronger role in providing places of worship, however there is some Crown land available in Freds Pass for community purposes such as a church and/or community hall in the future.

Coolalinga

The ongoing development in Coolalinga of low to medium density urban housing is new to the study area. A growing range of urban housing will create a greater range of housing options, but will also increase the need for broader social infrastructure facilities in the future.

Freds Pass

The Freds Pass area is a unique element of the Rural Activity Centre. The Freds Pass Recreation Reserve provides active open space and social infrastructure facilities on a district and subregional level rather than just meeting local open space and sporting needs.

The Recreation Reserve provides sports fields and facilities for informal and organised recreation for several sporting bodies. The Reserve is an important venue for sporting and recreation events for the broader region that support interregional and interstate competition.

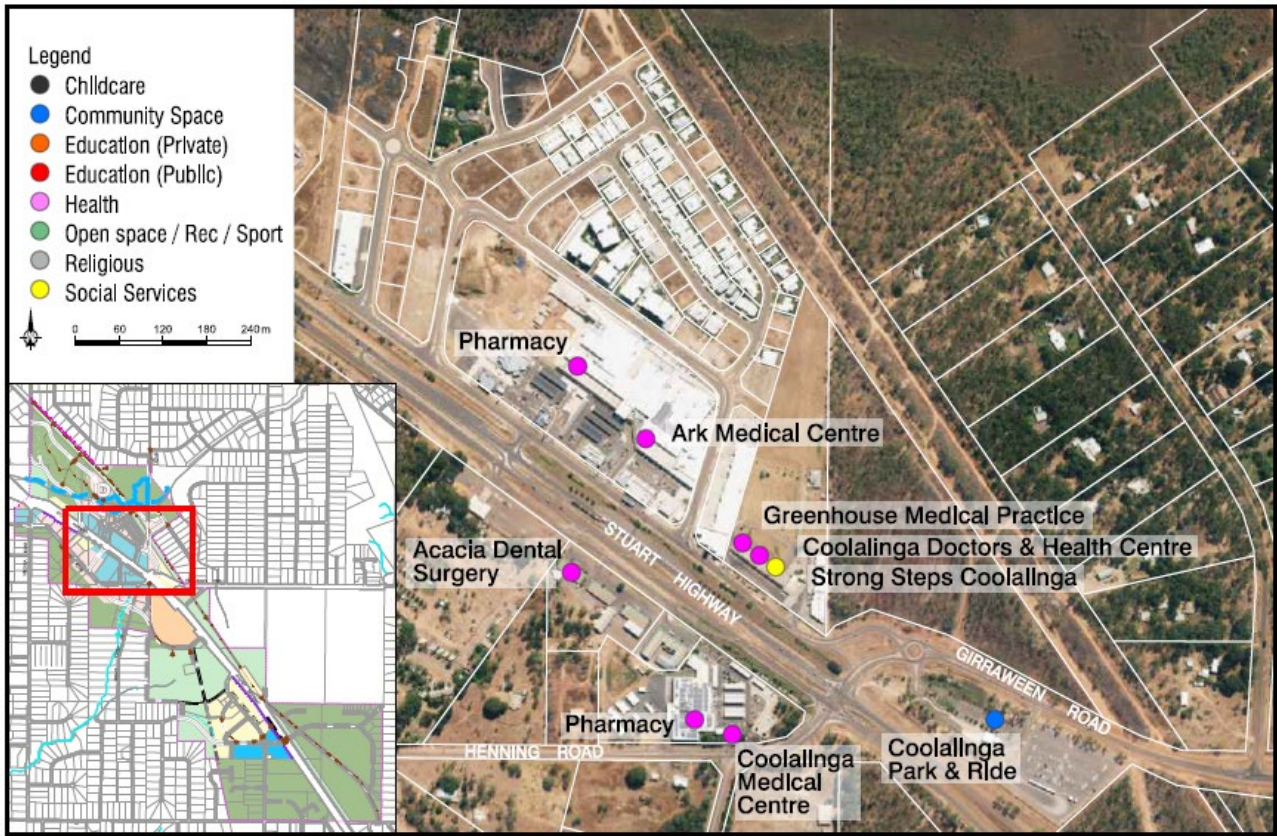


Figure 7 - Social infrastructure Land Uses in Coolalinga

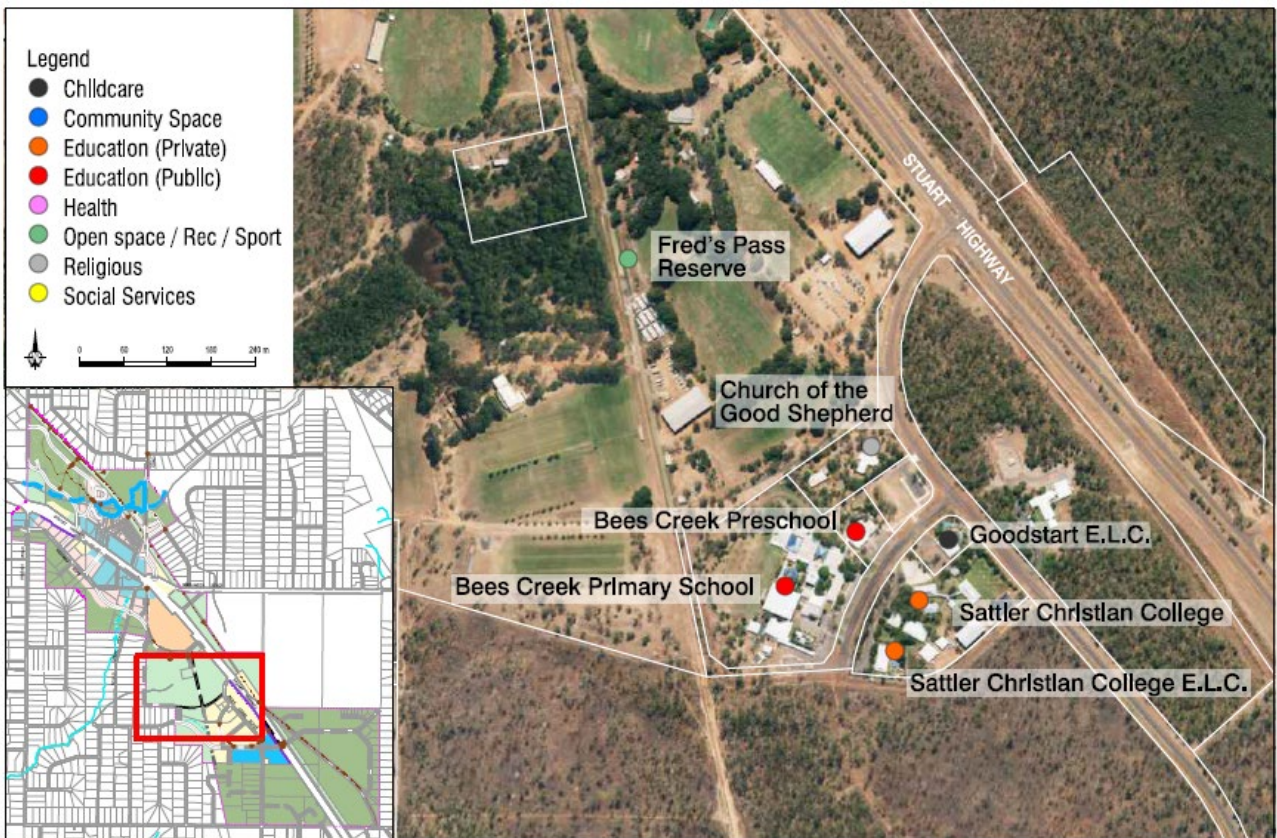


Figure 8 - Social Infrastructure Land Uses in Freds Pass

Service Infrastructure

Service infrastructure includes power, water supply, sewerage, stormwater drainage, and telecommunication networks.

Land use planning plays a key role in the planning and provision of service infrastructure. Consideration of projected population growth and dwelling yields informs the demand for services, which in turn guides the design and construction of commensurate infrastructure.

In 2020, only the urban residential and retail area of Coolalinga 'north' has full reticulated services and these are all underground.

Engineering Assessment

In 2016, Tonkin Consultants was employed to assess the engineering services available in the study area, including Howard Springs, and provide a preliminary strategy for the staged expansion of reticulated services.

In 2020, the Department of Infrastructure Planning and Logistics is programming for trunk infrastructure to the study area and subregion. The following is a brief summary of the existing services and provisional actions to upgrade.

Power

The power supply to the activity centre will need upgrading to support new development. An additional two electrical feeders will be required for the envisaged level of development.

A new zone substation may be required and/or the upgrade of the Strangways Zone substation. New power supply within urban environments will be required to be installed underground. New power supply within rural residential areas may be located above ground.

Changes in customer behaviour, such as the installation of roof top solar power panels and efficiency measures could help to reduce the peak demand for electricity.

Water Supply

Reticulated water supply is supplied through both the Palmerston Water Supply Tank and the McMinns Pump Station (19 Mile Facility).

This supply is reticulated to the urban areas of Coolalinga, and to the Reserve and community land uses in Freds Pass (e.g. schools and civic centre). Some rural areas, such as Wells Creek and London Roads, have town water via 'banjo' connections and informal 'spaghetti' lines.

All new development within urban and rural residential areas will require reticulated water supply. This will allow growth in Coolalinga / Freds Pass without increasing the demand and pressure on ground water resources.

As the demand for town water increases, new trunk infrastructure for water supply will be required, and the areas of urban density will make the infrastructure upgrades more viable.

Sewerage

The reticulated sewerage systems at Coolalinga north and the Woolworths site rely on self-contained package treatment plants. The remainder of the study area relies on onsite wastewater systems.

Future urban growth will rely on extension of the Power and Water Corporation's reticulated sewerage network. Up to three new sewer pump stations will be required to connect Coolalinga 'south' to a new network comprised of gravity and sewer rising mains.

Expansion of Coolalinga 'north' will require a fourth sewer pump station and connection of the two package treatment plants to Power and Water's reticulated network.

The Department of Health has also advised that the capacity of existing reticulated infrastructure is limited to servicing existing urban and commercial development; and that future urban development will rely upon the extension of reticulated services. The Department of Health recommends that the Area Plan considers reticulated sewerage to commercial lots on the northern and southern sides of the Stuart Highway, noting that development within Zone RR (Rural Residential) is not required to connect to reticulated sewerage.

Stormwater Drainage

Stormwater drainage in the central area of Coolalinga is underground and contained within the road reserves. Discharge is to the natural system. It may be necessary to upgrade sections of the network with new development, including reviewing existing outlet levels against the identified 1% AEP flood level.

The potential impact of stormwater from development on natural drainage and waterways is an issue identified by both the community and the Department of Health.

Figure 9 below shows the natural drainage pattern of the study area.

The natural drainage lines receive overland surface flow and concentrated runoff from the arterial and local road networks. This runoff may carry pollutants and nutrients to the receiving environment, and in addition, urban stormwater drainage tends to increase discharge volumes into the natural catchments.

This may cause downstream impacts, such as localised flooding, on rural landholders in places like Wells Creek Road.

It follows that the design of urban stormwater systems should mitigate potential down-stream impacts to ensure that future development does not cause or increase localised flooding issues. Mitigation measures could include the construction of detention basins to reduce peak flows in identified troublesome areas.

Stormwater drainage design will also need to address the risk of biting insects breeding in the stormwater systems.

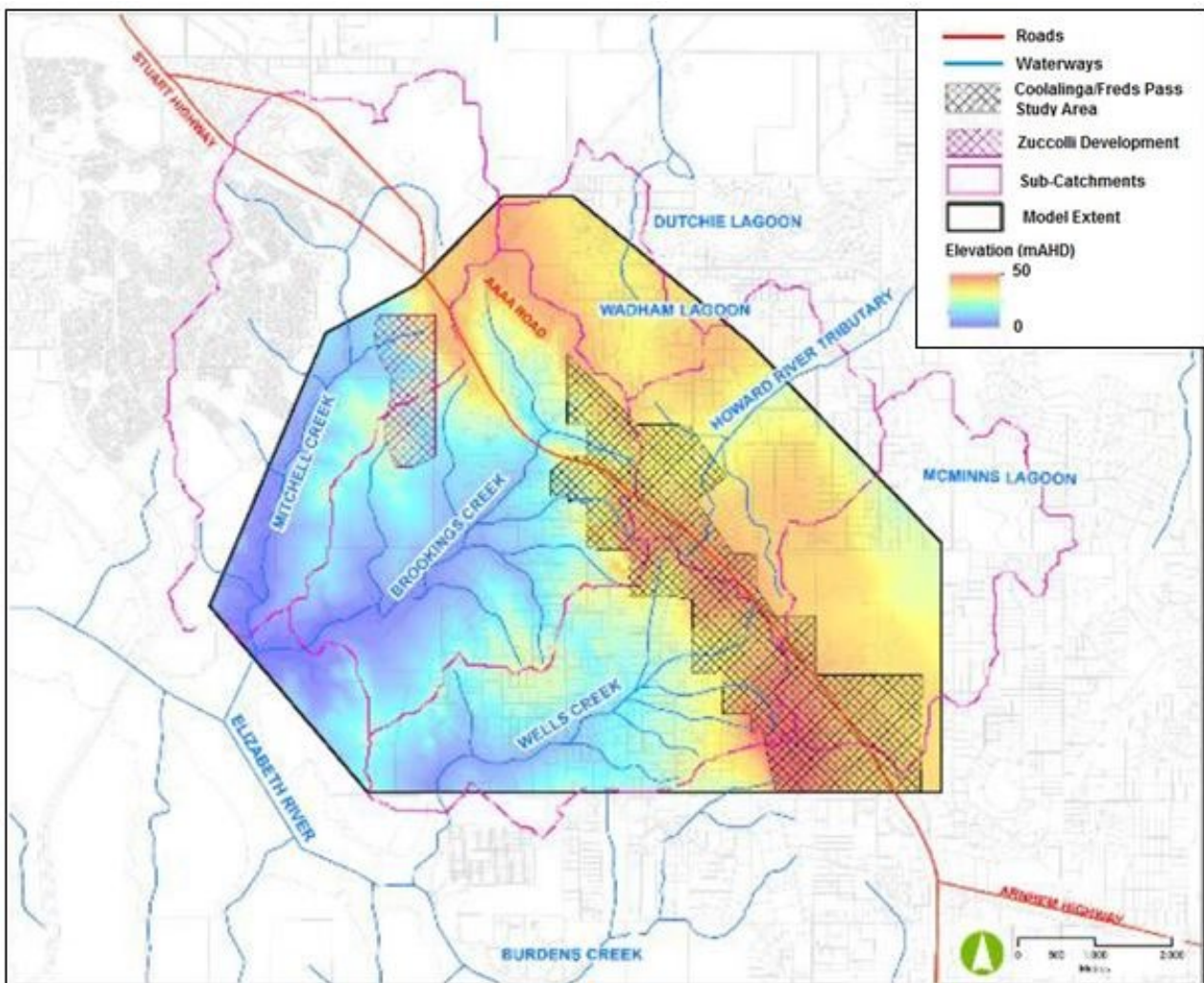


Figure 9 - The natural drainage pattern of the Study Area

Transport

Safe and efficient multi-user transport networks are necessary to support economic and social activity. Development over time of an inter-connected road network for walking, cycling and public transport will contribute to a sustainable and liveable rural activity centre that meets the needs of the growing population.

The Existing Road Network

The national arterial Stuart Highway forms the eastern boundary of Freds Pass and divides Coolalinga into two commercial and retail areas. The Stuart Highway is a Territory controlled, multi-lane divided road and the primary inter-regional road transport connection.

The local road network is vested with Litchfield Council. The network is poorly interconnected. In particular, local road corridors connecting across the arterial corridor are too few. Within the study area the only local road connection across the Stuart Highway is the signalised intersection at Girraween / Henning Roads.

In 2020 the Department of Infrastructure Planning and Logistics is finalising a draft arterial traffic strategy for Coolalinga.

Public Transport

Bus services support the morning and afternoon peak periods but are otherwise infrequent. No service is offered on Sundays or public holidays. Low patronage is a key issue. Close to 80% of Coolalinga residents commute by car compared to the Litchfield figure of 70%. This implies that local usage of the Coolalinga bus interchange is not high.

Cycling and Pedestrians

Cycling and walking are popular in the rural area. Annual bicycle counts consistently show high levels of cycling in Litchfield compared with other regional areas around Australia.

The old NAR corridor presents a unique opportunity for active transport into the future. This 'active' spine will continue to support expansion of the active transport network. In 2020, the sealed bicycle path from Darwin was extended into Coolalinga, completing an all-weather active transport link to Howard Springs, Palmerston Regional Hospital, Yarrawonga, with Robertson Barracks nearby, and Berrimah; thus connecting to all regional urban areas. The engineering design included the next stage to the bus interchange, subject to funding. The fruition of this active transport spine through Coolalinga will increase the need for cycling lanes within the activity centre, safe road crossings and the need for end of trip facilities.

Community Engagement

In 2017, the Planning Commission engaged the community to help develop an Area Plan for Coolalinga / Freds Pass in two stages.

Stage One, from 8 May to 9 June, presented a discussion paper, *Towards an Area Plan for the Coolalinga / Freds Pass Rural Activity Centre*, to the community. Over 300 residents visited 'pop up' stalls and workshops at central venues in the locality. 38 people attended the three information sessions, and 22 written submissions were received.

Stage Two, from 25 September to 1 November, presented a draft Area Plan, as four contiguous concept plans responding to Stage One technical findings and community comments.

The two stages of consultation had successfully provided for effective dialogue between the Planning Commission and the community and stakeholders on the future of the Coolalinga / Freds Pass Rural Activity Centre.

Following community engagement, over 120 comments were distilled into key themes raised by the community along with outputs from the detailed investigation.

Themes that attracted the most comment were:

- protection of environmental and heritage values, including 'buffers' and retention of wet areas and native vegetation;
- general support for a better local road network improved connections to the arterial road network, plus strong support for Henning to Virginia Road connection, but some reservation on local roads in and around Freds Pass reserve;
- general support for preservation of heritage sites and aspiration for increased and improved community facilities;
- strong desire for increased pedestrian and cycle networks;
- support for the proposed land use mix and distribution, including 800m² urban and 4 000m² rural residential lots; and
- various comments on activity centre boundary and transition areas.

Community Advisory Group

The Community Advisory Group discussed Area Plan responses to the key themes.

The CAG supported land suitability assessment before development of naturally constrained areas (eg steep or seasonally waterlogged).

The CAG supported the proposed local road network. In particular, the Henning to Virginia Road connection, which is an element of the Coolalinga arterial road strategy, was favoured. The risk of morning 'rat running' along Henning Road was raised but deemed low, given access delays back onto the Highway at Virginia Road. The local road connection to Freds Pass and the Eugene road extension are supported.

The CAG supported an active transport network, and the NAR corridor as an active transport 'spine' connecting Coolalinga to Freds Pass; noting that the connections shown on local roads are a matter for Litchfield Council.

The CAG supported the concept that servicing Coolalinga with reticulated town water will avoid impact on groundwater resources.

The CAG discussed the outer boundary and resolved to keep the land holdings north of the NAR corridor in Howard Springs and east of the Highway in McMinn's Lagoon within the Plan.

The matter of future Zone RR applications near the activity centre and what measure to provide for "...close proximity to community facilities", as required by the LSLUP, was discussed.

The Howard Springs Area Plan requires "...1 km, measured as travelled, from the commercial area...", but for Coolalinga / Freds Pass this would not provide the transition of lot sizes intended at planning principle 4. The CAG agreed to the measure of "...250m, measured directly, or 500m, measured as travelled, from the boundary of the activity centre".

Applying the above rule, Figure 10 shows the maximum possible extent of 1 ha lots. However, proposals to rezone must demonstrate access to town water and to the local road network; noting that the land owner bears the cost of constructing any required local roads.

It follows that not all the properties in the 'pink' area would have practical opportunity to rezone to Zone RR. For this reason, the development of 1ha lots adjacent to the boundary of the rural activity centre will likely be a gradual process, with each application being assessed on a case by case basis.

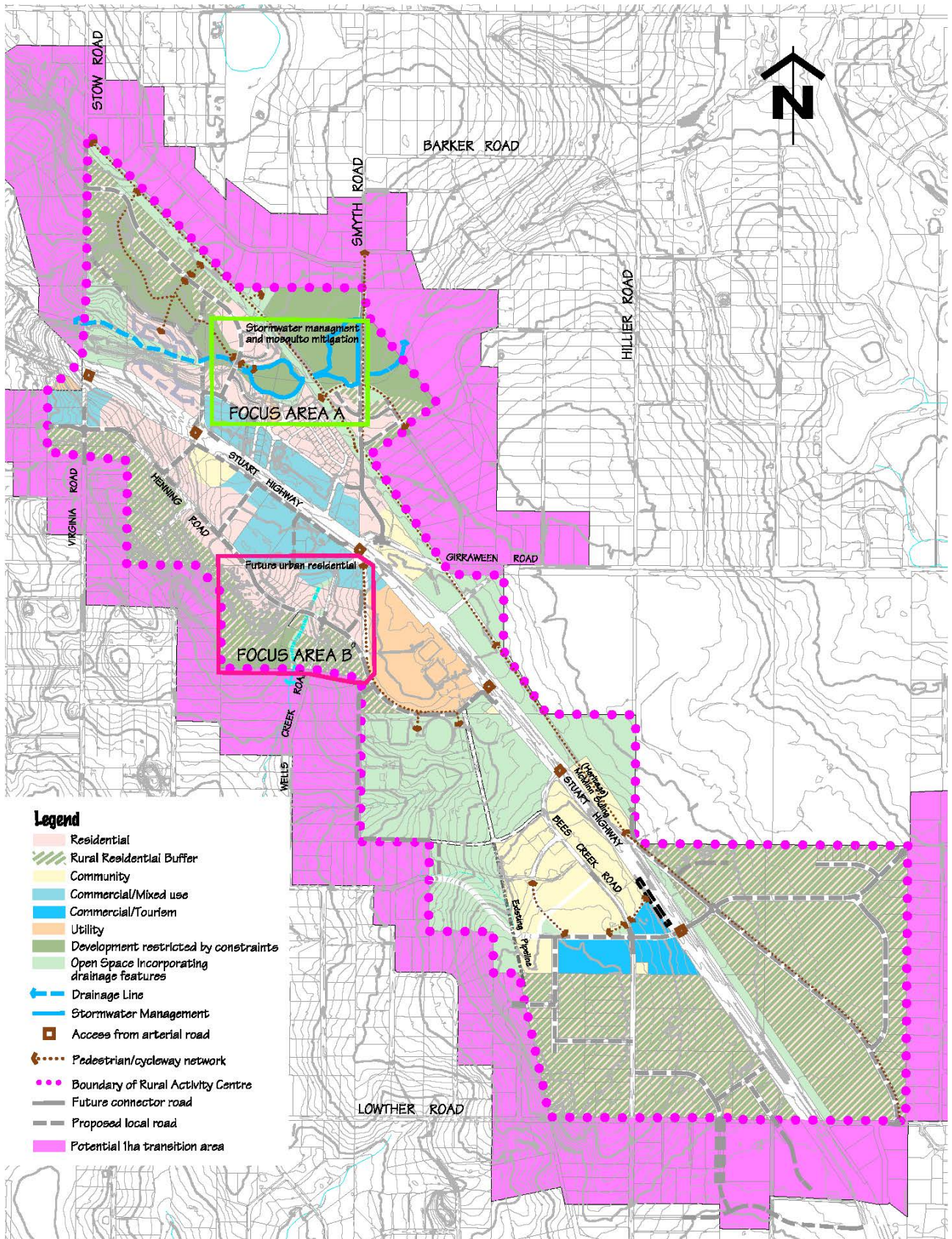


Figure 10 – The maximum potential 1 ha transition area

Area Plan Themes

The Area Plan responds to the key themes raised by the community and also addresses specific issues relevant to two discrete localities through specific Focus Area plans.

The Area Plan includes planning principles to address the following five general themes:

- the natural environment;
- movement and transport;
- lot choice and land use;
- essential infrastructure; and
- the activity centre - community facilities, heritage and active transport.

The Focus Areas within the Coolalinga / Freds Pass Rural Activity Centre Area Plan are:

- Focus Area A – Stormwater Management and Mosquito Mitigation Area
- Focus Area B – Framework for future urban residential area

The Natural Environment

An attribute of the study area is the natural bushland close to the central urban areas. Community comment recognised the value of the environment and the need to retain open space, native vegetation and wildlife corridors.

In tension with this, some natural areas are suitable for commercial, urban or rural residential development. Concerns were raised that ongoing development of the activity centre might have a negative impact on the environment and the natural watercourses.

Area Plan Response

The Area Plan maps the environmentally sensitive areas and includes policy regarding native vegetation and the natural drainage system. Also, the Planning Scheme requires land capability assessment for subdivision.

Movement and Transport

Strong community support was expressed for for safe pedestrian and cycling across the Stuart Highway and within the Activity Centre.

Also, better connection to Howard Springs and the broader rural locality by extending Smyth and Stow Roads was supported, noting that potential environmental impacts on constrained land will need to be addressed.

The DIPL arterial traffic strategy includes:

- a second signalised intersection at the north-western end of Coolalinga providing a local road connection across the Highway; and
- a Highway pedestrian crossing between the two Coolalinga commercial areas.

The constructed cycleway along the old NAR corridor provides an active transport 'spine' from the regional urban centres via Berrimah through Palmerston and the Regional Hospital to Coolalinga. The cycleway is designed through to the bus interchange. Its continued development will increase the need for ancillary cycle paths within the activity centre, safe road crossings and end of trip facilities.

Area Plan Response

The Area Plan responds to these initiatives by:

- proposing new local roads to complement an interconnected local road network, and to increase options for viable active and public transport routes - Figure 11 below shows the existing and proposed local roads;
- indicating on the Coolalinga concept plans the pedestrian crossing and local road access points on the Stuart Highway; and
- proposing a cycle / pedestrian network that complements the active transport spine along the NAR corridor – refer Figure 12.

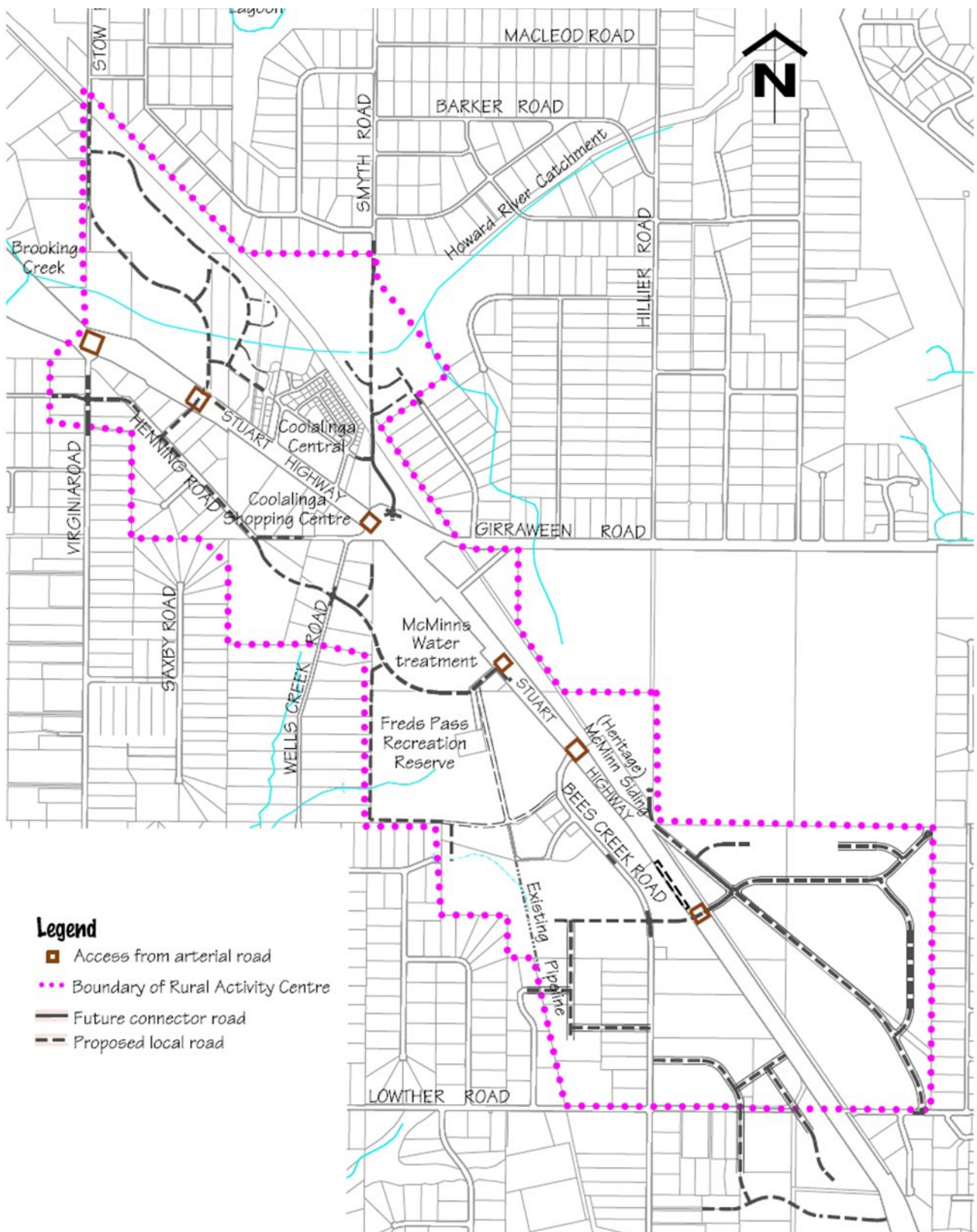
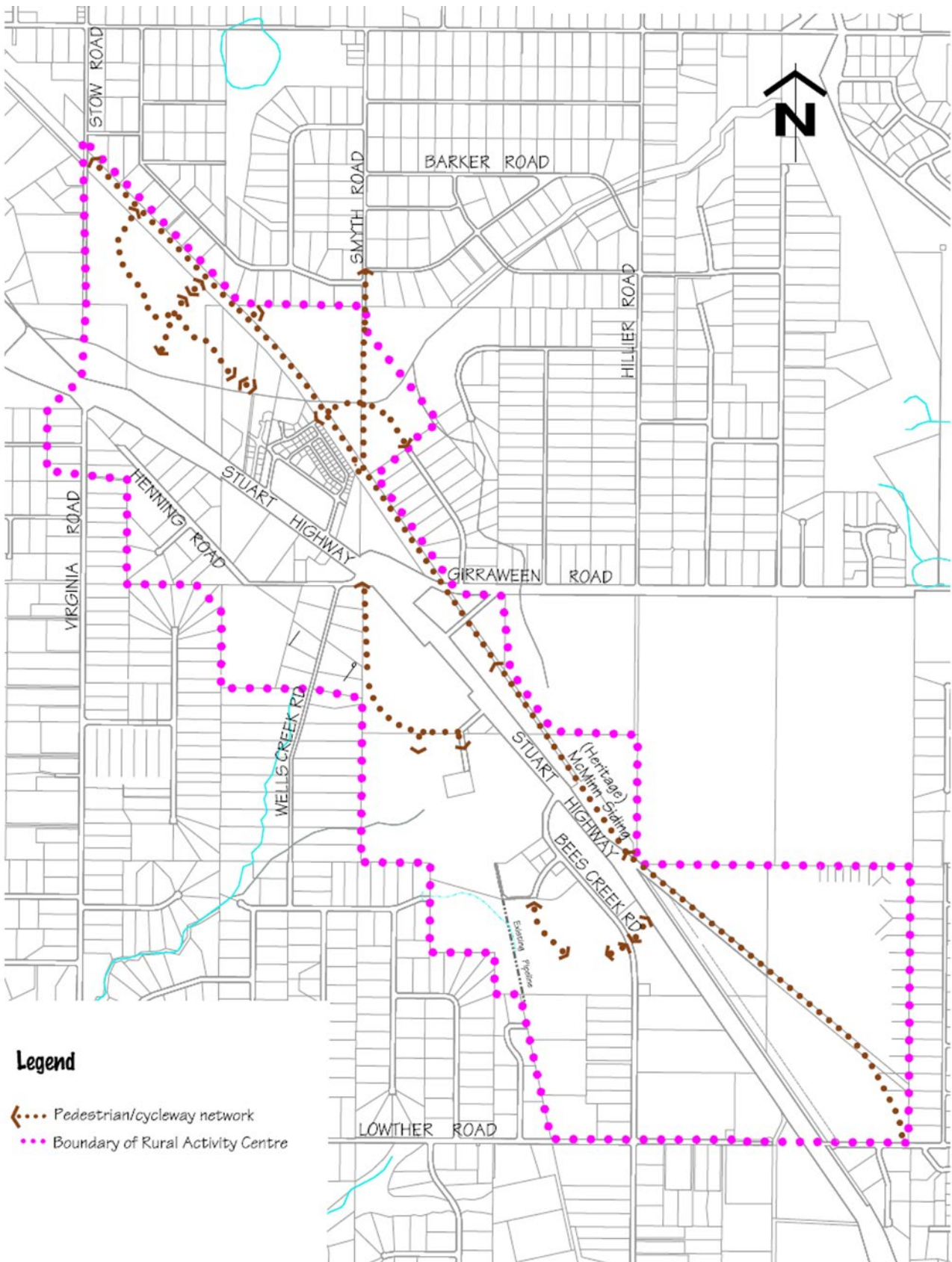


Figure 11 - Existing and Proposed Road Network



Legend

- ↳ Pedestrian/cycleway network
- Boundary of Rural Activity Centre

Figure 12 - Draft Cycle and Pedestrian Network

Residential Growth / Housing Choice

Community opinion was towards a balance of urban and rural residential choices. The Zone RR lots of 0.4 ha are widely supported within the rural activity centre, but some concern was expressed with the urban residential outcomes, especially in the medium density zones. The preferred minimum Zone SD lot is 800 m².

Area Plan Response

The Area Plan promotes urban residential in areas with convenient access to the commercial centres of Coolalinga. The Plan identifies rural residential areas to provide an effective buffer to the established rural living areas. The Plan includes a transition model for this purpose

Essential Infrastructure

In 2020, full reticulated services in the study area are limited to urban areas of Coolalinga. Service authorities have advised that significant infrastructure upgrades will be required for any future development in the rural activity centre. DIPL continues to investigate and plan for the delivery of trunk infrastructure to the locality.

Area Plan Response

The Area Plan guides infrastructure delivery to support growth in the activity centre. The Plan identifies urban growth areas which will help provide the economy of scale needed to upgrade and extend the existing infrastructure.

Planning Principle 5 of the Area Plan calls for urban utilities and developer contributions. The Plan also highlights some infrastructure issues, for example, Focus Area A calls for appropriate stormwater infrastructure to manage mosquito breeding and downstream impacts.

An Activity Centre for the Community

The community would like to see additional social infrastructure in the activity centre. Top of the list are swimming pool; community gardens and parks; education / craft centre; and facilities for the elderly.

Consistent with this theme, the community expressed strong support for Freds Pass Recreation Reserve and its possible expansion for future sporting needs. Many residents identified that the Recreation Reserve plays an important role in providing sports and recreation facilities at a subregional and regional level and that this role should be supported and strengthened as the Activity Centre grows.

The community also commented on 'place making' and aesthetic aspects of Coolalinga. While the convenience and amenity of the of Coolalinga commercial area is appreciated, the community commented on its 'highway commercial' character and poor visual amenity.

The desire for WWII heritage to be recognised was also raised, but it should be noted that, although the McMinn Siding on the NAR corridor and the nearby Sattler Airstrip in Freds Pass have recognised value they are not heritage listed sites. Similarly, the WWII artifacts on private land between Henning Road and the Highway had not, at the time of writing, undergone heritage assessment.

Area Plan Response

The Area Plan identifies significant areas of open space and community purpose land within the study area to support growth and respond to feedback received during consultation

The Area Plan proposes community land next to the bus interchange and on private land south of the new access intersection. Also, Crown land north of the new intersection is identified for a future retirement village.

In Freds Pass, the Area Plan identifies the opportunity to expand the Recreation Reserve onto Crown land immediately to the south.

Also in Freds Pass, Crown land is identified to support future education establishments.

The Area Plan encourages continued provision of retail and commercial services to the rural community; and promotes improvements to the commercial interface with the public domain.

Planning principle 6 provides objectives relating to the visual amenity and 'place making' opportunities for the Coolalinga commercial centre. The NAR corridor and WWII heritage are recognised as part of the identity of the rural activity centre

Focus Areas A and B

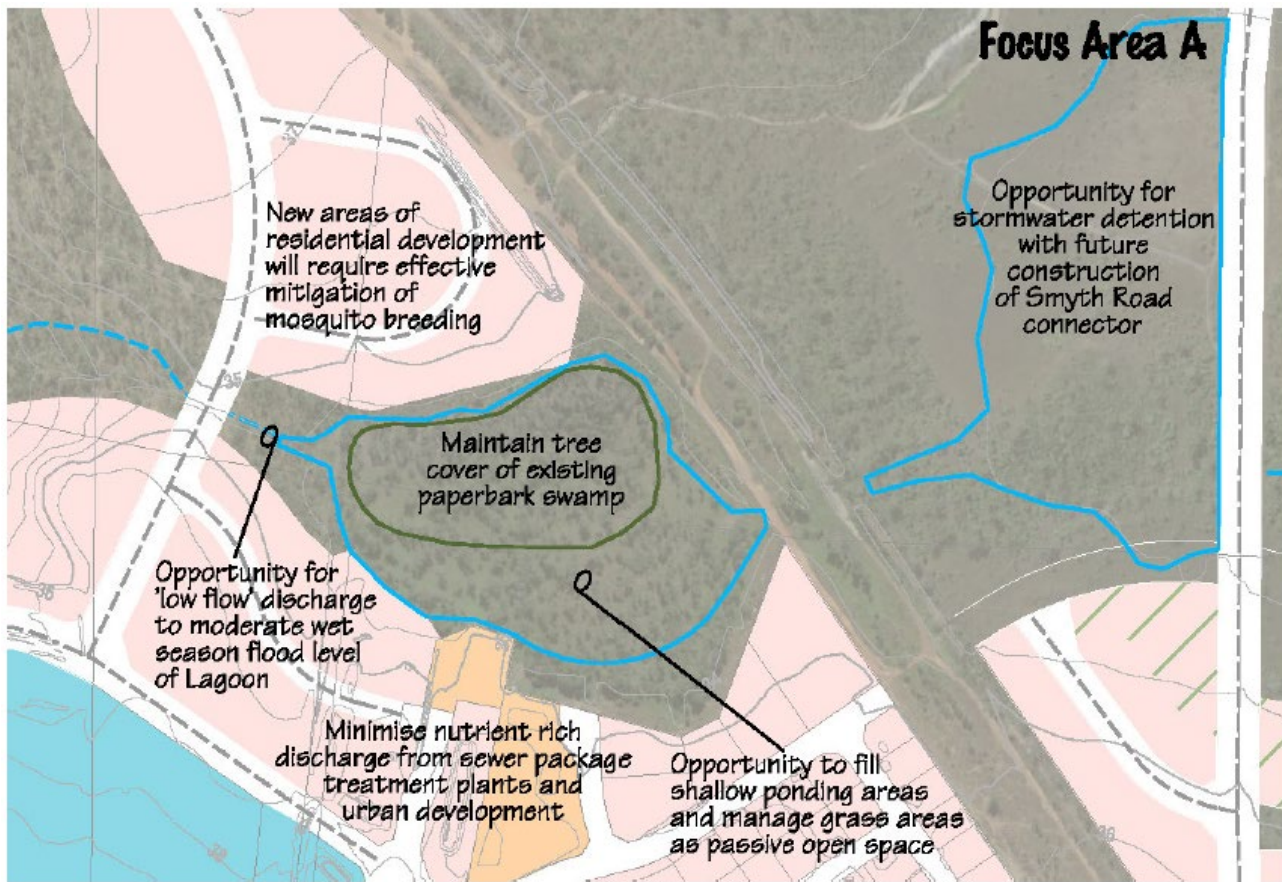


Figure 13 – Focus Area A – Stormwater Management and Mosquito Mitigation

The seasonal lagoon in the north-western corner of Coolalinga is a paperbark swamp. It is part of the natural drainage system and a habitat for native wildlife, including mosquitos.

The Area Plan seeks to retain the lagoon for its amenity as a natural area for active and passive recreation. This objective does not preclude modifications to the lagoon in order to minimise mosquito breeding.

For example, edge treatment to maintain minimum side slopes and depth will counter weed growth and provide access for predatory native fish. The retention of native vegetation will have an important role in shading the lagoon and minimising weed growth.

Urban development in this Focus Area must have regard to how it interacts with, and impacts on, this natural feature and associated drainage paths.

Prior to further development of land in this Focus Area, a strategy to manage mosquito breeding will have to be implemented.

A stormwater management plan will need to consider stormwater flows, nutrients and pollutants resulting from development and include measures to mitigate down-stream impacts on the receiving environment.

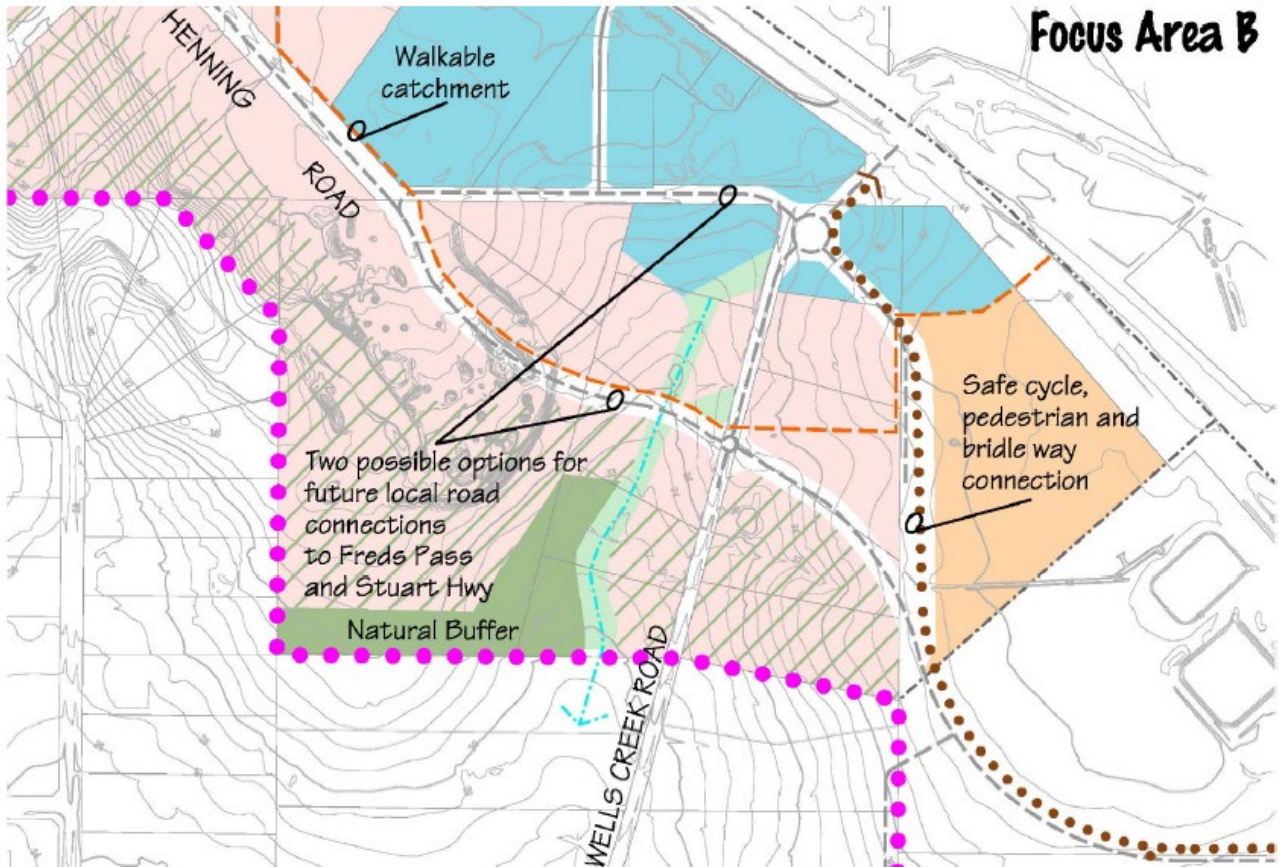


Figure 14 – Focus Area B – Framework for future urban residential area

The commercially zoned land along the north side of Henning Road supports a full-line supermarket and a range of convenience stores and businesses, including the local Post Office.

The land immediately south of Henning Road is undeveloped with potential for urban residential development that would benefit from the convenience of the existing shopping centre.

A cluster of Zone RL (Rural Living) properties at the north end of Wells Creek Road are within the walkable catchment of the shops and may be suitable to accommodate urban housing.

Comment from local land owners at the time of preparing the Area Plan was mixed, with some residents in opposition to land use change. In response, the Area Plan includes Focus Area B to protect the future opportunity for change.

This Focus Area is also important because, with future redevelopment, it holds the opportunity to connect the local road network through to Freds Pass. This initiative is viewed by the community as particularly important in order to provide a

safe corridor, especially for children on foot, cyclists and horse riders, to Freds Pass.

With Focus Area B, the Area Plan provides a policy framework to guide detailed planning for future urban residential development. This will involve the preparation of a plan to provide a framework for the co-ordinated development of this focus area.

The preparation of a detailed plan is to include an implementation strategy for local roads and supporting services. In this regard, a connection from Henning Road to Freds Pass is identified as an important prospective connection.

To integrate the Focus Area B into the existing rural area, a transition of lot sizes will be needed consistent with the policy already in the Area Plan.

The increase in residential density is likely to happen gradually through individual redevelopment opportunities as landowners realise the potential of their landholdings.

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Consequential changes to the Litchfield Subregional Land Use Plan

Background

In 2016, the *Litchfield Subregional Land Use Plan* was amended into the NT Planning Scheme. The Subregional Plan identifies that the Litchfield Subregion could accommodate a projected need for 500 dwellings over the next 10 years within existing rural activity centres.

The Subregional Plan identifies four rural activity centres with potential for growth. These are Howard Springs, Coolalinga / Freds Pass, Humpty Doo and Berry Springs.

In May 2017, the NT Planning Commission commenced public consultation to develop the currently proposed planning principles and area plan for the Coolalinga / Freds Pass Rural Activity Centre. The land use concept for the Coolalinga / Freds Pass Rural Activity Centre within the Litchfield Subregional Land Use Plan was used as the starting point for infrastructure investigations and community engagement to develop options for the draft area plan and planning principles.

Current Situation

The proposed Area Plan addresses the rural activity centre in more detail than the Subregional Plan and supports the concepts for land use change with planning principles, objectives and acceptable responses. Of necessity the Area Plan includes variations from the land use concept in the Subregional Plan, and in consequence there is a need to change the relevant pages of the Subregional Plan to remove any inconsistencies and to refer to the Area Plan as the paramount policy document for Coolalinga and Freds Pass.

Structure of proposed consequential change

Page 24 of the Subregional Plan discusses the Coolalinga / Freds Pass Rural Activity Centre and provides a statement of policy regarding the need to manage mosquito breeding sites in Coolalinga. The statement of policy will remain, but the text will be altered to refer to the Area Plan for detailed land use plans and supporting planning principles.

Page 25 of the Subregional Plan is the current land use concept for the Coolalinga / Freds Pass Rural Activity Centre. This plan will be deleted and replaced by a locality plan.

The consequential change will delete current pages 24 and 25, and replace with the amended pages 24 and 25. The current and proposed amended pages are included below.

COOLALINGA RURAL ACTIVITY CENTRE

This rural activity centre has two distinct areas being the commercial centre at the north, and the recreation and community uses at the south.

The old North Australia Railway corridor can function as a 'spine' linking the two areas.

COOLALINGA

Coolalinga continues to develop within the existing commercial zoning either side of the Stuart Highway. Commercial development can be expected to continue to grow inline with Litchfield's population and volume of passing traffic.

Coolalinga is in transition. Already a successful centre with a major supermarket, community services and public transport; commercial expansion will drive land use change. The demand for urban residential close to a growing range of services and facilities will bring redevelopment opportunities for private land within the rural activity centre.

Undeveloped Crown land north of the Highway has the capacity to extend the range of housing options supported by the commercial growth on that side.

The land use concept (opposite page) proposes rural residential as a buffer between urban land uses and the rural areas adjacent to the rural activity centre. Also, the old North Australian Railway corridor acts as a buffer in some locations.

The residential capacity of Crown land and undeveloped private land has the potential to underpin the provision of urban services.

The concept plan has a residential lot yield in the order of 50 multiple or small-lot dwellings, 500 urban lots and 150 rural residential lots.

FREDS PASS

To the southeast Freds Pass offers regional facilities for organised recreation and community land uses; primarily for future education and sports facilities.

The difficulty and associated cost of providing reticulated sewerage to Freds Pass precludes urban development in the foreseeable future.

The only commercial land in Freds Pass is the Zone TC (Tourist Commercial) site on Bees Creek Road. This is an opportunity for a caravan park or similar tourist facility providing accommodation during major sporting events.

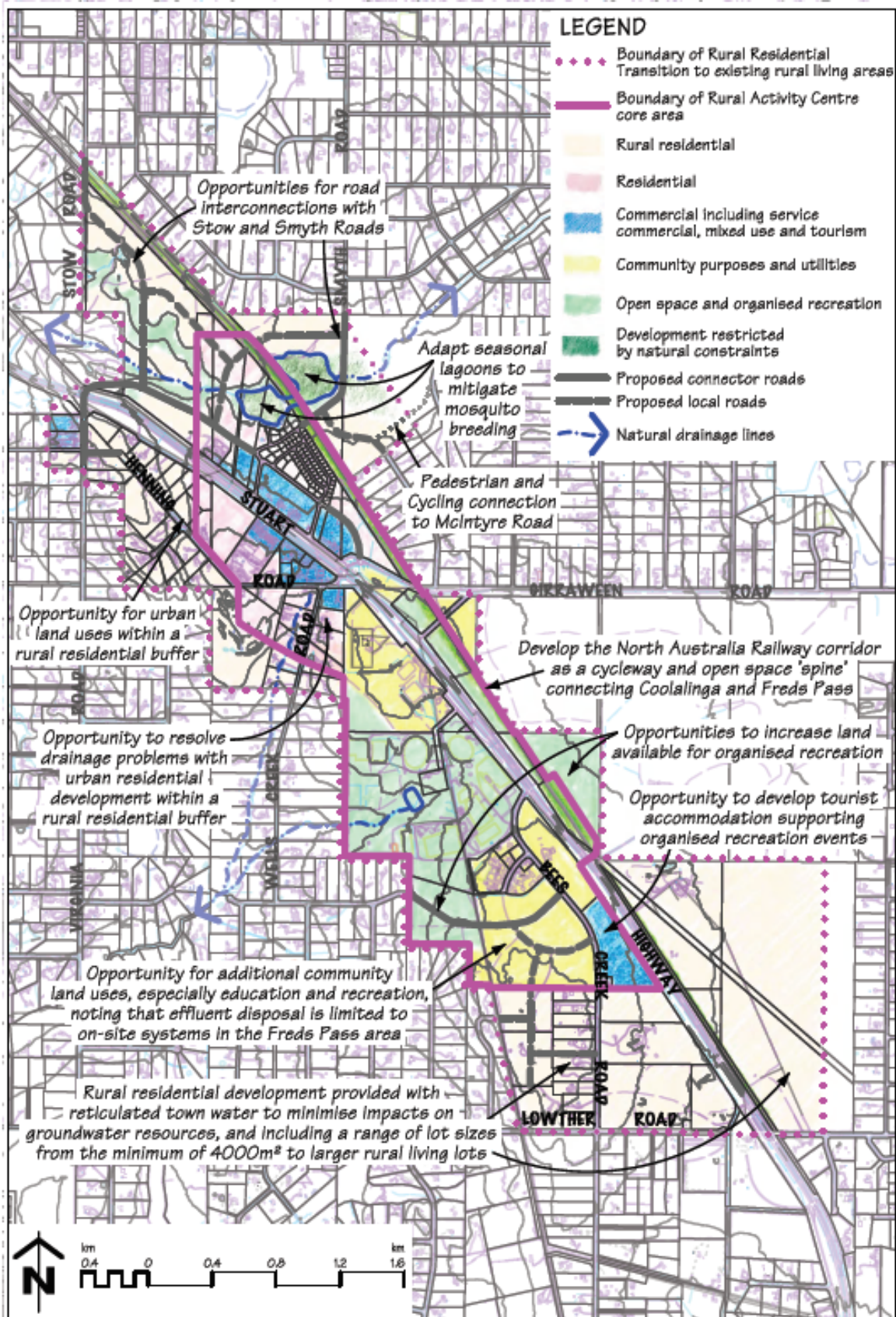
The concept plan identifies the future potential for areas of rural residential lots south of Freds Pass taking advantage of access to town water and proximity to the community facilities. Over time approximately 80 rural residential lots could be developed west of the Highway and 200 lots east of the Highway.

The following statements of policy relate specifically to Coolalinga and Freds Pass Rural Activity Centre.

MOSQUITO BREEDING SITES

- C1 Integrate urban residential areas in Coolalinga with the existing lagoons as public open space and mitigate mosquito breeding.
- adapt lagoon edges and implement stormwater management to mitigate mosquito breeding; and
 - enhance the environment of the lagoons to serve as public open space.





LAND USE CONCEPT FOR COOLALINGA AND FREDS PASS RURAL ACTIVITY CENTRE

COOLALINGA / FRED'S PASS RURAL ACTIVITY CENTRE

The locality plan on the next page shows the extent of the rural activity centre and the enclosed boundaries of Coolalinga and Freds Pass.

Together the two areas provide a rural retail and commercial centre at Coolalinga and a subregional recreation and community use area at Freds Pass.

The old North Australia Railway corridor functions as an active transport 'spine' linking the two areas.

In May 2020 the Area Plan for the Coolalinga / Freds Pass Rural Activity Centre was introduced into the Planning Scheme. The Area Plan was developed by the NT Planning Commission in consultation with the community to plan for growth and to guide decisions on future development.

The Area Plan superseded the land use concept that was on the next page. This plan is copied in the reference document - *Land Capability and Needs Assessment for Coolalinga / Freds Pass*.

COOLALINGA

Coolalinga is the largest commercial centre in the rural area and serves the Litchfield community with full-line supermarkets, community services and public transport.

As Litchfield grows and passing trade increases, commercial development is expected to continue to grow within the existing commercially zoned land either side of the Stuart Highway.

The demand for urban residential land close to expanding services and facilities will bring redevelopment opportunities within the rural activity centre. Almost all of this land is in private ownership and the pace of land use change will rest on the aspirations of individual land owners.

The Area Plan includes land use concepts and planning principles for future land use change. Plans 3 to 6 and principles 7 to 10 guide the future opportunities for urban development close to facilities. Undeveloped Crown land north of the Highway is identified as an opportunity for a future retirement village, thus extending housing options supported by continued commercial growth.

The future local road connections via Madsen Road to Howard Springs Road and via Smyth Road to Coolalinga are shown; and future cycleway linkages are indicated.

The Area Plan identifies the potential additional urban residential lot yield in the order of 250 multiple or small-lot dwellings, and 500 urban lots.

In the transition areas around Coolalinga, approximately 70 rural residential lots could be developed over time.

The following statement of policy is in relation to a wet season lagoon in Coolalinga 'north'.

MOSQUITO BREEDING SITES

C1 Integrate urban residential areas in Coolalinga with the existing lagoons as public open space and mitigate mosquito breeding.

- adapt lagoon edges and implement stormwater management to mitigate mosquito breeding; and
- enhance the environment of the lagoons to serve as public open space.

FRED'S PASS

Freds Pass offers regional facilities for organised recreation and community land uses; primarily for education and sports facilities.

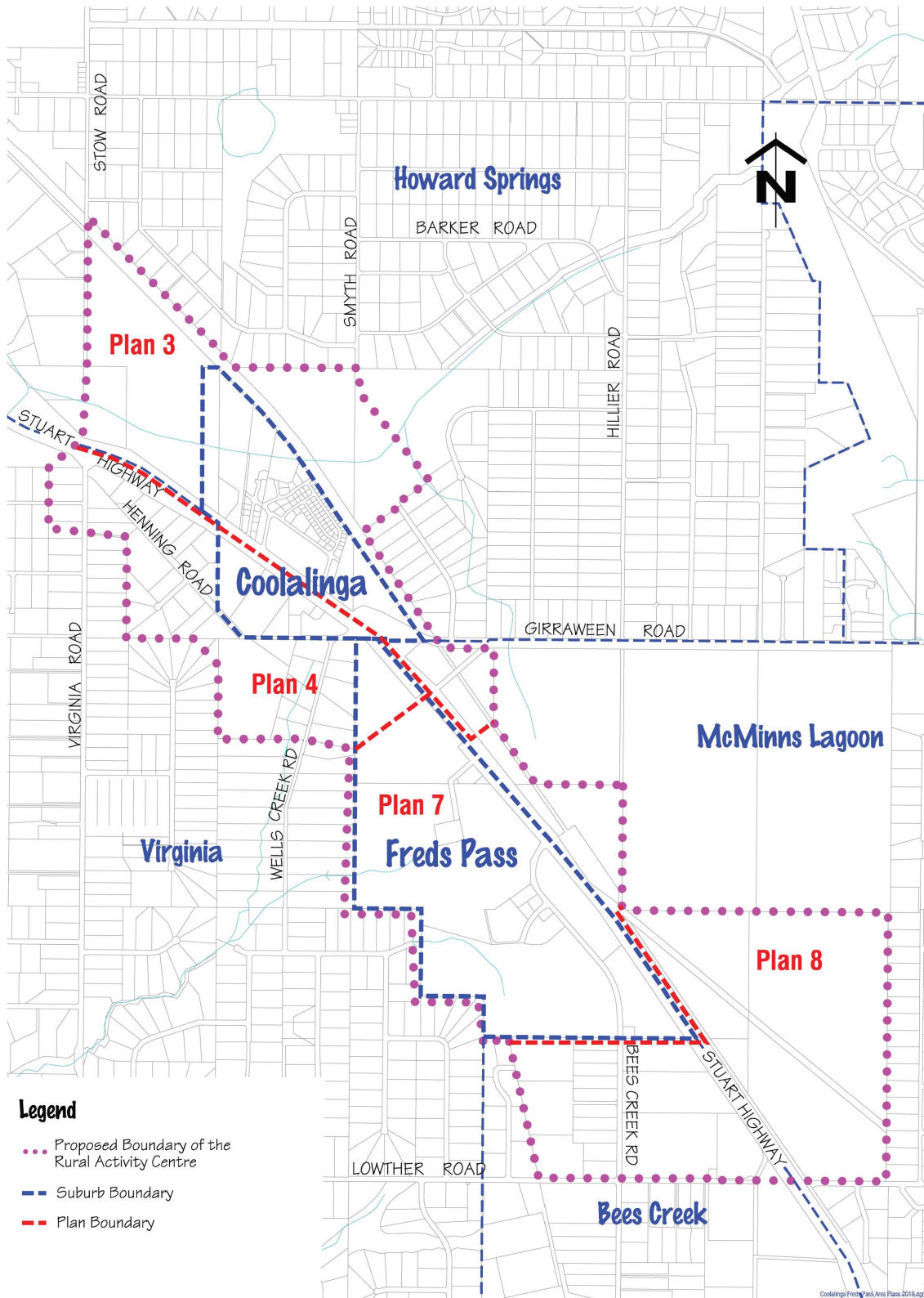
The difficulty and associated cost of providing reticulated sewerage to Freds Pass precludes urban development in the foreseeable future.

The only commercial land in Freds Pass is the Zone TC (Tourist Commercial site on Bees Creek Road. This is an opportunity for a caravan park or similar tourist facility providing accommodation during major sporting events.

Plan 7 and planning principles 11 and 12 of the Area Plan address the future opportunities for recreation and community uses in Freds Pass.

Plan 8 and planning principle 13 of the Area Plan identifies the future potential for areas of rural residential lots south of Freds Pass taking advantage of access to town water and proximity to the community facilities.

Over time approximately 80 rural residential lots could be developed west of the Highway and 200 lots east of the Highway.



LOCALITY PLAN FOR COOLALINGA AND FRED'S PASS RURAL ACTIVITY CENTRE



COUNCIL REPORT

Agenda Item Number:	15.3
Report Title:	Proposed Update to the Litchfield Subregional Land Use Plan - Gunn Point Peninsula
Author:	Wendy Smith, Manager Planning and Regulatory Services
Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	19/08/2020
Attachments:	A: Discussion Paper July 2020 Proposed Update to the Litchfield Subregional Land Use Plan – Gunn Point Peninsula B: Proposed Updates to Litchfield Subregional Land Use Plan – Gunn Point Peninsula C: Letter of Comment on Discussion Paper and Proposed Updates to the Litchfield Subregional Land Use Plan – Gunn Point Peninsula

Executive Summary

The NT Government has released a Discussion Paper (Attachment A) and Proposed Updates (Attachment B) to the Litchfield Subregional Land Use Plan (LSLUP) for the Gunn Point Peninsula. The Discussion Paper provides some background information on recent studies in the area and poses questions for the public on the future development of the Gunn Point Peninsula. The Proposed Updates provide details of proposed text amendments to the existing LSLUP strategic planning document. This report reviews the material provided and provides a set of recommended comments (Attachment C) for Council endorsement in relation to this latest planning for the Gunn Point Peninsula.

Recommendation

THAT Council:

1. receive and notes the report; and
2. endorse Attachment C, Council's Letter of Comment on the Discussion Paper and Proposed Updates to the Litchfield Subregional Land Use Plan – Gunn Point Peninsula.

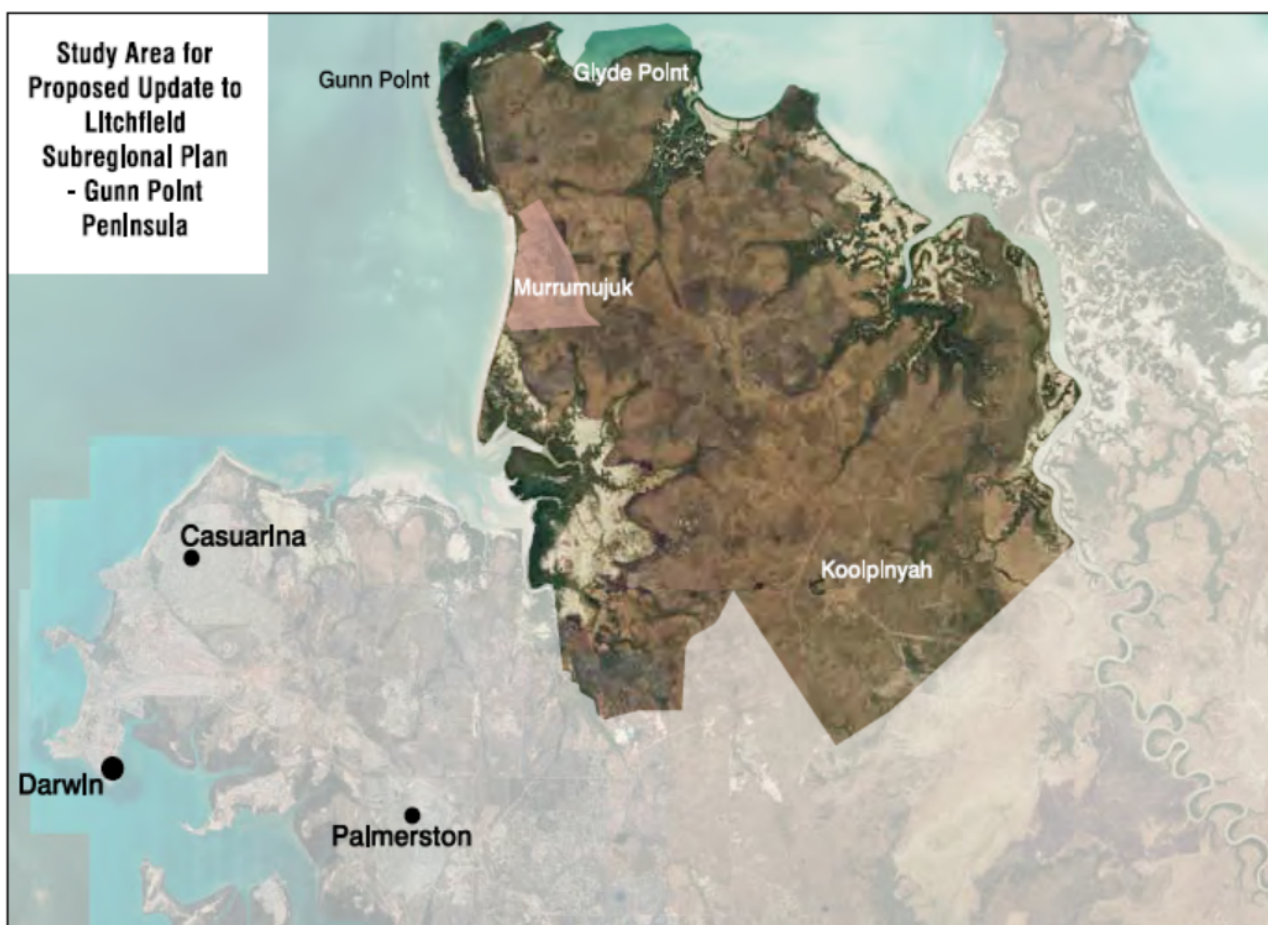
Background

The NT Government has identified increased recent interest in the Gunn Point Peninsula and has conducted extensive investigations into natural resources in the locality. These recent investigations have led to a necessity to update the portions of the LSLUP, originally adopted in 2016, that relate to the Gunn Point Peninsula.

The LSLUP is a long-term strategic plan that identifies future proposed land uses and infrastructure required to support those uses. In particular, the LSLUP seeks to protect the long-term sustainability of groundwater resources in the Litchfield area by identifying locations suitable for residential development and requiring the higher density products and smaller lot size developments to be connected to reticulated water.

The Discussion Paper and Proposed Updates have been provided at this time to pose questions and seek comments on proposed changes to the LSLUP for the land uses in, and policy statements that guide development for, the Gunn Point Peninsula. Following this consultation, a Planning Scheme Amendment Application will be prepared and placed on public exhibition for comment, prior to consideration by the Minister for adoption into the LSLUP; Council will have additional opportunity to comment on the proposal at that time.

The study area for the Gunn Point Peninsula is shown in the following map.



Source: Discussion Paper July 2020 Proposed Updates to the Litchfield Subregional Land Use Plan

Discussion Paper

The Discussion Paper presents information on recent natural resources and groundwater studies for the locality, presents proposed changes to the land uses expected in the area, includes a Concept Plan for the future Township of Murrumujuk; comments are welcomed from the community on these topics.

Natural Resources and Groundwater

The NT Department of Environment and Natural Resources (DENR) have completed studies on land, biodiversity, and water resources for the locality. Specifically, the groundwater assessments have informed proposed revisions to the LSLUP land use allocations. Areas have been classified as having good potential for development that relies on groundwater, such as horticulture; areas that have limited access to groundwater and would likely need to have land uses that are less reliant on groundwater or have water from another source; and areas that are not suitable at all for development that relies on groundwater. For the latter category, development may still be able to occur in those areas, if water is provided from an alternate source.

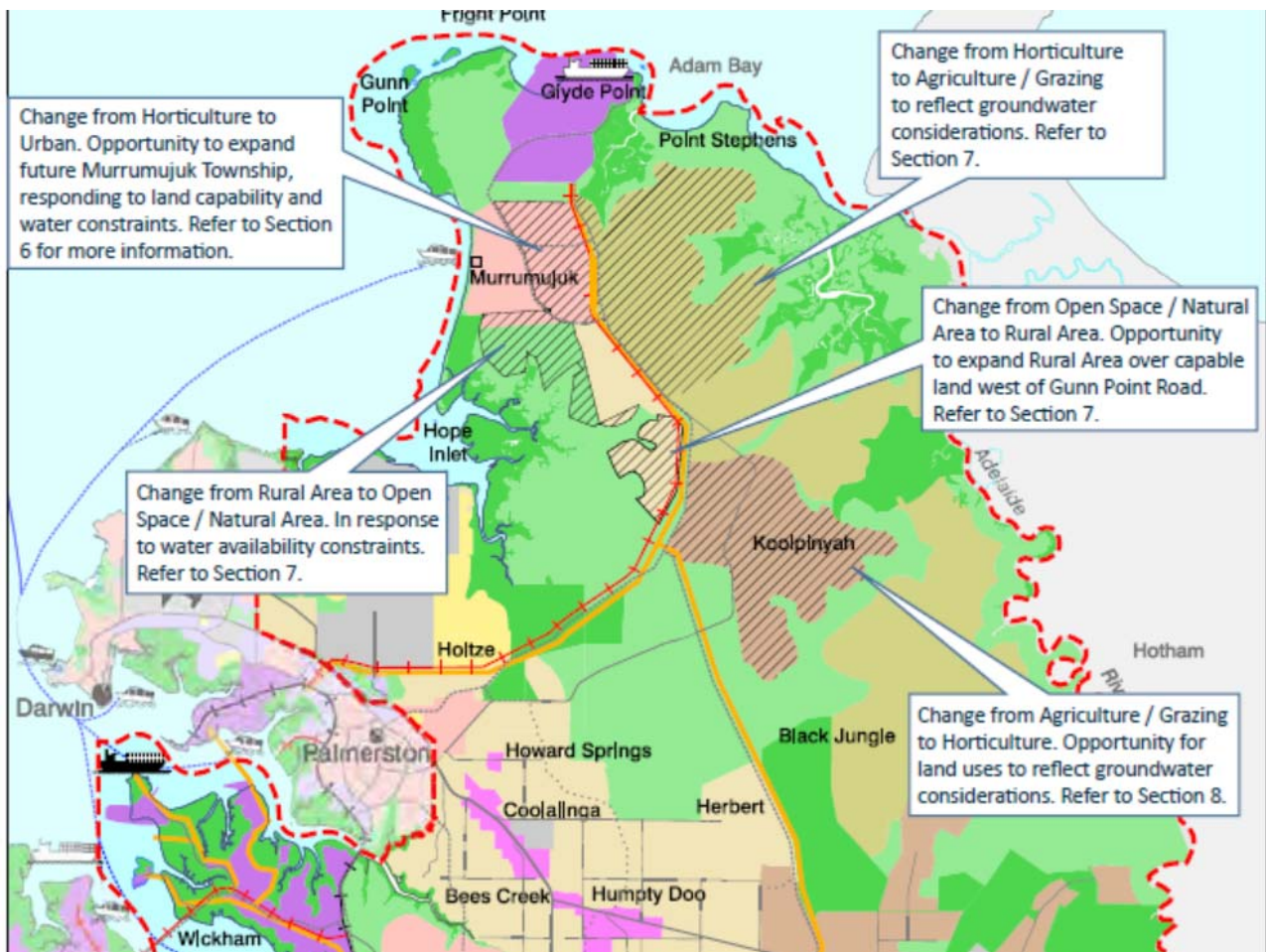
It is recommended that Council rely on the extensive studies undertaken by DENR to inform the proposed updates to the LSLUP and advocate to government to provide funding for infrastructure for reticulated water to support proposed development in this area, should development go ahead.

It is recommended that Council support DENR's recommendations for areas restricted from development due to limited groundwater availability.

It is further recommended that any changes to proposed land uses that promote uses requiring as yet unprovided reticulated water be accompanied by plans that identify how and when that infrastructure is to be provided to the area. By leaving out plans for future infrastructure provision, the strategic plan can give a false sense that the plans are able to progress at any time, when in fact the plans cannot progress without further infrastructure planning and funding.

Land Use Plan Changes

Several changes have been identified in the land use categories that comprise the Gunn Point Peninsula. These changes are best detailed within the following map.



Source: Discussion Paper July 2020 Proposed Updates to the Litchfield Subregional Land Use Plan

It is recommended that the changes to the allocations for horticulture, agriculture/grazing, and rural residential and open space be supported, as these changes are based on the availability of groundwater to appropriately service the noted uses.

It is noted that the proposed area for urban development borders areas along the foreshore that are currently used for recreational activities. Further planning and community engagement must be undertaken as plans progress for the township to reconcile the community to ability, or not, to accommodate both of these uses in the locality.

The most significant change is that the area of the proposed Township of Murrumujuk for urban development has doubled, to approximately 3000 hectares in size. This area is proposed to support approximately 36,000 people, or another complete town the size of Palmerston. This would represent a significant change, not only for the Gunn Point Peninsula, but for the Litchfield Municipality as a whole. The expected timing of this development is to occur upon the development of a deep water port and strategic industry being located at Glyde Point. The primary driver behind the township will be to provide residential, commercial, and community development to support the port and the associated workers.

The plan's stated necessity for the proposed size of Murrumujuk to support infrastructure provision to the area is noted. However, there is concern over the availability of funding for this infrastructure to coincide with development of the port. The LSLUP should include a proposed timeline for development of each of the urban areas within the plan. Currently, it is unclear which development is prioritised and there are concerns that a new town could be provided with expensive

infrastructure servicing before existing long-term residents are provided with reticulated infrastructure, as well as transport and community upgrades, to service the existing needs of the community.

Concept Plan

The proposed Concept Plan is therefore necessarily vague to avoid pre-empting development that may be some time off in the future.

At this time, it is unclear what densities would be proposed to support the amount of residential development noted above. When development of the area becomes imminent due to planned port development, an Area Plan is proposed to be developed for Murrumujuk that would provide greater details on proposed town site layout and urban density/lot size arrangement.

It is, however, recommended that the plan avoid showing four way cross intersections on major roads that, while schematic at this point, could create expectations for future development that would result in extensive intersection expenses.

Proposed Updates to the LSLUP

The proposed updates state where changes are proposed to the current LSLUP in relation to the Gunn Point Peninsula. In some cases information is proposed to be replaced, in other cases new information gained from recent studies and further planning is proposed to be inserted to better guide future strategic planning. Most significant are new Statements of Policy proposed to be inserted to guide development of the area.

It is recommended that proposed updates related to updating the information on strategic and primary industry, as well as transport, based on the outcomes of recent studies and capital works can be supported.

Proposed updates related to denoting the importance of active recreation activities currently occurring in the area, including hunting, fishing, and camping, and the need to balance these activities with preserving the natural environment can also be supported.

The information presented on groundwater could be enhanced by inclusion of the mapping found in the Discussion Paper on the availability of groundwater in the locality.

The statements of policy related to the development of a Township of Murrumujuk are fairly common principles for urban development and can be broadly supported. However, the following recommendations are made to clarify items in the text:

- In Section 4, following notations of responding to environmental considerations, specific comment should be included regarding the need to address biting insects;
- In Section 5, references are made to medium density housing; however, medium density housing is undefined. Additional information is required to clarify the intent of the type of development to be expected;
- Also in Section 5, repeated references are made to “workforce accommodation”. The meaning of this term is unclear – the term could apply to an Inpex-type workers’ village, affordable housing, or key worker housing, all of which result in very different development types. Clarification of this term is required to ensure expectations are clear to all.
- While Section 5 notes that tourism development should be integrated into the built environment of the Township, consideration should be given to developing principles for

development of a land use category or recreational development that provides the same purpose of the existing recreation development in the locality, namely that it is away from development instead of integrated into the town. If the intent is for the area to wholly lose the more wilderness variety of recreational entertainment, that intent should be clearly stated somewhere in the updates to the LSLUP, again to confirm standard expectations for all.

Summary

In conclusion, it is recommended that Council can broadly support the proposed updates to the LSLUP as stated in the exhibited documents. It is recommended that Council provide a letter of comments noting for which areas there is strong support, areas where additional clarification is required, and areas where minor amendments are needed.

Links with Strategic Plan

A Great Place to Live - Development and Open Space

Legislative and Policy Implications

The next step in the planning process will be for the Minister to advertise a Planning Scheme Amendment Application to incorporate final proposed changes to the LSLUP in relation to Gunn Point. All future Planning Scheme changes, rezoning, development and subdivision applications in the locality should be assessed against the final adopted version of the LSLUP.

As this area is within the Litchfield Municipality, it would be expected that any future distributor, collector, and local roads created would be dedicated to and become the responsibility of Council, as are typically any public open space areas required to support urban development in the locality.

Risks



Service Delivery

Should a new town eventually be created in the municipality, Council would be expected, at a minimum, to provide a similar level of services to the new area as to existing Council areas. Given the more urban nature of the development proposed, it is possible that a greater level of services similar to those associated with urban developments in other localities may be expected by new residents. While the expected development of this area is at an unforeseen time in the future, Council should be aware that when developed, additional servicing of the area will be required.

Financial

Commensurate with an upgrade in servicing, finances must increase to support those upgrades. It is imperative that the rates Council acquires as a tax on the land be able to assist in covering a portion of Council services required for the area.

Community

The purpose of the NT Government's consultation is to engage the community at an early stage and to strategically plan for future development. However, it is acknowledged that many people both from the Litchfield Municipality and the wider Top End community utilise the NT Government-owned open spaces in Gunn Point for active recreation pursuits. The development of a new town in the locality may not be compatible with some of the existing uses of the area and some segments of the community may not support development in this area.

Environment

Extensive environmental studies have been undertaken by the NT Department of Environment and Natural Resources prior to releasing these documents to the public. Should development proceed in accordance with the proposals within the plan for protection of natural resources, there should be low risk to the environment as a result of the proposed updates.

Community Engagement

The NT Government is undertaking consultation on these proposed changes with the wider community. Council staff have been involved in a working group over a number of months on proposed changes to the LSLUP for the Gunn Point Peninsula.

Proposed Update to the
**Litchfield Subregional
Land Use Plan -
Gunn Point Peninsula**

**REVIEW OF THE LAND USE FRAMEWORK
FOR GUNN POINT PENINSULA, INCLUDING
THE MURRUMJUK TOWNSHIP**

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1. Context and Purpose

Increased interest in the use of land within the Gunn Point Peninsula and the outcomes of recent natural resource investigations have triggered a broad review of the land use structure identified by the Litchfield Subregional Land Use Plan (2016).

This paper has been prepared to help you get involved in the NT Planning Commission's project to update the Litchfield Subregional Land Use Plan 2016 (LSLUP), particularly as it relates to Gunn Point Peninsula and the future Township of Murrumujuk.

How you can be involved

This stage of the project is an opportunity for you to be involved and have your say through learning more about the project, talking with planners, completing a survey, or making a submission to the Northern Territory Planning Commission.

Visit haveyoursay.nt.gov.au to access related documents relevant to the project and provide feedback.

What we want to know

Keep an eye out for the 'Tell Us' boxes throughout this document. These questions might help you prepare a submission, respond to the survey, or talk with our team.

Your thoughts, comments, and questions will help us to refine the updates to the Litchfield Subregional Land Use Plan.

What this discussions paper does

This discussion paper outlines how you can be involved, what we understand from previous studies and projects, what needs to be considered in updating the Litchfield Subregional Land Use Plan and an overview of proposed changes.

The Project Background section of this discussion paper addresses influences on land use and development that apply across the whole study area.

The Review of the Land Use Plan section proposes a revised structure plan for parts of Murrumujuk in response to the most recent land capability information available. This section also discusses several unique localities within the study area and influences and priorities relevant to each area.

Related Documents

More detailed information on all the proposed updates to the LSLUP can be found within the 'Proposed Updates to Litchfield Subregional Land Use Plan - Gunn Point Peninsula' document which is available from the [Have Your Say](#) web page and the [NT Planning Commission](#) website.

New Statements of Planning Policy within the LSLUP are proposed for inclusion in the LSLUP and are outlined in the Proposed Update to Litchfield Subregion Land Use Structure Plan - Gunn Point Peninsula document.

Statements of Policy within the LSLUP are also proposed to guide the future detailed design of the Murrumujuk Township and outline considerations for the future preparation of an Area Plan for the Township.

2. Understanding the Project

The Study Area

Gunn Point Peninsula (the 'Study Area') encompasses an area of approximately 327 km². It is located east of Darwin, 60 km from the CBD and it is 40 km from Palmerston. The Study Area lies within the municipality of Litchfield.

There are very few permanent residents within the Study Area, however there is a high level of visitation for a range of recreational pursuits, including access to popular fishing locations. The sealing of Gunn Point Road has increased activity and interest in the area.

Murrumujuk was first identified in 1984 as having potential for a rural centre providing opportunities for recreation.

The Darwin Regional Land Use Plan 2015 confirmed an opportunity for strategic industry to be established in the far-term at Glyde Point and identified strategic industry and a potential deep water port on the Darwin Region Structure Plan.

Guiding Principles for this Update to the Litchfield Subregional Land Use Plan - Gunn Point Peninsula

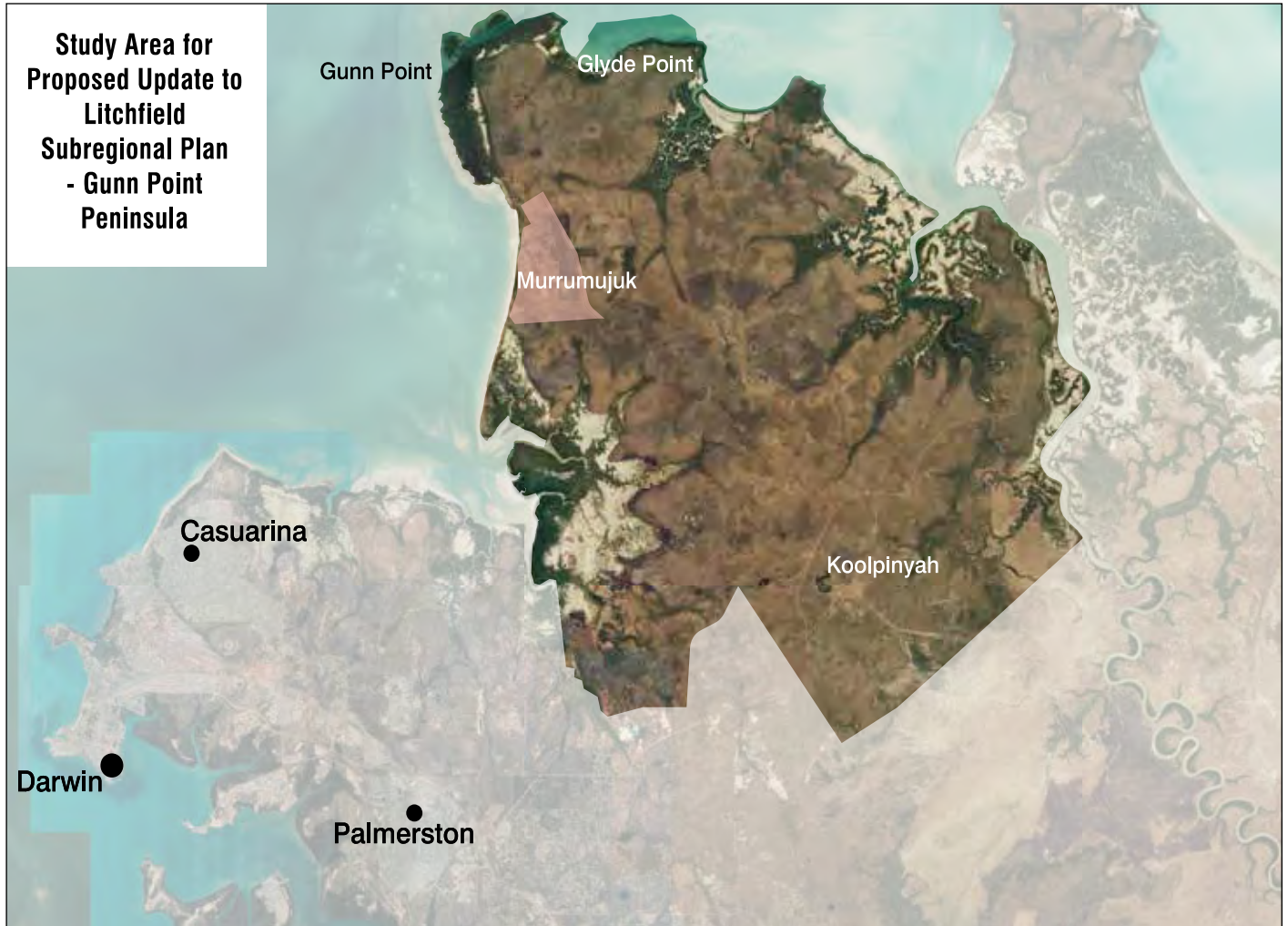
The work seeks to update the Litchfield Subregional Land Use Plan (LSLUP) to:

- respond to cultural, historical and natural assets of the locality;
- provide opportunities for residential and economic growth;
- enable tourism ventures that respond to environmental, cultural and recreational opportunities;
- protect the transport and infrastructure corridors required for development on the Gunn Point Peninsula; and
- support detailed planning for Murrumujuk at a future time.



Image: Related document - Proposed Updates to Litchfield Subregional Land Use Plan - Gunn Point Peninsula.

Figure 1: Gunn Point Peninsula Study Area.





3. Litchfield Subregional Land Use Plan

The Litchfield Subregional Land Use Plan (LSLUP) is a long-term plan that identifies land to support growth while supporting rural uses.

The LSLUP seeks to protect the long-term sustainability of groundwater resources by identifying locations for residential and rural residential lots on reticulated town water.

Since 2016 the LSLUP has identified the potential for several land uses on the Gunn Point Peninsula including:

- horticulture / agriculture / grazing;
- a deep water port;
- strategic industry;
- a rural area;
- a railway and utility corridor; and
- the future township of Murrumujuk.

There are no current plans for defence infrastructure within the Gunn Point Peninsula.

Figure 2 on page 6 illustrates the current version of the Litchfield Subregion Land Use Structure Plan found within LSLUP.

Mapping the Future - Natural Resource Assessments

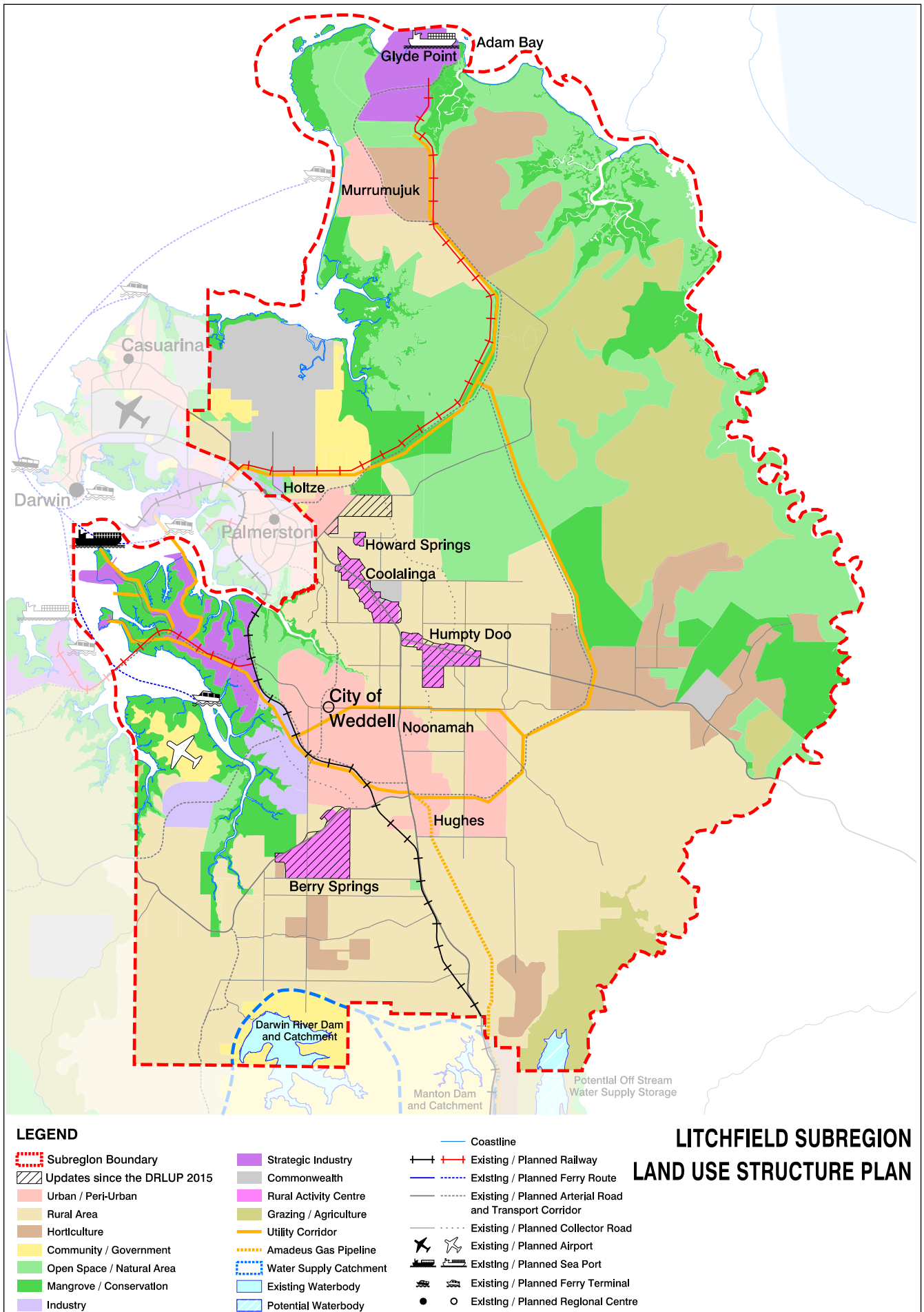
The current version of the LSLUP is based on historic information for land capability and water availability.

The Department of Environment and Natural Resources (DENR) recently completed the Mapping the Future - Gunn Point project. This was a comprehensive study to assess and map the natural resources of the Gunn Point area.

The Mapping the Future - Gunn Point project focused on:

- soil and land capability;
- identification and distribution of biodiversity assets; and
- groundwater availability.

Figure 2: Current Litchfield Subregion Land Use Structure Plan.



4. Outcomes of Natural Resource Investigations

Land, biodiversity and water resource information from the Mapping the Future project has been used to identify and classify areas across the Gunn Point Peninsula with different development potential. Figure 3 on page 8 summarises the outcomes of the natural resource investigations, with a focus on development that is dependent on groundwater use.

Areas shown as Class 1, and coloured green on the map, have been identified as having good potential for development that relies on groundwater. These are areas that have good access to high quality groundwater, good soils and low risk to biodiversity. These areas could support land uses such as horticultural development. These areas make up nearly one third of the land within the Study Area.

Areas shown as Class 2, and coloured orange on the map, have limited access to quality groundwater. Land uses in these areas would need to be less reliant on groundwater as allocation will be limited, or supplied with water from another source.

Class 3 areas, shown in red on the map, are not suitable for development that relies on groundwater. This however does not necessarily mean that development should be excluded in these areas entirely, rather that development would need to be supplied with water from sources other than the local groundwater and there may be other land capability factors to consider.

Even with the constraints of Class 2 and 3 areas, nearly half of the Gunn Point study area may be suitable for general development that is not reliant on groundwater.

With this current information about land capability, the land use structure plan can be updated to reflect the highest and best use of land, while protecting and preserving areas of the landscape that are important to the environment and the community.

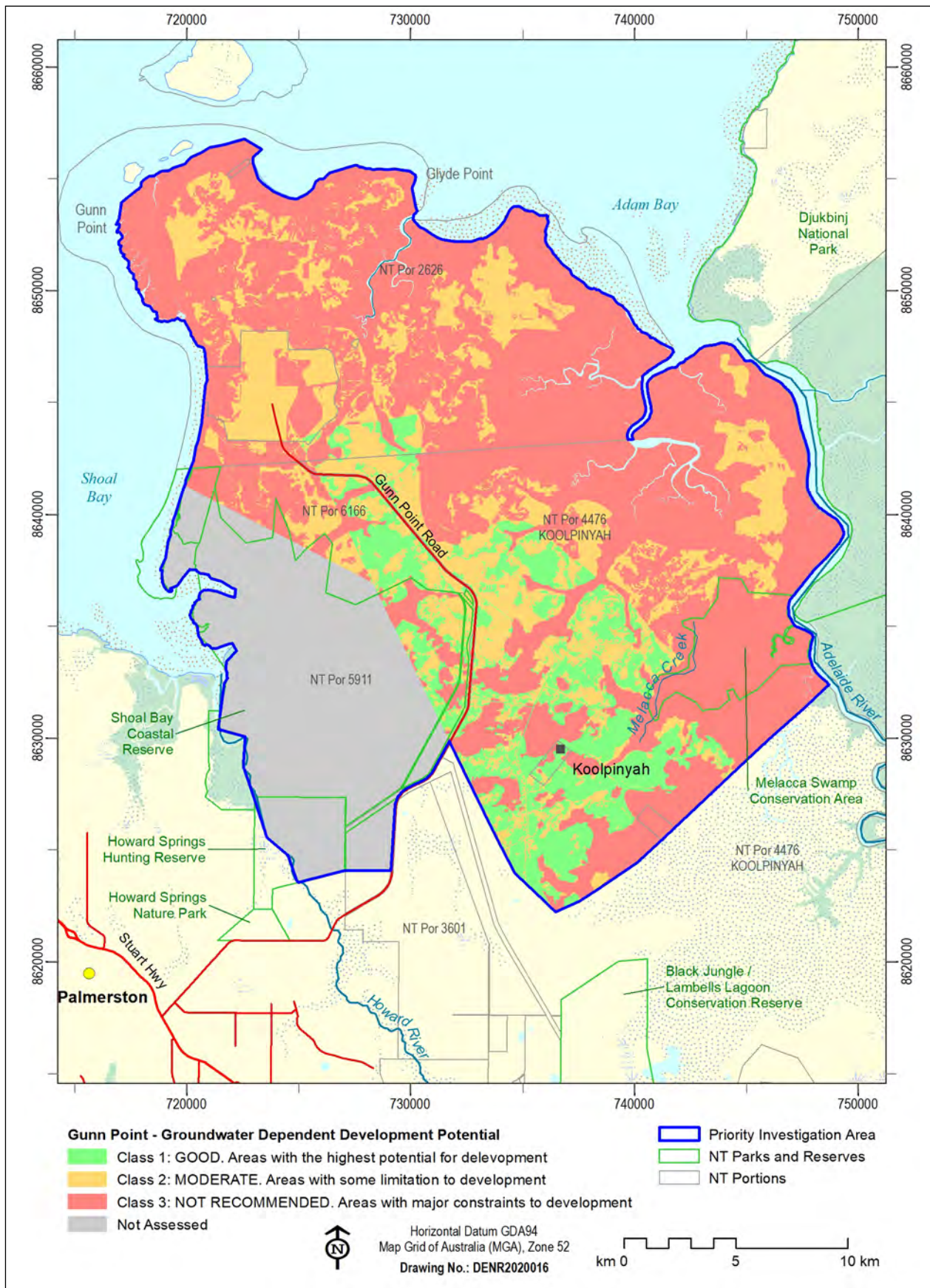


Image: Related document - Development Potential of the Gunn Point Area - Mapping the future.

MORE INFORMATION ON MAPPING THE FUTURE

Visit www.denr.nt.gov.au/developmentopportunities for more information on this project.

Figure 3: Groundwater Dependent Development Potential.





5. Summary of the Review of the Land Use Plan

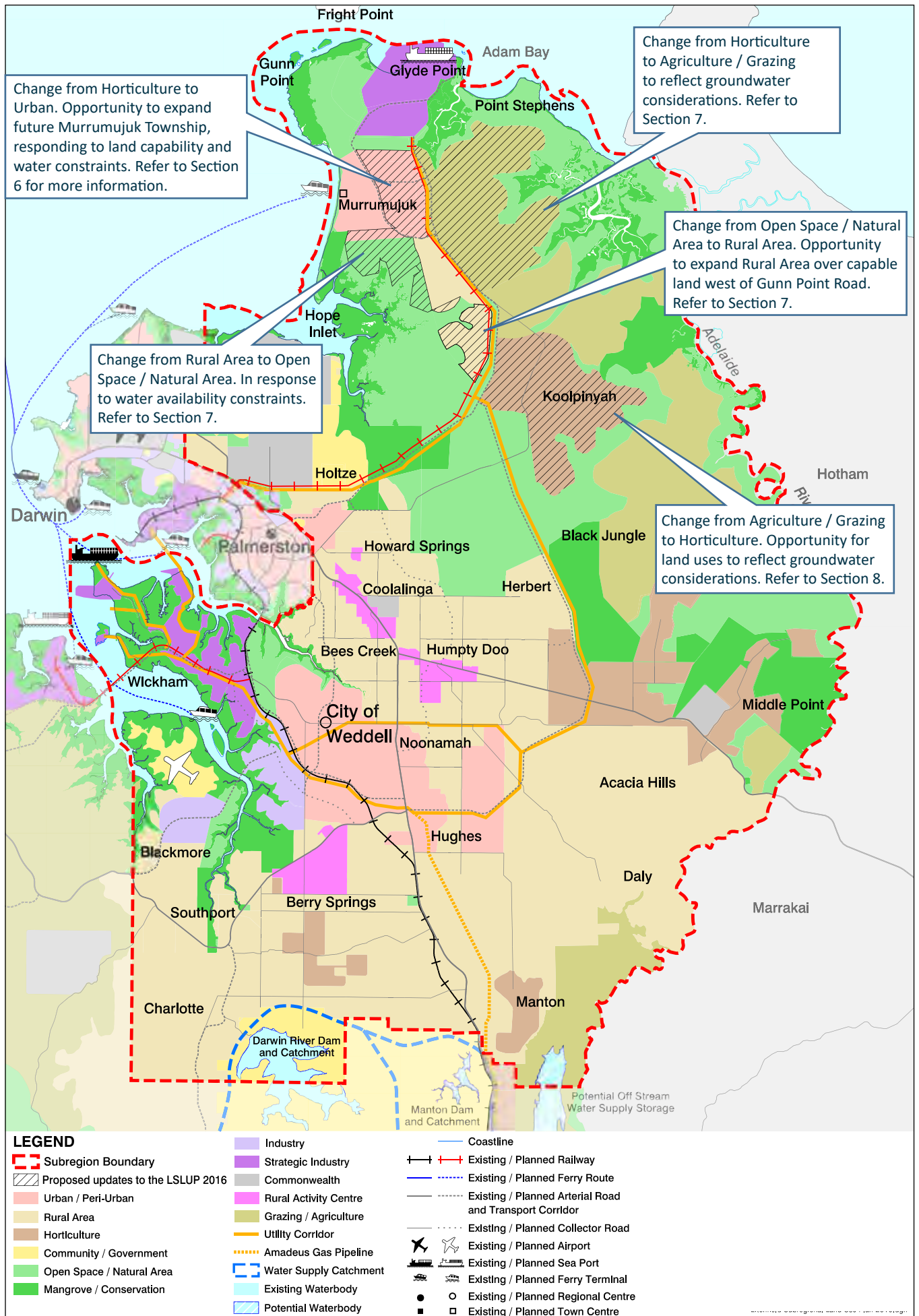
The review of land uses identified by the LSLUP over Gunn Point Peninsula (Figure 2) has:

- not resulted in the need to change direction away from the aspiration of a potential deep water port and strategic industry at Glyde Point;
- identified an area east of the Murrumujuk Township that the settlement may expand into. This is depicted in Figures 4 & 5 and discussed in more detail on page 11 of this Discussion Paper;
- identified an area south east of the Murrumujuk Township, adjacent to Gunn Point Road that may be suitable for rural purposes. This is depicted in Figures 4 & 6 and discussed in more detail on page 13 of this Discussion Paper;
- identified that the rural area immediately south of the Murrumujuk Township should be identified as Open Space / Natural Area with an Urban / Peri-urban area on town water. This is depicted in Figures 4 & 6 and discussed in more detailed on page 13 of this Discussion Paper - it is worth noting that the future development potential of the Urban / Peri-urban area in this location may be limited due to biting insect constraints; and
- confirmed the capability of land east of the proposed railway and utilities corridor for horticulture and agriculture purposes. This is depicted in Figures 4 & 7 and discussed in more detail on page 15 of this Discussion Paper.

THE PROPOSED LAND USE RESPONSE

The updates to the LSLUP for Gunn Point Peninsula will respond to land capability and limited groundwater availability by proposing a reconfiguration of some land uses and outlining the conditions for developing land.

Figure 4: Proposed modifications to the Litchfield Subregion Land Use Structure Plan.



6. An Expanded Murrumujuk Township

The area for the future Murrumujuk Township is proposed to be increased. The draft Concept Plan for Murrumujuk at Figure 5 and Statement of Planning Policy have been prepared for inclusion in the LSLUP. For further information on the statements of policy proposed, please refer to the 'Proposed Updates to the Litchfield Subregional Land Use Plan - Gunn Point Peninsula' document which is available from the Have Your Say web page.

The Murrumujuk Township is proposed to expand into an area previously identified for horticulture.

We now know from the Mapping the Future investigations, that there is insufficient groundwater in this area to support horticultural development.

The following matters were also considered in the preparation of the draft Concept Plan.

Water

- Murrumujuk will need to be connected to reticulated (town) water as there is limited groundwater available.

A larger Township

- The existing area identified for the Murrumujuk Township is approximately 1500 hectares.
- The proposed area for an expanded Murrumujuk Township is approximately 3000 hectares. This is an area equivalent to the urban area of Palmerston.
- If full build-out of the expanded Murrumujuk Township occurs it is estimated that approximately 36 000 people could be accommodated. This would be equivalent to the population of Palmerston once suburbs such as Zuccoli are built-out.

- A larger Murrumujuk Township makes providing services i.e. piped water, more cost-effective.
- A larger Murrumujuk Township may support higher levels of local employment and services.

Employment

- The establishment of the Murrumujuk Township relies on a deep water port and strategic industry being established at Glyde Point.
- The Murrumujuk Township may support development at Glyde Point by accommodating workforces and providing a range of support services.

Travel distances

- Murrumujuk is estimated to have a 40 minute travel time to Palmerston and 60 minute travel time to Darwin city centre.

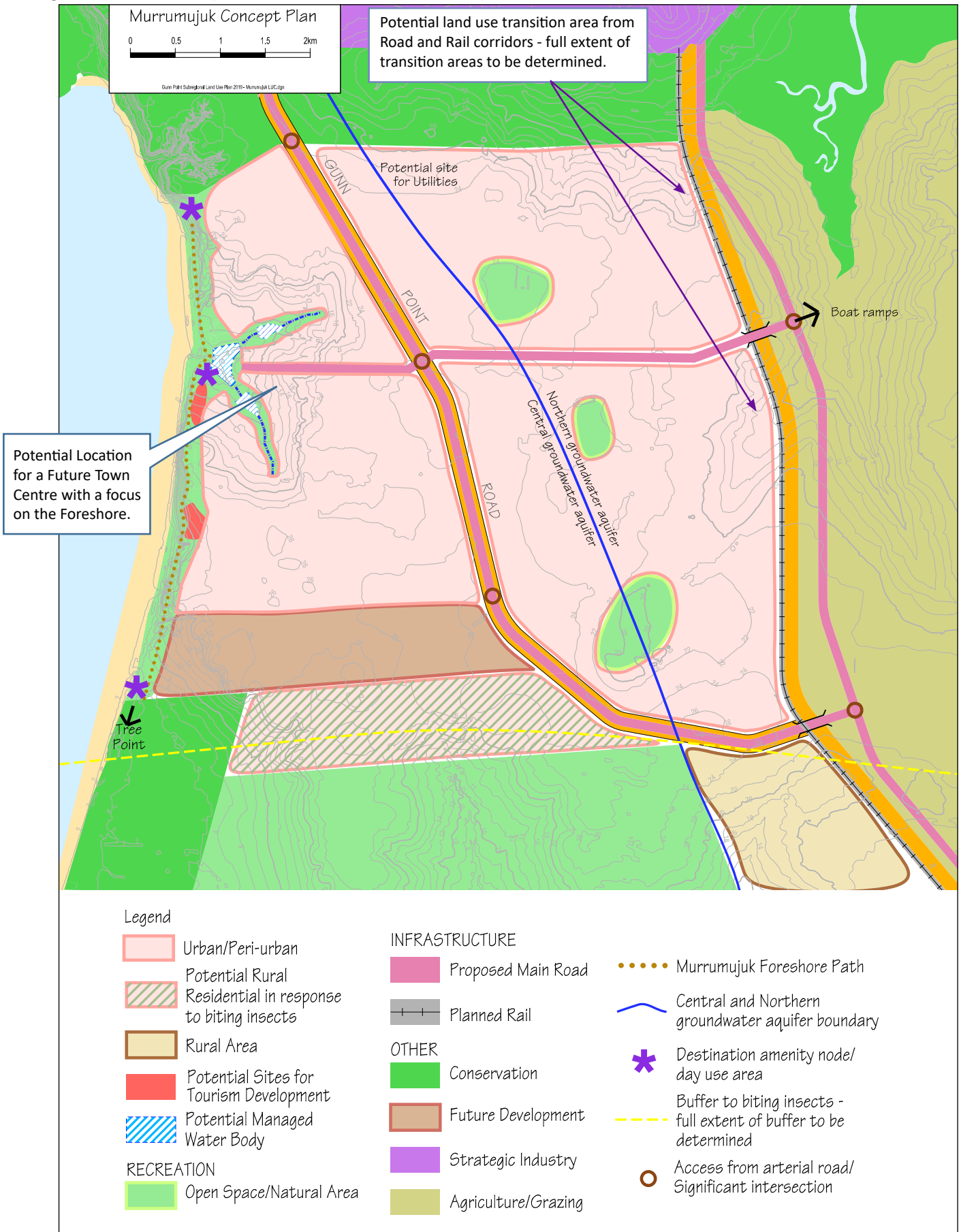
Recreation

- There is a long history of recreational use of this area. Murrumujuk will need to accommodate recreational uses in an appropriate manner.
- The foreshore dune system is proposed to be retained as public open space with potential to accommodate the Murrumujuk Foreshore Path at a future time.
- The Murrumujuk Foreshore Path may connect amenity nodes / days use areas and a variety of designated beach access points.
- The preparation of an Area Plan at a future time will consider foreshore management and enhancement opportunities in conjunction with community consultation.

TELL US WHAT YOU THINK?

The draft Concept Plan is indicative and will inform detailed design processes at a future time. What do you think of the concept for the township?

Figure 5: Draft Concept Plan for Murrumujuk Township.





7. South Murrumujuk and Shoal Bay

Figure 6 identifies South Murrumujuk and Shoal Bay where a reconfiguration of land uses is proposed. This is in response to groundwater availability and land capability.

South Murrumujuk

South Murrumujuk is an area that extends from Murrumujuk Township, past Tree Point and Hope Inlet, to Gunn Point Road. This area is depicted in Figure 6 and is identified by the LSLUP (2016) as a Rural Area.

The area currently identified as Rural Area is within the Central groundwater aquifer which has limited groundwater available. It is proposed to change this area to Open Space.

The proposed Urban / Peri-urban area of South Murrumujuk is an opportunity to provide a Rural Residential Buffer that could help to transition land uses from Murrumujuk Township to adjacent Conservation and Open Space / Natural Areas, and represents the highest and best use of land constrained by biting insects. This may provide a variety of larger lots, including 4000² lots. These lots would need to be reliant upon reticulated (town) water and sewer.

Shoal Bay

The land between South Murrumujuk and Gunn Point Road, known as Shoal Bay, has a varied land capability. This land transitions from good capability near Gunn Point Road, to poor capability around Hope Inlet and Howard River.

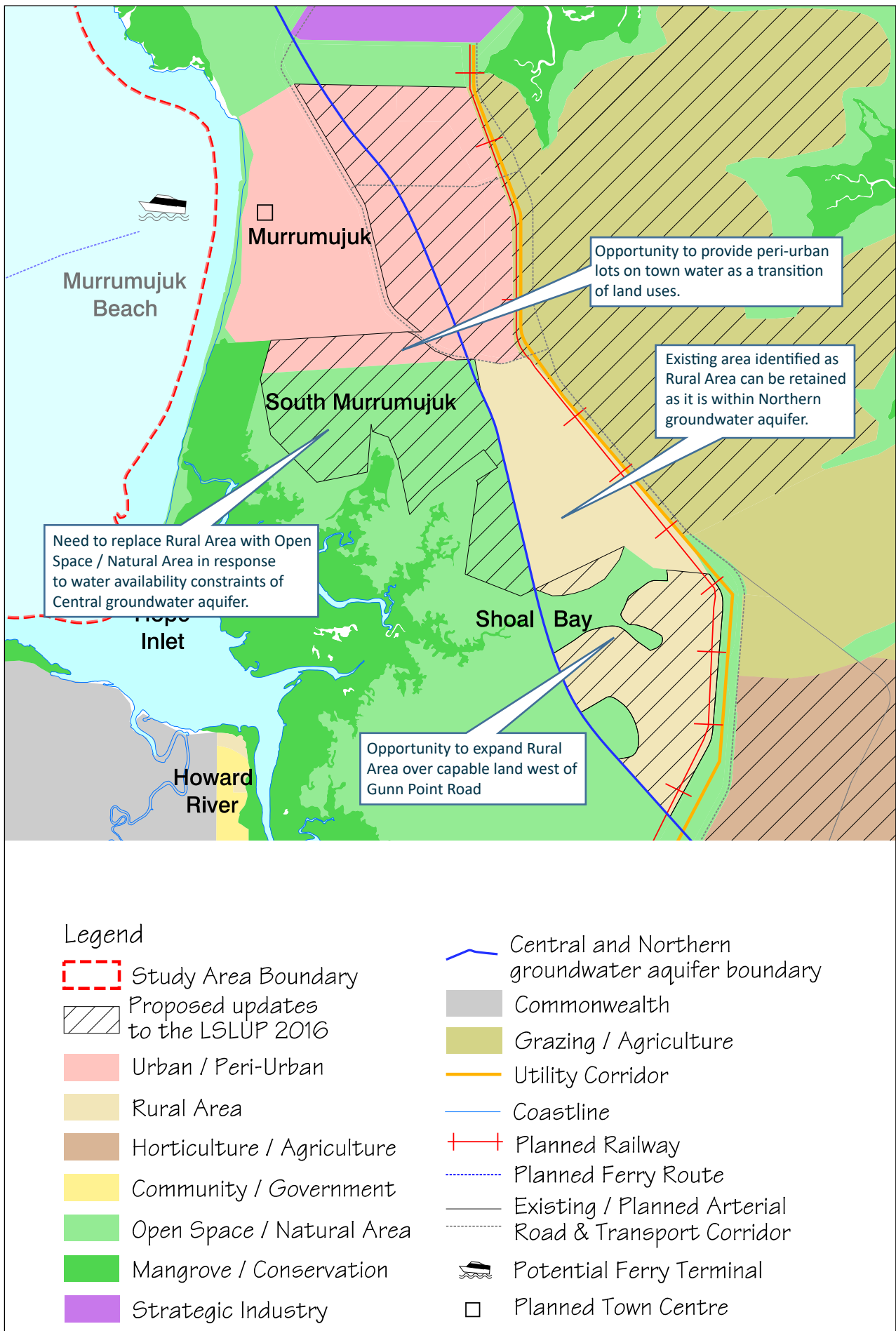
A new Rural Area is proposed within Shoal Bay, west of Gunn Point Road and is depicted in Figure 6. This proposed Rural Area has good to moderate land capability and access to the Northern groundwater aquifer.

TELL US...

Are there alternative land uses, or a different arrangement of land uses, that you would like to see in this area?

What do you think about the proposal for a new rural area at Shoal Bay?

Figure 6: Draft South Murrumujuk and Shoal Bay Rural Land Use Plan.



8. Land Uses East of Gunn Point Road

The land uses identified east of Gunn Point Road are proposed to be reconfigured as shown in Figure 7. The proposed reconfiguration is in response to land capability and ground water availability.

Horticulture

Horticulture is an important land use with significant contributions to the economy and the supply of produce to local markets. Land that meets the requirements for horticultural activity should be identified for horticultural uses.

It is proposed to update the LSLUP to identify land for horticulture purposes that reflect the detailed investigations undertaken for the project. These investigations identify that the most accessible (depth) and least saline groundwater, which is best for horticulture uses, is available with the Northern groundwater aquifer. This area is located in the south of the study area.

Grazing / Agriculture

The LSLUP continues to identify large areas of land for Grazing / Agriculture purposes. These areas can accommodate a variety of rural uses with different land use needs i.e. soil types and drainage.

The area previously identified for Horticulture, to the north of the study area is proposed to be changed to Grazing / Agricultural to reflect our updated knowledge about land and groundwater capability. Groundwater available in this area is deeper and therefore harder to access. It is also more saline than the groundwater available in the south of the study area, which makes it more suitable for livestock watering than for irrigating horticulture developments.



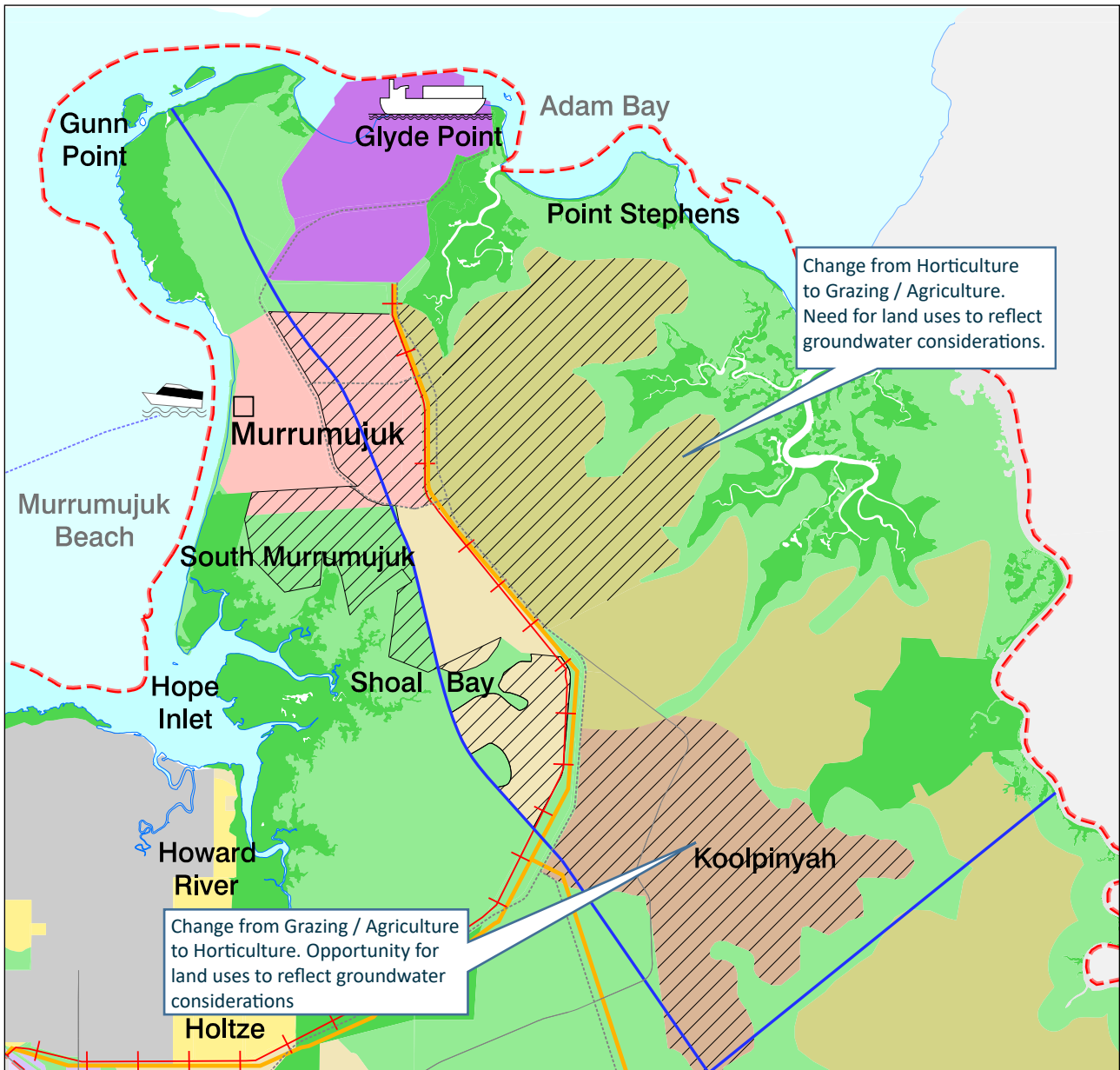
Image: Horticulture - farming

TELL US WHAT YOU THINK ?

Do you support the proposed rearrangement of land uses east of Gunn Point Road?











Are there alternative land uses or a different arrangement of land uses that you would like to see?

Figure 7: Reconfiguration of Rural Uses East of Gunn Point Road.



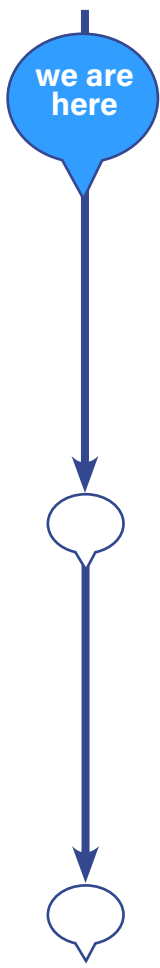
Legend

-  Study Area Boundary
-  Proposed updates to the LSLUP 2016
-  Urban / Peri-Urban
-  Rural Area
-  Horticulture / Agriculture
-  Community / Government
-  Open Space / Natural Area
-  Mangrove / Conservation
-  Strategic Industry

-  Central and Northern groundwater aquifer boundary
-  Commonwealth
-  Grazing / Agriculture
-  Utility Corridor
-  Coastline
-  Planned Railway
-  Planned Ferry Route
-  Existing / Planned Arterial Road & Transport Corridor
-  Potential Sea Port
-  Potential Ferry Terminal
-  Planned Town Centre



Next Steps



Engagement on Proposed Update to the Litchfield Subregional Land Use Plan - Gunn Point Peninsula

Your feedback on the information provided in this Discussion Paper and the draft update to the LSLUP, will allow the project to be further developed and refined.

The Planning Commission will consider feedback received during consultation and further develop this project.

Finalisation of the proposed update to the Litchfield Subregional Land Use Plan

When the draft is finalised, the Planning Commission will recommend to the Minister for Infrastructure, Planning and Logistics to consider exhibition of the Proposed Update to the Litchfield Subregional Land Use Plan - Gunn Point as a proposed amendment to the NT Planning Scheme, with a further opportunity to comment.

Decision on the inclusion of the draft Update to the Litchfield Subregional Land Use Plan within the NT Planning Scheme

The Minister for Infrastructure, Planning and Logistics will consider feedback received during the public exhibition of the draft amendment before making a determination.



HOW TO BE INVOLVED

The exhibition period is to
Friday 28 August 2020

Visit haveyoursay.nt.gov.au to
find out more and complete
a survey

Get in touch with the NT Planning Commission

EMAIL

ntpc@nt.gov.au

POST

GPO Box 1680
DARWIN NT 0801

PHONE

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**Proposed Updates to
Litchfield
Subregional Land Use Plan -
Gunn Point Peninsula**

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Introduction

Purpose

This document has been prepared to outline the proposed changes to the Litchfield Subregional Land Use Plan (LSLUP) for Gunn Point Peninsula and Murrumujuk Township.

It has been identified that due to increased interest in Gunn Point Peninsula, as well as recent natural resource investigations there is a need undertake a review of the land use structure at Gunn Point Peninsula.

An amendment is being prepared to update the Northern Territory Planning Scheme in regard to the Litchfield Subregional Land Use Plan.

The amendment is being developed over two stages.

This stage of the project is for community and stakeholder consultation and is an opportunity for you to have your say, learn about the project or make a submission. This is the first stage of the project.

A discussion paper has been prepared and provides an overview of this project. Visit haveyoursay.nt.gov.au to access related documents on the project and provide feedback.

Context

Murrumujuk was first identified in 1984 as having potential for a rural centre providing opportunities for recreation. The sealing of Gunn Point Road has increased activity and interest in the area.

Regional and subregional land use planning provides an opportunity for authorities to plan for future infrastructure services such as power, water and sewerage for the medium to far term.

The proposed update to the Litchfield Subregional Land Use Plan includes a draft land use concept for the future township of Murrumujuk and draft planning principles to guide future development opportunities at this location.

The work seeks to update the LSLUP to:

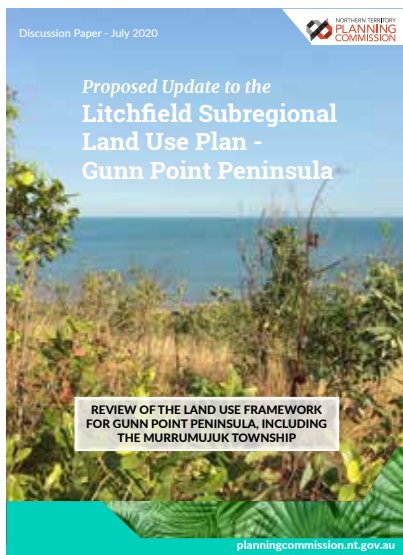
- respond to cultural, historical and natural assets of the locality;
- provide opportunities for residential and economic growth;
- enable tourism ventures that respond to environmental, cultural and recreational opportunities;
- protect the transport and infrastructure corridors required for development on the Gunn Point Peninsula; and
- support detailed planning for Murrumujuk at a future time.

Gunn Point Peninsula and Murrumujuk Township

Gunn Point Peninsula (the 'Study Area') encompasses an area of approximately 327 km². It is located east of Darwin, 60 km from the CBD and it is 40 km from Palmerston. The Study Area lies within the municipality of the shire of Litchfield.

There are very few permanent residents within the Study Area, however there is a high level of visitation for a range of recreational pursuits, including access to popular fishing locations.

Related Documents



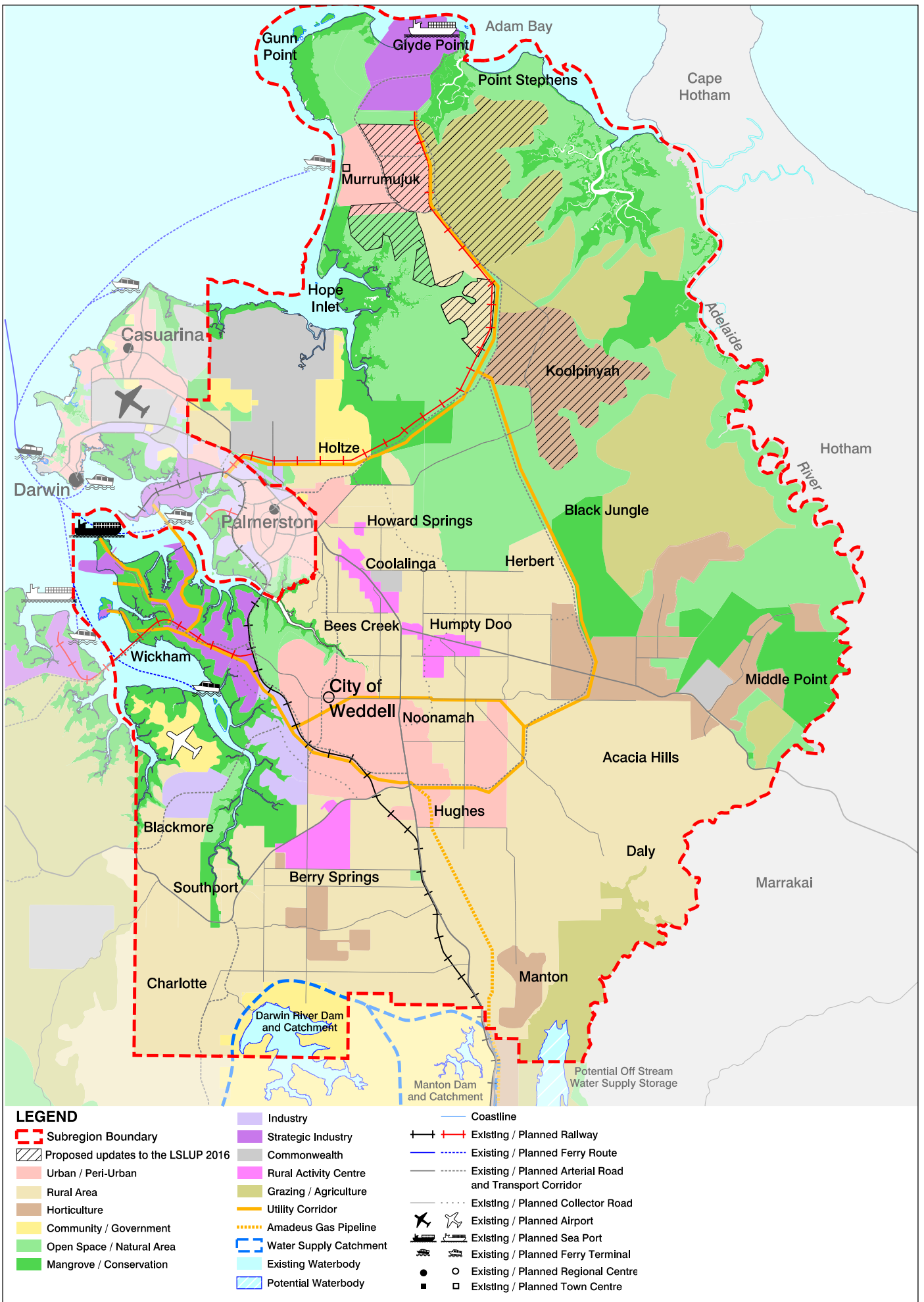


Figure 4 - Litchfield Subregional Land Use Structure Plan (2016) to be replaced with this updated map.

Proposed Updates	Current Version 2016
<p>STRATEGIC INDUSTRY <i>(replace current)</i></p> <p>Glyde Point is identified for major industrial development with potential for a port and strategic industry. Glyde Point provides natural deep waters which have potential to accommodate a port development.</p> <p>The proposed urban area at Murrumujuk will provide opportunities for employees and their families to live locally. Transport and infrastructure corridors will provide access between Murrumujuk and Glyde Point and to the broader region.</p>	<p>STRATEGIC INDUSTRY <i>(page 8)</i></p> <p>Glyde Point is identified for major industrial development outside Darwin Harbour. Glyde Point provides the necessary isolation to minimise the impacts of strategic industrial development on established urban areas.</p> <p>The proposed urban area at Murrumujuk will provide opportunities for employees to live locally. Transport and infrastructure corridors will provide access to the broader region.</p>
<p>PRIMARY INDUSTRY</p> <p>Construction Materials <i>(replace current)</i></p> <p>The extraction of sand, gravel and rock materials in Litchfield supply the construction industry of the Darwin Region. The sealing of Gunn Point Road has improved access to Gunn Point Peninsula for extractive industries. Access to extractive mineral sites must be maintained, but with greater consideration of the adverse impacts on the local road network.</p>	<p>PRIMARY INDUSTRY <i>(page 8)</i></p> <p>Construction Materials</p> <p>The extraction of sand, gravel and rock materials in Litchfield supply the construction industry of the Darwin Region. Access to extractive mineral sites must be maintained, but with greater consideration of the adverse impacts on the local road network. Preferred heavy vehicle access roads are identified on the Main Roads Map <i>(page 33)</i>. There is also a need to ensure that depleted leases be properly rehabilitated to suit the future land use.</p>
<p>COMMUNITY FACILITIES AND SERVICES</p> <p>Active Recreation <i>(proposed - Insert after first paragraph of existing text)</i></p> <p>Extensive areas of the Litchfield subregion are utilised for informal recreation. This includes hunting, off road driving, fishing and camping. It is important that as the population of Darwin grows, recreational pursuits are balanced with preservation of the natural environment.</p>	<p>COMMUNITY FACILITIES AND SERVICES</p> <p>Active Recreation <i>(page 9)</i></p> <p>The Freds Pass Recreation Reserve is the primary facility within Litchfield, providing for a range of recreational activities, including equestrian, rugby, AFL, soccer, cricket and multi-use indoor spaces.</p>

Proposed Updates	Current Version 2016
<p>INFRASTRUCTURE <i>Groundwater and Water Supply (proposed - Insert after third paragraph of existing text)</i></p> <p>Investigations into groundwater availability have identified severe limitations within four of the five aquifers that comprise the Koolpinyah Dolomite aquifer. Gunn Point Peninsula accommodates the central and northern groundwater aquifer systems. The Murrumujuk Township straddles the central and northern groundwater aquifer boundary.</p> <p>Environmental investigations have identified that the groundwater within the Northern Koolpinyah groundwater water is deeper and more saline the further north. Notwithstanding, there is groundwater available within the southern portion of the northern Koolpinyah groundwater aquifer.</p>	<p>INFRASTRUCTURE <i>Groundwater and Water Supply (page 9)</i></p> <p>Much of Litchfield relies on groundwater as the primary source for potable water. The several aquifers that underlie the subregion support numerous rural land uses, including stock, agriculture, horticulture and domestic purposes.</p> <p>Groundwater also sustains the natural environment and contributes to the regional water supply. Sustainable groundwater extraction is approximately 20% of the annual recharge. Over extraction can lower water quality by increasing concentrations of minerals and salts. In addition, proliferation of on-site effluent disposal systems can contaminate groundwater and lead to serious public health risks.</p> <p>The Berry Springs aquifer feeds the popular recreation area of the Berry Springs Nature Reserve and sustains the waterways and habitats of the Territory Wildlife Park. This aquifer is exposed to stress from increased subdivision and development, and overuse will have serious implications for residents and the environment. Increasing subdivision and development over the aquifer and annual variation in the recharge demands that extraction be carefully managed to maintain environmental flows.</p> <p>Water allocation plans under development for the Howard Groundwater system and Berry Springs Dolostone System will aid in avoiding over extraction and ensure long term sustainability.</p> <p>The Darwin Region water supply system currently sources water from Darwin River Dam (85 per cent) and McMinns and Howard East borefields (15 per cent) and provides reticulated supply to five supply zones: Darwin Rural/Palmerston, Stuart Park, Casuarina, Karama and Channel Island. Potential sites to increase the catchment and storage capacity include Manton Dam, Adelaide River Off Stream Storage, Upper Adelaide River Dam, Marrakai Dam and Mount Bennett Dam.</p>

Proposed Updates	Current Version 2016
<p>TRANSPORT - <i>(insert and replace existing paragraph 2)</i></p> <p>The Glyde Point corridor, which consists of transport and utility alignments, will provide an important service connection between the existing port at East Arm and the prospective Glyde Point deep water port and strategic industrial area. This is intended to include rail which would allow Glyde Point industry to connect to the broader rail network that extends south of Darwin.</p> <p>Gunn Point Road extends from Stuart Highway to Murrumujuk. There is potential for a second arterial transport corridor to the east of Humpty Doo that could connect Glyde Point to Stuart Highway opposite Cox Peninsula Road. This could connect a future Glyde Point industrial area directly to the national highway by circumventing the periphery of the Darwin Region. In doing so, this prospective arterial corridor could provide improved regional transport connection and limit the impacts of heavy transport on built up areas.</p> <p><i>(insert and replace existing paragraph 3)</i></p> <p>A number of other roads which will be important in connecting proposed urban and peri-urban areas with higher order centres are also identified. These include:</p> <ul style="list-style-type: none"> • the link from Noonamah to Humpty Doo to Girraween to Howard Springs; • the transit corridor connection between Palmerston and Coolalinga bus interchanges; • the connection from Weddell to Tiger Brennan Drive that generally follows the Alice Springs - Darwin rail corridor; • the planned Middle Arm link between Cox Peninsula and Channel Island Roads; and • the connection from Palmerston (Roystonea Avenue) to Weddell through Virginia. 	<p>TRANSPORT <i>(page 10)</i></p> <p><i>Identified arterial transport corridors on page 33 accommodate high capacity urban roads and high frequency public transport services. The corridors include the links to the strategic industry area at Glyde Point, links around the harbour and to Batchelor and the Weddell arterial linking the Stuart Highway to existing infrastructure at the Elizabeth River bridge.</i></p> <p><i>The Glyde Point corridor will provide convenient access between the existing port at East Arm and the future industrial area and between Murrumujuk and higher order urban services available in Palmerston. A second link from the Stuart Highway at Cox Peninsula Road to Glyde Point will connect the future industrial area to the major transport link to southern Australia and limit the potential impacts of heavy transport on the network in built up areas.</i></p> <p><i>A number of other roads which will be important in connecting proposed urban and peri-urban areas with higher order centres are also identified. These include the link from Noonamah to the Glyde Point arterial via Humpty Doo and the planned Middle Arm link between Cox Peninsula and Channel Island Roads.</i></p> <p><i>The identification of local road networks will aid in establishing, during future Area Planning, an interconnected local road network that improves route choice and access options.</i></p> <p><i>Road Network Localities 1 to 4 (pages 34 and 35) identify the opportunities to establish local road networks as part of the subdivision process. Subdivision and development of the indicated networks will be subject to development approval and compliance with Council's requirements.</i></p>

Proposed Updates	Current Version 2016
<p>STATEMENTS OF POLICY <i>(Introduction of provisions and consequential renumbering)</i> Residential Land Uses <i>(insert after City of Weddell)</i> Murrumujuk Township</p> <p>4. Identify and address the constraints that restrict the development of the future Township of Murrumujuk.</p> <ul style="list-style-type: none"> • facilitate the provision of trunk infrastructure to support a range of urban land uses before settlement of people is considered; • respond to the environmental considerations present; and • protect the foreshore areas within a public foreshore and esplanade excepting incidental tourism development. <p>5. Facilitate a Township with neighbourhoods that are compact, safe and walkable.</p> <ul style="list-style-type: none"> • the pedestrian network provides direct access to public open space; • medium density housing is located close to neighbourhood centres, public transport, open space, community purpose facilities and other areas of high amenity; • support the provision of workforce accommodation that is integrated into the built environment of the Township with built form commensurate to its location; • facilitate the development of workforce accommodation that enables occupants to integrate with the community and town services, recognising that an appropriately designed and integrated workforce accommodation facility has the potential to support the establishment and development of a Township; and • enable tourism development that responds to recreational needs and is integrated into the built environment of the Township. 	<p><i>No Current Information</i></p>

Proposed Updates	Current Version 2016
<p>6. Land use and development to be consistent with a Murrumujuk Stormwater Trunk Drainage Strategy to manage stormwater runoff.</p> <ul style="list-style-type: none"> • a Stormwater Trunk Drainage Strategy is prepared that responds to the stormwater drainage system including surface drainage, open drains, culverts and tidal weirs; and • land is identified and provided for the construction of drainage structures identified or necessary for the purposes of stormwater drainage. <p>7. Minimise adverse impacts on natural stormwater drainage flows and water quality.</p> <ul style="list-style-type: none"> • the pre-development hydrological regime is maintained, including the provision of locally suitable detention measures, if required for peak flow attenuation to pre-development levels; • adequate private open space is provided for stormwater infiltration; and • Northern Territory best practice standards are applied to water quality modelling of stormwater run-off into the natural drainage system. <p>8. Support community development within community purposes land in suitable locations.</p> <ul style="list-style-type: none"> • community purpose land is provided of a size and location to enable co-location of community and local recreation areas; • community purpose land is used for the provision of multipurpose community facilities which cater for a variety of user groups; • community purpose land is used for social support services and similar community purpose uses to meet the needs of the community; and • open space is co-located with education facilities where possible. 	<p><i>No Current Information</i></p>

Proposed Updates	Current Version 2016
<p>9. Establish vibrant and active neighbourhoods within a high quality urban environment.</p> <ul style="list-style-type: none"> • the town centre and neighbourhoods within the urban area provide a combination of uses including; <ul style="list-style-type: none"> a) a residential environment that caters for a variety of housing needs including units, affordable housing and short term accommodation; b) commercial and retail areas including shops, offices and restaurants; and c) community facilities such as child care centres, public spaces to accommodate performances and exhibitions, and parks. <p>10. Facilitate development appropriate to a high amenity foreshore.</p> <ul style="list-style-type: none"> • development is concentrated in the identified town centre and in proximity to the foreshore in recognition of the amenity and activity to be focused on the foreshore area; • the Murrumujuk Foreshore Path is identified within the foreshore area that supports recreation and connects destination amenity nodes/day use areas; • destination amenity nodes / day use areas within or adjacent to the foreshore area are investigated for open space and recreation purposes; • destination amenity nodes / day use areas are considered in conjunction with potential tourism development(s); • encourage small scale development that contribute to land management of the foreshore and other reserves; and • infrastructure is of a scale that does not impact on environment systems. 	<p><i>No Current Information</i></p>

Proposed Updates	Current Version 2016
<p>11. Support an interconnected and shared movement network that is safe and efficient for all users.</p> <ul style="list-style-type: none"> • enable the development of a highly permeable grid street network; • support a street and laneway network that facilitates high levels of pedestrian amenity; and • support provision of 'Green Links' - leafy high amenity shared movement corridors. <p>12. Support the concentration of light industry, low impact general industry and support businesses associated with Glyde Point operations in appropriate locations.</p> <ul style="list-style-type: none"> • access and reverse sensitivity concerns inform the identification of land for the purposes of industry and Glyde Point support processes; and • industrial uses are appropriately separated from sensitive land uses. 	<p><i>No Current Information</i></p>
<p>Commercial, Agricultural and Industrial Land Use</p> <p><i>Agricultural (proposed - new)</i></p> <p>18. Enable the development of Gunn Point peninsula with consideration of land capability constraints, and without prejudicing the development of the future settlement of Murrumujuk.</p> <ul style="list-style-type: none"> • require the groundwater demand of land uses to not exceed the sustainable recharge of the aquifers; • restrict land uses that have the potential to adversely impact on the amenity of future urban residential areas in Murrumujuk; • preserve the role of Murrumujuk as a secondary activity centre with residential, retail, commercial, social and cultural functions; and • preserve the role of Murrumujuk in providing workforce accommodation and downstream industry to support potential strategic industry and a deepwater port at Glyde Point. 	<p><i>Commercial and Industrial Land Use (page 12)</i></p>

Proposed Updates	Current Version 2016
<p><i>(Introduction of provisions and consequential renumbering)</i> Commercial, Agricultural and Industrial Land Use <i>Agricultural (proposed - new)</i></p> <p>18. Enable the development of Gunn Point peninsula with consideration of land capability constraints, and without prejudicing the development of the future settlement of Murrumujuk.</p> <ul style="list-style-type: none"> • require the groundwater demand of land uses to not exceed the sustainable recharge of the aquifers; • restrict land uses that have the potential to adversely impact on the amenity of future urban residential areas in Murrumujuk; • preserve the role of Murrumujuk as a secondary activity centre with residential, retail, commercial, social and cultural functions; and • preserve the role of Murrumujuk in providing workforce accommodation and downstream industry to support potential strategic industry and a deepwater port at Glyde Point. 	<p><i>Commercial and Industrial Land Use</i> <i>(page 12)</i></p>
<p>Environmental Considerations <i>Environmental Management (proposed new)</i></p> <p>28. Retain the cultural and landscape value of natural features and significant native vegetation.</p> <ul style="list-style-type: none"> • natural features and vegetation are integrated into open space, widened road reserves and drainage corridors wherever possible; and • natural features and vegetation established as having value for their cultural, species, habitat, visual or natural amenity are identified and retained. 	<p><i>Environmental Considerations</i> <i>(page 13)</i></p>

URBAN DEVELOPMENT

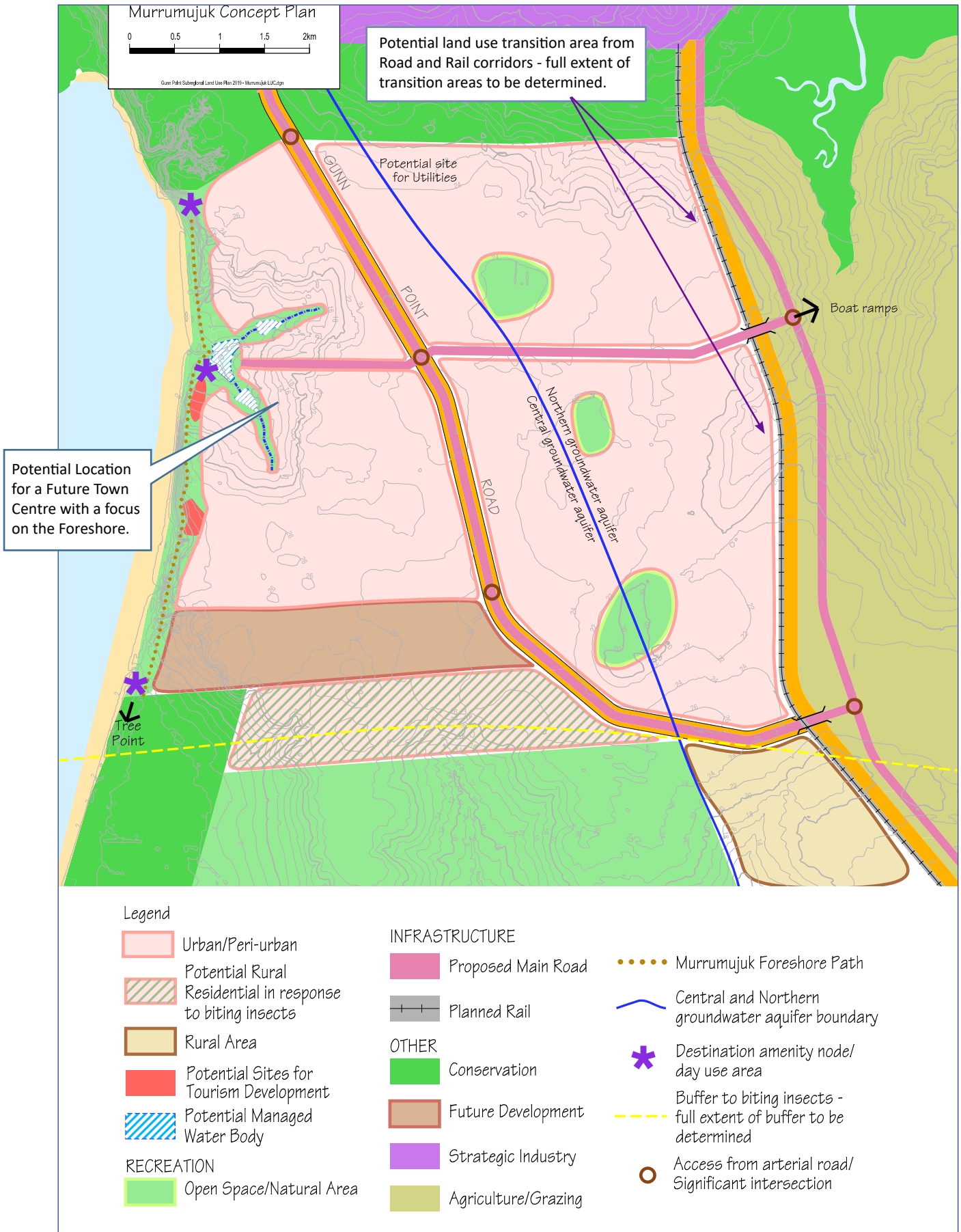


Figure 9 - Proposed Draft Concept Plan for Murrumujuk Township

Proposed Updates	Current Version 2016
<p>Murrumujuk Township <i>(delete existing text and replace)</i></p> <p>Murrumujuk is located on the Gunn Point Peninsula overlooking Shoal Bay, approximately 60 km from the Darwin city centre and 40 km from Palmerston. A settlement at Murrumujuk has been a component of various regional plans since 1984 when the locality was first identified as a rural centre. The original impetus for the development of Murrumujuk was the opportunity for residential development adjacent to a beach without mangroves which is rare within the Darwin region. Subsequent studies in the late 1990's recognised the potential for a more substantial development at nearby Glyde Point, one of the few opportunities in the region for a deep water port.</p> <p>Federal Government policy flags a substantial focus on infrastructure related investments in Northern Australia and a focus on the role of ports, wharves, railway and other infrastructure as strategic enablers.</p> <p>Investigations over many years have led to the selection of Glyde Point as the preferred site for strategic industry around a second port. There are substantial areas of relatively flat land next to Glyde Point. This land may support future industrial development including strategic industry which directly supports port functions. The Township of Murrumujuk may support development at Glyde Point by accommodating workforces and providing a range of support services. This township may also provide tourism related accommodation and a variety of urban suburban and rural residential development.</p> <p>The establishment of Murrumujuk Township will be contingent upon actual and substantial demand for housing, primarily the accommodation of workforces related to a potential deep water port and strategic industry at Glyde Point. At the time of writing this development is not anticipated within the near term but may be a possibility in the medium to far term planning horizons.</p> <p>The sealing of the Gunn Point Road has improved access to Murrumujuk, however development at Glyde Point remains difficult given its isolation and separation from existing services.</p>	<p>Murrumujuk (page 16)</p> <p><i>Murrumujuk is located on the Gunn Point Peninsula overlooking Shoal Bay, about 60 km from the Darwin CBD and 40 km from Palmerston. Substantial areas of relatively flat land next to Glyde Point are subject to detailed investigation to facilitate future industrial development, which would have synergies with an urban centre at Murrumujuk, residential lots in a rural setting and potential horticultural development. Previously planned transport and infrastructure corridors will integrate the locality with the broader region and minimise the potential impacts on existing networks. Future investigations into land capability, environmental issues and infrastructure requirements will inform more detailed planning.</i></p>

Proposed Updates	Current Version 2016
<p>It is undesirable to support the creation of a township with high requirements for commuting to Darwin and Palmerston. The detailed planning of the township will need to carefully consider this matter to ensure that there are options available to accommodate the preferences of workforces to either reside within Murrumujuk or developed areas.</p> <p>Groundwater availability within the Gunn Point Peninsula is known to be limited and must be carefully managed. The groundwater limitations result in development of the Township being contingent upon the provision of reticulated (town) water. Detailed planning in the preparation of an Area Plan must ensure that lots dependent upon groundwater are minimised.</p> <p>A larger Murrumujuk makes the provision of services i.e. reticulated water, more cost-effective. Consequently the area identified for Murrumujuk by the Darwin Regional Land Use Plan has been expanded over land that has been identified for agricultural and horticultural use.</p> <p>A Concept Plan for Murrumujuk has been prepared (Figure 9) which depicts how the Township may develop. The Concept Plan will inform the preparation of an Area Plan at a future time when development may reasonably be expected. The area identified for Murrumujuk Township and the Concept Plan provided at Figure 9 represents the full build-out potential of Murrumujuk.</p> <p>Full build-out of the Murrumujuk Township may accommodate a population up to approximately 36 000 persons. This is anticipated to be equivalent to the size of the City of Palmerston when it is built out. The Township is expected to grow gradually from an initial Township of approximately 3000 persons.</p> <p>Key considerations in the preparation of the Concept Plan include:</p> <ul style="list-style-type: none"> • flood prone land and waterlogged soils; • biting insect breeding areas; • environmentally sensitive land and seasonal water bodies; • existing recreational and free camping uses; and • natural topography that leverages the areas natural assets i.e. vies and breezes. 	<p><i>No Current Information</i></p>

Proposed Updates	Current Version 2016
<p>The preparation of a Area Plan will need to consider a land use structure that responds to the natural drainage regimes and minimises modification or disturbance to the natural systems as far as is practical. An engineering response and creation of a managed water body may be considered at the detailed design stage to interrupt tidal movements and breeding cycles of biting insects.</p> <p>The Concept Plan identifies the provision of urban/ peri-urban land adjacent to the identified Rail and Utility corridors. The development of land for urban/ peri-urban purposes in this location will need to respond to rail noise and potential biting insect breeding areas east of the rail and utility corridors. Land use and density within proximity of the rail corridor may be limited given these constraints. It will provide a buffer to potential rail noise and potential biting insect breeding areas east of the Rail and Utility corridors i.e. Leaders Creek.</p> <p>South Murrumujuk</p> <p>The Litchfield Subregion Land Use Structure Plan has been updated in regard to South Murrumujuk in response to the limited groundwater available from the underlying groundwater aquifer. This plan previously identified rural areas which would have been dependent upon groundwater bores.</p> <p>To remove the reliance upon groundwater extraction, the amount of land identified for open space and conservation purposes has been increased. Some land has been identified as urban / peri-urban land which is a more intensive land use, noting that land within the biting insect buffer is likely to be restricted to peri-urban activities. This area will be dependent upon reticulated (town) water.</p> <p>The area should be seen as a transition area from the future development area and urban areas within Murrumujuk Township and the conservation and open spaces to the south within and around Hope Inlet.</p> <p>Shoal Bay Rural</p> <p>The land on the west side of Gunn Point Road, south of Murrumujuk is within the Northern groundwater aquifer. This area has been identified as a Rural Area because the land capability, including potential for groundwater extraction, supports rural land uses at this location.</p>	<p><i>No Current Information</i></p>

MAPS

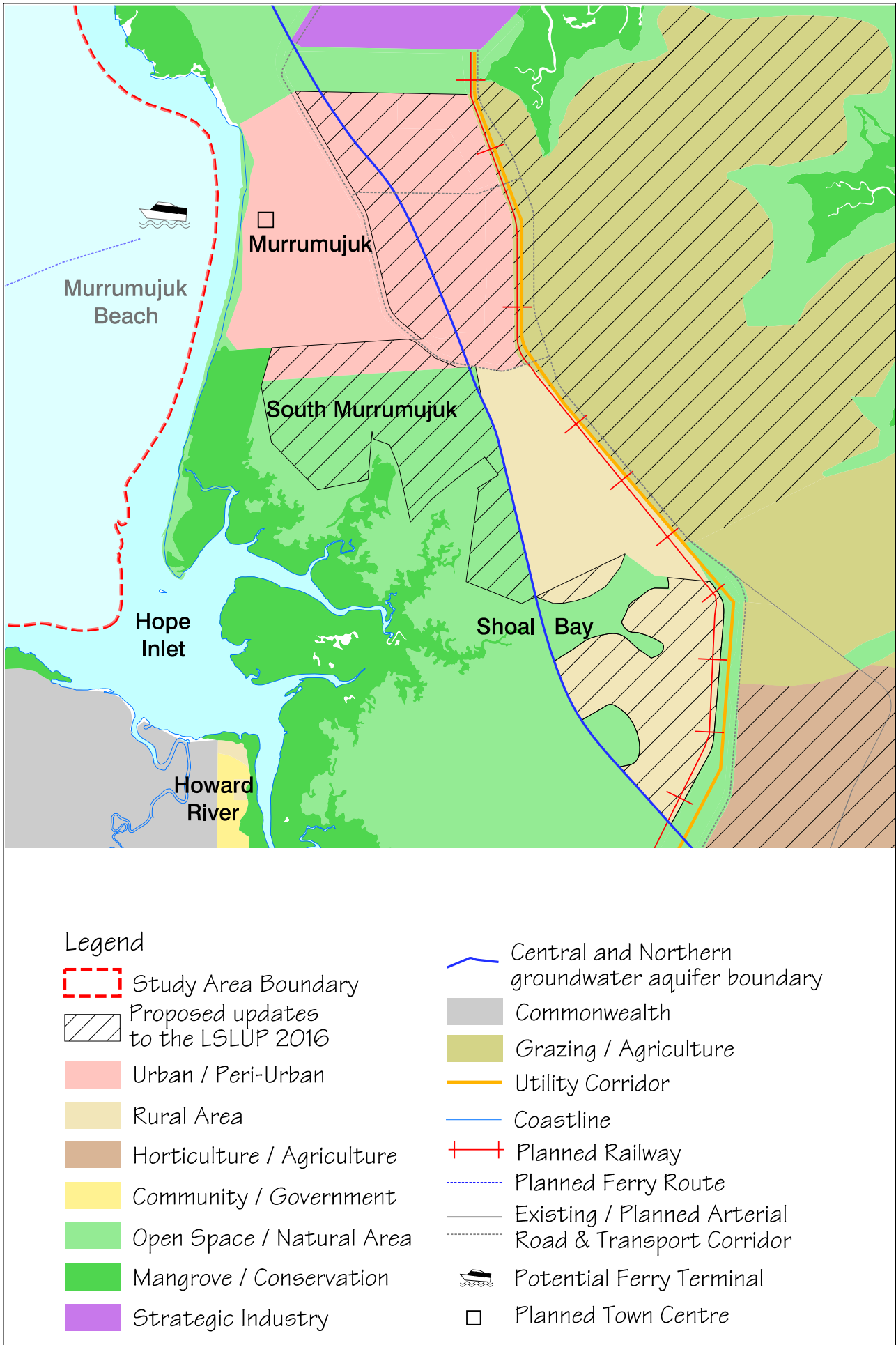


Figure 10 – Shoal Bay Rural Area (proposed update to LSLUP)

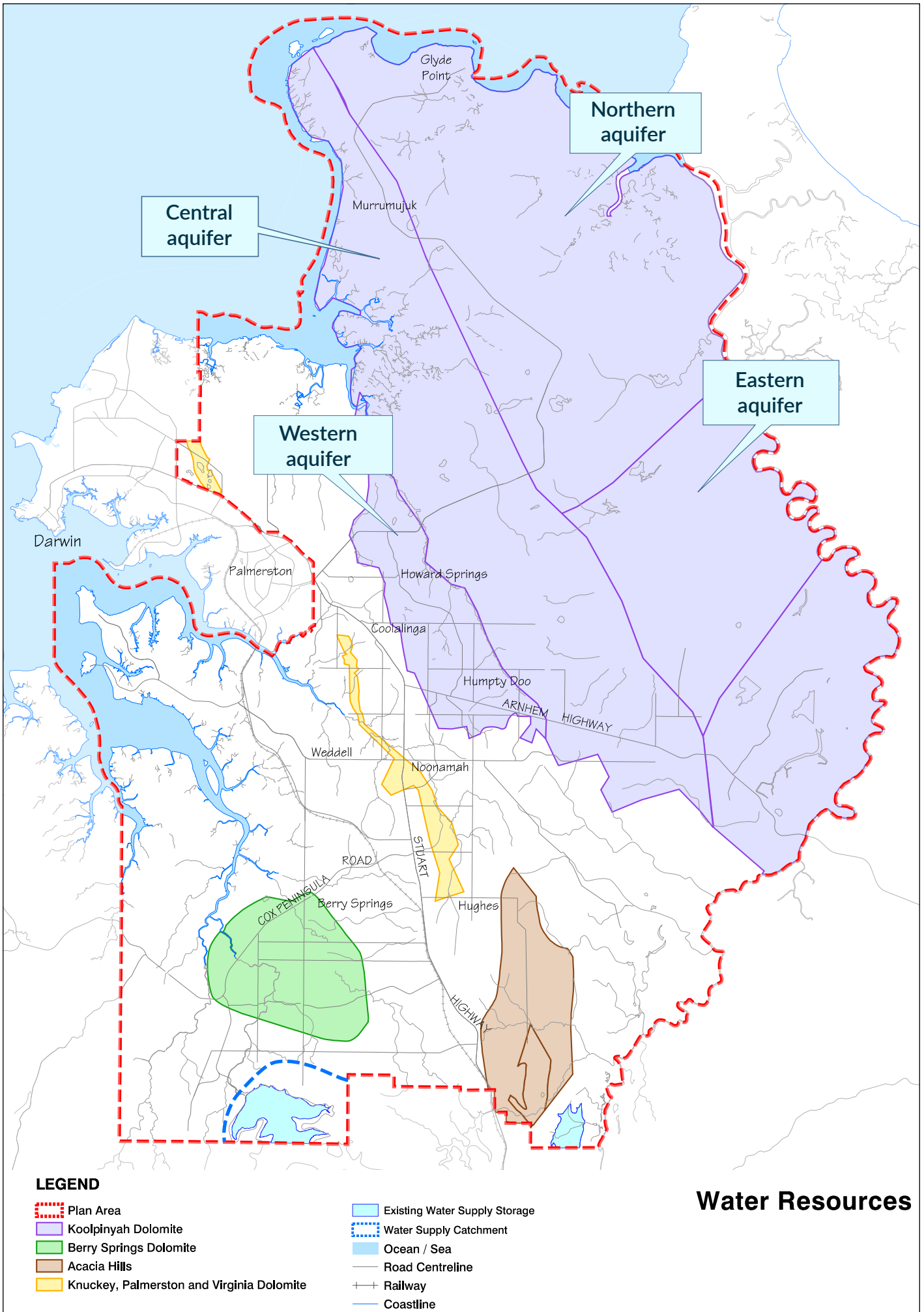


Figure 11 - Water Resources (map updated with groundwater aquifer labels)

20 August 2020

NT Planning Commission
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Request for Comment

**Planning for Gunn Point Peninsula
Discussion Paper and Proposed Updates to Litchfield Subregional Land Use Plan**

Thank you for the referring the latest information on Planning for Gunn Point Peninsula to Council on 23/07/2020 for comment. This letter was endorsed by Council at its 19 August 2020 Council Meeting.

The following comments are raised for consideration by the NT Planning Commission:

Council broadly supports the information presented in both the Discussion Paper and Proposed Updates to the Litchfield Subregional Land Use Plan (LSLUP). Areas where specific support can be given, where additional information is required, and where minor amendments are recommended are detailed below.

Discussion Paper

Natural Resources and Groundwater

Councils relies on the extensive studies undertaken by DENR to inform the proposed updates to the LSLUP and can support DENR's recommendations for areas restricted from development due to limited groundwater availability.

It is recommended that any changes to proposed land uses that promote uses requiring reticulated water be accompanied by plans that identify how and when that infrastructure is to be provided to the area. By leaving out plans for future infrastructure provision, the strategic plan may give a false sense that the plans are able to progress at any time, when in fact the plans cannot progress without further infrastructure planning and funding.

Land Use Plan Changes

Council supports the changes to the allocations for horticulture, agriculture/grazing, and rural residential and open space, as these changes are based on the availability of groundwater to appropriately service the noted uses.

It is noted that the proposed area for urban development borders areas along the foreshore that are currently used for recreational activities. Further planning and community engagement must be undertaken as plans progress for the township to reconcile the community to ability, or not, to accommodate both of these uses in the locality.

Council notes the plan's stated necessity for the proposed size of Murrumujuk to support infrastructure provision to the area. However, there is concern over the availability of funding for this infrastructure to coincide with development of the port. The LSLUP should include a proposed timeline for development of each of the urban areas within the plan. Currently, it is unclear which development is prioritised and there are concerns that a new town could be provided with expensive infrastructure servicing before existing long-term residents are provided with reticulated infrastructure, as well as transport and community upgrades, to service the existing needs of the community.

Concept Plan

Council supports the proposed Concept Plan in its current format to avoid pre-empting development that may be some time off in the future. At this time, it is unclear what densities would be proposed to support the amount of residential development noted above. When development of the area becomes imminent due to planned port development, Council would like to be involved in the development of the Area Plan for Murrumujuk that would provide greater details on proposed town site layout and urban density/lot size arrangement.

It is, however, recommended that the plan avoid showing four way cross intersections on major roads that, while schematic at this point, could create expectations for future development that would result in extensive intersection expenses.

Proposed Updates to the LSLUP

Council supports proposed updates related to updating the information on strategic and primary industry, as well as transport, based on the outcomes of recent studies and capital works.

Proposed updates related to denoting the importance of active recreation activities currently occurring in the area, including hunting, fishing, and camping, and the need to balance these activities with preserving the natural environment can also be supported.

The information presented on groundwater could be enhanced by inclusion of the mapping found in the Discussion Paper on the availability of groundwater in the locality.

The statements of policy related to the development of a Township of Murrumujuk are fairly common principles for urban development and can be broadly supported. However, the following recommendations are made to clarify items in the text:

- In Section 4, following notations of responding to environmental considerations, specific comment should be included regarding the need to address biting insects;

- In Section 5, references are made to medium density housing; however, medium density housing is undefined. Additional information is required to clarify the intent of the type of development to be expected;
- Also in Section 5, repeated references are made to “workforce accommodation”. The meaning of this term is unclear – the term could apply to an Inpex-type workers’ village, affordable housing, or key worker housing, all of which result in very different development types. Clarification of this term is required to ensure expectations are clear to all.
- While Section 5 notes that tourism development should be integrated into the built environment of the Township, consideration should be given to developing principles for development of a land use category or recreational development that provides the same purpose of the existing recreation development in the locality, namely that it is away from development instead of integrated into the town. If the intent is for the area to wholly lose the more wilderness variety of recreational entertainment, that intent should be clearly stated somewhere in the updates to the LSLUP, again to confirm standard expectations for all.

In summary, Council supports the proposed updates to the LSLUP and looks forward to continuing to be involved in amendments to the updates and commenting on any Planning Scheme Amendment Application on exhibition in the future.

If you require any further discussion in relation to this application, please contact **Litchfield Council’s Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully

Wendy Smith
Manager Planning and Regulatory Services



COUNCIL REPORT

Agenda Item Number:	15.4
Report Title:	Local Roads and Community Infrastructure Program - LRCI
Author:	Rodney Jessup, Project Engineer
Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	19/08/2020
Attachments:	A: LRCI Program Grant Agreement B: Maps of Project Locations

Executive Summary

Litchfield Council has received an additional \$1,183,429.00 in funding, provided by the Department of Infrastructure, Transport, Regional Development and Communications in addition to the existing Local Roads and Community Infrastructure Program (LRCI).

This report seeks Council endorsement of the allocated projects for the LRCI program. The identification and selection process used to allocate projects to the funding will be explained below.

Recommendation

THAT Council:

1. endorse the infrastructure projects allocated to the Local Roads and Community Infrastructure Program funding, which include:
 - a. Wells Creek Road
 - b. Mocatto Road
 - c. Townend Road
 - d. Redcliffe Road; and
2. authorise the Chief Executive Officer to submit project nomination forms.

Background

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the economic impacts of COVID-19.

The intended outcomes of the LRCI Program are to:

- provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of COVID-19; and
- deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

Project eligibility requirements include;

- A project must be additional to the Grantee's existing work program for 2020-21.
- A project brought forward from a post 2020-21 work plan is additional.
- to undertake projects that are additional to what they had planned to undertake using their own funds to stimulate local economies and employment opportunities.
- A project must deliver benefits to the community.
- Construction on the project must be completed by 30 June 2021, unless otherwise agreed by the Commonwealth due to exceptional circumstances.

It is unprecedented that Council be offered funding without otherwise requesting it for planned purposes or projects, and as such future planning for such extensive sum of funding has not occurred to the extent Council would have liked.

Conditions for the funding has limited the eligible projects Council has that are at a stage of being ready to commence. Three primary considerations were made of the ability for the projects to be completed on time, on budget, to a high quality and safely, these included:

1. Within current resources in the allocated timeframe and Council budget;
2. Current classification in the Asset Management System; and
3. What other economic benefits the projects can provide during this unprecedented time.

In March of 2020 the Department of Infrastructure, Transport, Regional Development, requested Litchfield Council provide a list of Projects that were 'shovel ready' or potential to commence within a 3-6 months period. Various projects provided in this list have been included in the 2020/2021 Municipal Plan and as such are ineligible for use of the LRCI funding as outlined in the funding guidelines.

The projects remaining that were identified in this list and put forward for nomination are as follows:

- Wells Creek Road – reseal full Length - \$146,000
- Mocatto Road – reseal from Northstar Road to Whitstone Road - \$354,000
- Townend Road – reseal from Redcliffe Road to Mocatto Road - \$275,000
- Redcliffe Road – reseal from Elizabeth Valley Road to Alverly Road - \$400,000

The selection of these projects is supported by the Road Asset Management Plan along with their connection to the Productive Roads Project of improving the quality of access to Primary Producers in the Litchfield Municipality. In completing these reseals in 2020/2021 they have the added benefit of effectively projecting Council up to a full year ahead in the Road Asset Management Plan.

In support of the objective of the funding to provide stimulus to create and protect local employment, the procurement process for the proposed works will be broken into four separate projects, and should four tenderers submit pricing, that each tenderer be awarded a contract.

This report seeks Councils endorsement of the additional funding and the identification and selection of the projects for nomination.

Links with Strategic Plan

Everything You Need - Roads and Transport

Legislative and Policy Implications

Not applicable to this report.

Risks



Service Delivery

Council resources will be required to manage the projects. These resource implications have not been planned for with either staffing or budgetary considerations for FY20/21. Resourcing levels and increases service delivery pressure will be monitored through the project with regular reporting and project updates communicated to the CEO and Council. It is possible that additional resources will be requested from Council to ensure the projects are successfully delivered.

Financial

Should Council not complete the projects in the required time frames, Council risks non-compliance with the conditions of the grant agreement.

Community

The proposed projects should be clearly communicated to the community to manage expectations of the use of the funds.

Community Engagement

Not applicable to this report.

Local Roads and Community Infrastructure Grant Agreement

between the Commonwealth represented by

Department of Infrastructure, Transport, Regional Development and Communications

And

The Grantee

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Grant Agreement

Once completed and executed by the Parties, this document, together with the Letter of Offer that accompanied this document, the Commonwealth Standard Grant Conditions (Schedule 1), and Schedule 2, forms an Agreement between the Commonwealth and the Grantee.

Parties to this Agreement

The Grantee is the entity identified in the Letter of Offer.

The Commonwealth

The Commonwealth of Australia represented by the Department of Infrastructure, Transport, Regional Development and Communications of 111 Alinga Street, Canberra, Australian Capital Territory

ABN 86 267 354 017

Background

The Commonwealth has agreed to enter this Agreement under which the Commonwealth will provide the Grantee with a Grant for the purpose of assisting the Grantee to undertake the associated Activity.

The Grantee agrees to use the Grant and undertake the Activity in accordance with this Agreement.

Scope of this Agreement

This Agreement comprises:

- (a) this document;
- (b) the Supplementary Terms (if any);
- (c) the Standard Grant Conditions (Schedule 1);
- (d) the Grant Details;
- (e) the Letter of Offer;
- (f) any other document referenced or incorporated in the Grant Details.

If there is any ambiguity or inconsistency between the documents comprising this Agreement in relation to the Grant, the document appearing higher in the list will have precedence to the extent of the ambiguity or inconsistency.

This Agreement represents the Parties' entire agreement in relation to the Grant provided under it and the relevant Activity and supersedes all prior representations, communications, agreements, statements and understandings, whether oral or in writing.

Certain information contained in or provided under this Agreement may be used for public reporting purposes.

Grant Details

A. Purpose of the Grant

The Grant is being provided as part of the Local Roads and Community Infrastructure Program (LRCI Program).

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the economic impacts of COVID-19.

The intended outcomes of the LRCI Program are to:

- provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of COVID-19; and
- deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

The LRCI Program is administered by the Department of Infrastructure, Transport, Regional Development and Communications, referred to as 'the Department' throughout this agreement.

B. Activity

- 1 The Grantee is required to use the Grant funds to undertake the Eligible Projects set out in the approved Work Schedule.

2 Work Schedules

2.1 The Grantee must submit a draft Work Schedule in the manner and form notified by the Commonwealth, and in accordance with the requirements in this Agreement including Schedule 2.

2.2 The draft Work Schedule must contain the following information in relation to each of the nominated projects the Grantee proposes to undertake using the Grant:

- 2.2.1 project description, including details of how the project meets the Project Eligibility Requirements detailed in 5;
- 2.2.2 proposed timeframes for the project, including construction commencement date, construction duration and estimated construction completion date;
- 2.2.3 detail any Conflicts of Interest and management actions to manage these conflicts (see 7 below);
- 2.2.4 the amount of Grant funding required, and details of any other contributions to the total costs of the project, along with details of all proposed expenditure including confirmation that none of the proposed expenditure is Ineligible Expenditure;
- 2.2.5 maps in accordance with the mapping requirements notified by the Commonwealth on the Department's website;

2.2.6 expected number of jobs supported by the project over the construction period;

2.2.6.1 If some of the jobs supported by a project are new jobs/redistribution of personnel in the Grantee's workforces, labour costs for work undertaken must be derived from timesheets or via an equally acceptable method. Management time included in the expected number of jobs supported by a project must not include Ineligible Expenditures or costs associated with Ineligible Projects. Ineligible Projects and Ineligible Expenditures are set out at 6.

2.3 The total amount of Grant funding sought under the draft Work Schedule cannot exceed the amount of the Grant specified in the Letter of Offer.

3 The Commonwealth will review the draft Work Schedule following the process detailed in the Local Roads and Community Infrastructure Program Guidelines (as in force at the time the decision to approve the Work Schedule is made).

3.1 The Grantee will be advised in writing if its Work Schedule is approved.

3.2 The Commonwealth's approval of the draft Work Schedule may be subject to conditions, including:

3.2.1 the removal of some of the nominated projects where the Commonwealth does not consider they are Eligible Projects or otherwise meet the requirements of this Grant Agreement or the objectives of the LRCI Program – in which case the Grantee may submit an updated Work Schedule that includes additional nominated projects for approval at any time; or

3.2.2 the Grantee agreeing to amendments to this Grant Agreement required by the Commonwealth to implement any relevant government policy or that the Commonwealth otherwise considers necessary due to the value, nature, scope or location of the Activity or any nominated project.

3.3 The Commonwealth's decision regarding the approval of the draft Work Schedule and/or any conditions is at its absolute discretion and is final. Once approved, the Work Schedule forms part of this Grant Agreement. The approval of the Work Schedule is a condition for release of the First Instalment of Grant money.

4 A Grantee can only spend Grant money on Eligible Projects detailed in an Approved Work Schedule.

5 Project Eligibility Requirements

5.1 An Eligible Project is a project that meets the requirements of 5.2, 5.3, and 5.4; and; the requirements of 5.5 and/or 5.6;

5.2 An Eligible Project must be additional to the Grantee's existing work program for 2020-21.

5.2.1 A project brought forward from a post 2020-21 work plan is additional.

5.2.2 A project for which the Grantee has substituted Grant money for their own funding or other sources of funding is not additional. The purpose of the LRCI Program funding is to enable Grantees to undertake projects that are additional to what they had planned to undertake using their own funds to stimulate local economies and employment opportunities.

5.3 A project must deliver benefits to the community.

5.4 Construction on the project must be completed by 30 June 2021, unless otherwise agreed by the Commonwealth due to exceptional circumstances.

5.5 Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments. Local governments are encouraged to consider how works can support improved road safety outcomes. This could include projects involving any of the following associated with a road:

5.5.1 traffic signs;

5.5.2 traffic control equipment;

5.5.3 street lighting equipment;

5.5.4 a bridge or tunnel;

5.5.5 a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);

5.5.6 facilities off the road that support the visitor economy;

5.5.7 road and sidewalk maintenance, where additional to normal capital works schedules.

5.6 Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

Projects that involve the construction, maintenance and/or improvements to state/territory and crown owned land/assets and Commonwealth owned land/assets, can also be Eligible Projects where the Council can confirm that they have the authority of the land or asset owner to undertake the project at the nominated site(s) and the sites are accessible to the public (including natural assets).

5.6.1 These projects must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of eligible works include:

5.6.1.1 Closed Circuit TV (CCTV);

5.6.1.2 bicycle and walking paths;

5.6.1.3 painting or improvements to community facilities;

5.6.1.4 repairing and replacing fencing;

5.6.1.5 improved accessibility of community facilities and areas;

- 5.6.1.6 landscaping improvements, such as tree planting and beautification of roundabouts;
- 5.6.1.7 picnic shelters or barbeque facilities at community parks;
- 5.6.1.8 playgrounds and skate parks (including all ability playgrounds);
- 5.6.1.9 noise and vibration mitigation measures; and
- 5.6.1.10 off-road car parks (such as those at sporting grounds or parks).

5.7 If Grant funds will be used for fifty per cent or less of the total cost of a project, which meets the below requirements:

- 5.7.1 Grant funds allocated to the project will be used to cover the cost of construction activity to 30 June 2021;
- 5.7.2 all other Eligible Project requirements (except 5.4) are met;
- 5.7.3 the Project will complete construction by 30 June 2022; and
- 5.7.4 The Commonwealth was made aware that the project was intended to meet the requirements of this section.

The part of the project paid for by the Commonwealth may be approved as an Eligible Project.

6 Ineligible Projects/Ineligible Expenditure

6.1 Grant money cannot be used for Ineligible Projects or Ineligible Expenditure. Ineligible Projects and Ineligible Expenditure are the Grantee's business as usual activities and costs, or any other activities and costs not associated with Eligible Projects, including those set out at 6.2.

6.2 The following is a non-exhaustive list of examples of Ineligible Projects or Ineligible Expenditures:

- 6.2.1 costs incurred in the preparation of a draft Work Schedule or related documentation;
- 6.2.2 general administrative overheads and staff salaries not connected with Eligible Projects;
- 6.2.3 subsidy of general ongoing administration of an organisation such as electricity, phone and rent;
- 6.2.4 projects that receive Australian, state or territory government funding for the same purpose (unless otherwise agreed by the Commonwealth);
- 6.2.5 commencement ceremony, opening ceremony or any other event associated with Eligible Projects;
- 6.2.6 transport planning studies;
- 6.2.7 road rehabilitation studies (if not part of an Eligible Project);
- 6.2.8 community/public art;

- 6.2.9 road building plant or other capital equipment especially moveable equipment (e.g. graders);
- 6.2.10 training (if not part of an Eligible Project);
- 6.2.11 public liability insurance;
- 6.2.12 fringe benefits tax;
- 6.2.13 GST payable component of a supply;
- 6.2.14 finance leases on equipment;
- 6.2.15 depreciation, except for depreciation of plant and equipment directly attributable to a grant funded eligible project;
- 6.2.16 stand-alone design and preliminary works;
- 6.2.17 operating lease charges where the rental expense cannot be directly linked to the grant project (e.g. a grader may be hired for a period for a variety of tasks, only charges that specifically relate to the Eligible Project can be charged against the grant funds);
- 6.2.18 overseas travel; and
- 6.2.19 the covering of retrospective costs.

6.3 The Commonwealth may determine further costs to be Ineligible Expenditures and notify the Grantee of these expenditures.

7 Conflicts of Interest

7.1 The Grantee must disclose if any of their personnel:

- 7.1.1 has a relationship with, or interest in, an organisation, which is likely to interfere with or restrict the Grantee from carrying out the Activities and/or implementing the Work Schedule fairly and independently; or
- 7.1.2 has a relationship with, or interest in, an organisation which may be awarded work in relation to a nominated project or is otherwise to be involved in the implementation of the Work Schedule.

7.2 The Grantee must include in the Work Schedule:

- 7.2.1 any details of any real, apparent, or potential conflicts of interest (as detailed in 7.1) that may arise in relation to the Grantee's nominated projects, or the program;
- 7.2.2 details of how the Grantee proposes to manage these or any other conflict of interest that may arise; or
- 7.2.3 that to the best of their knowledge, there are no conflicts of interest.

7.3 The Grantee must include in the Work Schedule details of the arrangements it will implement to effectively manage conflicts of interest in relation to the conduct of projects. If a Grantee later identifies an actual, apparent, or perceived conflict of interest during the conduct of an Eligible Project, they must inform the Commonwealth Representative of the conflict of Interest in writing immediately; and detail how they intend to manage it.

8 Media Releases

8.1 If the Grantee proposes to issue any media release relating to an Eligible Project, it must:

8.1.1 at least two business days prior to its proposed release, unless otherwise agreed by the Commonwealth, provide a copy of the proposed media release to the Commonwealth and obtain the Commonwealth's agreement to the media release; and

8.1.2 provide the relevant local Federal Member of Parliament with the opportunity to participate in the media release.

8.2 Within seven calendar days of receipt of an instalment, the Grantee must provide via email to the relevant local Federal Member of Parliament (with a copy provided to the Commonwealth) a summary of all Eligible Projects, commencing, in progress, and completing in a Federal Electorate and the funds claimed against those Eligible Projects under this Grant Agreement.

9 Eligible Project Events

9.1 If the Grantee proposes to hold a works commencement ceremony, opening ceremony or any other event in relation to the commencement/opening/reopening of an Eligible Project, they must inform the Commonwealth and the relevant local Federal Member of Parliament of the proposed ceremony or event:

9.1.1 at least two weeks before the proposed ceremony or event is to be held; and

9.1.2 provide details of the proposed ceremony or event, including proposed invitees and order of proceedings.

10 Signage

10.1 The Grantee must erect a sign for each Eligible Project over \$10,000, at the time work on the Eligible Project commences.

10.2 The sign must be erected in accordance with the Signage Guidelines available on the Department's website.

11 Changes to Grantees and Eligible Projects

11.1 Grantees must notify the Commonwealth of significant changes that are likely to affect an Eligible Project or their participation in the LRCI Program. This includes any key changes to the Grantee's organisation, particularly if it affects their ability to complete an Eligible Project, carry on their business and pay debts due.

11.2 A Grantee's Representative is the Formal Contact the Grantee uses for the Roads to Recovery program unless otherwise agreed by the Commonwealth. A Grantee must inform the Commonwealth of any changes to their:

11.2.1 name;

11.2.2 addresses;

11.2.3 Grantee's Representative details; or

11.2.4 bank account details.

11.3 Any changes to a Grantee's Representative identified at 11.2 must follow the process notified by the Commonwealth.

C. Duration of the Grant

Activity start date	Activity Completion Date
The Activity starts on 1 July 2020	and ends on 31 December 2021

12 Activity Timeframe

12.1 Construction activity on Eligible Projects must be undertaken between 1 July 2020 and 30 June 2021, other costs associated with Eligible Projects may continue to 31 December 2021.

12.2 The Agreement ends on 30 June 2022 which is the **Agreement End Date**.

D. Payment of the Grant

13 The total amount of the Grant is the Nominal Funding Allocation approved in relation to the Grantee contained in the Letter of Offer.

13.1 A Grantee's bank account for the LRCI program is the bank account the Grantee uses for the Roads to Recovery Program. A change to a bank account must follow the process notified by the Commonwealth.

14 Grant Instalments

14.1 Grant Instalments will be paid in accordance with the instalments set out in Table 1 below, subject to:

14.1.1 any necessary amendments being made to the *Financial Framework (Supplementary Powers) Regulations 1997* to authorise expenditure being made under the LSCI program;

14.1.2 receipt of required Reports by the Commonwealth;

14.1.3 the Commonwealth's decision on Reports and information provided therein;

14.1.4 the required information contained in Work Schedules;

14.1.5 the Commonwealth's consideration of other relevant information;

14.1.6 compliance by the Grantee with its obligations under this Agreement; and

14.1.7 any further requirements in the Local Roads and Community Infrastructure Program Guidelines (as in force at the time the decision to make a payment is made) being met.

15 Payments will be paid in accordance with Table 1: Grant Payments

Table 1: Grant Payments		
Payment milestone	Grant payment date	Amount
First Instalment: Work Schedule approval payment	Within four weeks of the Work Schedule being approved.	The first payment will be equal to 50 per cent of a Grantee's Nominal Funding Allocation.
Second Instalment: Top up - mid program progress payment	Within four weeks of the Secretary of the Commonwealth or their Delegate's decision on the following: 1) an updated Work Schedule; and 2) the second Quarterly Report submitted between 1–31 January 2021.	The Second Instalment will be equal to the Grantee's: <ul style="list-style-type: none"> actual expenditure up until 31 December 2020; and projected expenditure to 31 March 2021 on Eligible Projects in an Approved Work Schedule less: <ul style="list-style-type: none"> the First Instalment; and 10 per cent of the Nominal Funding Allocation. <p>If, following the method of calculation above, the Grantee's second instalment would be less than zero, the Grantee will not receive any money in their second instalment.</p>
Second Instalment: Early Access	If all grant money has been expended in advance of 1 January 2021. Within four weeks of the Secretary of the Commonwealth's or their Delegate's decision on the following: 1) an updated Work Schedule; and 2) an Ad hoc report.	The Second Instalment will be equal to the Grantee's: <ul style="list-style-type: none"> actual expenditure up until 31 December 2020; and projected expenditure to 31 March 2021 on Eligible Projects in an Approved Work Schedule less: <ul style="list-style-type: none"> the First Instalment; and 10 per cent of the Nominal Funding Allocation. <p>If, following the method of calculation above, the Grantee's second instalment would be less than zero, the Grantee will not receive any money in their second instalment.</p>

<p>Third Instalment:</p> <p>Final payment</p>	<p>Within four weeks of the Secretary of the Commonwealth or their Delegate's decision being made to release the final instalment upon receipt of the Annual Report.</p>	<p>The Third Instalment will be the lesser of:</p> <ul style="list-style-type: none"> • the residual amount of a Grantee's Nominal Funding Allocation; or • total eligible expenditure under the program <p>less instalments paid to date.</p>
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E. Reporting

16 The Grantee agrees to update Work Schedules in accordance with;

16.1 the Local Roads and Community Infrastructure Program Guidelines as in force from time to time; and

16.2 any other requirements notified by the Commonwealth.

16.3 At a minimum, a Grantee must update a Work Schedule in accordance with any requirements notified by the Commonwealth, immediately prior to submitting the second Quarterly Report or immediately before submission of an Ad hoc report for Early Access to the Second Instalment.

17 The Grantee agrees to create the following reports in the manner and form specified by the Commonwealth and provide the reports to the Commonwealth representative:

17.1 Quarterly Reports;

17.2 Annual Reports;

17.3 Ad hoc Reports (if required).

17.4 The Grantee must provide Reports in accordance with the timeframes at **Table 2: Reports** unless 17.5 applies.

17.5 If the Grantee has expended all Grant funds and/or returned any Grant funds additional to the requirements of the Activity, after providing the Quarterly Report for the quarter in which this occurs, the Grantee will not be required to provide any further Quarterly Reports, but will be required to provide the Annual Report.

Table 2: Reports		
Lodgement period for Quarterly Reports	Quarter: Actual expenditure period	Quarterly Report
1–31 October 2020	1 July to 30 September 2020	Mid payment update of Work schedule. Actual expenditure and eligible project updates for the period commencing on 1 July 2020 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.
1–31 January 2021	1 October to 31 December 2020	Actual expenditure and eligible project updates for the period commencing on 1 July 2020 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.
1–30 April 2021	1 January to 31 March 2021	Actual expenditure and eligible project updates for the period commencing on 1 July 2020 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.
Annual Report must be provided by 14 August 2021	1 July 2020 to 30 June 2021	Annual Report Actual expenditure and eligible project updates from 1 July 2020/Commencement of program to 30 June 2021.

1–31 October 2021	1 July 2021 – 30 September 2021 (if required)	Actual expenditure for the period commencing on 1 July 2020 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.
1–31 January 2022	1 October 2021 to 31 December 2021 (if required)	Actual expenditure for the period commencing on 1 July 2020 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.

18 Quarterly Reports

- 18.1 Quarterly Reports must be in the manner and form notified by the Commonwealth.
- 18.2 A Quarterly Report must include the following information:
- 18.2.1 the amount of Grant funding spent (actual expenditure) for the period commencing on 1 July 2020 and ending on the last day of the quarter to which the Quarterly Report relates;
 - 18.2.2 the amount of Grant funding (proposed expenditure) which the Grantee intends to spend on Eligible Projects in the quarter following the report;
 - 18.2.3 details of progress towards completion of Eligible Projects;
 - 18.2.4 estimated and/or confirmed jobs supported by the Grant funding; and
 - 18.2.5 such other information notified by the Commonwealth from time to time.
- 18.3 The figures in the Quarterly Reports should be prepared on an accrual basis.

19 Annual Reports

- 19.1 Annual Reports must be in the manner and form notified by the Commonwealth.
- 19.2 Annual Reports must include the following information:
- 19.2.1 Total amount of Grant funding made available and subsequently received over the financial year;
 - 19.2.2 Total amount of Grant funding spent on Eligible Projects;

- 19.2.3 Total amount (if any) of Grant funding unspent and either returned or will be returned to the Commonwealth;
- 19.2.4 a written Financial Statement by the Chief Executive Officer or equivalent officer however named. The Financial Statement must be in the form specified by the Commonwealth and include:
 - 19.2.4.1 the amount of Grant payment which remained unspent from the financial year;
 - 19.2.4.2 the amount of Grant payments received by the Grantee in the financial year;
 - 19.2.4.3 the amount of Grant payments available for expenditure by the Grantee on Eligible Projects in that year;
 - 19.2.4.4 the amount spent by the Grantee during that year out of the Grant payments available for expenditure by the Grantee during that year;
 - 19.2.4.5 the amount (if any) retained at the end of that year by the Grantee out of Grant payments available for expenditure by the Grantee during that year and which remained unspent at the end of that year;

Note: The figures in the Chief Executive Officer's financial statement should be calculated on an accrual basis.

- 19.2.5 a report in writing and signed by an appropriate auditor stating whether, in the auditor's opinion:
 - 19.2.5.1 the Chief Executive Officer's financial statement is based on proper accounts and records;
 - 19.2.5.2 the Chief Executive Officer's financial statement is in agreement with the accounts and records;
 - 19.2.5.3 the expenditure referred to in subparagraph (d)(iv) has been on Eligible Projects under the LRCI Program; and
 - 19.2.5.4 the amount certified by the Chief Executive Officer in the Chief Executive Officer's financial statement as the Grantee's own source expenditure is based on, and in agreement with, proper accounts and records.

19.2.6 Any further information notified by the Commonwealth.

20 Ad Hoc Reports

- 20.1 If the Grantee has spent all of their First Instalment in advance of 1 January 2021, the grantee can submit an Ad hoc report to access their Second Instalment of Grant funds early.
- 20.2 An Ad hoc report must be in the manner and form specified by the Commonwealth.
- 20.3 An Ad hoc report must contain the following information:

- 20.3.1 the amount of Grant funding spent from 1 July 2020 until the date specified in the Ad Hoc Report;
- 20.3.2 the amount of grant funding which the Grantee intends to spend on Eligible Projects following the report until 31 March 2021;
- 20.3.3 details of progress towards completion of Eligible Projects; including any evidence required per the Local Roads and Community Infrastructure Program Guidelines;
- 20.3.4 estimated and/or confirmed jobs supported by Grant funding; and
- 20.3.5 such other information notified by the Commonwealth from time to time.

20.4 The submission of an Ad hoc report does not negate the requirement to submit Quarterly Reports or an Annual Report.

F. Party representatives and address for notices

Grantee’s representative and address

The Grantee’s Representative is the Grantee’s Formal Contact under the Roads to Recovery program unless otherwise agreed by the Commonwealth.

Commonwealth representative and address

Name of representative	Daniel Caruso
Position	Assistant Secretary, COVID Recovery Infrastructure Investment Stimulus
Postal address	GPO Box 594, Canberra Australian Capital Territory 2601
Physical address	111 Alinga Street, Canberra, Australian Capital Territory
Business hours telephone	02 6274 6522
Email	Daniel.Caruso@infrastructure.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

N/A.

Supplementary Terms from Clause Bank

1. Other Contributions

N/A

2. Activity budget

N/A

3. Intellectual property in Activity Material

N/A

3A. Intellectual property – research

N/A

3B. Creative Commons licence

N/A

4. Access/Monitoring/Inspection

4.1. The Grantee agrees to give the Commonwealth, or any persons authorised in writing by the Commonwealth:

(a) access to premises where the Activity is being performed and/or where Material relating to the Activity is kept within the time period specified in a Commonwealth notice; and

(b) permission to inspect and take copies of any Material relevant to the Activity.

4.2. The Auditor-General and any Information Officer under the *Australian Information Commissioner Act 2010* (Cth) (including their delegates) are persons authorised for the purposes of clause CB4.1.

4.3. This clause CB4 does not detract from the statutory powers of the Auditor-General or an Information Officer (including their delegates).

5. Equipment and Assets

N/A

6. Specified Personnel

N/A

7. Relevant qualifications, licences, permits, approvals or skills

7.1. The Grantee agrees to ensure that personnel performing work in relation to the Activity: and

(a) are appropriately qualified to perform the tasks indicated;

(b) have obtained the required qualifications, licences, permits, approvals or skills before performing any part of the Activity and

(c) continue to maintain all relevant qualifications, licences, permits, approvals or skills for the duration of their involvement with the Activity.

8. Vulnerable Persons

N/A

9. **Child safety**

N/A

10. **Commonwealth Material, facilities and assistance**

N/A

11. **Jurisdiction**

N/A

12. **Grantee trustee of Trust**

N/A

13. **Fraud**

13.1. In this Agreement, Fraud means dishonestly obtaining a benefit, or causing a loss, by deception or other means, and includes alleged, attempted, suspected or detected fraud.

13.2. The Grantee must ensure its personnel and subcontractors do not engage in any Fraud in relation to the Activity.

13.3. If the Grantee becomes aware of:

(a) any Fraud in relation to the performance of the Activity; or

(b) any other Fraud that has had or may have an effect on the performance of the Activity;

then it must within 5 business days report the matter to the Commonwealth and all appropriate law enforcement and regulatory agencies.

13.4. The Grantee must, at its own cost, investigate any Fraud referred to in clause CB13.3 in accordance with the Australian Government Investigations Standards available at www.ag.gov.au.

13.5. The Commonwealth may, at its discretion, investigate any Fraud in relation to the Activity. The Grantee agrees to co-operate and provide all reasonable assistance at its own cost with any such investigation.

13.6. This clause survives the termination or expiry of the Agreement.

14. **Prohibited dealings**

N/A

15. **Anti-corruption**

15.1. In this Agreement:

Illegal or Corrupt Practice means directly or indirectly:

(a) making or causing to be made, any offer, gift, payment, consideration or benefit of any kind to any party, or

(b) receiving or seeking to receive, any offer, gift, payment, consideration or benefit of any kind from any party, as an inducement or reward in relation to the performance of the Activity, which would or could be construed as an illegal or corrupt practice.

- 15.2. The Grantee warrants that the Grantee, its officers, employees, contractors, agents and any other individual or entity involved in carrying out the Activity have not, engaged in an Illegal or Corrupt Practice.
- 15.3. The Grantee agrees not to, and to take all reasonable steps to ensure that its officers, employees, contractors, agents and any other individual or entity involved in carrying out the Activity do not:
- (a) engage in an Illegal or Corrupt Practice; or
 - (b) engage in any practice that could constitute the offence of bribing a foreign public official contained in section 70.2 of the Criminal Code Act 1995 (Cth).
- 15.4. The Grantee agrees to inform the Commonwealth within five business days if the Grantee becomes aware of any activity as described in CB15.3 in relation to the performance of the Activity.
16. **Step-in rights**
N/A
17. **Grant Administrator**
N/A
18. **Management Adviser**
N/A
19. **Indemnities**
N/A
20. **Compliance with Legislation and policies**
- 20.1. In this Agreement: Legislation means a provision of a statute or subordinate legislation of the Commonwealth, or of a State, Territory or local authority
- 20.2. The Grantee agrees to comply with all Legislation applicable to its performance of this Agreement.
- 20.3. The Grantee agrees, in carrying out its obligations under this Agreement, to comply with any of the Commonwealth's policies as notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site).
21. **Work health and safety**
- 21.1. The Grantee agrees to ensure that it complies at all times with all applicable work health and safety legislative and regulatory requirements and any additional work health and safety requirements set out in the Grant Details.
- 21.2. If requested by the Commonwealth, the Grantee agrees to provide copies of its work health and safety management plans and processes and such other details of the arrangements it has in place to meet the requirements referred to in clause ST21.1.
- 21.3. When using the Commonwealth's premises or facilities, the Grantee agrees to comply with all reasonable directions and procedures relating to work health and safety and security in effect at those premises or facilities, as notified by the

Commonwealth or as might reasonably be inferred from the use to which the premises or facilities are being put.

22. **Transition**

N/A

23. **Corporate governance**

N/A

23A. **Incorporation requirement**

N/A

24. **Counterparts**

N/A

25. **Employees subject to SACS Decision**

N/A

26. **Program interoperability with National Disability Insurance Scheme**

N/A

27. **Rollover of surplus and uncommitted funds**

N/A

28. **Secret and Sacred Indigenous Material**

N/A

Signature

Executed as an agreement:

Grantee

Full legal name of the Grantee <name of the grantee> <ABN of the grantee>	
Signatory Name	
Signature	
Date	
Witness Name	
Signature and date	

Commonwealth

Signed for and on behalf of the Commonwealth of Australia as represented by the Commonwealth of Infrastructure, Transport, Regional Development and Communications	
Name	
Position	
Date	
Signature	
Witness Name	
Signature and date	

Schedule 1: Commonwealth Standard Grant Conditions

1. Undertaking the Activity
 - 1.1. The Grantee agrees to undertake the Activity for the purpose of the Grant in accordance with this Agreement.
 - 1.2. The Grantee is fully responsible for the Activity and for ensuring the performance of all its obligations under this Agreement in accordance with all relevant laws. The Grantee will not be relieved of that responsibility because of:
 - (a) the grant or withholding of any approval or the exercise or non-exercise of any right by the Commonwealth; or
 - (b) any payment to, or withholding of any payment from, the Grantee under this Agreement.
2. **Payment of the Grant**
 - 2.1. The Commonwealth agrees to pay the Grant to the Grantee in accordance with the Grant Details.
 - 2.2. Notwithstanding any other provision of this Agreement, the Commonwealth may by notice withhold payment of any amount of the Grant and/or take any other action specified in the Supplementary Terms if it reasonably believes that:
 - (a) the Grantee has not complied with this Agreement;
 - (b) the Grantee is unlikely to be able to perform the Activity or manage the Grant in accordance with this Agreement; or
 - (c) there is a serious concern relating to the Grantee or this Agreement that requires investigation.
 - 2.3. A notice under clause 2.2 will contain the reasons for any action taken under clause 2.2 and, where relevant, the steps the Grantee can take to address those reasons.
 - 2.4. The Commonwealth will only be obliged to pay a withheld amount once the Grantee has addressed the reasons contained in a notice under clause 2.2 to the Commonwealth's reasonable satisfaction.
3. **Acknowledgements**
 - 3.1. The Grantee agrees not to make any public announcement, including by social media, in connection with the awarding of the Grant without the Commonwealth's prior written approval.
 - 3.2. The Grantee agrees to acknowledge the Commonwealth's support in all Material, publications and promotional and advertising materials published in connection with this Agreement. The Commonwealth may notify the Grantee of the form of acknowledgement that the Grantee is to use.
 - 3.3. The Grantee agrees not to use the Commonwealth Coat of Arms in connection with the Grant or the Activity without the Commonwealth's prior written approval.
4. **Notices**

- 4.1. Each Party agrees to promptly notify the other Party of anything reasonably likely to adversely affect the undertaking of the Activity, management of the Grant or its performance of any of its other requirements under this Agreement.
- 4.2. A notice given by a Party under this Agreement must be in writing and addressed to the other Party's representative as set out in the Grant Details or as most recently updated by notice given in accordance with this clause.
- 4.3. A notice is deemed to be effected:
 - (a) if delivered by hand - upon delivery to the relevant address;
 - (b) if sent by post - upon delivery to the relevant address; or
 - (c) if transmitted electronically - upon actual receipt by the addressee.
- 4.4. A notice received after 5.00 pm, or on a day that is a Saturday, Sunday or public holiday, in the place of receipt, is deemed to be effected on the next day that is not a Saturday, Sunday or public holiday in that place.
- 4.5. The Commonwealth may, by notice, advise the Grantee of changes to the Agreement that are minor or of an administrative nature, provided that any such changes do not increase the Grantee's obligations under this Agreement. Such changes, while legally binding, are not variations for the purpose of clause 8.

5. **Relationship between the Parties**

A Party is not by virtue of this Agreement the employee, agent or partner of the other Party and is not authorised to bind or represent the other Party.

6. **Subcontracting**

- 6.1. The Grantee is responsible for the performance of its obligations under this Agreement, including in relation to any tasks undertaken by subcontractors.
- 6.2. The Grantee agrees to make available to the Commonwealth the details of any of its subcontractors engaged to perform any tasks in relation to this Agreement upon request.

7. **Conflict of interest**

- 7.1. Other than those which have already been disclosed to the Commonwealth, the Grantee warrants that, to the best of its knowledge, at the date of this Agreement neither it nor its officers have any actual, perceived or potential conflicts of interest in relation to the Activity.
- 7.2. If during the term of the Agreement, any actual, perceived or potential conflict arises or there is any material change to a previously disclosed conflict of interest, the Grantee agrees to:
 - (a) notify the Commonwealth promptly and make full disclosure of all relevant information relating to the conflict; and
 - (b) take any steps the Commonwealth reasonably requires to resolve or otherwise deal with that conflict.

8. **Variation, assignment and waiver**

- 8.1. This Agreement may be varied in writing only, signed by both Parties.

- 8.2. The Grantee cannot assign its obligations, and agrees not to assign its rights, under this Agreement without the Commonwealth's prior approval.
- 8.3. The Grantee agrees not to enter into negotiations with any other person for the purposes of entering into an arrangement that will require novation of, or involve any assignment of rights under, this Agreement without first consulting the Commonwealth.
- 8.4. A waiver by a Party of any of its rights under this Agreement is only effective if it is in a signed written notice to the other Party and then only to the extent specified in that notice.

9. **Taxes, duties and government charges**

- 9.1. The parties have entered into this Grant Agreement on the understanding that the Commonwealth and the Grantee are both government related entities, and that the amount of the Grant and anything else the Grantee receives from another entity in relation to any supply under this Agreement does not exceed the Grantee's cost of making that supply. On this basis, and in accordance with GSTR 2012/2 the parties rely on s.9-17 of the GST Act for no GST being imposed in connection with a supply made under this Agreement. Consequently, the actual and projected expenditure the Grantee reports to the Commonwealth must exclude the GST component on goods and services, and the payments the Commonwealth makes under this Agreement will not include GST.
- 9.2. The Grantee agrees to pay all taxes, duties and government charges imposed or levied in Australia or overseas in connection with the performance of this Agreement, except as provided by this Agreement.
- 9.3. If Goods and Services Tax (GST) is payable by a supplier on any supply made under this Agreement, the recipient of the supply will pay to the supplier an amount equal to the GST payable on the supply, in addition to and at the same time that the consideration for the supply is to be provided under this Agreement.
- 9.4. If at the commencement of the Agreement the Grantee is not registered for GST and during the term of the Agreement the Grantee becomes, or is required to become, registered for GST, the Grantee agrees to notify the Commonwealth in writing within 7 days of becoming registered for GST.

10. **Spending the Grant**

- 10.1. The Grantee agrees to spend the Grant for the purpose of performing the Activity and otherwise in accordance with this Agreement.
- 10.2. Within one month after the Activity Completion Date, the Grantee agrees to provide a statement signed by the Grantee in a form specified by the Commonwealth verifying the Grant was spent in accordance with this Agreement.

11. **Repayment**

- 11.1. If any amount of the Grant:
 - (a) has been spent other than in accordance with this Agreement; or
 - (b) is additional to the requirements of the Activity; then the Commonwealth may by written notice:

- (c) require the Grantee to repay that amount to the Commonwealth;
- (d) require the Grantee to deal with that amount as directed by the Commonwealth;

or

- (e) deduct the amount from subsequent payments of the Grant or amounts payable under another agreement between the Grantee and the Commonwealth.

11.2. If the Commonwealth issues a notice under this Agreement requiring the Grantee to repay a Grant amount:

- (a) the Grantee must do so within the time period specified in the notice;
- (b) the Grantee must pay interest on any part of the amount that is outstanding at the end of the time period specified in the notice until the outstanding amount is repaid in full; and
- (c) the Commonwealth may recover the amount and any interest under this Agreement as a debt due to the Commonwealth without further proof of the debt being required.

12. **Record keeping**

12.1. The Grantee agrees to keep financial accounts and other records that:

- (a) detail and document the conduct and management of the Activity;
- (b) identify the receipt and expenditure of the Grant separately within the Grantee's accounts and records so that at all times the Grant is identifiable; and
- (c) enable all receipts and payments related to the Activity to be identified and reported.

12.2. The Grantee agrees to keep the records for five years after the Activity Completion Date or such other time specified in the Grant Details and provide copies of the records to the Commonwealth upon request.

13. **Reporting and Liaison**

13.1. The Grantee agrees to provide the Reporting Material specified in the Grant Details to the Commonwealth.

13.2. In addition to the obligations in clause 13.1, the Grantee agrees to:

- (a) liaise with and provide assistance and information to the Commonwealth as reasonably required by the Commonwealth; and
- (b) comply with the Commonwealth's reasonable requests, directions and monitoring requirements,
in relation to the Activity.

13.3. If the Commonwealth acting reasonably has concerns regarding the performance of the Activity or the management of the Grant, the Commonwealth may by written notice require the Grantee to provide one or more additional reports, containing the information and by the date(s), specified in the notice.

13.4. The Grantee acknowledges that the giving of false or misleading information to the Commonwealth is a serious offence under the Criminal Code Act 1995 (Cth).

14. **Privacy**

14.1. When dealing with Personal Information in carrying out the Activity, the Grantee agrees:

- (a) to comply with the requirements of the Privacy Act 1988 (Cth); and
- (b) not to do anything which, if done by the Commonwealth, would be a breach of an Australian Privacy Principle.

15. **Confidentiality**

- 15.1. The Parties agree not to disclose each other's confidential information without the other Party's prior written consent unless required or authorised by law or Parliament to disclose.
- 15.2. The Commonwealth may disclose the Grantee's confidential information where;
 - (a) the Commonwealth is providing information about the Activity or Grant in accordance with Commonwealth accountability and reporting requirements;
 - (b) the Commonwealth is disclosing the information to a Minister of the Australian Government, a House or Committee of the Commonwealth Parliament; or
 - (c) the Commonwealth is disclosing the information to its personnel or another Commonwealth agency where this serves the Commonwealth's legitimate interests.

16. **Insurance**

- 16.1. The Grantee agrees to maintain adequate insurance for as long as any obligations remain in connection with this Agreement and provide proof of insurance to the Commonwealth upon request.

17. **Intellectual property**

- 17.1. Subject to clause 17.2, the Grantee owns the Intellectual Property Rights in Activity Material and Reporting Material.
- 17.2. This Agreement does not affect the ownership of Intellectual Property Rights in Existing Material.
- 17.3. The Grantee provides the Commonwealth a permanent, non-exclusive, irrevocable, royalty-free licence to use, modify, communicate, reproduce, publish, adapt and sub-license the Reporting Material for Commonwealth Purposes.
- 17.4. The licence in clause 17.3 does not apply to Activity Material.

18. **Dispute resolution**

- 18.1. The Parties agree not to initiate legal proceedings in relation to a dispute arising under this Agreement unless they have first tried and failed to resolve the dispute by negotiation.
- 18.2. Unless clause 18.3 applies, the Parties agree to continue to perform their respective obligations under this Agreement when a dispute exists.
- 18.3. The Parties may agree to suspend performance of the Agreement pending resolution of the dispute.
- 18.4. Failing settlement by negotiation in accordance with clause 18.1, the Parties may agree to refer the dispute to an independent third person with power to intervene and direct some form of resolution, in which case the Parties will be bound by that resolution. If the Parties do not agree to refer the dispute to an independent third person, either Party may initiate legal proceedings.

18.5. Each Party will bear their own costs in complying with this clause 18, and the Parties will share equally the cost of any third person engaged under clause 18.4.

18.6. The procedure for dispute resolution under this clause does not apply to any action relating to termination, cancellation or urgent interlocutory relief.

19. **Reduction, Suspension and Termination**

19.1. Reduction in scope of agreement for fault

19.1.1. If the Grantee does not comply with an obligation under this Agreement and the Commonwealth believes that the non-compliance is incapable of remedy, or if the Grantee has failed to comply with a notice to remedy, the Commonwealth may by written notice reduce the scope of the Agreement.

19.1.2. The Grantee agrees, on receipt of the notice of reduction, to:

- (a) stop or reduce the performance of the Grantee's obligations as specified in the notice;
- (b) take all available steps to minimise loss resulting from the reduction;
- (c) continue performing any part of the Activity or the Agreement not affected by the notice if requested to do so by the Commonwealth; and
- (d) report on, and return any part of, the Grant to the Commonwealth, or otherwise deal with the Grant, as directed by the Commonwealth.

19.1.3. In the event of reduction under clause 19.1.1, the amount of the Grant will be reduced in proportion to the reduction in the scope of the Agreement.

19.2. Suspension

19.2.1. If:

- (a) the Grantee does not comply with an obligation under this Agreement and the Commonwealth believes that the non-compliance is capable of remedy;
- (b) the Commonwealth reasonably believes that the Grantee is unlikely to be able to perform the Activity or manage the Grant in accordance with this Agreement; or
- (c) the Commonwealth reasonably believes that there is a serious concern relating to the Grantee or this Agreement that requires investigation;

the Commonwealth may by written notice:

- (d) immediately suspend the Grantee from further performance of the Activity (including expenditure of the Grant); and/or
- (e) require that the non-compliance or inability be remedied, or the investigation be completed, within the time specified in the notice.

19.2.2. If the Grantee:

- (a) remedies the non-compliance or inability specified in the notice to the Commonwealth's reasonable satisfaction, or the Commonwealth reasonably concludes that the concern is unsubstantiated, the Commonwealth may direct the Grantee to recommence performing the Activity; or
- (b) fails to remedy the non-compliance or inability within the time specified, or the Commonwealth reasonably concludes that the concern is likely to be substantiated, the Commonwealth may reduce the scope of the Agreement in accordance with clause

19.1 or terminate the Agreement immediately by giving a second notice in accordance with clause 19.3.

19.3. Termination for fault

19.3.1. The Commonwealth may terminate this Agreement by notice where the Grantee has:

- (a) failed to comply with an obligation under this Agreement and the Commonwealth believes that the non-compliance is incapable of remedy or where clause 19.2.2.b applies; or
- (b) provided false or misleading statements in relation to the Grant; or
- (c) become bankrupt or insolvent, entered into a scheme of arrangement with creditors, or come under any form of external administration.

19.3.2. The Grantee agrees, on receipt of the notice of termination, to:

- (a) stop the performance of the Grantee's obligations;
- (b) take all available steps to minimise loss resulting from the termination; and
- (c) report on, and return any part of, the Grant to the Commonwealth, or otherwise deal with the Grant, as directed by the Commonwealth.

20. **Cancellation or reduction for convenience**

20.1. The Commonwealth may cancel or reduce the scope of this Agreement by notice, due to:

- (a) a change in government policy; or
- (b) a Change in the Control of the Grantee which the Commonwealth reasonably believes will negatively affect the Grantee's ability to comply with this Agreement.

20.2. On receipt of a notice of reduction or cancellation under this clause, the Grantee agrees to:

- (a) stop or reduce the performance of the Grantee's obligations as specified in the notice;
- (b) take all available steps to minimise loss resulting from that reduction or cancellation;
- (c) continue performing any part of the Activity or the Agreement not affected by the notice if requested to do so by the Commonwealth; and
- (d) report on, and return any part of, the Grant to the Commonwealth, or otherwise deal with the Grant, as directed by the Commonwealth.

20.3. In the event of reduction or cancellation under this clause, the Commonwealth will be liable only to:

- (a) pay any part of the Grant due and owing to the Grantee under this Agreement at the date of the notice; and
- (b) reimburse any reasonable and substantiated expenses the Grantee unavoidably incurs that relate directly and entirely to the reduction in scope or cancellation of the Agreement.

20.4. In the event of reduction, the amount of the Grant will be reduced in proportion to the reduction in the scope of the Agreement.

- 20.5. The Commonwealth's liability to pay any amount under this clause is:
- (a) subject to the Grantee's compliance with this Agreement; and
 - (b) limited to an amount that when added to all other amounts already paid under the Agreement will not exceed the total amount of the Grant.
- 20.6. The Grantee will not be entitled to compensation for loss of prospective profits or benefits that would have been conferred on the Grantee but for the cancellation or reduction in scope of the Agreement under clause 20.1.
- 20.7. The Commonwealth will act reasonably in exercising its rights under this clause.

21. **Survival**

The following clauses survive termination, cancellation or expiry of this Agreement:

- clause 10 (Spending the Grant);
- clause 11 (Repayment);
- clause 12 (Record keeping);
- clause 13 (Reporting);
- clause 14 (Privacy);
- clause 15 (Confidentiality);
- clause 16 (Insurance);
- clause 17 (Intellectual property);
- clause 19 (Reduction, Suspension and Termination);
- clause 21 (Survival);
- clause 22 Definitions; and
- Any applicable provisions included from the clause bank; and
- Any other clause which expressly or by implication from its nature is meant to survive.

22. **Definitions**

In this Agreement, unless the contrary appears:

- **Activity** means the activity described in the Grant Details and includes the provisions of the Reporting Material.
- **Activity Completion Date** means the date or event specified in the Grant Details.
- **Activity Material** means any Material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.
- **Agreement** means the Grant Details, Supplementary Terms (if any), the Commonwealth Standard Grant Conditions and any other document referenced or incorporated in the Grant Details.
- **Agreement End Date** means the date or event specified in the Grant Details.
- **Australian Privacy Principle** has the same meaning as in the *Privacy Act 1988*.
- **Change in the Control** means any change in any person(s) who directly exercise effective control over the Grantee.

- **Commonwealth** means the Commonwealth of Australia as represented by the Commonwealth entity specified in the Agreement and includes, where relevant, its officers, employees, contractors and agents.
- **Commonwealth Purposes** includes the following:
 - a. the Commonwealth verifying and assessing grant proposals, including a grant application;
 - b. the Commonwealth administering, monitoring, reporting on, auditing, publicising and evaluating a grant program or exercising its rights under this Agreement;
 - c. the Commonwealth preparing, managing, reporting on, auditing and evaluating agreements, including this Agreement; and
 - d. the Commonwealth developing and publishing policies, programs, guidelines and reports, including Commonwealth annual reports;
 but in all cases:
 - e. excludes the commercialisation (being for-profit use) of the Material by the Commonwealth.
- **Commonwealth Standard Grant Conditions** means this document.
- **Existing Material** means Material developed independently of this Agreement that is incorporated in or supplied as part of Reporting Material or Activity Material.
- **Grant** means the money, or any part of it, payable by the Commonwealth to the Grantee for the Activity as specified in the Grant Details.
- **Grantee** means the legal entity other than the Commonwealth specified in the Agreement and includes, where relevant, its officers, employees, contractors and agents.
- **Grant Details** means the document titled Grant Details that forms part of this Agreement.
- **Intellectual Property Rights** means all copyright, patents, registered and unregistered trademarks (including service marks), registered designs, and other rights resulting from intellectual activity (other than moral rights under the *Copyright Act 1968*).
- **Material** includes documents, equipment, software (including source code and object code versions), goods, information and data stored by any means including all copies and extracts of them.
- **Party** means the Grantee or the Commonwealth.
- **Personal Information** has the same meaning as in the *Privacy Act 1988*.
- **Records** includes documents, information and data stored by any means and all copies and extracts of the same.
- **Reporting Material** means all Material which the Grantee is required to provide to the Commonwealth for reporting purposes as specified in the Grant Details and includes any Existing Material that is incorporated in or supplied with the Reporting Material.

Schedule 2: Work Schedule

Nominating Projects through the Work Schedule

1. The Department will provide a form that the Grantee must complete and submit to the Department at IIP@infrastructure.gov.au.
2. The following information must be provided for each project an Eligible Funding Recipient proposes to spend LRCI Program funds on:
 - a. the project type (small <\$10,000 or normal >\$10,000);
 - b. the work category;
 - c. the work location or address, and primary road if relevant;
 - d. data for use in a Geographical Information System in the manner and form required by the Department;
 - e. description of the proposed project and work proposed;
 - f. the problem the proposed project is seeking to address;
 - g. the estimated construction start and completion date (physical not financial).
 - h. the estimated total cost of the project, excluding GST;
 - i. whether the project is being fully funded by the LRCI Program;
 - j. the estimated council or other funding co-contributions (if applicable);
 - k. how much LRCI Program funding is required;
 - l. if the project land or asset is state/territory/crown or Commonwealth owned, please provide evidence of authority to undertake the project from the land or asset owner;
 - m. the benefits from each project, including:
 - o primary project goal;
 - o estimated number of full time equivalent jobs supported over the construction period; and
 - o any specific outputs/project activities being undertaken, for example:
 - i. repair of 400 metres of fencing;
 - ii. installation of ten waste and recycling bins to a Council's local park;
 - iii. building of a swing set for children's play; or
 - iv. painting of a community hall.
 - n. conflict of interest declarations in accordance with requirements.
3. Once an approved project has been completed, Funding Recipients will need to detail whether the project goal has been achieved, and if it not, what outcome has been achieved and why.
4. Funding Recipients may group a series of individual projects valued at less than \$10,000 that are of the same or similar nature as one 'group project'. In these circumstances, the Funding Recipient must provide the same information as individual projects with the following modifications:
 - o. a general description of each group project;
 - p. the location and cost (excluding GST) of each small funded project within the group project;
 - q. the estimated total cost of the group project, excluding GST as a whole;
 - r. how much LRCI Program funding is required for the group project as a whole;
 - s. the estimated start date of the first of the small funded projects in the group project to begin and the scheduled completion date of the small funded project in

- the group expected to be completed last;
- t. specifies the overall expected outcome from the group project;
 - u. the collective benefits from each group project, including:
 - o primary project goal;
 - o estimated amount of full time equivalent jobs supported over the construction period; and
 - o each specific outputs/project activity being undertaken (e.g. Xkm of road resealed/Repair of 400m of fencing/Add ten waste and recycling bins to Council's local park/ Building of swing set for children's play/Painting of a community hall).



MOCATTO ROAD – Shoulder Top Up and Reseal 2020



Elizabeth Valley Road

CH 6502

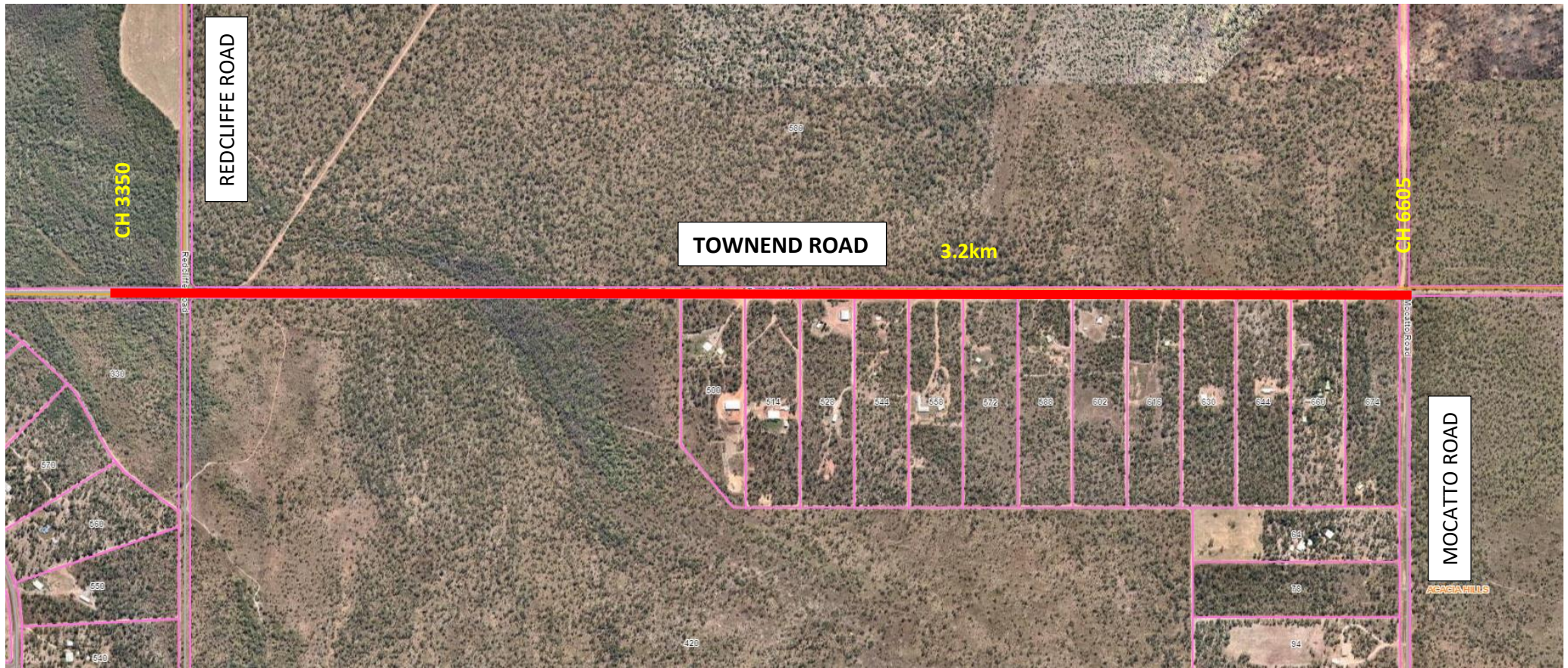
REDCLIFFE ROAD

4.25km

Alverly Road

CH 3272

REDCLIFFE ROAD – Shoulder Top Up and Reseal 2020



TOWNEND ROAD – Shoulder Top Up and Reseal 2020



WELLS CREEK ROAD – Shoulder Top Up and Reseal 2020



COUNCIL REPORT

Agenda Item Number:	15.5
Report Title:	Draft Tourism and Events Strategy
Author:	Nicky McMaster, Community Engagement Advisor
Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	19/08/2020
Attachments:	A: Draft Tourism and Events Strategy B: Tourism in Litchfield

Executive Summary

This report presents the Draft Tourism and Events Strategy and supporting document, Tourism in Litchfield to Council.

Recommendation

THAT Council:

1. adopt the Draft Tourism and Events Strategy;
2. approve the supporting documentation, Tourism in Litchfield; and
3. authorise the Chief Executive Officer to make editorial changes if needed.

Background

The Tourism and Events Strategy was identified as a new initiative in the 2019-20 Municipal Plan.

Tourism in Litchfield is ever growing and has unlimited potential. The Strategy will support the development of a vibrant and dynamic visitor destination generating a greater economy for the Litchfield region.

In the development of the Draft Tourism and Events Strategy, Council sought feedback from various tourism stakeholders, local businesses and tourism industry partners across the Litchfield municipality.

The supporting document, Tourism in Litchfield, presented in Attachment B is a representation of recommended destinations. This can be used to promote the Litchfield region by distributing it to various locations across the municipality. The map lists NT Government and Council facilities and locations that are considered a highlight for tourists to consider. There are a number of tourist attractions listed. It does not include general tourism businesses or businesses that benefit from tourism. Council will be looking to develop a similar map on the new Council website which can include these local tourism businesses.

Links with Strategic Plan

A Well-Run Council - Powerful and Effective Advocacy

Legislative and Policy Implications

Nil

Risks



The Tourism and Events Strategy Action Plan will have a positive impact on the Litchfield municipality, boosting the vision of Litchfield – the best place to live (and visit) in the Top End.

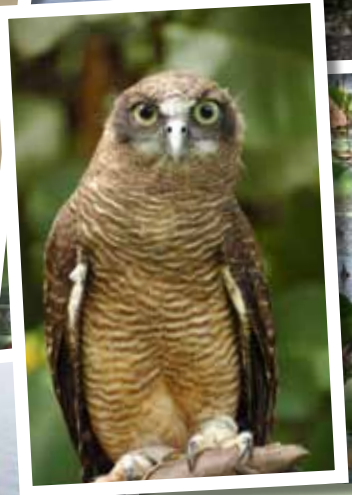
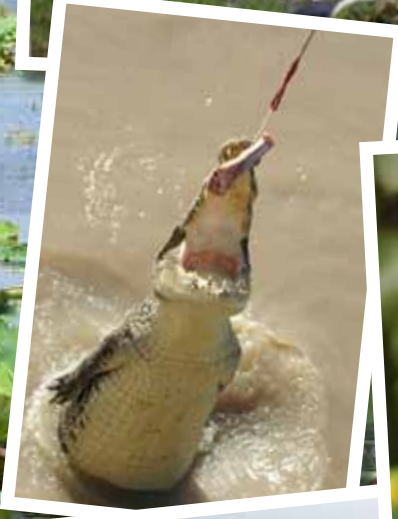
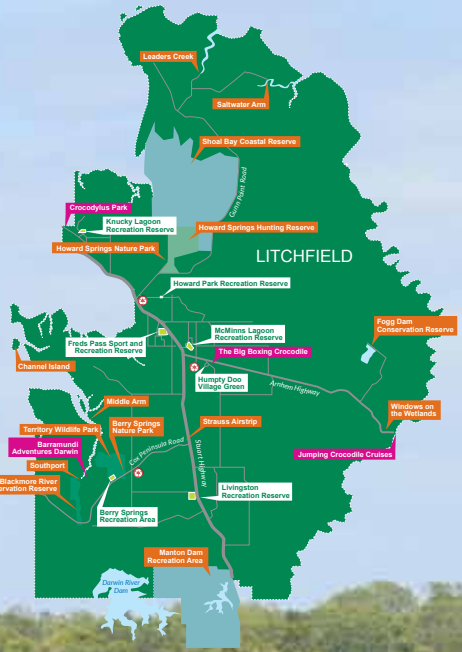
Community Engagement

In the development of the Draft Tourism and Events Strategy, Council sought feedback from various tourism stakeholders, local businesses and tourism industry partners across the Litchfield municipality.

An expression of interest will be released for local tourism businesses to have their details on the Council website as part of the Tourism in Litchfield online map.

Council will continue to engage with industry stakeholders to best progress the Tourism and Events Strategy.

Litchfield Council Tourism and Events Strategy 2021 – 2024



Introduction



WHAT

The Litchfield Council Tourism and Events Strategy 2021 – 2024 has been developed to guide Council on how it will support the tourism industry to optimise tourism events and opportunities in our region. Tourism is one of the most important sectors in the Northern Territory economy and the Litchfield municipality has some unique offerings; barramundi, crocodiles, Aboriginal cultural sites and historic locations..



WHY

Litchfield is the 'Heart of the Top End'; gateway to Darwin, Kakadu, Litchfield National Park and Katherine, and has unlimited potential to be a destination recognised in its own right.

The Strategy will support the development of a vibrant and dynamic visitor destination with a buoyant tourism industry generating a greater economy and social prosperity for the Litchfield region.



HOW

This Strategy's action plan is about a region working together with Litchfield Council and under the guidance of the NT's Tourism Industry Strategy 2030, to generate more visitors who stay longer and spend more money in Litchfield.

Objectives

All suppliers of tourism experiences such as restaurants, bars, transport, markets, service providers of the tourism industry and events, have an opportunity to gain financially if visitors, be it local, interstate or international visitors, choose Litchfield.

This Strategy has the following objectives:

- 1 Optimise tourism opportunities through stakeholders and events
- 2 Identify partnerships and opportunities for collaboration
- 3 Increase recognition of Litchfield as a tourism destination
- 4 Enhance the visitor experience through destination and events

Priorities

Through the Tourism and Events Strategy Action Plan, Litchfield Council will promote Litchfield as a visitor's destination and identify partnerships that will boost the vision of **Litchfield – the best place to live (and visit) in the Top End.**

Implementation



















Clear roles have been developed to provide accountability and for implementation of this strategy, outlined in the table below. Council's role is to promote its area as a location for appropriate industries or commerce or as an attractive tourist destination.









Tourism and Events Action Plan

Outcome	Strategic partners	What we will do	Responsible	Success Measure
OBJECTIVE 1 Optimise tourism opportunities through stakeholders and events				
Identify Litchfield's natural assets, events and industry	Government Industry	<ul style="list-style-type: none"> Investigate opportunities to be involved in a stakeholder driven tourism awareness program that demonstrates the contribution of Tourism to the Litchfield economy Collaborate with NT Government to include identified Litchfield municipality events on a Territory calendar Develop a 'Tourism Trail' document showcasing destinations in Litchfield 	Council NT Government Industry Stakeholders	<ul style="list-style-type: none"> Increased promotion of events Increased visits to the Council website
OBJECTIVE 2 Identify partnerships and opportunities for collaboration				
Encourage the coordination of partnerships with existing tourism stakeholders	Government Industry	<ul style="list-style-type: none"> Maintain membership with the Litchfield Regional Tourism Association Identify community influencers Develop input opportunities for industry stakeholders 	Council NT Government Industry Stakeholders	<ul style="list-style-type: none"> Incorporate tourism feedback mechanisms in the Annual Community Survey Support the Litchfield Women in Business Network to continue with tourism stakeholder development opportunities






















Outcome	Strategic partners	What we will do	Responsible	Success Measure
OBJECTIVE 3 Increase recognition of Litchfield as a tourism destination				
Identify destination marketing and event opportunities	Community members Government Media	<ul style="list-style-type: none"> Develop an identity for the Litchfield municipality Improvement of visitor information services Capitalise on the prosperity of the region 	Council NT Government Industry Stakeholders	<ul style="list-style-type: none"> Develop a Litchfield municipality identity Develop and install Litchfield Council entrance statements Advocate the Community and Business Hub, which has the potential to include a tourist information centre Utilise existing tourism signposts (Wishart Siding, Corner of Cox Peninsula and Stuart Highway)
OBJECTIVE 4 Enhance the visitor experience through destinations and events				
Identifying the gaps and needs of the tourism industry	Government Industry Media	<ul style="list-style-type: none"> Demonstrate to NT Government that we are working with industry to identify needs for the municipality Work with industry to identify and target the markets that our municipality appeals to Identify the traffic flow and investigate how length of stay can be maximised Continue supporting the Freds Pass Rural Show Identify specific events to increase visitation numbers 	Council NT Government Industry Stakeholders	<ul style="list-style-type: none"> Ongoing investigations into self-sufficient dump points in the municipality Identify markets that our municipality already appeals to such as birdwatchers and develop initiatives these markets Participate in the Planning Commissions Activity Centres workshops Support relevant events that may increase visitation numbers through promotion Encourage relevant groups and organisations to apply for community grants if applicable



- Barramundi Adventures Darwin**

- Berry Springs Nature Park**

- Berry Springs Recreation Reserve**

- Blackmore River Conservation Reserve**

- Channel Island**

- Crocodylus Park**

- Freds Pass Sport and Recreation Reserve**

- Fogg Dam Conservation Reserve**

- Howard Park Recreation Reserve**

- Howard Springs Nature Park**

- Howard Springs Hunting Reserve**

- Humpty Doo Village Green**

- Jumping Crocodile Cruises**

- Knucky Lagoon Recreation Reserve**

- Leaders Creek**

- Livingstone Recreation Reserve**

- Manton Dam Recreation Area**

- McMinns Lagoon Recreation Reserve**


- Middle Arm**

- Saltwater Arm**

- Shoal Bay Coastal Reserve**

- Southport**

- Strauss Airstrip**

- Territory Wildlife Park**

- The Big Boxing Crocodile**

- Windows on the Wetlands**


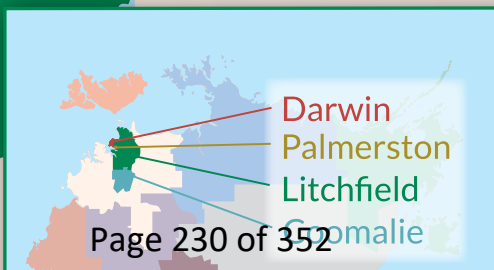
LEGEND

- | | | |
|---|--|--|
|  Playground |  Walks |  Boatramp |
|  Picnic Tables |  Recreation Areas |  Historic |
|  Sheltered Picnic Tables |  Lookout |  Water Skiing |
|  Toilets |  Swimming |  Shooting (with permit) |
|  Hall |  Fishing |  Equestrian |
|  Skatepark |  Bird Watching |  Crocodiles |
|  Gas BBQ |  Camera |  Waste Stations |

BE CROCWISE 



Green	Contact Litchfield Council 08 8983 0600
Orange	Contact NT Government 08 8999 5511
Purple	Contact business directly





COUNCIL REPORT

Agenda Item Number:	15.6
Report Title:	Chief Executive Officer Monthly Report
Author & Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	19/08/2020
Attachments:	Nil

Executive Summary

This report provides Council with key staffing information, relevant measures of financial sustainability and workplace health and safety information.

Summary

To deliver the Municipal Plan 2020/21 Key Performance Indicators it is important that appropriate staffing resources are in place and financial sustainability measures are being met. This report provides a monthly update to ensure that both staffing and budget measures are in accordance with the Council approved staffing plan and budget.

Recommendation

THAT Council note the Chief Executive Officer monthly report for July 2020.

Background

The Litchfield Council strongly values our people, financial sustainability and good governance. This report being presented monthly will ensure that important information is presented to understand any trends occurring and for the organisation to understand the factors influencing staff and finances.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Nil

Risks

Nil

Financial Implications

Nil

Community Engagement

N/A

CEO MONTHLY REPORT July 2020

People

Internal Appointments

Position	Department	Commenced	Permanent/Temporary
Research and Project Officer (WHS and Risk)	Governance & Risk	21 July 2020	Temporary

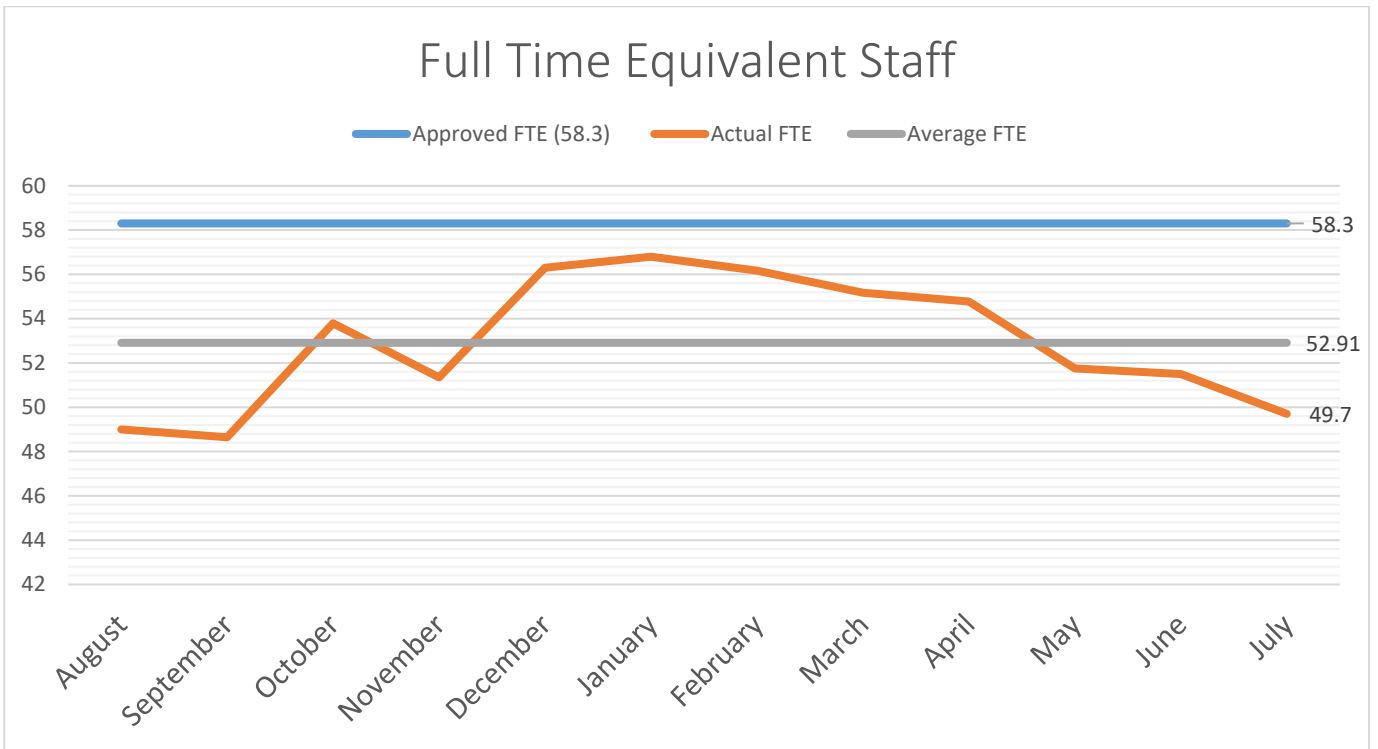
External Appointments

Position	Department	Commenced	Permanent/Temporary
Senior Research and Project Officer (HR)	HR and WHS	6 July 2020	Temporary
Supervisor Cemetery & Parks	Environment & Operations	20 July 2020	Permanent
Community programs – Intern	Community Development	20 July 2020	Temporary
Development Engineer	Planning & Regulatory Services	20 July 2020	Temporary
Customer Service Trainee	Finance	27 July 2020	Temporary

Resignations / Terminations

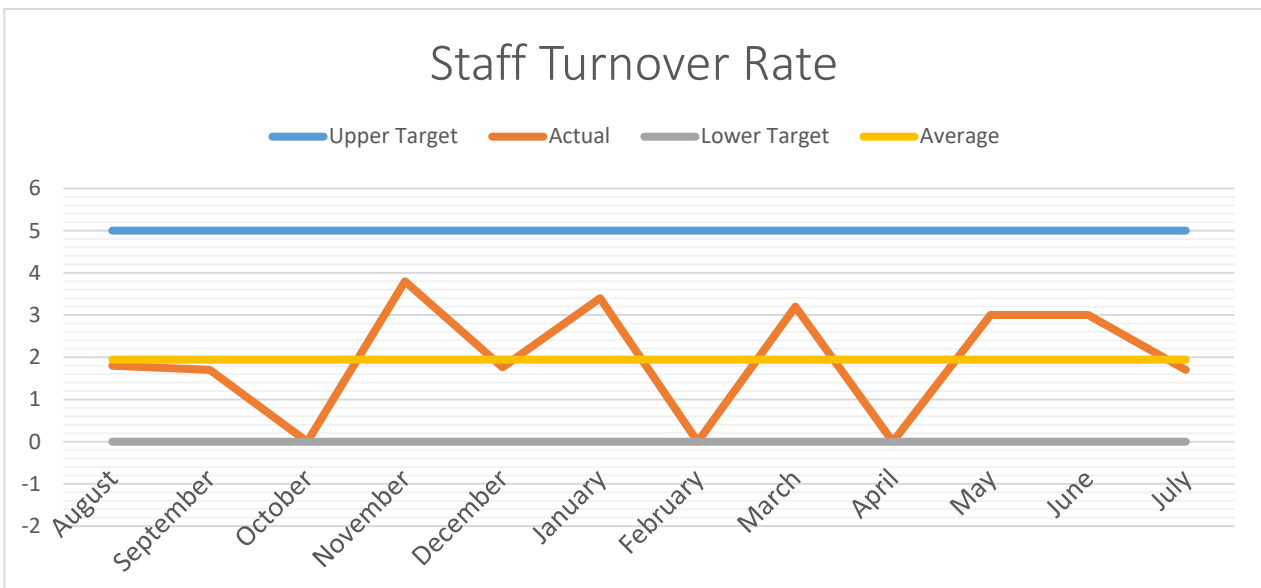
Position	Department	Commenced	Permanent/Temporary
Works Supervisor	Infrastructure & Assets	15 September 2014	Permanent

	Approved	Actual	Difference
Full Time Equivalent	50	41	-9
Part-time	0.5	2.7	2.2
Contract	7.8	6	-1.80
Total	58.3	49.7	-8.6



Turnover rate:

The number of staff leaving council employment during the reporting period.
 (# staff leaving divided by the total number of people employed multiplied by 100)



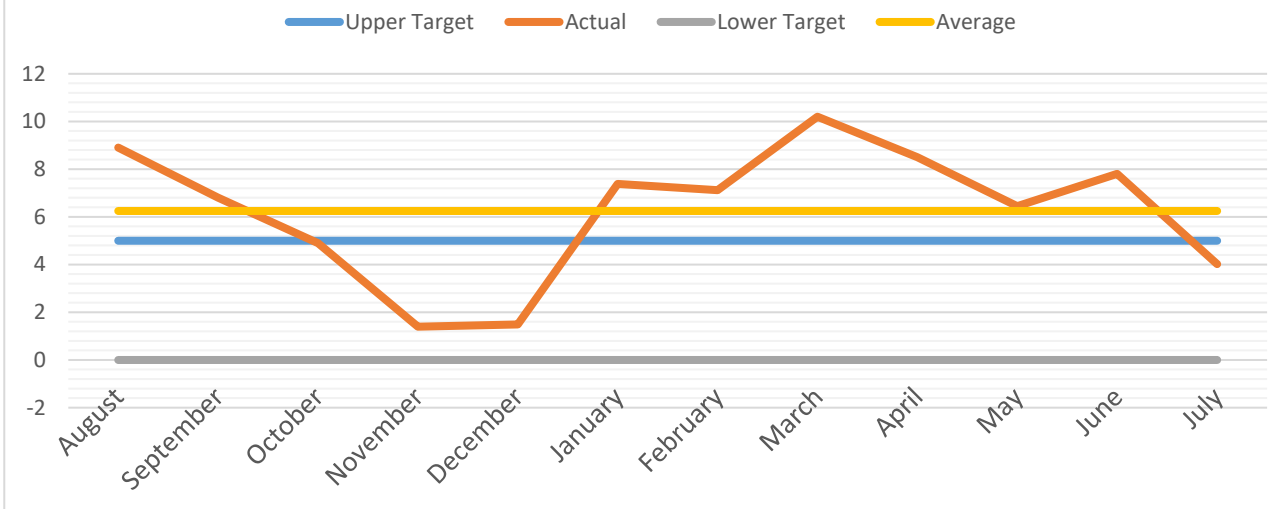
Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Average
1.8%	1.7%	0%	3.8%	1.76%	3.4%	0%	3.2%	0%	3%	3%	1.7%	1.95%

Target Average: Between 0% - 5%

Staff Vacancy Rate:

The number of vacant positions during the reporting period.
 (Vacant positions, divided by total FTE, multiplied by 100)

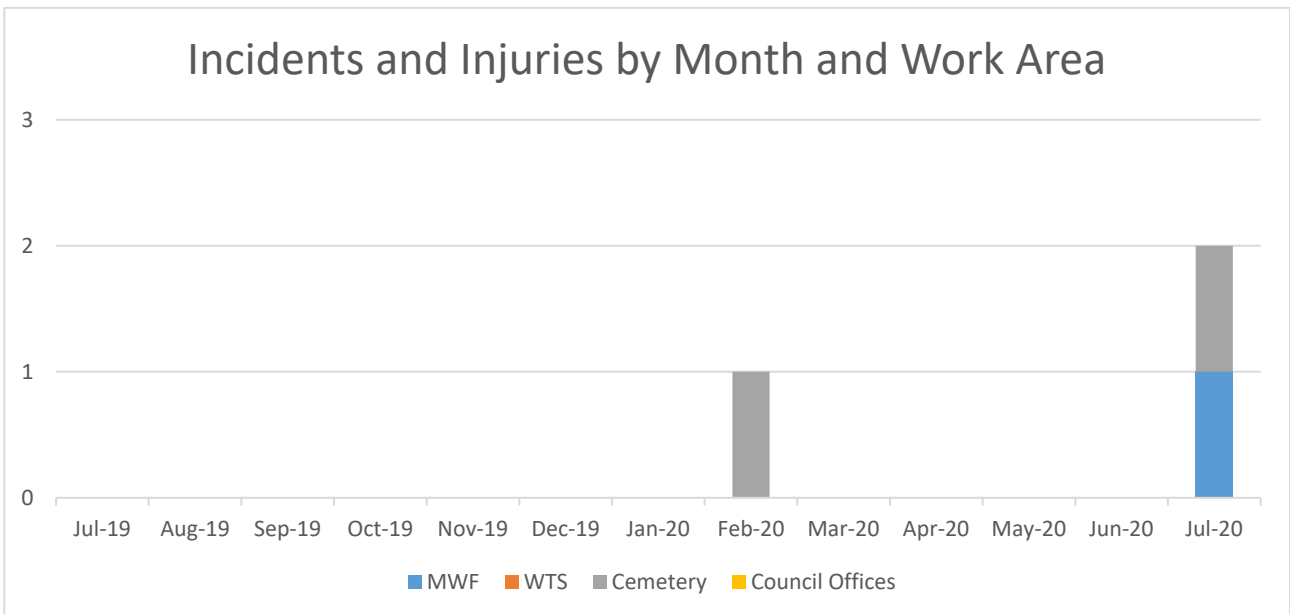
Staff Vacancy Rate



Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Average
8.9%	6.8%	4.9%	1.4%	1.49%	7.38%	7.12%	10.2%	8.5%	6.45%	7.8%	4.02%	6.25%

Target: 0% - 5%

Workplace Health and Safety



Two minor workplace incidents were recorded during July 2020.

Finance

RELEVANT MEASURES OF FINANCIAL SUSTAINABILITY

Indicator	Preliminary	Current	Previous	Current	Target	Forecast				
	Actual 19/20	Budget 20/21	Month Jun-20	Month Jul-20		20/21	21/22	22/23	23/24	24/25
Operating Surplus Ratio	-51.5%	-59.5%	-58%	-898%	0-10%	-49.7%	-47.9%	-44.8%	-42.2%	-39.1%
Net Financial Liabilities Ratio	-88.6%	-99.5%	-138%	-11838%	<60%	-81.4%	-74.5%	-69.9%	-67.0%	-65.6%
Asset Sustainability Ratio	52%	47%	38%	1%	>60%**	94%	94%	85%	35%	35%
Current Ratio	5.9:1	5.08:1	12.29:1	16.53:1	>1.0:1**	5.6:1	5.3:1	5.1:1	4.9:1	4.9:1
Rates and Annual Charges Outstanding Ratio	12.0%	18.3%	23%	21%	<15%**	11.5%	11.2%	10.8%	10.4%	10.1%
Own Source Revenue Coverage Ratio	48%	49%	54%	10%	>40%**	49%	50%	52%	53%	55%

** Target as set in Strategic Plan 2018-2022.

Target		
Within Range	Moderate	Outside Range

Note: current month Jul-20 data is out of range due to the rates income not levied in July.

Operating Surplus Ratio

Measures the extent to which revenues raised cover operational expenses only or are available for capital funding purposes or other purposes.

Calculation: Net operating result divided by total operating revenue, expressed as a % (excluding capital revenue or expenses).

Target: between 0% and 10%

Council's should be aiming to achieve as a minimum a balanced operating position to ensure that revenues received are sufficient to fund operations and capital replacement works.

Net Financial Liabilities Ratio

Measure the extent to which the net financial liabilities of Council can be repaid from operating revenues.

Calculation: (total liabilities less current assets) divided by total operating revenue, expressed as a %.

Target: Less than 60%

Asset Sustainability Ratio

This ratio reflects the extent to which the assets managed by Council are being replaced as they reach the end of their useful lives. This ratio is calculated by measuring the annual expenditure on the renewal and rehabilitation of Council's assets against the annual depreciation charge. It is a measure of whether Council is reinvesting in existing assets to ensure that they meet required levels of service for the community.

Calculation: Capital expenditure on the replacement of infrastructure assets (renewals) divided by depreciation expense, expressed as a %.

Target: Greater than 90%

Current Ratio

This ratio presents Council's ability to meet debt payments as they fall due. It should be noted that Council's externally restricted assets will not be available as operating funds and as such can significantly impact Council's ability to meet its liabilities.

Calculation: Current assets divided by current liabilities

Target: Greater than 1.0:1

Rates and Annual Charges Outstanding

This measure shows the amount of outstanding rates owed to council against the rates incomes received represented as a percentage.

Calculation: Rates and Charges outstanding divided by the Rates and Charges Income.

Target: Not greater than 5%

Strategic Plan 2018-2022 KPI - Smaller than 15%

Own Source Revenue Coverage Ratio

Indicates Council's ability to fund operational expenditures through funding sourced by its own revenue-raising efforts.

Calculation: Total own sourced revenue divided by total operating expenditure including depreciation.

Target: >40%

Strategic Plan 2018-2022 KPI - Greater than 60%



COUNCIL REPORT

Agenda Item Number:	15.7
Report Title:	Electoral Review 2020 – A report to the Minister for Local Government, Housing and Community Development
Author and Recommending Officer:	Silke Maynard, Director Community and Corporate Services
Meeting Date:	19/08/2020
Attachments:	A: Review of Constitutional Arrangements – A report to the Minister for Local Government, Housing and Community Development

Executive Summary

In line with its legislative requirements under the *Local Government Act 2008* Council has undertaken a review of constitutional arrangements (electoral review). The process was initiated in 2019 with community consultation undertaken in May/June 2020.

The proposed attached report to the Minister for Local Government, Housing and Community Development (the Minister) recommends a change to Council's current ward structure and number of elected members.

In line with legislation Council can make recommendations to the Minister to consider for implementation at the next local government election (August 2021).

Recommendation

THAT Council:

1. recommend to the Minister for Local Government, Housing and Community Development the following amendments to its constitutional arrangements:
 - a. The Council area will be divided into three (3) wards, with each ward being represented by two (2) Councillors;
 - b. The elected Council will comprise the Mayor and six (6) Councillors; and
 - c. The wards will be identified as North Ward, Central Ward and South Ward;
2. approve the attached *Review of Constitutional Arrangements – A report to the Minister for Local Government, Housing and Community Development*; and
3. authorise the Chief Executive Officer to make necessary editorial changes to the *Review of Constitutional Arrangements – A report to the Minister for Local Government, Housing and Community Development*.

Background

Council formally commenced the Electoral Review in July 2019 with engaging the services of C L Rowe and Associates Pty Ltd. to assist with conducting the Electoral review.

In a first step Councillors were presented with an Information Paper (Attachment A to the Report to the Minister). Councillors considered information provided on electoral data for the area as well as comparison data to other electorates within the Northern Territory and across the country.

In November 2019 Councillors discussed in a workshop the ward structure options and agreed in principle to the preferred ward structures that were to be included in the public consultation process.

In April 2020 Council endorsed the Consultation paper (Attachment B to the Report to the Minister) setting a consultation period for 15th May to 8th June 2020.

Through the consultation process 55 written responses were received and Council reviewed and considered all submissions in a workshop in July 2020 through the Submissions Report (Attachment C to the Report to the Minister).

Based on above described Electoral Review process, the following seven recommendations are proposed and included in the Report to the Minister attached to this report:

1. Title of the principal member:

Council is recommending to the Minister for the title of the principal member to remain unchanged as Mayor under Section 42 (2) (b) of the *Local Government Act 2008* in line with 63.6% of submissions made.

2. Title of elected members:

Council is recommending to the Minister for the title of the elected members (other than the principal member) to remain unchanged as Councillors in line with 78.2% of submissions made.

3. Wards/No wards: Wards:

Council is recommending to the Minister for the municipality to remain divided in wards, which had been supported by 69.1% of submissions.

4. Number of wards:

Council considered a number of ward structure options and proposes to recommend to the Minister the three-ward structure it consulted on with the community, because it:

- enables the sharing of duties and responsibilities by the ward councillors;
- provides the electors within the proposed wards with two direct lines of communication with Council (through the relevant ward councillors);
- affords continued representation of a proposed ward under circumstances whereby one ward councillor is absent;

- provides the desired diversity in skill sets, experience, opinions and backgrounds amongst the elected members so as to provide a range of viewpoints which may serve to improve the discussions and decision making by Council;
- rectifies the imbalance in the distribution of electors between wards under the existing ward structure;
- is a rational and relatively simple ward structure which will likely be accepted by the community; and
- should withstand anticipated fluctuations in elector numbers over the next four years.

Whilst the public submissions received did not provide definitive support for any new ward structure option, Council considered that the 29 submissions which supported the retention of the existing ward structure represented only a very small portion of the local community which comprises over 12,300 eligible electors. Further, Council was adamant that the retention of the existing ward structure would not provide fair and/or adequate representation, given the obvious inequitable distribution of electors between the existing wards.

5. Increase number of elected members:

Litchfield Council currently has one of the lowest number of elected members of all of the councils in Australia (see quantification in Attachment A to the report to the Minister).

Council believes that an increase in the number of elected members is warranted at this time. In reaching this decision Council was mindful that:

- the urban and rural living character of the council area continues to evolve and, as a consequence, the local population is increasing which, in turn, places more demands upon elected members;
- an additional two elected members should enhance the lines of communication between Council and the growing community, could conceivably result in direct representation of more communities ("communities of interest") and may provide greater potential for closer relationships between the elected members and their constituents;
- the introduction of additional elected members should serve to reduce the demands being placed upon the existing four councillors;
- additional members should provide the desired diversity in skill sets, experience, opinions and backgrounds amongst the elected members which, in turn, should provide a range of viewpoints which should serve to improve the discussions within, and the decision making of, Council;
- the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community; and
- an increase in the number of elected members may provide greater opportunity for community scrutiny and may make the elected members more accountable to their immediate constituents.

Of the public submissions received during the review, 46 (83.6%) opposed an increase in the number of elected members. From the comments received, it appeared that the opposition to an increase in elected members was primarily based on cost; and the perceived performance of the existing members.

Council is aware that an increase in the number of elected members will come at a cost of an estimated \$35,000 per annum per councillor (inclusive of the annual base, electoral, additional meeting and professional development allowances). Notwithstanding this, Council believes that the introduction of two additional elected members at this time will serve to enhance the level and quality of representation afforded to the community; and will enable Council to:

- better represent the interests of all residents and ratepayers of the council area;
- provide enhanced leadership and guidance;
- facilitate greater communication between the community and the council;
- participate more in the deliberations of the council and its community activities; and
- ensure that it acts honestly, efficiently and appropriately in carrying out its statutory responsibilities.

6. Potential ward names:

Council proposes to assign ward names/titles based on the location of the wards (i.e. North, Central and South), as has been the practice for many years. This means of ward identification is conventional and appears to have been accepted by the local community over a significant period of time.

The public submissions received were generally in favour of retaining the existing means of ward identification.

7. Change Council name and/or boundaries:

Of the public submissions received which addressed this issue, 43 (78.2%) favoured no change to the Council name, whilst a number suggested changing the name of the Council back to a Shire.

Council believes that it would be inappropriate for its name to be changed to incorporate the word "Shire", given that Litchfield Council is a municipality (as determined and specified by the provisions of the Local Government Act 2008). Furthermore, a change in council name to incorporate "Shire" would be at odds with the actions of the then Minister for Local Government and Regions who, in December 2013, specifically changed the names/status of eight councils by changing them from shires to regional councils.

As part of this review the inclusion of the northern part of Litchfield National Park, being all of the unincorporated land bounded by Route 30 (i.e. Litchfield Park Road in the west and south; and Batchelor Road to the Stuart Highway in the south,) was considered to be worthy of some consideration.

Council recommends no changes to boundaries yet remains open to a review of its external boundaries with the Northern Territory government, should there be opportunities to improve the financial sustainability of the Council and benefits to be gained by affected landowners.

This position is consistent with the majority (78.2%) of the public submissions received which favoured no change to the current municipal boundaries.

The proposed attached report to the Minister includes all detail of the review undertaken as well as the proposed recommendations of Council.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Conducting an electoral review is mandatory as per Section 23 of the *Local Government Act* with Section 63 of the *Local Government (Electoral) Regulations*.

With the impending changes to the Local Government Act this will be the last opportunity Council has to manage an electoral review for Litchfield Council and actively influence local government representation.

Risks



Financial Risk sits at low as increases in the number of elected members will come at a cost of approximately \$35,000 including maximum allowances and Council support (See Council policy EM05 Elected Member Benefits and Support).

Not making any recommendations to the Minister regarding the constitutional arrangements would be a breach of legislation. Under the *Local Government Act 2008* council has to review the constitutional arrangements at least once in each term of Council.

Community Engagement

Council endorsed at its ordinary meeting in April 2020 the Consultation Paper (Attachment B to the Report to the Minister for Local Government, Housing and Community Development) for public consultation between 15th May and 8th June 2020.

The following activities have been undertaken as part of the consultation process:

- Media Release 14th May 2020 (Attachment D to the Report to the Minister for Local Government, Housing and Community Development);
- Activation of YourSay engagement site with survey, Consultation paper and two-page summary for consultation available (Attachment E and F to the Report to the Minister for Local Government, Housing and Community Development);
- Facebook post 18th May 2020 linking to YourSay survey (Attachment G to the Report to the Minister for Local Government, Housing and Community Development);
- 30th May 2020 consultation stall at Freds Pass Rural Markets;
- 31st May 2020 consultation stall at Berry Springs Markets; and
- 6th June 2020 consultation stall at Freds Pass Rural Markets.

55 written submissions were received through the consultation period.



Review of Constitutional Arrangements

**A report to the Minister for Local Government, Housing
and Community Development**

Pursuant to the provisions of
Section 9 of the Northern Territory Local Government Act 2008

August 2020

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1. INTRODUCTION

Pursuant to the provisions of Section 23(1)(c) of the Northern Territory Local Government Act 2008 (the Act), the Litchfield Council has undertaken a review of all aspects of its composition and structure so as to ensure the adequacy of the constitutional arrangements presently in force and, in particular, whether they provide the most effective possible representation for the council area. It is the intention of Council that the proposal presented herein will come into effect at the next scheduled Local Government periodic general election on the 28th August 2021.

The key issues addressed during the course of the review included:

- the level of elector representation (i.e. the number of elected members) required to provide effective representation of the electors and adequately perform the roles and responsibilities of Council;
- whether the council area should continue to be divided into wards or whether wards should be abolished;
- the identification of the optimum ward structure and determination of the level of representation for each ward;
- the titles of the elected members;
- the names/titles of any proposed future wards;
- the name of Council; and
- the municipal boundaries of Council
- This report is presented for consideration under the provisions of Section 9 of the Act.
- The report provides details pertaining to the review process; includes copies of all documents relevant to the review; outlines the review process undertaken by Council; and explains the rationale behind Council's decisions.

2. BACKGROUND

The Litchfield Shire Council was established in September 1985; but was subsequently changed to the Litchfield Council, effective as at the 1st July 2008. Council initially comprised the President (elected by the community) and four (4) Councillors. The Council area was divided into four (4) wards (i.e. Central, East, North and South wards); with each ward being represented by a single Councillor.

The first municipal Council election was held on the 25th October 2008.

Council undertook an "electoral review" in 2010/2011 at which time it resolved to make no changes to its then existing composition and/or ward structure (despite a significant imbalance in elector numbers between wards). However, the title of the principal member was changed from "President" to "Mayor".

At the completion of its last review (2014/2015), Council resolved to make no changes to its composition, structure, name and/or external boundaries.

Table 1 provides details of the elector representation within the current ward structure, including the number of elected members and electors per ward; and the difference in the elector ratios (i.e. the average number of electors represented by a councillor) between the existing wards.

Table 1: Elector distribution - current ward structure

Ward	Members	Electors	Elector Ratio	% Variance
Central	1	2,544	1:2,544	-17.57
East	1	2,996	1:2,996	- 2.92
North	1	2,945	1:2,945	- 4.58
South	1	3,860	1:3,860	+25.07
Total/Average	4	12,345	1:3,086	

Source: Northern Territory Electoral Commission (26 August 2019)

Council acknowledges that there is an imbalance in the elector numbers and elector ratios between the existing wards, especially in the case of the Central and South wards. Accordingly, Council has opted for a ward structure which provides a more equitable balance in elector numbers between wards; affords greater representation; and offers more lines of communication between Council and the local community.

The Litchfield Council formally commenced its current review in July 2019; and conducted the review with references to the provisions of Sections 11, 23 and 44 of the Act; the provisions of Regulation 63 of the Local Government (Electoral) Regulations 2008 (the Regulations); and elector data provided by the Northern Territory Electoral Commission.

The review undertaken by Council was concluded at a meeting held on the 19th August 2020, at which time it resolved to make no changes to the existing Council name and/or the existing municipal boundaries, but increase the number of elected members and adopt a new three ward structure.

3. PROPOSAL

Having duly completed a review of its composition and ward structure, pursuant to the provisions of Section 23 of the Act, the Litchfield Council proposes to make changes to both its composition and ward structure in order to achieve fair and adequate representation of the electors within the council area. This being the case, it is proposed that the following constitutional arrangements come into effect at the date of the next Local Government election (i.e. Saturday 28th August 2020).

- The principal member of the elected Council will be the Mayor, to be elected by the community at elections, as per the provisions of Section 44 of the Act.
- The elected members (other than the Mayor) will bear the title of Councillor.
- The elected Council will comprise the Mayor and six (6) Councillors (i.e. total of seven (7) elected members).
- The council area will be divided into three (3) wards, with each ward being represented by two (2) Councillors.
- The wards will be identified as North Ward, Central Ward and South Ward.
- The proposed ward structure is described hereinafter; and is depicted hereinafter (refer Map 1).

North Ward

All of the land/properties contained within the suburbs/localities of Glyde Point, Gunn Point, Holtze, Howard Springs, Knuckey Lagoon, Koolpinyah, McMinns Lagoon, Micket Creek, Murrumujuk, Robertson Barracks, Shoal Bay and Tree Point; and parts of the suburbs/localities of Black Jungle, Girraween, Herbert and Lambells Lagoon.

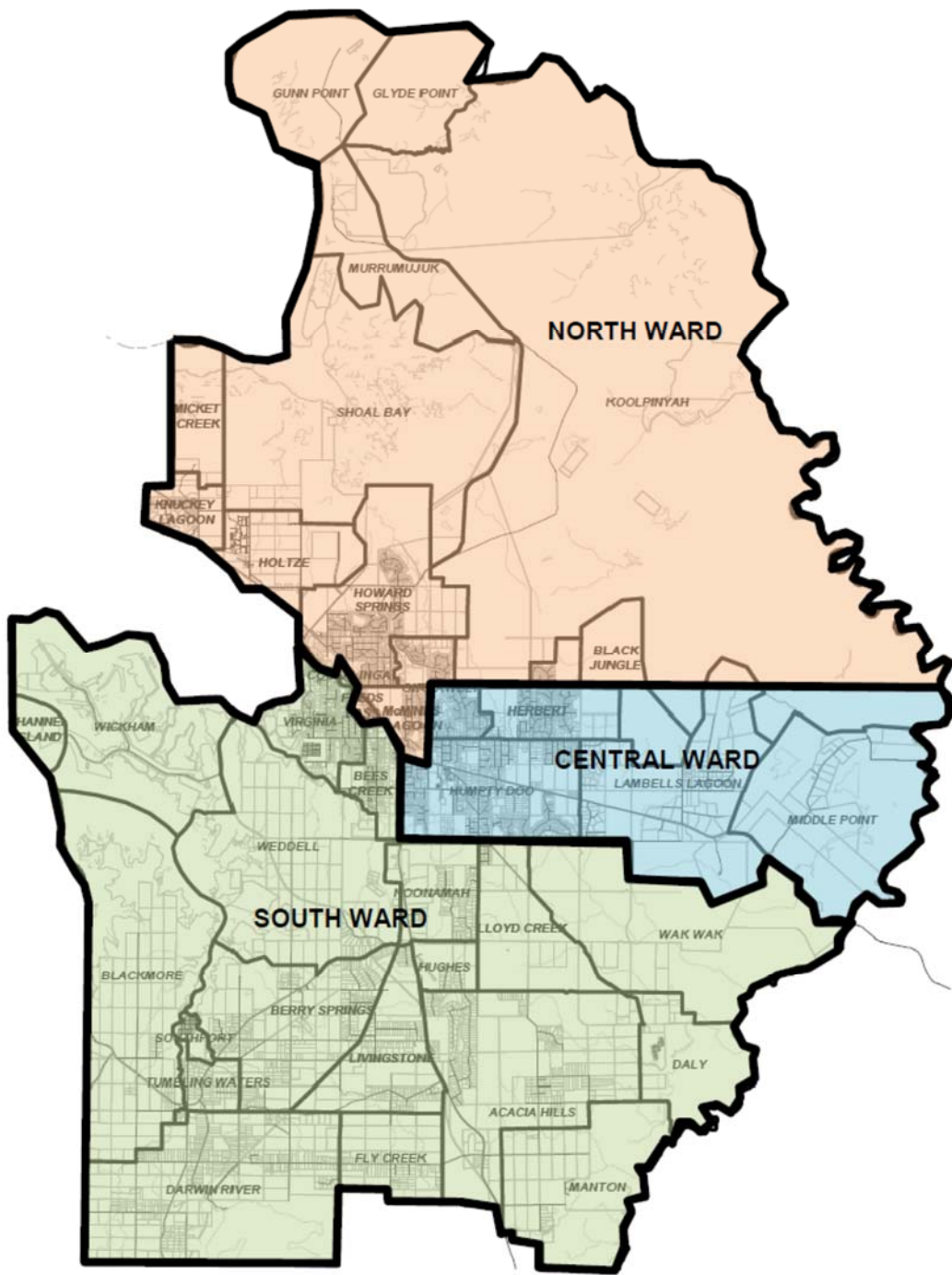
Central Ward

All of the land/properties contained within the suburbs of suburbs/localities of Humpty Doo and Middle Point; and parts of the suburbs/localities of Black Jungle, Girraween, Herbert and Lambells Lagoon.

South Ward

All of the land/properties contained within the suburbs/localities of Acacia Hills, Acacia Larrakia, Bees Creek, Berry Springs, Blackmore, Coolalinga, Darwin River, Donalds Lagoon, Fly Creek, Freds Pass, Hughes, Livingstone, Lloyd Creek, Manton, Noonamah, Southport, Tumbling Waters, Virginia, Weddell and Wickham.

Map 1: Proposed ward structure



Details pertaining to the distribution of electors between the proposed wards; and the elector ratios within the proposed wards, are provided in the following Table.

Table 2: Elector distribution - Proposed ward structure

Ward	Members	Electors	Elector Ratio	% Variance
North ward	2	4,028	1:2,014	- 2.12
Central Ward	2	4,234	1:2,117	+ 2.89
South Ward	2	4,083	1:2,042	- 0.78
Total/Average	6	12,345	1:2,057.5	

Source: Northern Territory Electoral Commission (26 August 2019)

In addition, Council resolved to retain its current name and not to seek any changes to its current municipal boundaries at this time. Notwithstanding the latter, Council believes that the inclusion of the northern part of Litchfield National Park, being all of the unincorporated land bounded by Route 30 (i.e. Litchfield Park Road in the west and south; and Batchelor Road to the Stuart Highway in the south) into the council area is worthy of consideration. This being the case, Council is open to review the external boundaries with the Northern Territory government, should there be opportunities to improve the financial sustainability of the Council and benefits to be gained by affected landowners.

4. REVIEW PROCESS

The following is a summary of the review process undertaken by Council, and associated activities, in chronological order.

Date	Event
29 August 2019	Council engaged the services of C L Rowe and Associates Pty Ltd (the consultants) to assist with the conduct of the review.
9 July 2019	<p>The consultants conducted a workshop with Council; presented an "Information Paper"; and generally discussed the key issues of elected member numbers; the title of elected members; the division of the municipality into wards, or the abolition of wards; ward representation; and ward titles. The paper also provided (for comparison purposes) details pertaining to elector representation within the other municipal councils in the Northern Territory and councils of a similar type and size (elector numbers) from across the country.</p> <p>Council endorsed the review process which contained one public consultation stage. ("Information Paper" - Attachment A).</p>

Date	Event
14 November 2019	The consultants conducted a workshop with Council and further discussed the key issues and a range of ward structure options. Councillors gave in principle support in respect to the issues of the title of the elected members; the number of future elected members (5 or 6); the retention of wards; the preferred future ward structure; the Council name; and the Council boundary.
4 February 2020	Council discussed the draft “Consultation Paper” at a briefing session.
15 April 2020	The draft “Consultation Paper” (for public consultation purposes) was endorsed for community consultation. (“Consultation Paper” - Attachment B).
14 May 2020	A media release was published on Council’s website entitled “Representation of Our Community”. The article advised that public consultation was being undertaken over the 25-day period 15 th May 2020 – 8 th June 2020 inclusive
15 May 2020	<p>An article entitled “Electoral Review 2020” was posted on the “Your Say Litchfield” page.</p> <p>Copies of the “Consultation Paper”, the review questionnaire/survey and the review summary document entitled “Electoral Review Snapshot” were also provided on Council’s website.</p>
18 May 2020	Information relating to the review was posted on Council’s facebook page. This post presented a copy of the aforementioned “Your Say Litchfield” information item entitled “Electoral Review 2020”; and provided a link to the “Consultation Paper”.
30 May 2020	Mayor Bredhauer, Councillor Salter and the Manager, Operations and Environment, attended the Freds Pass Markets to discuss the review with community members.

Date	Event
31 May 2020	Councillor Barden and the Chief Executive Officer attended the Berry Springs Markets to discuss the review with community members.
6 June 2020	Deputy Mayor Simpson, Councillor Sayers – Hunt and the Director, Community and Corporate Services, attended the Fred’s Pass Markets to discuss the review with community members.
8 June 2020	At the close of the public notification period (25 days), 55 submissions were received via Council’s website.
8 July 2020	Council considered a report (“Submissions Report”) pertaining to the submissions at a briefing meeting; and Councillors supported the presentation of the final report to the August Council meeting. (Copy of “Submissions Report” - Attachment C)
19 August 2020	<p>Council made formal resolutions in regards to the issues of the Council name and boundaries; the title of the elected members; the number of elected members required to provide fair and adequate representation; the division of the council area into wards; ward names; and the level of ward representation.</p> <p>Council also considered and endorsed the report to the Minister for Local Government, Housing and Community Development.</p>

5. PUBLIC CONSULTATION

The public consultation process followed established Council protocol and included the following.

The display of an article on the “News” page on Council’s website which presented a media release entitled “Representation of Our Community” (dated 14th May). This provided general information regarding the review; an outline of the current structure and composition of Council; details pertaining to the two ward structure options being considered by Council; notification of the existence of the Consultation Paper; and details regarding the lodgement of public submissions.

The posting of an item entitled “Electoral Review 2020” on the “Your Say Litchfield” page on the 15th May 2020. This page provided general information regarding the review in general; the two ward structure options being considered; a link to the Consultation Paper; and information as to how to participate/make comment. The web page also contained a timeline for key points in the review process; and a questionnaire/survey for completion by interested community members.

Information relating to the review was also posted on Council’s facebook page on the 18th May 2020. This post presented a copy of the aforementioned “Your Say Litchfield” information item entitled “Electoral Review 2020”; and provided a link to the Consultation Paper.

Copies of the Consultation Paper, the review questionnaire/survey and the review summary document entitled “Electoral Review Snapshot” were also provided on Council’s website.

In addition, elected members and Council staff consulted members of the local community at the Freds Pass Market on the 30th May 2020 and 6th June 2020; and the Berry Springs Market on the 31st May 2020.

Copies of the aforementioned documents have been provided in Attachment C.

At the expiration of the twenty-five (25) day public consultation period (i.e. 15th May 2020 - 8th June 2020 inclusive), fifty-five (55) submissions were received via Council’s website.

A brief summary of the opinions expressed in the submissions is provided hereinafter; and a more detailed summary is provided in Attachment C.

Title of the principal member: **Mayor - 35**; President - 12; No response - 5; Either - 1; No - 1; Not president - 1.

Title of elected members: **Councillor - 43**; Alderman - 5; No response - 7.

Wards/No wards: **Wards - 38**; No wards - 11; No response - 6.

Number of wards: **Status quo - 29**; No wards - 7; Five wards (Option 2) - 5; Three wards (Option 1) - 3; Three wards (1 Councillor per ward) - 2; Six wards - 1; Odd number - 1; No response - 6.

Increase number of elected members: **No - 46**; Yes – 7, No response -2.

Potential ward names: North; South; East; West; Central; Wood; South Port; Humpty Doo; Suburb names; Geographical names; and Weddell.

Change Council name and/or boundaries: **No - 43**; Yes - 7; No response - 5.

Whilst the receipt of 55 submissions could not be considered to reflect the attitudes of a community which comprised more than 12,000 eligible electors, it was considered to constitute a reasonable level of participation by the local community, given that the previous reviews in 2010/2011 and 2014/2015, attracted no and 2 submissions respectively.

Councillors have reviewed and considered all submissions made in a workshop, before the preparation of the recommendations to the Minister of Local Government, Housing and Community Development.

6. PROPOSAL RATIONALE

6.1 PRIMARY ISSUES

Council's comments and opinions, as they relate to the issues relevant to the future composition and structure of the Litchfield Council, are provided hereinafter.

6.1.1 *Principal Member*

Section 42(2)(b) of the Act specifies that the principal member of Litchfield Council can have the title of Mayor or President (as determined by Council); and Section 44(1)(a) of the Act requires the principal member is to be elected by the community.

Council favours the retention of the title of Mayor, as this is considered to be consistent with the arrangements of the other municipal councils in the Northern Territory; and befits a council area which exhibits an increasing population and increasing residential development.

Of the submissions received which addressed this issue, 35 (63.6%) supported the retention of the title of Mayor.

6.1.2 *Elected Member's Title*

The elected members of the Litchfield Council have always held the title of Councillor.

Only two councils in the Northern Territory (i.e. the City of Darwin and the City of Palmerston) will continue to have Aldermen, given that Katherine Town Council has recently resolved to change the title of its elected members to Councillor as part of its recent electoral review. Further, the trend across the nation is away from the title of Alderman, with only two councils in Tasmania currently having Aldermen, although one of these (i.e. the City of Hobart) is already transitioning to councillors.

Council believes that the title of Councillor has long been known and accepted by the community; is appropriate for the elected members of a council of the status of Litchfield

Council; is contemporary; and is not gender specific. Further, Council has indicated that little or no practical benefit will likely be achieved by changing the title of the elected members at this time.

Of the submissions received which addressed this issue, 43 (78.2%) supported the retention of the title of Councillor.

6.1.3 Wards/No Wards

Notwithstanding the advantage of a no-ward structure (see Attachment A), Council favoured the retention of wards because:

- wards guarantee some form and level of direct representation to all parts of the council area and existing communities of interest;
- elected representatives of wards can focus on local issues as well as council-wide issues;
- elected representatives of wards may be known to their ward constituents (and vice versa);
- elected representatives of wards can have an affiliation with the local community and an understanding of the local issues and/or concerns;
- the task and expense of contesting a ward election may be less daunting to prospective candidates;
- Council only has to conduct elections and supplementary elections within the contested wards (potential cost saving); and
- ward based elections have the potential to deliver elected members from different parts of the council area, potentially resulting in a greater diversity of skill sets, experience, expertise and opinions amongst the elected members.

Further, Council was mindful that, of the submissions received which specifically addressed this matter, 38 (69.1%) favoured the continued division of the council area into wards.

6.1.4 Ward Structure

Having resolved to continue to divide the council area into wards, Council considered a number of ward structure options but resolved in favour of the proposed three ward structure because it:

- enables the sharing of duties and responsibilities by the ward councillors;

- provides the electors within the proposed wards with two direct lines of communication with Council (through the relevant ward councillors);
- affords continued representation of a proposed ward under circumstances whereby one ward councillor is absent;
- provides the desired diversity in skill sets, experience, opinions and backgrounds amongst the elected members so as to provide a range of viewpoints which may serve to improve the discussions and decision making by Council;
- rectifies the imbalance in the distribution of electors between wards under the existing ward structure;
- is a rational and relatively simple ward structure which will likely be accepted by the community; and
- should withstand anticipated fluctuations in elector numbers over the next four years.

Whilst the public submissions received did not provide definitive support for any new ward structure option, Council considered that the 29 submissions which supported the retention of the existing ward structure represented only a very small portion of the local community which comprises over 12,300 eligible electors. Further, Council was adamant that the retention of the existing ward structure would not provide fair and/or adequate representation, given the obvious inequitable distribution of electors between the existing wards.

6.1.5 Ward Identification

Council proposes to assign ward names/titles based on the location of the wards (i.e. North, Central and South), as has been the practice for many years. This means of ward identification is conventional and appears to have been accepted by the local community over a significant period of time.

The public submissions received were generally in favour of retaining the existing means of ward identification.

6.1.6 Elected Members

Litchfield Council currently has one of the lowest number of elected members of all of the councils in Australia.

Council believes that an increase in the number of elected members is warranted at this time. In reaching this decision Council was mindful that:

- the urban and rural living character of the council area continues to evolve and, as a consequence, the local population is increasing which, in turn, places more demands upon elected members;
- an additional two elected members should enhance the lines of communication between Council and the growing community, could conceivably result in direct representation of more communities ("communities of interest") and may provide greater potential for closer relationships between the elected members and their constituents;
- the introduction of additional elected members should serve to reduce the demands being placed upon the existing four councillors;
- additional members should provide the desired diversity in skill sets, experience, opinions and backgrounds amongst the elected members which, in turn, should provide a range of viewpoints which should serve to improve the discussions within, and the decision making of, Council;
- the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community; and
- an increase in the number of elected members may provide greater opportunity for community scrutiny and may make the elected members more accountable to their immediate constituents.

Of the public submissions received during the review, 46 (83.6%) opposed an increase in the number of elected members. From the comments received, it appeared that the opposition to an increase in elected members was primarily based on cost; and the perceived performance and/or effectiveness of the existing members.

Council is aware that an increase in the number of elected members will come at a cost of an estimated \$35,000 per annum per councillor (inclusive of the annual base, electoral, additional meeting and professional development allowances). Notwithstanding this, Council believes that the introduction of additional elected members at this time will serve to enhance the level and quality of representation afforded to the community; and will enable Council to:

- better represent the interests of all residents and ratepayers of the council area;
- provide enhanced leadership and guidance;
- facilitate greater communication between the community and the council;
- participate more in the deliberations of the council and its community activities; and

- ensure that it acts honestly, efficiently and appropriately in carrying out its statutory responsibilities.

6.1.7 Level of Ward Representation

Council considered single-member and multi-member ward representation options.

Council accepted that single-member wards are generally small in area; allow the local community to elect their representative; afford the elected member the opportunity to be more accessible to their constituents; and enable the elected member to concentrate on issues of local importance. However, Council no longer favoured this level of ward representation because under such a structure it is generally difficult to identify suitable ward boundaries; maintain whole communities of interest within a ward; and/or achieve an equitable distribution of electors between wards (as is currently the case). The workload of the elected member can also be demanding; and absenteeism of the elected ward member (for whatever reason and/or period) would leave the ward with no formal/elected representation.

Council supported the introduction of a ward structure wherein each ward is represented by two ward councillors. It is considered that this arrangement:

- allows for the sharing of duties and responsibilities amongst the ward councillors;
- can achieve a greater diversity in the characteristics, skill set and opinions of the ward councillors;
- affords the ward councillors the ability to discuss ward and council-wide issues;
- may lessen the likelihood of ward parochialism amongst the elected members;
- affords continuous elected ward representation should a ward councillor be absent;
- may be perceived as providing more direct lines of communication between the ward councillors (and Council) and the local community; and
- has greater ability to maintain whole identified communities of interest within the one ward.

Council also accepted that varying levels of ward representation within a structure based on multi-member wards has no disadvantage provided the elector ratios within all of the wards are similar. However, Council believes that such structure can be seen to lack balance and/or equity, with the larger wards (in elector and elected member numbers) being perceived as potentially having a greater, more influential voice on Council.

The decision of Council to establish a ward structure with equal ward representation (i.e. two elected members per ward) ensures balance and continuity in elector representation throughout the council area.

6.1.8 Council Name

Litchfield Council was established in 1985, albeit initially as Litchfield Shire Council. The council name was changed to the present name in July 2008.

The council is named after Frederick Henry Litchfield who, as a member of an early survey and settlement party, explored areas of the Northern Territory including lands within and around the current council area.

Given the historical significance of the current name of Council (in regards to both the Northern Territory and the local area) and the fact that nothing extraordinary had seemingly occurred in recent times to prompt change, Council made it known during the review that it was not contemplating a change to its name at this time. Notwithstanding this, Council did seek the thoughts and suggestions of the community in respect to this matter.

Of the public submissions received which addressed this issue, 43 (78.2%) favoured no change to the Council name, whilst a number suggested changing the name of the Council back to a Shire.

Council believes that it would be inappropriate for its name to be changed to incorporate the word "Shire", given that Litchfield Council is a municipality (as determined and specified by the provisions of the Local Government Act 2008). Furthermore, a change in council name to incorporate "Shire" would be at odds with the actions of the then Minister for Local Government and Regions who, in December 2013, specifically changed the names/status of eight councils by changing them from shires to regional councils.

6.1.9 Council Boundaries

During the course of the review Council made it known that it was not contemplating a change to its name at this time; but was aware that some misunderstanding can arise in respect to the location of, and correlation between, Litchfield Council and Litchfield National Park.

Council has previously considered, but not acted upon, suggestions to expand the municipal boundaries so as to include the Marrakai area to the east and the Dundee area (or parts thereof) to the west. Further, as part of the latest review the inclusion of the northern part of Litchfield National Park, being all of the unincorporated land bounded by Route 30 (i.e. Litchfield Park Road in the west and south; and Batchelor Road to the Stuart Highway in the south,) was considered to be worthy of some consideration.

Notwithstanding the above, Council is reluctant (at this time) to consider extending the municipal boundaries to include any existing unincorporated land, given the likely associated additional costs, unless appropriate assistance or compensation is forthcoming from the Northern Territory Government. This position is consistent with the majority (78.2%) of the public submissions received which favoured no change to the current municipal boundaries.

Despite the aforementioned, and as previously stated, Council remains open to a review of its external boundaries with the Northern Territory government, should there be opportunities to improve the financial sustainability of the Council and benefits to be gained by affected landowners.

6.2 LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2008

Throughout the course of the review, specific attention was paid to those provisions of Regulations 63(2) and 63(3), given their relevance to the circumstances of the Litchfield Council. Brief comments pertaining to Council's findings and opinions in respect to the various issues covered by these provisions are provided hereinafter.

6.2.1 Communities of Interest - Regulations 63(2)(a) and 63(3)(d)

For the purpose of the review, Council determined "communities of interest" to be generally defined as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment. Accordingly, "communities of interest" can be identified by considering factors including neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; retail and shopping centres; work communities; industrial and economic development clusters; and environmental and geographic interests. Further, an analysis of the demographic data and profile of the council area provides socio-economic indicators relevant to "communities of interest".

There are numerous geographic, cultural, social, heritage and demographic based communities of interest within the council area, as well as established and developing residential, commercial, industrial and retail land uses which are spread across thirty-six suburbs/localities and approximately 3,100km².

Given the complexities of the "community of interest" concept, Council sought to ensure (where practicable) that whole suburbs (i.e. perceived established communities of interest) were included (in their entirety) within a proposed wards, thereby protecting and maintaining the identity and character of the community within the suburb.

6.2.2 Communication and Travel - Regulation 63(2)(b)

The council area is not considered to be particularly large (approximately 3,100km²), nor is it remote, although some parts are a distance from the developed areas. Further, the higher populated residential precincts are generally consolidated within the central and north-western parts of the council area.

Given the aforementioned, it is considered that direct communication between Council and the majority of electors can be readily achieved. In addition, community access to information and communication technology through mobile telephones, the internet and electronic media has increased exponentially during the recent past, and these advances generally make communication between Council and the community an easier task.

6.2.3 Population Density and Trends - Regulation 63(2)(c) & (d)

When identifying the most appropriate future ward structure for the Litchfield Council, consideration was given to the following information, as allowances needed to be made to accommodate any identified or likely future fluctuations in elector numbers. All of the indicators suggest continued population growth (and therefore increased elector numbers) across the council area within the foreseeable future.

6.2.3.1 Elector Numbers

Elector data provided by the Northern Territory Electoral Commission during the course of the review indicated that the elector numbers within the council area:

- increased by 6,869 (264.45%) during the period May 1998 - March 2012;
- increased by a 896 (i.e. 11,046 to 11,942) or 8.11% during the period March 2012 - February 2015;
- increased by 326 or 2.72% during the period February 2015 – July 2017; and
- increased by 77 or 0.62% during the period July 2017 – August 2019.

6.2.3.2 Residential Development

Council identified the following to have the potential to impact future residential development (and therefore future elector numbers).may impact upon elector numbers in the foreseeable future and, as such, took these into consideration when developing its proposed ward structure.

- The *Litchfield Subregional Land Use Plan 2016* indicates a demand for an additional 500 dwellings over the next 5 – 10 years.

- The planning principles and area plan for the Howard Springs Rural Activity Centre seeks to encourage a range of housing choices that will include smaller residential allotments within the centre and small (4000m²) rural residential allotments as a land use buffer between commercial/residential development and the adjacent rural living precinct.
- The planning principles and area plan for the Coolalinga/Freds Pass Rural Activity Centre encourage a range of housing choices, including smaller lots that are more affordable and can provide lower maintenance living within walking distance of local services.
- The Humpty Doo Rural Activity centre also proposes additional residential development opportunities.
- The current economic circumstances and ground water restrictions in many areas of Humpty Doo and Berry Springs may be having a negative impact upon subdivisions and residential development and, as such, it has been suggested that development in the next five years may be limited to the Activity Centres.

6.2.3.3 Population

Australian Bureau of Statistics data (ABS 3218.0 Regional Population Growth, Estimated Resident Population) indicates that the estimated population for the council area:

- increased by 7,793 (15,281 – 23,614) or 49.25% during the period June 2003 - June 2015;
- increased by a further 1,648 (23,614 – 25,262) or 6.97% during the twelve month period June 2015 – June 2016; and
- increased a further 336 people (25,262 – 25,598) or 1.33% during the period June 2016 – June 2018.

Overall, this data indicates that the estimated population of the council area increased by 9,777 or 61.79% during the period June 2003 – June 2018, with a marked slowing of growth during the period June 2016 – June 2018.

In addition, Australian Bureau of Statistics “Quick Stats” indicates that the estimated population for the council area increased from 15,895 in 2006 to 23,855 in 2016 (i.e. 7,960 or +50.07%), including an increase of 4,861 (25.59%) during the period 2011- 2016.

Council is aware that the accuracy and usefulness of the above aforementioned may be questionable, given the duration of time which has elapsed since the collection of the base data; the assumptions which have been made in respect to fertility, mortality and migration rates; and the changing circumstances of the Litchfield Council.

6.2.4 Physical Features - Regulation 63(2)(e)

The Litchfield Council area covers approximately 3,100 km² and is bounded by the Adelaide River to the east, Van Diemen Gulf in the north and the Cities of Darwin and Palmerston to the north-west. The municipality is primarily rural or rural-residential in character; exhibits tropical rural bushland; accommodates a mix of rural residential, horticultural, agricultural and industrial land uses; and has the Stuart and Arnhem Highways running through it.

All of the aforementioned physical features were taken into account when assessing the suitability and appropriateness of various ward structure options.

6.2.5 Equitable Distribution of Electors - Regulation 63(3)(a)

As indicated earlier, Council acknowledged that there is a significant imbalance in the elector numbers and elector ratios between the existing wards, especially in the case of the Central and South wards. The proposed ward structure addresses this disparity.

In addition, Council seeks to introduce the proposed new ward structure because it is a relatively simple configuration; maintains whole districts/localities (communities of interest) in their entirety within a ward; and allows for anticipated future growth in elector numbers (Howard Springs, Coolalinga, Freds Pass and Humpty Doo).

6.2.6 Demographic and Geographic Nature of the Wards – Regulation 63(3)(c)

The proposed ward structure was specifically developed to reflect the general characteristics of specific parts of the council area and to ensure that the established communities have the potential for direct representation on Council.

Whilst the proposed wards vary in area, they will all comprise areas of residential, rural-living and rural land uses, as well as industrial and/or commercial precincts.

7. CONCLUSION

Litchfield has completed a review of its constitutional arrangements, as required by the provisions of Section 23 of the Local Government Act 2008.

Having duly considered all matters relevant to the current elector representation within the council area; and undertaken consultation with the community, Council has formed the opinion that the following arrangements will provide the most effective possible future representation for the electors within the Litchfield Council.

- The elected Council will comprise the Mayor (elected by the community) and six (6) Councillors (i.e. total of seven (7) elected members).
- The council area will be divided into three (3) wards (as depicted as Map 1 herein), with each ward being represented by two (2) Councillors.
- The wards will be identified as North Ward, Central Ward and South Ward.

In addition, Council has resolved not to seek any changes to its name and/or municipal boundaries at this time. Notwithstanding this, as previously indicated, Council remains open and willing to enter into dialogue in relation to expanding the council boundary (e.g. to incorporate the northern portion of Litchfield National Park), should such action serve to provide better local governance in the local area and Northern Territory in general.

This report is referred to the Minister for Local Government, Housing and Community Development (pursuant to the provisions of Section 9 of the Local Government Act 2008) to demonstrate the comprehensive nature and process of the review undertaken by Council; and to present the proposed new wards structure for consideration and endorsement.

8. ATTACHMENTS

- **Attachment A – Information Paper – Constitutional Arrangements**
- **Attachment B – Review of Representation Arrangements**
- **Attachment C – Public Consultation Submissions**

REVIEW OF CONSTITUTIONAL ARRANGEMENTS
(Elector Representation)

Litchfield Council

September 2019

1.0 LEGISLATIVE REQUIREMENTS

- 1.1 Section 23(1)(c) of the Local Government Act 2008 (the Act) requires that Council's municipal plan contain the most recent assessment of the adequacy of the existing constitutional arrangements and, in particular, whether they provide the most effective possible representation for the area.
- 1.2 Section 23(2) of the Act requires an assessment of Council's constitutional arrangements be undertaken at least once in the Council's term (i.e. every four years).
- 1.3 Regulation 63 of the Local Government (Electoral) Regulations 2008 (the Regulations) requires the following.

When carrying out an electoral review, Council must give proper consideration to:

- community of interests (economic, social and regional);
- communication and travel (with special reference to disabilities arising out of remoteness or distance);
- population trends;
- population density; and
- physical features.

If the council area is divided into wards, the council must also consider the following matters:

- the desirability of the number of electors for each ward being as near to equal as practicable at the next general election;
- the desirability of keeping the area of each ward containing rural and remote areas as small as practicable;
- the desirability of keeping the demographic and geographic nature of each ward as uniform as practicable;
- the desirability of including an identifiable community wholly within one ward if practicable.

In carrying out its electoral review, Council must consult with the Electoral Commissioner.

- 1.4 Council should complete its electoral review at least twelve months before the next general election (i.e. by the end of August 2020).
- 1.5 The proposed Local Government Act 2019 will have all future electoral reviews (and final determinations in respect thereto) made by the Local Government Representation Committee which will comprise the CEO of LGANT, the Electoral Commissioner, the Surveyor-General and a person to be appointed by the Minister (likely to be the Auditor-General). This being the case, the current review will **likely be the last opportunity for Council to determine its future composition and structure.**

2.0 BACKGROUND

- 2.1 The Litchfield Shire Council was established in September 1985 but was changed to the Litchfield Council, effective as at the 1st July 2008. Council initially comprised the President (elected by the community) and four (4) Councillors. The Council area was divided into four (4) wards (i.e. Central, East, North and South wards), with each ward being represented by a single Councillor.
- 2.2 The first municipal Council election was held on the 25th October 2008.
- 2.3 Council undertook an "electoral review" in 2010/2011 at which time it resolved to make no changes to its then existing composition and/or ward structure (despite a significant imbalance in elector numbers between wards), but the title of the principal member be changed from "President" to "Mayor".
- 2.4 At the completion of its last review (2014/2015), Council resolved to make no changes to its composition, structure, name and/or external boundaries.

Figure 1: Current ward structure



3.0 REVIEW ISSUES

- 3.1 The title of the principal member of Council (i.e. Mayor or President).
- 3.2 The number of elected members required to adequately represent the community and perform the roles and responsibilities of Council.
- 3.3 The title of the elected members.
- 3.4 The division of the council area into wards or the abolition of wards.
- 3.5 The number and configuration of wards (if required).
- 3.6 The level of representation/elector ratio within each ward.
- 3.7 The name of the council area and any proposed wards.
- 3.8 Potential changes to the external boundaries of Council.

4.0 REVIEW PROCESS

- 4.1 The Act does not contain a prescribed process for an “electoral review”.
- 4.2 An indicative review schedule, based on two initial workshops and one public consultation stage, is as follows.

October 2019:

Initial workshop with Council, including the provision of the “Information Paper”.

November 2019:

Second workshop with Council focused on discussing and making “in principle” decisions on the key issues (i.e. the number of elected members; the retention or abolition of wards; ward structure options; ward representation; ward identification; the name of Council; and/or the external boundaries of Council).

November 2019 – January 2020:

Preparation of a draft “Discussion Paper” presenting Council’s preferred future composition and structure, and all relevant supporting information, for consideration and comment by the community.

February 2020:

Presentation of the draft “Discussion Paper” to Council for consideration; discussion; amendment (if required); and endorsement for public consultation.

February – March 2020:

Public consultation.

March – April 2020:

Consideration of submissions and preparation of a “Submissions Report”.

May 2020:

Council to consider the "Submissions Report"; and make its final decisions regarding its future composition and structure, taking into account the responses from the community. Preparation of the draft report to the Minister for Local Government, Housing and Community Development.

June 2020:

Council to adopt the final report to the Minister for Local Government, Housing and Community Development.

5.0 COMPOSITION OF COUNCIL

- 5.1 Section 42(2)(b) of the Act specifies that the principal member of Litchfield Council can have the title of Mayor or President (as determined by Council); and Section 44(1)(a) of the Act requires the principal member is to be elected by the community.
- 5.2 The Act does not stipulate the titles of elected members, nor does it identify the appropriate number of elected members or the elector ratio for a Council.
- 5.3 The elected members of the Litchfield Council have always held the title of "councillor".
- 5.4 Of the four other municipal councils in the Northern Territory, three (i.e. the City of Darwin, the City of Palmerston and the Katherine Town Council) comprise an elected Mayor (Lord Mayor in the case of the City of Darwin) and aldermen, whilst the Alice Springs Town Council comprises an elected Mayor and councillors.
- 5.5 The title of councillor is acceptable; is utilised by councils across the Northern Territory; is less formal than that of alderman; is more contemporary; is not gender specific; and is consistent with the title adopted by the majority of Councils throughout Australia.
- 5.6 The trend across the nation is away from the title of alderman, with six Councils in Tasmania being the only other Councils to currently comprise aldermen. It is understood that these Councils have already agreed to adopt the title of councillor (likely at the next scheduled election).
- 5.7 Regardless of their title, all elected members (not including the principal member) have the same roles and responsibilities. Section 35 of the Act specifies that the role of a member is:
 - to represent the interests of all residents and ratepayers of the council area;
 - to provide leadership and guidance;
 - to facilitate communication between the members of the council's constituency and the council;
 - to participate in the deliberations of the council and its community activities; and
 - to ensure, as far as practicable, that the council acts honestly, efficiently and appropriately in carrying out its statutory responsibilities.

6.0 ELECTOR REPRESENTATION

- 6.1 Regulation 63(3)(a) states that, if a council area is divided into wards, Council must consider the **desirability of the number of electors for each ward being as near to equal as practicable at the next general election**. This essentially seeks to provide adequate and fair representation in accordance with the fundamental democratic principle of "one person, one vote, one value".
- 6.2 Table 1 indicates that there is currently a significant imbalance in elector numbers/elector ratio between the existing Central and South wards. To achieve a more equitable distribution of electors the existing ward boundaries will have to be amended.

Table 1: Elector distribution - current ward structure (as at 26th August 2019)

Ward	Members	Electors	Elector Ratio	% Variance
Central	1	2544	1:2544	-17.57
East	1	2996	1:2996	- 2.92
North	1	2945	1:2945	- 4.58
South	1	3860	1:3860	+25.07
Total/Average	4	12345	1:3086	

- 6.3 Elector ratio is the average number of electors represented by a councillor.
- 6.4 Table 2 indicates that the total number of electors increased by only 77 (0.62%) during the period July 2017 – August 2019, with modest elector growth occurring in the Central, East and South wards, whilst a minor decrease occurred in the North ward.

Table 2: Elector variations per ward (July 2017 – September 2019)

Ward	July 2017	August 2019	Variation	% Variance
Central	2539	2544	+ 5	+0.20
East	2943	2996	+53	+1.80
North	3013	2945	- 68	-2.26
South	3773	3860	+87	+2.30
Total/Average	12268	12345	+77	+0.62

- 6.5 Elector data presented during the previous reviews indicated that elector numbers increased by 6,869 (264.45%) during the period May 1998 - March 2012; and increased by a further 896 (i.e. 11,046 to 11,942) or 8.11% during the period March 2012 - February 2015.
- 6.6 The elector data suggests that growth in elector numbers has slowed in recent years.
- 6.7 The Act provides no guidance in respect to what constitutes an acceptable variation in elector numbers and/or elector ratios between wards.

7.0 NUMBER OF ELECTED MEMBERS

- 7.1 In terms of the number of elected members, Litchfield Council is one of the smallest councils in Australia,
- 7.2 A comparison of Council's elector representation arrangements with those of the other municipal councils within the Northern Territory (refer Table 3) indicates that Litchfield Council is the largest council in area; has the least number of elected members; and exhibits a comparable elector ratio.

Table 3: Elector details - Existing Northern Territory municipalities

Council	Members	Electors	Elector Ratio
Katherine (528 km ²)	6	6,175	1:1,029
Alice Springs (327 km ²)	8	15,169	1:1,896
Litchfield (3100 km ²)	4	12,345	1:3,086
Palmerston (95.6 km ²)	7	22,247	1:3,178
Darwin (112 km ²)	12	50,118	1:4,177

Source: Northern Territory Electoral Commission

- 7.3 A comparison with the elector representation arrangements of the regional councils within the Northern Territory is of little assistance, given that these councils generally cover large areas; exhibit open rural character/natural landscape; incorporate a number of smaller settlements/communities; and contain relatively small elector numbers.
- 7.4 A comparison with the elector representation of similar sized (elector numbers) councils across the nation (refer Table 4) indicates that Litchfield Council has the least number of elected members and, as a consequence, exhibits the highest elector ratio.

Table 4: Elector representation, various capital cities

Council	Crs	Electors	Elector Ratio
Inverell Shire (NSW – 8606 km ²)	9	11,943	1:1,327
Murray Shire (WA – 1710 km ²)	8	12,273	1:1,534
Benalla Rural City (Vic – 2375 km ²)	7	12,131	1:1,733
Burdekin Shire (Qld – 5052 km ²)	7	12,258	1:1,751
Mareeba Shire (Qld – 53,611 km ²)	7	13,356	1:1,908
Litchfield (NT - 3100 km ²)	4	12,345	1:3,086

Source: Various Electoral Commission election reports (2016 - 2018)

- 7.5 Neither the Act nor the Regulations provide any guidance as to what constitutes an appropriate number of elected members for a Council.
- 7.6 There needs to be sufficient elected members to lead and form the core of the Council committees; to share the demands placed upon them by their constituents; to provide adequate lines of communication between the community and Council; to reflect the desired diversity within Council; and to assure the range of viewpoints that spurs innovation and creativity in Council planning and decision-making.

- 7.7 There may be a perception that the performance of the Council has previously been detrimentally affected or compromised due to a lack of elected members.
- 7.8 The council area is unlikely to experience any extraordinary growth in elector numbers within the foreseeable future as a consequence of any significant new residential development projects (refer 11.12 – 11.17).
- 7.9 Any proposal at this time to increase the number of elected members will come at a cost (e.g. current elected member allowance of \$31,058.21 pa).
- 7.10 Arguments in favour of an increase in elected members include:
- enhancing the lines of communication between Council and the community;
 - the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community;
 - the greater the number of elected members, the more diverse the skill sets, expertise, experience and opinions; and
 - an increase in the number of elected members may provide greater opportunity for community scrutiny and can make the elected members more accountable to their immediate constituents.
- 7.11 An increase in elector numbers will have the following impact in respect to the elector ratio.
- | | |
|--------------------|---------|
| Five councillors: | 1:2,469 |
| Six Councillors: | 1:2,058 |
| Seven Councillors; | 1:1,764 |
- 7.12 A reduction in the number of elected members may simply not be feasible or practicable, given the small number of existing elected members and the minimal benefits likely to be achieved.
- 7.13 Consideration should also be given to whether Council should comprise an even or odd number of elected members (not including the Mayor). Whilst there are no inherent disadvantages with either option, an odd number of elected members may serve to decrease the likelihood of a tied vote of Council and thereby avoid the need for the Mayor to exercise the right of a "casting" vote.

8.0 WARDS/NO WARDS

- 8.1 The Act and the Regulations indicate that a council area may or may not be divided into wards.
- 8.2 Where a council area is not divided into wards, the elected members are elected by the community "at large" to represent the whole of the council area.

8.3 The advantages of a ward structure include:

- wards guarantee some form and level of direct representation to all parts of the council area and existing communities of interest;
- ward councillors can focus on local issues as well as council-wide issues;
- ward councillors are likely to be known to their ward constituents (and vice versa);
- elected representatives of wards can have an affiliation with the local community and an understanding of the local issues and/or concerns;
- the task and expense of contesting a ward election may be less daunting to prospective candidates;
- Council only has to conduct elections and supplementary elections within the contested wards (potential cost saving); and
- ward based elections have the potential to deliver councillors from different parts of the council area, potentially resulting in a greater diversity of skill sets, experience, expertise and opinions amongst the elected members.

8.4 The disadvantages of a ward structure include:

- elected representatives of wards do not have to reside within the ward that they represent and, as such, may have no direct affiliation with the local community and/or empathy for the local issues and/or concerns;
- electors can only vote for councillors/candidates within their ward;
- candidates can be favoured by the peculiarities of the ward based electoral system (e.g. candidates elected unopposed or having attracted less votes than defeated candidates in other wards);
- elected representatives of wards may develop ward-centric attitudes and be less focussed on the bigger council-wide issues;
- ward boundaries are lines which are based solely on elector distribution and may serve to divide the community;
- despite comparable ward elector ratios, uneven levels of representation between wards and/or the physical sizes of wards can create a perception of imbalance in voting power within Council; and
- elected representatives of wards generally consider themselves to represent not only their ward but the council area as a whole and, as such, the need for wards is questionable.

8.5 The advantages of a "no wards" structure (i.e. the abolition of wards) include:

- "no wards" is the optimum form of democracy as the electors vote for all of the vacant positions on Council;
- the most supported candidates from across the council area will likely be elected;
- the elected members should be free of ward-centric attitudes;
- the lines of communication between Council and the community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than feel obliged to consult with their specific ward members;
- the structure still affords opportunities for the small communities within the Council area to be directly represented on Council, if they are able to muster sufficient support for a candidate; and
- successful candidates generally have to attract no more votes than they would have received/required under a ward based election.

- 8.6 The disadvantages of a "no wards" structure include:
- the elected members could come from the more populated parts of the council area rather than from across the whole of the council area;
 - a single interest group could gain considerable representation on Council;
 - concern council-wide elections will not guarantee that elected members will have any empathy for, or affiliation with, all communities across the whole council area;
 - Council has to conduct elections and supplementary elections across the whole of the council area (at a significant expense);
 - under the "no wards" structure the more popular or known elected members may receive more enquiries from the public (i.e. inequitable workloads); and
 - potential candidates for election to Council may be deterred by the perceived difficulties and expense associated with contesting council-wide elections.
- 8.7 At present only three municipal councils (i.e. the City of Palmerston, Alice Springs Town Council and Katherine Town Council) and two small councils (i.e. Belyuen Community Government Council and Wagait Regional Council) have no wards.
- 8.8 Council can resolve to retain its current ward even though there is a significant imbalance in elector numbers and elector ratios between the wards. However, such a decision would have to be justified.
- 8.9 Alternative ward structure options based on a range of elected member numbers can be developed and considered with the view to identifying a ward configuration which will provide a more equitable balance of electors over the four (4) year period between reviews; and allows for any anticipated future fluctuations in elector numbers.

9.0 WARD REPRESENTATION

- 9.1 Single member wards are generally small in area and therefore afford the elected member the opportunity to be more accessible to their constituents and able to concentrate on issues of local importance. Due to the small size of the wards it is generally difficult to identify suitable ward boundaries; maintain an equitable distribution of electors between wards; maintain entire communities of interest within a ward; and sustain significant fluctuations in elector numbers. The work load of the elected member can also be demanding, and absenteeism by the elected member (for whatever reason and/or period) will leave the ward without representation.
- 9.2 Multi-councillor wards are generally larger in area and therefore the overall ward structure can be relatively simple. Elected member absenteeism can be easily covered; the work load of the individual elected members can be reduced; there are greater perceived lines of communication between the elected members and their constituents; there is greater potential to preserve whole communities of interest within a ward; a greater diversity in the characteristics, skill-set, experience and opinions of the elected may be achieved; and the likelihood of ward-centric attitudes is reduced given that the ward is represented by two or more individuals.

- 9.3 There are no inherent disadvantages associated with varying levels of representation between wards, however, such structures can be seen to lack balance and/or equity, with the larger wards (in elector and elected member numbers) being perceived as having a greater, more influential voice on Council, even if the elector ratios within the wards are consistent.

10.0 WARD IDENTIFICATION

- 10.1 The existing wards are identified in accord with their general location (i.e. central, east, north and south). This is a simple means of ward identification, and generally enables electors to readily identify, and affiliate with, the ward in which they reside.
- 10.2 The alternative means of ward identification are limited. The allocation of letters or numbers to each ward is acceptable alternative, but it is suggested that these methods lack imagination and fail to reflect the character and/or history of the council area. The same cannot be said for the allocation of names of local historical significance, but reaching consensus over the selection of appropriate names may prove to be difficult.

11.0 ASSESSMENT CRITERIA (REGULATION 63)

- 11.1 Regulation 63(2)(a) and 63(3)(d) require Council give proper consideration to **communities of interests** in the council area, including economic, social and regional interests; and the desirability of including an identifiable community wholly within one ward if practicable.
- 11.2 For the purpose of this review, "communities of interest" can be defined as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment. They can be identified by considering factors relevant to the physical, economic and social environment; regional communities; history and heritage communities; and environmental and geographic interests.
- 11.3 There are numerous geographic, cultural, social, heritage and demographic based communities of interest within the council area, as well as established and developing residential, commercial, industrial and retail land use components which are spread across thirty-six suburbs/localities.
- 11.4 Where practicable whole suburbs/localities (i.e. perceived established communities of interest) will be included within a single ward (in any future ward structure), thereby protecting and maintaining the identity and character of the community.
- 11.5 Regulation 63(2)(b) seeks consideration of the issues of **communication and travel** in the council area, with specific reference to disabilities arising out of remoteness or distance.
- 11.6 The council area is not particularly large nor is it remote. Further, community access to information and communication technology through mobile telephones, the internet and electronic media has increased exponentially during the recent past, and these advances generally make communication between Council and the community an easier task.

- 11.7 Regulations 63(2)(c and d) require Council give proper consideration to the **trend of population changes** in the area; and the **density of population** in the area.
- 11.8 Australian Bureau of Statistics data (ABS 3218.0 Regional Population Growth, Estimated Resident Population) indicates that the estimated population for the council area:
- increased by 7,793 (15,281 – 23,614) or 49.25% during the period June 2003 - June 2015;
 - increased by a further 1,648 (23,614 – 25,262) or 6.97% during the twelve month period June 2015 – June 2016; and
 - increased a further 336 people (25,262 – 25,598) or 1.33% during the period June 2016 – June 2018.
- 11.9 Overall, the above data indicates that the estimated population of the council area increased by 9,777 or 61.79% during the period June 2003 – June 2018, with are marked slowing of growth during the period June 2016 – June 2018.
- 11.10 Australian Bureau of Statistics “Quickstats” indicates that the estimated population for the council area increased from 15,895 in 2006 to 23,855 in 2016 (i.e. 7,960 or +50.07%), including an increase of 4,861 (25.59%) during the period 2011- 2016.
- 11.11 Elector data provided by the Northern Territory Electoral Commission indicates that elector numbers within the council area:
- increased by 6,869 (264.45%) during the period May 1998 - March 2012;
 - increased by a 896 (i.e. 11,046 to 11,942) or 8.11% during the period March 2012 - February 2015;
 - increased by 326 or 2.72% during the period February 2015 – July 2017; and
 - increased by 77 or 0.62% during the period July 2017 – August 2019.
- 11.12 The aforementioned indicates that the increase in population and/or elector numbers has slowed in recent years.
- 11.13 The *Litchfield Subregional Land Use Plan 2016* indicates a demand for an additional 500 dwellings over the next 5 – 10 years.
- 11.14 The planning principles and area plan for the Howard Springs Rural Activity Centre seek to encourage a range of housing choices that will include smaller residential allotments within the centre and small (4000m²) rural residential allotments as a land use buffer between commercial/residential development and the adjacent rural living precinct.
- 11.15 The planning principles and area plan for the Coolalinga/Freds Pass Rural Activity Centre encourage a range of housing choices, including smaller lots that are more affordable and can provide lower maintenance living within walking distance of local services.
- 11.16 The Humpty Doo Rural Activity centre (currently on hold) also proposes additional residential development opportunities.
- 11.17 The Noonamah Ridge rezoning proposal (currently under consideration) seeks to create up to 4,200 additional allotments at Lloyd Creek, including residential allotments (800m² - 3,999m²); multiple dwelling allotments; rural/residential allotments (4,000m² - 9,999m²); rural living allotments (1ha – 7.99ha) and rural allotments (8ha+).

- 11.18 It is understood that current economic circumstances and ground water restrictions in many areas of Humpty Doo and Berry Springs are having a negative impact upon subdivisions and residential development. This being the case, it has been suggested that development in the next five years may be limited to the Activity Centres and some development of Noonamah Ridge.
- 11.19 The aforementioned future residential development opportunities should be taken into account (to some degree) when determining the future composition of Council and any potential future ward structure.
- 11.20 Regulation 63(2)(e) requires Council consider the **physical features** of the council area.
- 11.21 Litchfield Council covers approximately 3,100 km² and is bounded by the Adelaide River to the east, Van Diemen Gulf in the north and the Cities of Darwin and Palmerston to the north-west. The municipality is primarily rural or rural-residential in character; exhibits tropical rural bushland; accommodates a mix of rural, residential, horticultural, agricultural and industrial land uses; and has the Stuart and Arnhem Highways running through it.
- 11.22 Regulation 63(3) requires that, if the council area is **divided into wards**, the council must consider a number of specified matters. These matters have been previously addressed (refer 8.0 WARDS/NO WARDS).

12.0 COUNCIL NAME AND BOUNDARIES

- 12.1 The opportunity exists for Council to consider possible future changes to its name and/or external boundaries, as well as the likely impacts thereof on future elector representation (including the configuration of any future ward structure option).
- 12.2 During the previous review Council received submissions suggesting the expansion of the council boundaries to include the Marrakai area in the east; and the land up to the "Litchfield Loop Road" or beyond (i.e. the Dundee area) in the west.
- 12.3 At the time of the previous review Council was made aware that the City of Palmerston wanted to:
- realign the boundary of Radford Road to the western side of the road (which would have resulted in this road being under the care, control and ownership of the Litchfield Council);
 - procure the Industrial land opposite Pinelands from Litchfield Council; and
 - extend the municipal boundary in the east, along Howard Springs Road to Gunn Point Road and then in a westerly direction to link up with the existing municipal boundary.
- 12.4 The previous proposal by the City of Palmerston was unsuccessful.
- 12.5 Council did not pursue a name change or an amendment to its external boundaries at the previous electoral review.



Review of Representation Arrangements

(Electoral Representation Review)

Section 23 of the Local Government Act 2008)

January 2020

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LITCHFIELD COUNCIL



COMMUNITY EFFORT
IS ESSENTIAL



Electoral Review Summary



Why did we do this review?

- Litchfield Council is required under its legislative obligations to conduct a review of the electoral representation in Council's municipality.
- Currently, the structure of Council is four wards with one Councillor per ward. This structure with the current ward boundaries has the South ward underrepresented with elector to community ratios.



What did we conclude?

- The trend and density of the population has increased by almost 50% over the past 17 years, meaning the current Councillors are representing more people than ever before.
- It is important for Council to consider community representation and consult with the constituents on how they could be better represented.



Key facts

- Litchfield Council has the least number of elected representatives of all municipal councils in the Northern Territory
- Compared to Council's with similar population across Australia, Litchfield residents are significantly underrepresented.
- Any proposed changes to Council's ward structure will be considered by the Minister and if approved, will come into effect August 21 at the next Local Government election.



What do we recommend?

- Council has two recommendations on how the community could be better represented through their Councillors:

Option 1:

3 wards, two Councillors per ward = 6 Councillors

Option 2:

5 wards, 1 Councillor per ward = 5 Councillors



Have your say

- Visit Your Say Litchfield to read the full Electoral Review Consultation Paper that provides a more detailed and explanatory information regarding the process of the electoral review and clarifies the items that were discussed as part of the review, such as; Council name, composition and boundaries to name a few
- Register on Your Say Litchfield to provide your comments, alternatively, you can email council@litchfield.nt.gov.au

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1. INTRODUCTION

Litchfield Council is undertaking an “electoral review” in accordance with the requirements of Section 23 of the Local Government Act (the Act) 2008. The review must:

- assess the constitutional arrangements presently in force;
- determine whether the current constitutional arrangements provide the most effective possible elector representation for the council area;
- be undertaken at least once in the Council’s term; and
- be completed by the end of June 2020 (as required by Council).

The public consultation presently being undertaken by Council affords all interested members of the community the opportunity to express their views in respect to the proposed future composition and structure of Council, as detailed herein.

It should be noted that any proposed amendments to the existing composition and/or structure of Council will come into effect at the next Local Government election in August 2021.

Key issues relevant to the review include:

- The title of the principal member of Council (i.e. Mayor or President).
- The number of elected members required to adequately represent the community and perform the roles and responsibilities of Council.
- The title of the elected members.
- The division of the council area into wards or the abolition of wards.
- The number and configuration of wards (if required).
- The level of representation/elector ratio within each future ward.

This report addresses key issues of the review, and provides information pertaining to the provisions of relevant legislation; elector data; elector representation ratios; levels of ward representation; comparisons with the constitutional arrangements other similarly sized councils; demographic trends; population projections; and potential residential development opportunities which may impact upon future elector numbers. Two potential future ward structures are also presented for consideration by the community.

Whilst the Act affords Council the opportunity to review its current name and municipal boundaries, changes in respect to these issues are not being contemplated at this time. Notwithstanding this, Council welcomes the thoughts and suggestions of the community in regards to these matters.

Information pertaining to the issues relevant to the future composition and structure of Council, and the rationale behind Council’s proposal, is provided hereinafter for consideration and comment.

2. REVIEW PROCESS

Council must ensure that all aspects of its composition and structure, including the division or potential division of the council area into wards, are comprehensively reviewed at least once in every term of Council (i.e. every four years). In order to ensure that the review will be comprehensive and transparent, Council has adopted the following process.

2.1 Council Workshops

The elected members have considered and discussed all issues relevant to the review at three workshops which were conducted in October and November 2019.

This Consultation Paper outlines the proposed future composition of Council; presents two potential future ward structure options (based on a total of five and/or six councillors, plus the Mayor); and provides information in respect to all of the key review issues, so as to enable interested members of the community to make an informed submission regarding Council's proposal and ward structure options (and/or alternatives thereto).

2.2 Public Consultation

This is the current stage of the review process.

The community is being made aware of the electoral review and the future composition and structure which Council proposes to bring into effect at the next periodic election in August 2021.

The public consultation stage will be 28 days in duration, commencing on Friday 15th May 2020 and concluding at 5.00pm on Monday 8th June 2020.

Interested members of the public are invited to make submissions via the following means.

Online:	https://www.litchfield.nt.gov.au/council/public-consultations
In Person:	Civic Centre, 7 Bees Creek Road, Freds Pass
By Mail:	Litchfield Council, PO Box 446, Humpty Doo NT 0836
Email:	council@litchfield.nt.gov.au
Phone:	8983 0600

All submissions received will be duly considered by Council at a future meeting of Council (date to be determined).

2.3 Final Decision

Following consideration of the public submissions Council will determine the outcome of the review. It is envisaged that the public will be notified of the outcome of the review at the scheduled Council meeting in July 2020.

The decisions and all supporting information relevant to the review process (including copies of all public submissions) will be contained within a report which will be forwarded to the Minister for Local Government, Housing and Community Development.

Any proposed changes to Council's composition and/or ward structure will be considered by the Minister and, if approved, will come into effect at the next Local Government election (i.e. August 2021).

3. BACKGROUND AND CURRENT STRUCTURE

The Litchfield Shire Council was established in September 1985; but was subsequently changed to the Litchfield Council, effective as at the 1st July 2008. Council initially comprised the President (elected by the community) and four (4) Councillors. The Council area was divided into four (4) wards (i.e. Central, East, North and South wards); with each ward being represented by a single Councillor (Figure 1).

The first municipal Council election was held on the 25th October 2008.

Council undertook an "electoral review" in 2010/2011 at which time it resolved to make no changes to its then existing composition and/or ward structure (despite a significant imbalance in elector numbers between wards). However, the title of the principal member was changed from "President" to "Mayor".

At the completion of its last review (2014/2015), Council resolved to make no changes to its composition, structure, name and/or external boundaries.

Table 1 provides details of the elector representation within the current ward structure, including the number of elected members and electors per ward; and the difference in the elector ratios (i.e. the average number of electors represented by a councillor) between the existing wards. It clearly indicates the imbalance in the number of electors between the existing wards, especially in the case of the Central and South Wards (i.e. 1,316 electors difference).

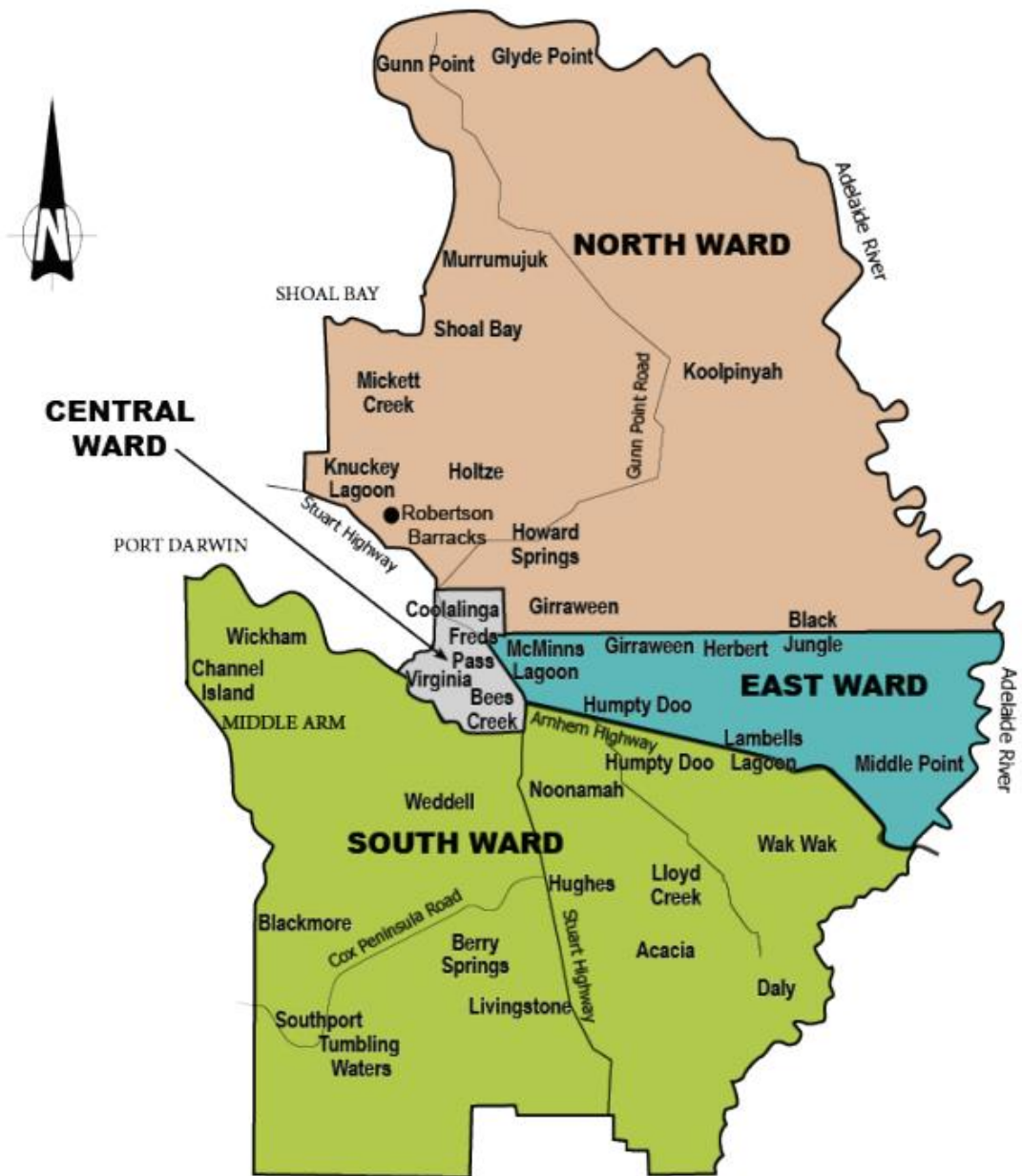
Table 1: Elector distribution - current ward structure

Ward	Members	Electors	Elector Ratio	% Variance
Central	1	2,544	1:2,544	-17.57
East	1	2,996	1:2,996	- 2.92
North	1	2,945	1:2,945	- 4.58
South	1	3,860	1:3,860	+25.07
Total/Average	4	12,345	1:3,086	

Source: Northern Territory Electoral Commission (26 August 2019)

Alternatives to the existing ward structure need to be considered with the view to identifying a ward structure which affords the desired level of representation; provides a more equitable distribution of electors between wards; and allows for anticipated future fluctuations in elector numbers. Such action would be in accord with Regulation 63(3)(a) which states that, if a council area is divided into wards, Council must consider the desirability of the number of electors for each ward being as near to equal as practicable at the next general election. Essentially, this provision seeks to provide adequate and fair representation in accordance with the fundamental democratic principle of "one person, one vote, one value".

Figure 1: Current ward structure



4. PROPOSED FUTURE COMPOSITION AND STRUCTURE

The elected members of Council propose that the future composition and structure of Litchfield Council should be as follows.

- The principal member of Council shall continue to be the Mayor (elected by the community).
- The elected members of Council (other than the Mayor) shall continue to bear the title of “Councillor”.
- The future Council shall comprise the Mayor and five (5) or six (6) Councillors (to be determined after the conclusion of public consultation so as to enable community opinion to be taken into account).
- The council area shall continue to be divided into wards, in accordance with one of the two ward structure options presented hereinafter (subject to community feedback/support).
- The naming/identification of any future wards shall be determined after public consultation so as to enable community input.

It should be noted that any future amended composition and/or structure of Council will come into effect at the next periodic Local Government election in August 2021.

4.1 Ward Structure Option 1 (Three wards/six councillors)

4.1.1 Description

Division of the council area into three wards, with each ward being represented by two (2) councillors.

Ward 1: The suburbs/localities of Glyde Point, Gunn Point, Holtze, Howard Springs, Knuckey Lagoon, Koolpinyah, McMinns Lagoon, Micket Creek, Murrumujuk, Robertson Barracks, Shoal Bay and Tree Point; and parts of the suburbs/localities of Black Jungle, Girraween, Herbert and Lambells Lagoon.

Ward 2: The suburbs/localities of Humpty Doo and Middle Point; and parts of the suburbs/localities of Black Jungle, Girraween, Herbert and Lambells Lagoon.

Ward 3: The suburbs/localities of Acacia Hills, Acacia Larrakia, Bees Creek, Berry Springs, Blackmore, Coolalinga, Darwin River, Donalds Lagoon, Fly Creek, Freds Pass, Howard Springs, Hughes, Livingstone, Lloyd Creek, Manton, Noonamah, Southport, Tumbling Waters, Virginia, Weddell and Wickham.

4.1.2 Elector Distribution

Ward	Members	Electors	Elector Ratio	% Variance
1	2	4,022	1:2,011	- 2.27
2	2	4,234	1:2,117	+ 2.89
3	2	4,089	1:2,045	- 0.64
Total/Average	6	12,345	1:2,057.5	

4.1.3 Comments

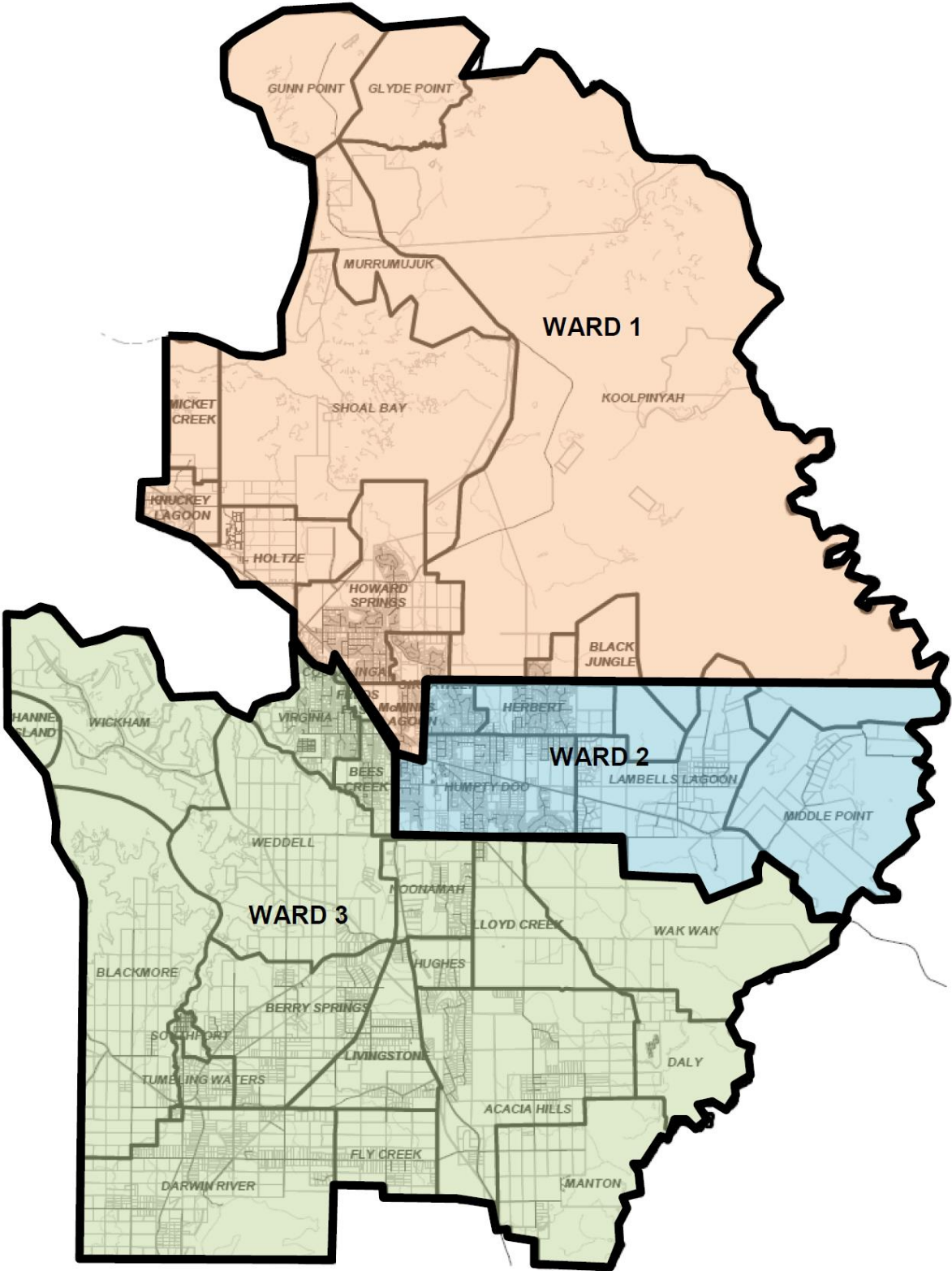
Option 1 is a simple three ward structure which:

- exhibits a relatively equitable distribution of elector numbers between the proposed wards;
- allows for considerable elector growth in proposed wards 1 and 3, wherein the majority of future residential growth is anticipated (i.e. Coolalinga, Howard Springs, Humpty Doo, Lloyd Creek (“Noonamah Ridge”) and, to a lesser degree, Berry Springs); and
- mostly maintains whole suburbs/localities within a ward.

Whilst the increase in the number of councillors to six will obviously come at a cost to Council and the community, it is considered that the two additional elected members will:

- enable an equitable level of representation across the proposed wards (i.e. two councillors per ward) which will ensure the continued representation of a ward under circumstances whereby one ward councillor is absent;
- provide greater lines of communication between Council and the electors, both across the council area and within a proposed ward;
- enable the ward councillors to share the roles and responsibilities of being a ward councillor (which can be worsened by the size of the ward);
- afford a more diverse range of skill sets, expertise, experience and opinions amongst the elected members which should assist to facilitate robust discussion and decision making within Council; and
- afford greater opportunity for persons aspiring to become an elected member of Council.

WARD STRUCTURE OPTION 1 – THREE WARDS, TWO COUNCILLORS PER WARD



4.2 Ward Structure Option 2 (Five wards/five councillors)

4.2.1 Description

Division of the council area into five wards, with each ward being represented by a councillor.

Ward 1: The suburbs/localities of Glyde Point, Gunn Point, Holtze, Knuckey Lagoon, Koolpinyah, Micket Creek, Murrumujuk, Robertson Barracks, Shoal Bay and Tree Point; and parts of the suburbs/localities of Black Jungle, Girraween, Howard Springs and Lambells Lagoon.

Ward 2: The suburbs/localities of Blackmore, Coolalinga, Freds Pass, Virginia, Weddell and Wickham; and part of the suburb/locality of Howard Springs.

Ward 3: The suburbs/localities of Bees Creek and McMinns Lagoon; and part of the suburb/locality of Humpty Doo.

Ward 4: The suburb/locality of Herbert; and the part suburbs/localities of Girraween and Humpty Doo.

Ward 5: The suburbs/localities of Acacia Hills, Acacia Larrakia, Berry Springs, Darwin River, Donalds Lagoon, Fly Creek, Hughes, Livingstone, Lloyd Creek, Manton, Middle Point, Noonamah, Southport, Tumbling Waters, Virginia, Weddell and Wickham; and part of the suburbs/localities of Black Jungle and Lambells Lagoon.

4.2.2 Elector Distribution

Ward	Members	Electors	Elector Ratio	% Variance
1	1	2,515	1:2,515	+ 1.86
2	1	2,392	1:2,392	- 3.12
3	1	2,573	1:2,573	+ 4.21
4	1	2,544	1:2,544	+ 3.03
5	1	2,321	1:2,321	- 6.00
Total/Average	5	12,345	1:2,469	

4.2.3 Comments

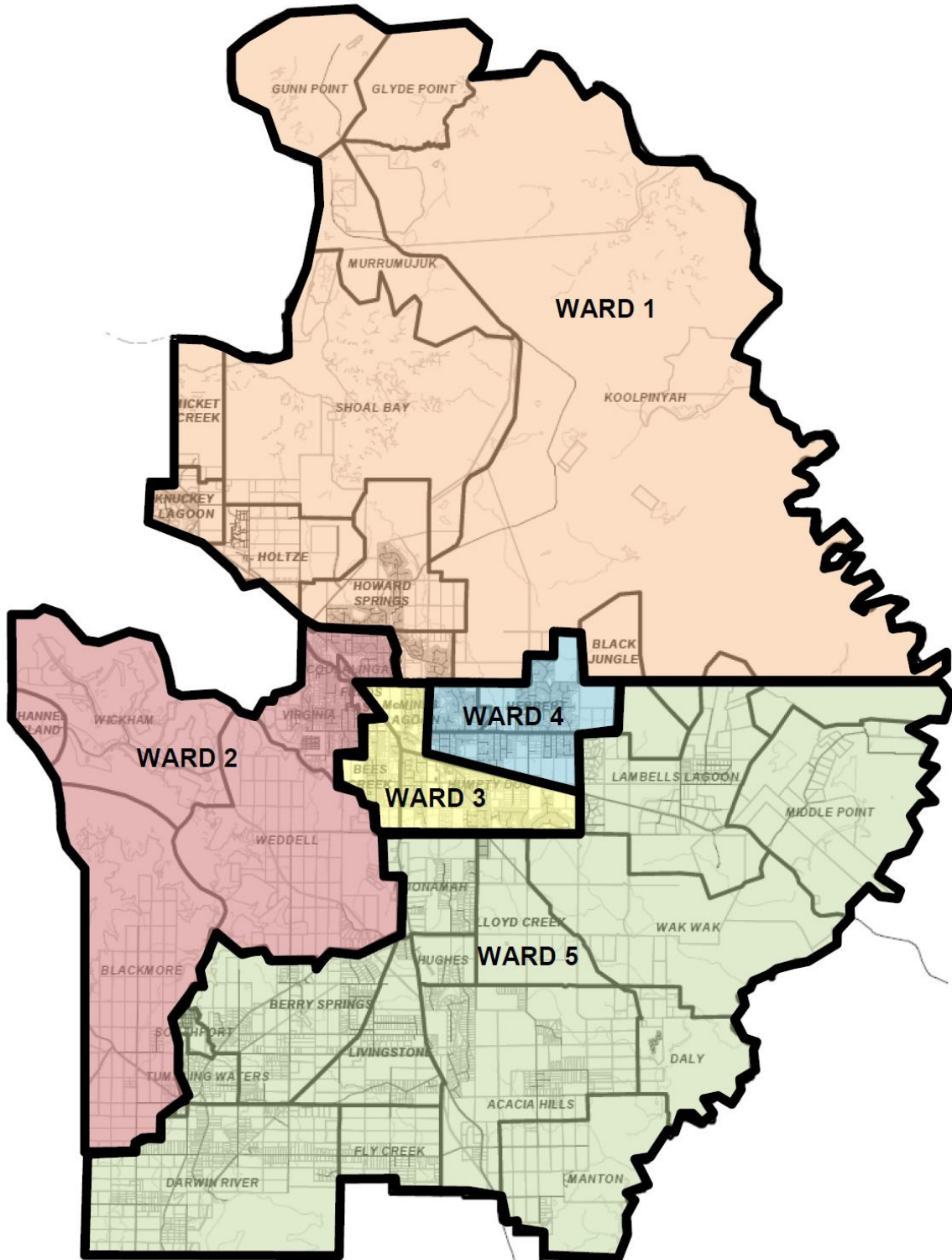
Option 2 is a five ward structure wherein each of the proposed wards has the same level of representation (i.e. a single councillor). An additional councillor will incur some additional cost to Council and the community; but the lines of communication between Council and the community will be greater than the current arrangement.

The ward structure:

- exhibits a relatively equitable distribution of elector numbers between the proposed wards;
- allows for elector growth across the council area (especially in wards 1, 2 and 5);
- mostly maintains whole suburbs/localities within a ward, although the central, more populated suburbs/localities of Girraween, Howard Springs and Humpty Doo are divided;

- proposes wards of varying sizes (area) and, as such, the councillors representing proposed wards 1, 2 and 5 may have a more difficult task given that they have more ground to cover; and
- does not ensure continued direct representation of a ward in the event that a councillor is absent.

WARD STRUCTURE OPTION 2 – FIVE WARDS, ONE COUNCILLOR PER WARD



5. COMPOSITION OF COUNCIL

5.1 Principal Member

Section 42(2)(b) of the Act specifies that the principal member of Litchfield Council can have the title of Mayor or President (as determined by Council); and Section 44(1)(a) of the Act requires the principal member is to be elected by the community.

Council favours the retention of the title of Mayor for the principal member, as this is consistent with the arrangements of the other municipal councils in the Northern Territory; and befits a council area which exhibits an increasing population; increasing residential development; and an ever developing urban character.

Issue: Should the principal member of Litchfield Council have the title of Mayor or President?

5.2 Alderman or Councillor

The Act does not identify the title to be given to an elected member (other than the principal member).

The elected members of the Litchfield Council have always held the title of "Councillor".

Of the four other municipal councils in the Northern Territory, two (i.e. the City of Darwin and the City of Palmerston) have aldermen; Alice Springs Town Council has councillors; and Katherine Town Council is promoting a change from aldermen to councillors as part of its current electoral review. Further, the trend across the nation is away from the title of alderman, with only two councils in Tasmania currently having aldermen, although one of these (i.e. the City of Hobart) is already transitioning to councillors.

The title of councillor is generally well accepted by the communities within councils across the country; is less formal than "alderman"; is more contemporary; is not gender specific; and is consistent with the title adopted by the majority of Councils throughout Australia.

Regardless of their title, all elected members (except the principal member) have the same roles and responsibilities. Section 35 of the Act specifies that the role of a member is:

- to represent the interests of all residents and ratepayers of the council area;
- to provide leadership and guidance;
- to facilitate communication between the community and the council;
- to participate in the deliberations of the council and its community activities; and
- to ensure, as far as practicable, that the council acts honestly, efficiently and appropriately in carrying out its statutory responsibilities.

Council believes that the title of "Councillor" has long been known and accepted by the community; is appropriate for the elected members of a council of the status of Litchfield Council; is contemporary; and is not gender specific. Further, Council believes that little or no practical benefit will be achieved by changing the title of the elected members at this time.

Issue: Should the elected members of Council continue to have the title of Councillor?

6. ELECTOR REPRESENTATION

Regulation 63(1) of the Local Government (Electoral) Regulations 2008 requires Council to assess “whether the constitutional arrangements presently in force for electoral representation provide the most effective possible representation for the local government area of the council.” This being the case, the review needs to identify (in part) the number of elected members who are required to provide adequate and fair representation of the electors of the council area; and to perform the roles and responsibilities of Council.

Litchfield Council comprises five elected members (i.e. the Mayor and four councillors), this being the equal smallest number of elected members of all of the councils throughout Australia.

As there is no established formula or guideline to assist in determining an appropriate level of elector representation for Litchfield Council, the community will have to call upon their experiences in dealing with, and their expectations of, Council; as well as take some guidance from the structures of other councils. Similarly, the elected members will have had to draw upon their practical experience in dealing with their constituents and their understanding of the demands of the office; as well as consider the structures of other councils within the Northern Territory and, to a lesser degree, from across the nation.

A comparison of Council’s elector representation arrangements with those of the other municipal councils within the Northern Territory (refer Table 2) indicates that Litchfield Council is the largest in area; has the least number of elected members; and exhibits a comparable elector ratio.

Table 2: Elector details - Existing Northern Territory municipalities

Council	Members	Electors	Elector Ratio
Katherine (528 km ²)	6	6,175	1:1,029
Alice Springs (327 km ²)	8	15,169	1:1,896
Litchfield (3,100 km ²)	4	12,345	1:3,086
Palmerston (95.6 km ²)	7	22,247	1:3,178
Darwin (112 km ²)	12	50,118	1:4,177

Source: Northern Territory Electoral Commission

As for the elector representation arrangements of the regional councils within the Northern Territory, comparisons with these councils is of little or no assistance, given that regional councils generally cover expansive areas of open rural land/natural landscape and contain relatively small elector numbers which are either contained within small communities or spread sparsely across the council area. These circumstances are not similar to those of Litchfield Council.

Finally, comparisons with the elector representation arrangements of similar sized (elector numbers) councils from across the nation (refer Table 3) is also considered to be of little value, given that no two councils are identical in terms of their location, topography, character, demographics, socio-economic circumstances, area, size (i.e. elector numbers and population) and/or community interests. This being the case, it is difficult to draw any sound conclusions from the arrangements pertaining to the cited council, other than to note that Litchfield Council has the least number of elected members and, as a consequence, exhibits the highest elector ratio.

Table 3: Elector representation, various capital cities

Council	Crs	Electors	Elector Ratio
Inverell Shire (NSW – 8,606 km²)	9	11,943	1:1,327
Murray Shire (WA – 1,710 km²)	8	12,273	1:1,534
Benalla Rural City (Vic – 2,375 km²)	7	12,131	1:1,733
Burdekin Shire (Qld – 5,052 km²)	7	12,258	1:1,751
Mareeba Shire (Qld – 53,611 km²)	7	13,356	1:1,908
Litchfield (NT – 3,100 km²)	4	12,345	1:3,086

Source: Various Electoral Commission election reports (2016 – 2018)

There needs to be sufficient elected members to:

- ensure a meeting quorum can be readily achieved;
- lead and form the core of the Council committees;
- participate in discussion and decision making within the Council chamber;
- meet and share the demands placed upon them by their constituents;
- provide adequate lines of communication between the community and Council; and
- provide the desired diversity in skill sets, experience and backgrounds so as to ensure a range of viewpoints necessary to spur discussion, innovation and creativity in Council planning and decision-making.

As the Council is likely to experience some growth in population (and therefore elector numbers) within the foreseeable future (refer 8.3 Demographic and Population Trends), an increase in the number of elected members at this time may be appropriate and prudent, as it will address the current and anticipated future demands of the elected members.

Other arguments in favour of an increase in elected members include:

- enhancing the lines of communication between Council and the community;
- the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community;
- the greater the number of elected members, the more diverse the skill sets, expertise, experience and opinions; and
- an increase in the number of elected members may provide greater opportunity for community scrutiny and can make the elected members more accountable to their immediate constituents.

An increase in elector numbers will result in a decrease in the elector ratio (i.e. the average number of electors represented by a councillor) to 1:2,469 (five councillors) or 1:2,058 (six councillors). Whilst these potential elector ratios are still slightly higher than those of the cited councils in Table 3, elector representation is enhanced because the individual elected members effectively represent fewer electors which, in theory, should

reduce the demands placed upon the elected members and increase the availability of the member to his/her constituents.

On the downside, an increase in the number of elected members will come at a cost of an estimated \$40,000 per annum per councillor (inclusive of the annual base, electoral, additional meeting and professional development allowances).

A **decrease** in the number of elected members may simply not be feasible or practicable, given the small number of existing elected members and the minimal benefits likely to be achieved.

The final issue which may impact upon the number of elected members is whether Council should comprise an even or odd number of elected members. Whilst there is no inherent disadvantage with either option, an even number of councillors should, under most circumstances, overcome the potential for a tied vote of Council, given that the Mayor has both a deliberative vote (and a casting vote if required).

Whilst the existing number of councillors has served the Litchfield Council well over the years, Council believes that an increase in the number of elected members is warranted at this time.

The urban and rural living character of the council area continues to evolve and, as a consequence, the local population is increasing which, in turn, places more demands upon the handful of elected members. In addition, Council believes that an additional one or two elected members are required to enhance the lines of communication between Council and the growing community; reduce the demands being placed upon the elected members; and to provide the desired diversity in skill sets, experience, opinions and backgrounds amongst the elected members so as to provide a range of viewpoints which should serve to improve the discussions and decision making by Council.

Issue: Should Litchfield Council increase the number of elected members in order to achieve the most appropriate and effective representation of the local community and, if so, should the number of elected members be increased to one (to the Mayor and five “councillors”) or two (to the Mayor and six “councillors”)?

7. WARD STRUCTURE

7.1 Wards/No Wards

The provisions of Section 9 of the Act and Regulation 63(3) infer that a council area may or may not be divided into wards.

7.1.1 Wards

The advantages of a ward structure include:

- wards guarantee some form and level of direct representation to all parts of the council area and existing communities of interest;
- elected representatives of wards can focus on local issues as well as council-wide issues;
- elected representatives of wards may be known to their ward constituents (and vice versa);
- elected representatives of wards can have an affiliation with the local community and an understanding of the local issues and/or concerns;
- the task and expense of contesting a ward election may be less daunting to prospective candidates;

- Council only has to conduct elections and supplementary elections within the contested wards (potential cost saving); and
- ward based elections have the potential to deliver councillors from different parts of the council area, potentially resulting in a greater diversity of skill sets, experience, expertise and opinions amongst the elected members.

The disadvantages of a ward structure include:

- elected representatives of wards do not have to reside within the ward that they represent and, as such, may have no affiliation with the local community and/or empathy for the local issues and/or concerns;
- electors can only vote for councillors/candidates within their ward;
- candidates can be favoured by the peculiarities of the ward based electoral system (e.g. candidates elected unopposed or having attracted less votes than defeated candidates in other wards);
- elected representatives of wards may develop ward-centric attitudes and be less focussed on the bigger council-wide issues;
- ward boundaries are lines which are based solely on elector distribution and may serve to divide the community rather than foster civic unity;
- despite comparable ward elector ratios, uneven levels of representation between wards and/or the physical sizes of wards can create a perception of imbalance in voting power within Council; and
- elected representatives of wards generally consider themselves to represent not only their ward but the council area as a whole and, as such, the need for wards is questionable.

7.1.2 No Wards

The abolition of wards would result in all elected members representing the council area as a whole, rather than a ward.

The advantages of a "no wards" structure include:

- "no wards" is the optimum form of democracy as the electors vote for all of the vacant positions on Council;
- the most supported candidates from across the council area will likely be elected;
- the elected members should be free of ward-centric attitudes;
- the lines of communication between Council and the community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than feel obliged to consult with their specific ward members;
- the structure still affords opportunities for the smaller communities to be directly represented on Council, if they are able to muster sufficient support for a candidate and vote; and
- successful candidates generally have to attract no more votes than they would have received/required under a ward based election.

The disadvantages of a "no wards" structure include:

- the elected members could come from the more heavily populated parts of the council area rather than from across the whole of the council area;
- a single interest group could gain considerable representation on Council;
- concern council-wide elections will not guarantee that elected members will have any empathy for, or affiliation with, all communities across the whole council area;
- Council has to conduct elections and supplementary elections across the whole of the council area (at a significant expense);
- under the "no wards" structure the more popular or known elected members may receive more enquiries from the public (i.e. inequitable workloads); and
- potential candidates for election to Council may be deterred by the perceived difficulties and expense associated with contesting council-wide elections

At present only three municipal councils (i.e. the City of Palmerston, the Alice Springs Town Council and Katherine Town Council) and two small regional councils (Wagait Regional Council and Belyuen Community Government Council) have no wards.

Council proposes to maintain the division of the municipality into wards as it ensures a level of direct representation of all electors and the individual communities and/or suburbs within the council area.

Issue: Should Litchfield Council continue to be divided into wards?

7.2 Ward Representation

7.2.1 Single Member Wards

- Single member wards:
- allow the local community to elect their representative;
- afford the elected member the opportunity to be more accessible to their constituents; and
- enable the elected member to concentrate on issues of local importance (rather than just the bigger council-wide picture).

On the downside the work load of the elected member can be demanding and absenteeism of the elected ward member (for whatever reason and/or period) will leave the ward without direct representation (as there is no legislative provisions for a short-term proxy member).

7.2.2 Multi-Member Wards

Multi-member wards (i.e. wards with two or more elected members):

- allow for the sharing of duties and responsibilities amongst the elected members;
- can achieve a greater diversity in the characteristics, skill-set and opinions amongst the elected members;
- lessen the likelihood of ward parochialism;
- increase the lines of communication between the community and Council (within a ward);

- afford continuous ward representation should a member be absent; and
- can be larger in area and therefore can afford the opportunity to maintain whole identified communities of interest within the one ward.

Varying levels of ward representation within a structure based on multi-member wards has no disadvantage provided the elector ratio within all of the wards is similar. However, such a structure can be seen to lack balance and/or equity, with the larger wards (in elector and elected member numbers) being perceived as having a greater, more influential voice on Council.

Council's preference is for a three ward structure, with each ward being represented by two councillors. This will enable the sharing of duties and responsibilities by the ward councillors; will provide local residents with two lines of communication with Council; and will provide continued representation under circumstances whereby one ward councillor is absent.

The second option of Council is the five ward structure, with each ward being represented by a councillor. This level of ward representation has been acceptable over the years; and the increase in the number of wards enables the future wards to be smaller in area, thereby reducing the number of electors represented by each councillor and hopefully reducing the demands placed upon the individual elected members. Unfortunately, this level of ward representation does not afford continuous and/or direct representation of the ward when the councillor is absent.

Issue: Should Litchfield Council be divided into three wards (Option 1, pages 6 and 7), five wards (Option 2, page 8 and 9) or remain the same?

7.3 Ward Identification

Council currently assigns ward names/titles based on the location of the wards (i.e. North, South, East and Central) to identify the existing wards. This means of ward identification is conventional and appears to have been accepted by the local community over a significant period of time.

The alternative means of ward identification are limited. The allocation of letters and numbers are acceptable means of ward identification but they lack character and lack relevance to the council area. On the other hand, names of heritage significance; local physical features; and/or names of previous Council members who served the community well, are all appropriate means of identification.

Council is seeking the assistance of the local community to provided suggested names for, and/or means of identifying, any future wards.

Issue: What names/titles should be assigned to any future wards?

8. ASSESSMENT CRITERIA

Regulation 63(2) stipulates that, when carrying out an electoral review, a Council must give proper consideration to the following matters.

- Communities of interest in the area including economic, social and regional interests.
- Types of communication and travel in the area with special reference to disabilities arising out of remoteness or distance.
- The trend of population changes in the area.
- The density of population in the area.
- The physical features of the area.

In addition, the provisions of Regulation 63(3) require Council take into account the following when the council area is to be divided into wards.

- The desirability of the number of electors for each ward being as near to equal as practicable at the next general election.
- The desirability of keeping the area of each ward containing rural and remote areas as small as practicable.
- The desirability of keeping the demographic and geographic nature of each ward as uniform as practicable.
- The desirability of including an identifiable community wholly within one ward if practicable.

8.1 Communities of Interest

For the purpose of electoral review proposals, “communities of interest” can be defined as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment. They can be identified by considering factors relevant to the physical, economic and social environment; regional communities; history and heritage communities; and environmental and geographic interests.

There are numerous geographic, cultural, social, heritage and demographic based communities of interest within the council area, as well as established and developing residential, commercial, industrial and retail land uses which are spread across thirty-six suburbs/localities and approximately 3,100km².

Given the complexities of the “community of interest” concept, a simple solution is to ensure (where practicable) that whole suburbs (i.e. perceived established communities of interest) are included within a single ward, thereby protecting and maintaining the identity and character of the community within the suburb.

8.2 Communication and Travel

The council area is not considered to be particularly large, nor is it remote, although parts are some distance from the developed areas. Further, community access to information and communication technology through mobile telephones, the internet and electronic media has increased exponentially during the recent past, and these advances generally make communication between Council and the community an easier task

8.3 Demographic and Population Trends

Australian Bureau of Statistics data (ABS 3218.0 Regional Population Growth, Estimated Resident Population) indicates that the estimated population for the council area:

- increased by 7,793 (15,281 – 23,614) or 49.25% during the period June 2003 - June 2015;
- increased by a further 1,648 (23,614 – 25,262) or 6.97% during the twelve month period June 2015 – June 2016; and
- increased a further 336 people (25,262 – 25,598) or 1.33% during the period June 2016 – June 2018.

Overall, this data indicates that the estimated population of the council area increased by 9,777 or 61.79% during the period June 2003 – June 2018, with are marked slowing of growth during the period June 2016 – June 2018.

In addition, Australian Bureau of Statistics “Quickstats” indicates that the estimated population for the council area increased from 15,895 in 2006 to 23,855 in 2016 (i.e. 7,960 or +50.07%), including an increase of 4,861 (25.59%) during the period 2011- 2016.

Elector data provided by the Northern Territory Electoral Commission indicates that elector numbers within the council area:

- increased by 6,869 (264.45%) during the period May 1998 - March 2012;
- increased by a 896 (i.e. 11,046 to 11,942) or 8.11% during the period March 2012 - February 2015;
- increased by 326 or 2.72% during the period February 2015 – July 2017; and
- increased by 77 or 0.62% during the period July 2017 – August 2019.

The aforementioned indicates that the increase in population and/or elector numbers has slowed in recent years.

Further, a review of relevant strategic planning documents has revealed the following.

The *Litchfield Subregional Land Use Plan 2016* indicates a demand for an additional 500 dwellings over the next 5 – 10 years.

The planning principles and area plan for the Howard Springs Rural Activity Centre seeks to encourage a range of housing choices that will include smaller residential allotments within the centre and small (4000m²) rural residential allotments as a land use buffer between commercial/residential development and the adjacent rural living precinct.

The planning principles and area plan for the Coolalinga/Freds Pass Rural Activity Centre encourage a range of housing choices, including smaller lots that are more affordable and can provide lower maintenance living within walking distance of local services.

The Humpty Doo Rural Activity centre (currently on hold) also proposes additional residential development opportunities.

Finally, Council is aware that:

the Noonamah Ridge rezoning proposal (currently under consideration) seeks to create up to 4,200 additional allotments at Lloyd Creek, including residential allotments (800m² - 3,999m²); multiple

dwelling allotments; rural/residential allotments (4,000m² - 9,999m²); rural living allotments (1ha – 7.99ha) and rural allotments (8ha+); and

the current economic circumstances and ground water restrictions in many areas of Humpty Doo and Berry Springs may be having a negative impact upon subdivisions and residential development and, as such, it has been suggested that development in the next five years may be limited to the Activity Centres and some development of Noonamah Ridge.

The aforementioned future residential development opportunities need be taken into account, to some degree, when determining the future composition of Council and any potential future ward structure.

8.4 Physical Features

Litchfield Council covers approximately 3,100 km² and is bounded by the Adelaide River to the east, Van Diemen Gulf in the north and the Cities of Darwin and Palmerston to the north-west. The municipality is primarily rural or rural-residential in character; exhibits tropical rural bushland; accommodates a mix of rural, residential, horticultural, agricultural and industrial land uses; and has the Stuart and Arnhem Highways running through it.

The prominent physical features which should be taken into account when considering and/or developing a potential future ward structure include, but should not be limited to, the extensive local road network; suburb/locality boundaries; and existing watercourses.

9. COUNCIL NAME AND BOUNDARIES

The opportunity exists for Council to consider possible future changes to its name and/or municipal boundaries, as well as the likely impacts thereof in terms of future elector representation (including the configuration of any future ward structure options), as part of its current review.

Whilst Council is not contemplating a change to its name at this time, it is aware of some misunderstanding can arise in respect to the location of, and correlation between, Litchfield Council and Litchfield National Park. This is not considered to be a significant issue, but the opportunity does exist to discuss any suggested alternative names which may benefit the character and heritage of the council area.

Council has previously considered suggestions to expand the municipal boundaries so as to include the Marrakai area to the east and the Dundee area (or parts thereof) to the west. The inclusion of the northern part of Litchfield National Park, being all of the unincorporated land bounded by Route 30 (i.e. Litchfield Park Road in the west and south; and Batchelor Road to the Stuart Highway in the south) is another option worthy of some consideration.

As part of the review, Council has discussed the external boundaries of the municipality. Council is open to review the external boundaries with the NTG, should there be opportunities to improve financial sustainability for Local Government.

Council is not contemplating any changes to either its name or external boundaries at this time, but is prepared to consider the suggestions and comments of the community regarding these matters.

Issue: Should consideration be given to changing the Council name and/or the municipal boundary?

10. SUMMARY

The Litchfield Council is undertaking a review of the current constitutional arrangements in accordance with the provisions of Section 23(1) of the Local Government Act 2008, so as to assess the adequacy of the constitutional arrangements presently in place and, in particular, whether they provide the most effective possible elector representation for the council area. It is Council's intention that the review be completed by mid 2020; and that any agreed amendments to the future structure and/or composition of Council be put into effect at the Local Government elections in August 2021.

The key issues that need to be addressed during the review include:

- the composition of Council, more specifically the number of elected members required to adequately and fairly represent the electors and communities within the council area and to perform the roles and responsibilities of Council;
- the title of the principal member (i.e. Mayor or President);
- the title of the elected members (i.e. Councillor or Alderman);
- whether or not the council area should be divided into wards;
- if the council area is to be divided into wards, the identification of a ward structure which exhibits a reasonably equitable distribution of electors between the proposed wards and provides opportunities for the representation of all existing communities; and
- the title of any proposed future wards.

Having considered all relevant matters, Council is seeking the comments and opinions of the community in respect to the aforementioned matters.

At this time, the elected members of Council generally favour:

- the retention of the titles of Mayor and Councillor for the principal member and elected members respectively;
- the continued division of the council area into wards (albeit in a different configuration to the existing ward structure); and
- the division of the council area into three wards, with each ward being represented by two councillors (resulting in two additional members).

Notwithstanding the above, Council still considers the five ward option presented herein as being worthy of further consideration. This alternative would have each proposed ward represented by a Councillor; and would result in one additional elected member.

Further, whilst Council is not contemplating changes to its current name and/or the existing municipal boundaries at this time, it invites the suggestions and comments of the community in respect to these matters.

Council is now seeking feedback from the community.

Interested members of the community are invited to make a submission expressing their views on the key issues and information contained within this report, as well as the proposed future composition and structure of Council outlined therein. A questionnaire (which is available on the

Council website or in hard copy at the Council offices) has been prepared to assist members of the community to make a submission.

Submissions, which should be addressed to the Chief Executive Officer, can be forwarded to PO Box 446, Humpty Doo NT 0836 or emailed to council@litchfield.nt.gov.au, will be accepted until 5.00pm on Monday 8 June 2020.

Alternatively, submissions can be made on-line (<https://www.litchfield.nt.gov.au/council/public-consultations>).

Further information regarding the electoral review can be obtained by contacting David Jan Governance and Risk Advisor, on telephone (08) 8983 0600 or david.jan@litchfield.nt.gov.au.

REVIEW OF CONSTITUTIONAL ARRANGEMENTS
(Elector Representation)

PUBLIC CONSULTATION SUBMISSIONS

A report prepared for the
Litchfield Council

June 2020

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5.	RECOMMENDATIONS	10

1. INTRODUCTION

Section 23 of the Northern Territory Local Government Act 2008 (the Act) requires each council to make an assessment of the adequacy of the constitutional arrangements currently in force, in order to determine whether they provide the most effective possible representation for the council area.

The review conducted by the Litchfield Council commenced in October 2019; and in April 2020 Council resolved to proceed to public consultation regarding the future composition and structure of Litchfield Council, based on the following proposal.

- The principal member of Council continues to be the Mayor (elected by the community).
- The elected members of Council (other than the Mayor) continue to bear the title of Councillor.
- The future Council comprise the Mayor and either five (5) or six (6) councillors (to be determined after the conclusion of public consultation so as to enable community opinion to be taken into account).
- The council area continue to be divided into wards based on one of the two ward structure options presented for consideration by the community.
- The naming/identification of any future wards will be determined after public consultation so as to enable community input.

The review has progressed to the point where the public consultation stage has been completed. A total of 55 submissions were received from the community.

Council must now give consideration to the submissions and determine what changes, if any, it proposes to bring into effect in respect to its future composition and structure.

It should be noted that any amendments to the existing composition and/or structure of Council will come into effect at the date of the next Local Government election in 2021.

2. PUBLIC CONSULTATION

Neither the Northern Territory *Local Government Act 2008* nor the *Local Government (Electoral) Regulations 2008* contain provisions that specify what constitutes appropriate public consultation in regards to the subject electoral review. This being the case, Council initiated a process which followed established Council protocol and included the following.

The display of an article on Council's website which presented a media release entitled "Representation of Our Community" (dated 14th May). This media release was distributed to all relevant media outlets. This provided general information regarding the review; an outline of the current structure and composition of Council; details pertaining to the two ward structure options being considered by Council; notification of the existence of the Consultation Paper; and details regarding the lodgement of public submissions.

The posting of an item entitled "Electoral Review 2020" on the "Your Say Litchfield" page on the 15th May 2020. This page provided general information regarding the review in general; the two ward structure options being considered; a link to the Consultation Paper; and information as to how to participate/make comment. The web page also contained a timeline for key points in the review process; and a questionnaire/survey for completion by interested community members.

Information relating to the review was also posted on Council's facebook page on the 18th May 2020. This post presented a copy of the aforementioned "Your Say Litchfield" information item entitled "Electoral Review 2020"; and provided a link to the Consultation Paper.

Copies of the Consultation Paper, the review questionnaire/survey and the review summary document entitled "Electoral Review Snapshot" were also provided on Council's website.

In addition, elected members and Council staff consulted members of the local community at the Freds Pass Market on the 30th May 2020 and 6th June 2020; and the Berry Springs Market on the 31st May 2020. Information of the review was also included in the Mayor's regular radio interviews.

Copies of documents relevant to the aforementioned are provided in Attachment A.

The public consultation process commenced on the 15th May 2020 and concluded on the 8th June 2020. During this period 55 submissions were received. Copies of the submissions were provided to Councillors.

A brief summary of the opinions expressed in the submissions is provided hereinafter; and a more detailed summary is provided in Attachment B.

1. Title of the principal member: **Mayor - 35**; President - 12; No response - 5; Either - 1; No - 1: Not president - 1.
2. Title of elected members: **Councillor - 43**; Alderman - 5; No response - 7.
3. Wards/No wards: **Wards - 38**; No wards - 11; No response - 6.
4. Number of wards: **Status quo - 29**; No wards - 7; Five wards (Option 2) - 5; Three wards (Option 1) - 3; Three wards (1 Councillor per ward) - 2; Six wards - 1; Odd number - 1; No response - 6.
5. Increase number of elected members: **No - 46**; Yes - 7, No response - 2.

6. Potential ward names: North; South; East; West; Central; Wood; South Port; Humpty Doo; Suburb names; Geographical names; and Weddell.

7. Change Council name and/or boundaries: **No - 43**; Yes - 7; No response - 5.

The receipt of 55 submissions cannot be considered to reflect the attitudes of a community comprising more than 12,000 eligible electors; however, it is a reasonable level of participation by the local community. Interestingly, by comparison, during the review which was undertaken in 2010/2011, Council received no submissions, whilst during the last review (2014/2015) Council received only 2 submissions.

3. FUTURE COMPOSITION AND STRUCTURE

Council has now reached the stage of its review process where it must identify what changes, if any, it proposes to make to its current composition, ward structure, name and/or municipal boundary. More specifically, Council must make formal decisions in respect to all of the following issues.

A considerable amount of information regarding the key issues has previously been provided to the elected members (refer the "Information Paper" dated September 2019 and the "Consultation Paper" dated January 2020). Members are requested to review this information should they desire to give further consideration to any issue.

Should Council opt for significant variations to either of the options which were presented in the Consultation Paper, or favour an entirely different ward structure, consideration may have to be given to undertaking further public consultation so as to inform the community of Council's changed position; and afford the opportunity for community comment on the specific variations.

3.1 TITLE OF THE PRINCIPAL MEMBER

Section 42(2)(b) of the Act specifies that the principal member of Litchfield Council can have the title of Mayor or President (as determined by Council); and Section 44(1)(a) of the Act requires the principal member is to be elected by the community.

Council has previously indicated that it favours the retention of the title of Mayor, as this is considered to be consistent with the arrangements of the other municipal councils in the Northern Territory; and befits a council area which exhibits an increasing population and increasing residential development.

Of the submissions received which addressed this issue, 35 (70.0%) supported the retention of the title of Mayor.

3.2 TITLE OF THE ELECTED MEMBERS

The elected members of the Litchfield Council have always held the title of Councillor.

Only two councils in the Northern Territory (i.e. the City of Darwin and the City of Palmerston) will continue to have Aldermen, given that Katherine Town Council has recently resolved to change the title of its elected members to Councillor as part of its current electoral review. Further, the trend across the nation is away from the title of Alderman, with only two councils in Tasmania currently having Aldermen, although one of these (i.e. the City of Hobart) is already transitioning to councillors.

Council has previously expressed the belief that the title of Councillor has long been known and accepted by the community; is appropriate for the elected members of a council of the status of Litchfield Council; is contemporary; and is not gender specific. Further, Council has indicated that little or no practical benefit will likely be achieved by changing the title of the elected members at this time.

Of the submissions received which addressed this issue, 43 (89.58%) supported the retention of the title of Councillor.

3.3 DIVISION OF THE COUNCIL AREA INTO WARDS

Council previously agreed "in principle" that the council area continue to be divided into wards, primarily because wards afford direct representation of all electors, individual communities and/or suburbs within the council area. In addition, it was considered that elected representatives of wards can focus on local issues as well as council-wide issues; may be known to their ward constituents (and vice versa); and can have an affiliation with the local community and an understanding of the local issues and/or concerns.

On the other hand, the "no wards" option "is considered to be the optimum form of democracy because it allows the eligible electors to vote for all of the vacant positions on Council. In addition, the abolition of wards should result in the most supported candidates from across the council area being elected; and the elected members being free of ward-centric attitudes.

Of the relevant submissions received, 38 (77.55%) favoured the continued division of the council area into wards.

3.4 NUMBER OF WARDS

The Consultation Paper, the "Electoral Review Snapshot" and the media release ("Representation of Our Community") all presented two ward structure options for consideration by the local community. Option 1 was a three ward structure, with each of the proposed wards being represented by two ward councillors (i.e. a total of 6 councillors); and Option 2 was a five ward structure, with each of the proposed wards being represented by a single ward councillor (i.e. a total of 5 councillors).

Council previously expressed its preference for the three ward structure (Option 1), as this would:

- enable the sharing of duties and responsibilities by the ward councillors;
- provide local residents with two direct lines of communication with Council (through the relevant ward councillors);
- afford continued representation under circumstances whereby one ward councillor is absent; and
- provide the desired diversity in skill sets, experience, opinions and backgrounds amongst the elected members so as to provide a range of viewpoints which may serve to improve the discussions and decision making by Council.

Council's second option proposed single councillor wards, this being a level of ward representation which has been accepted over the years. The proposed increase in the number of wards would enable the future wards to be smaller in area, thereby reducing the number of electors represented by each councillor and hopefully reducing the demands placed upon the individual elected members. Unfortunately, this level of ward representation does not afford continuous and/or direct representation of the ward by the duly elected ward councillor under circumstances whereby the ward councillor is absent. Notwithstanding this, such an absence for small periods of time would generally be covered by the other elected members.

The questionnaire/survey provided on Council's website extended the available ward structure options to include "remain the same". Reference to this option was chosen based on criticism Council has received from prior consultation processes. This though effectively changed the focus of the review consultation from gauging support for future change based on an increase in the number of ward councillors to 5 or 6, to a poll for the support for change versus the retention of the existing structure.

Under these circumstances there is generally a tendency for the local community members who oppose change to be more involved in the consultation process.

Of the survey responses which favoured the division of the council area into wards, 29 (59.18%) preferred the status quo (i.e. 4 wards); whilst 5 (10.2%) preferred the five ward/5 councillor structure (Option 2) and 3 (6.12%) preferred the 3 ward/6 councillor structure (Option 1). There was also minimal support for a six ward/6 councillor structure and a 3 ward/3 councillor structure.

The survey results create a dilemma. The clear majority of respondents expressed support for the ward structure to “remain the same”. These responses have been interpreted as expressing support for the retention of the existing 4 ward/4 councillor structure; even though the existing structure exhibits a significant imbalance in the distribution of electors between wards (refer Table 1). Alternatively, these submissions could be construed as simply favouring a four ward structure.

This retention of the existing ward structure would be at odds with the democratic principle of “one person, one vote, one value”; and the provisions of Regulation 63(3) of the *Local Government (Electoral) Regulations 2008* which require Council to take into account “the desirability of the number of electors for each ward being as near to equal as practicable at the next general election”.

Table 1: Elector distribution - current ward structure

Ward	Members	Electors	Elector Ratio	% Variance
Central	1	2,518	1:2,518	-17.04
East	1	2,946	1:2,946	- 2.94
North	1	2,855	1:2,855	- 5.94
South	1	3,822	1:3,822	+25.92
Total/Average	4	12,141	1:3,035	

Source: Northern Territory Electoral Commission (14th June 2020)

The conundrum now facing Council is to decide what constitutional arrangements provide the most effective possible elector representation for the council area.

Essentially, Council now has three ward structure options to consider, these being the 3 and 5 ward structures presented in the Consultation Paper and the existing 4 ward structure.

The survey provides no definitive support for either of the two options preferred by the elected members. However, 29 submissions supporting the retention of the existing ward cannot be considered to be an overwhelming endorsement from the local community which comprises over 12,000 eligible electors. Further, it is suggested that the retention of the existing ward structure in no way provides fair and/or adequate representation.

In addition, the retention of the existing ward structure may be difficult to justify, given the obvious significant imbalance in the distribution of elector numbers; and Council’s previous decision to introduce a new ward structure based on an increase in the number of elected members. Further, Council was previously presented with two variations of the existing 4 ward structure, both of which achieved a more equitable balance of elector numbers between the wards (refer Attachment C). Neither of these ward structures were favoured by Council and, as such, have not been presented to the community.

It is suggested that Council consider the three ward structure options in conjunction with the issue of the future number of elected members.

3.5 NUMBER OF ELECTED MEMBERS

The Litchfield Council has one of the lowest numbers of elected members of all of the councils in Australia.

Council has previously expressed the belief that an increase in the number of elected members is warranted at this time. In reaching this decision Council was mindful that:

- the urban and rural living character of the council area continues to evolve and, as a consequence, the local population is increasing which, in turn, places more demands upon the handful of elected members;
- an additional one or two elected members are required to enhance the lines of communication between Council and the growing community;
- the introduction of additional elected members should serve to reduce the demands being placed upon the existing four councillors;
- additional members should provide the desired diversity in skill sets, experience, opinions and backgrounds amongst the elected members which, in turn, should provide a range of viewpoints which should serve to improve the discussions within, and the decision making of, Council;
- the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community; and
- an increase in the number of elected members may provide greater opportunity for community scrutiny and may make the elected members more accountable to their immediate constituents.

Of the relevant survey responses received, 46 (86.79%) opposed an increase in the number of elected members. From the comments received, it appears that the opposition to an increase in elected members is primarily based on cost; and the perceived poor performance and/or ineffectiveness of the existing members.

It is acknowledged that any increase in the number of elected members will come at a cost of an estimated \$35,000 per annum per councillor (inclusive of the annual base, electoral, additional meeting and professional development allowances). This cost needs to be assessed against the aforementioned likely benefits.

3.6 WARD NAMES

Council currently assigns ward names/titles based on the location of the wards (i.e. North, South, East and Central). This means of ward identification is conventional and appears to have been accepted by the community over a significant period of time.

The survey respondents were generally in favour of retaining the existing means of ward identification, however there were some alternatives provided for consideration (e.g. Wood, South Port, Humpty Doo, Weddell, geographical names, suburb names, the names of families who have contributed significantly to the council area, and Don Dale).

The alternative means of ward identification are limited. The allocation of letters and numbers are acceptable means of ward identification but they lack character and are of little relevance to the council area.

On the other hand, names of heritage significance; local physical features; and/or names of previous Council members who have served the community well, are all appropriate means of identification, but reaching consensus over the selection of appropriate names may prove to be difficult and may result in varying support in the community.

3.7 CHANGES TO THE COUNCIL NAME AND/OR BOUNDARIES.

Council has previously indicated to the local community (refer Consultation Paper) that it is not contemplating a change to its name and/or municipal boundaries as part of the review, but was prepared to consider the suggestions and comments of the community regarding these matters.

On the issue of the Council name, it is noted that:

- Litchfield Council has only been so named for a relatively short period of time change from shire to council since the 1st July 2008); and
- the elected members have previously indicated that they are aware that misunderstandings can arise in respect to the location of, and correlation between, Litchfield Council and Litchfield National Park.

As for the issue of the municipal boundaries, it is noted that:

- the elected members have previously indicated that inclusion of the northern part of Litchfield National Park, being all of the unincorporated land bounded by Route 30 (i.e. Litchfield Park Road in the west and south, and Batchelor Road to the Stuart Highway in the south) is an option worthy of some consideration;
- at the last review there were suggestions to expand the municipal boundaries so as to include the Marrakai area to the east and the Dundee area (or parts thereof) to the west; and
- Council has previously determined not to consider extending the municipal boundaries to include any existing unincorporated land given the likely associated additional costs, unless appropriate assistance or compensation is forthcoming from the Northern Territory Government.

Of the relevant submissions received, 43 (86.0%) favoured no change to the Council name or the existing municipal boundaries.

4. SUMMARY

The Litchfield Council has completed the public consultation stage of the review of its constitutional arrangements, attracting 55 acceptable public submissions. Council has now reached the stage of the review process where the elected members have to make final decisions regarding the future composition and structure of Council, taking into account the information previously provided and the submissions received.

Council has previously agreed (“in principle”) to retain:

- the existing name of the Council;
- the existing municipal boundaries;
- a ward structure;
- the title of Mayor in respect to the principal member; and
- the title of Councillor for the elected members.

Council had also previously agreed that there is a need to increase the number of elected members in order to provide fair and adequate elector representation. As such, it presented two ward structure options for consideration and comment by the community, these being a 3 ward/6 councillor structure and a five ward/five councillor structure. The community was also afforded the option to “remain the same”, the retention of the existing ward structure and level of representation, despite the significant imbalance in the distribution of electors between the wards.

The submissions received from the public clearly supported the retention of the existing Council name; the existing municipal boundaries; the title of “Mayor” for the principal member; the title of “Councillor” for the elected members; and the existing ward structure and level of ward representation. By the comments received, the community support for the “status quo” appears to be primarily based on the likely additional costs to be incurred if the number of elected members is increased. There was also some discontent expressed regarding the performance of the existing members.

Notwithstanding the above, the submissions received from the community represent only approximately 0.45% of the 12,000+ eligible electors within in the council area. Based on these submissions; the information previously presented in the Information Paper and the Consultation Paper; and the discussions at previous workshops and Council meetings, Council must now formally decide what elector representation arrangements and ward structure it intends to bring into effect (for a four year period) at the date of the next Local Government election (August 2021).

Council is reminded that the *Local Government Act 2019* will require all future electoral reviews (and final determinations in respect thereto) be made by the proposed Local Government Representation Committee. This being the case, the current review will likely be the last opportunity for Council to determine its future composition and structure.

5. RECOMMENDATIONS

It is recommended that the Lichfield Council resolve as follows.

- To note and receive all of the 55 submissions received during the public consultation process.
- The title of the principal member be "Mayor".
- The title of the elected members be "Councillor".
- The council area be divided into wards.
- The existing name of the Council be retained.
- The existing municipal boundaries be retained.

It is further recommended that Council:

- identify the composition and ward structure which it considers will provide the local community with adequate and fair representation for the four year period beyond the August 2021 Local Government election;
- determine appropriate names/titles for all proposed wards; and
- authorise the Chief Executive Officer to prepare a report to the Minister for Local Government, Housing and Community Development (pursuant to the provisions of Section 9 of the Northern Territory *Local Government Act 2008*) regarding the review of the constitutional arrangements undertaken by Council.

ATTACHMENT A

Public consultation documents

Media Release - Representation of Our Community

14 May 2020

In accordance with the Local Government Act, Litchfield Council is undertaking a review of its constitutional arrangements during this term of Council and is calling on the community to provide input into the most effective elector representation for the council area from Friday 15 May 2020.

The current structure of four wards, one Councillor per ward, has the South ward underrepresented compared to other wards, and with the population increase of almost 50% over the past 17 years, Councillors are representing more people than ever before.

Litchfield Council Mayor Maree Bredhauer said this public consultation allows all interested members of the community the opportunity to express their views in respect to the number of elected representatives.

"Councillors have discussed all issues relevant to the review and have agreed on two proposed options that, if supported, would provide better representation for the community" the Mayor said.

Option one reduces the ward number from four to three and has two Councillors per ward, creating a simple structure that allows for ward representation even if a Councillor is absent.

Option two increases the ward number from four to five and has one Councillor per ward, this allows for future growth in wards and greater communication between Council and the community.

Changes to the ward structure are a decision for the Minister for Local Government, Housing and Community Development, and if approved will come into effect after the next Local Government election, August 2021.

To read the Electoral Review Discussion Paper and make comment visit www.yoursay.litchfield.nt.gov.au with community consultation closing Thursday 8 June 2020.

Home » Electoral Review 2020

Electoral Review 2020



Council is required to undertake a review of its constitutional arrangements once every term of Council. Litchfield Council last conducted an electoral review in 2015.

Currently, the structure of Council is four wards with one Councillor per ward. This structure with the current ward boundaries has the South ward underrepresented compared to other wards.

The trend and density of the population has increased by almost 50% over the past 17 years, meaning the current Councillors are representing more people than ever before.

It is important for Council to consider community representation and consult with the constituents on how they could be better represented.

Councillors held workshops to develop the Electoral Review Discussion Paper which outlines Council's position on several areas relating to the electoral representation in Litchfield Council including;

1. Composition of Council, including number of Councillors and proposed ward structures;
2. Elector representation, ratio of electors to elected members; and
3. Ward representation, multi vs single member wards.

Read the Electoral Review Discussion Paper for more details on Council's recommendations.

Council would like feedback from the community with all submissions considered in the development of Council's recommendation to the NT Government.

Changes to the ward structure are a decision for the Minister for Local Government, Housing and Community Development, and if approved will come into effect after the next Local Government election, August 2021.

How to make comment on the Electoral Review Discussion Paper:

- Online - below in the online form
- Email - council@litchfield.nt.gov.au
- In Person - Litchfield Council Office, 7 Bees Creek Road, Freds Pass
- By Mail - Attention: CEO Re: Electoral Review

Litchfield Council, PO Box 446, Humpty Doo NT 0836

The submission period closes Thursday 8 June 2020.

ELECTORAL REVIEW

Electoral Review

Please read the Electoral Review Discussion Paper and provide your comments.

Survey starts

Finish

All fields marked with an asterisk (*) are required.

1. Should the principal member of Litchfield Council have the title of Mayor or President?

Please add your comment here...

2. Should the elected members of Litchfield Council continue to have the title Councillors?

Please add your comment here...

3. Should Litchfield Council continue to be divided into wards?

Please add your comment here...

4. Should Council be divided into three wards (Option 1, pages 6 and 7), five wards (Option 2, pages 8 and 9), or remain the same?

Please add your comment here...

5. Should Litchfield Council increase the number of elected members in order to achieve the most appropriate and effective representation of the local community?

Please add your comment here...

6. What should any future wards be named?

Please add your comment here...

7. Should consideration be given to changing the Council name and/or the municipal boundary?

Please add your comment here...

Submit

Electoral Review Documents

-  Electoral Review Discussion Paper (1.04 MB) (pdf)
-  Electoral Review Consultation Summary (242 KB) (pdf)

Lifecycle



Open - Friday 15 May 2020

This consultation is Open for contributions.



Closed - Monday 8 June 2020

Contributions to this consultation are closed for evaluation and review.



Final report - July Council Meeting

The final outcomes of the consultation are documented here. This may include a summary of all contributions collected as well as recommendations for future action.



Presentation to NT Government - August

Council will present the final recommendations to the Minister for approval.

Key Dates

Electoral Review
30 May 2020

Electoral Review
31 May 2020

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Electoral Review Snapshot



Why are we doing this Electoral Review?

Litchfield Council is required under its legislative obligations to conduct a review of the electoral representation in Council's municipality.

Current structure of Council

Four wards with one Councillor per ward, shows inequality in the elector to community ratios, and that the South Ward in particular is underrepresented.



Ward	Central	East	North	South	Total/Average
Members	1	1	1	1	4
Electors	2,544	2,996	2,945	3,860	12,345
Elector Ratio	1:2,544	1:2,996	1:2,945	1:3,860	1:3,086
% Variance	-17.57	-2.92	-4.60	+25.07	

Key Facts

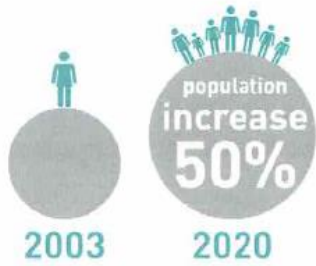
Elected representatives

Litchfield Council has the least number of elected representatives of all municipal councils in the Northern Territory.

Council	Katherine	Alice Springs	Litchfield	Palmerston	Darwin
Area	528 km ²	327 km ²	3,100 km ²	95.6 km ²	112 km ²
Members	6	8	4	7	12
Electors	6,175	15,169	12,345	22,247	50,118
Elector Ratio	1:1,029	1:1,896	1:3,086	1:3,178	1:4,177

And compared to Council's with similar population across Australia, it shows that Litchfield residents are significantly underrepresented.

Council	Inverell Shire NSW	Murray Shire WA	Benalla Rural City - Vic	Burdekin Shire Qld	Mareeba Shire Qld	Litchfield NT
Area	8,606 km ²	1,710 km ²	2,375 km ²	5,052 km ²	53,611 km ²	3,100 km ²
Members	9	8	7	7	7	4
Electors	11,943	12,273	12,131	12,258	13,356	12,345
Elector Ratio	1:1,327	1:1,534	1:1,733	1:1,751	1:1,908	1:3,086



What did we conclude?

The trend and density of the population has increased by almost 50% over the past 17 years, meaning the current Councillors are representing more people than ever before.

It is important for Council to consider community representation and consult with the constituents on how they could be better represented.

What do we recommend?

Council has two recommendations on how the community could be better represented through their Councillors:

Option 1

Simple structure, equitable distribution of elector numbers between the proposed wards, allows for ward representation even if one councillor is absent.



3 Wards
x 2 Councillors per ward

6 Total

Option 2

Single councillor representation in each ward, allows for growth in wards, greater communication between Council and the community than the current structure.



5 Wards
x 1 Councillor per ward

5 Total

What would the changes mean for Litchfield Council?

Option		Electoral Distribution	Wards	Cost to Council
1	3 wards 6 Councillors	Decrease by 1,029 to 1:2,057	Decrease from 4 to 3 wards 4 3	Approximate extra cost of \$80,000 annually
2	5 wards 5 Councillors	Decrease by 617 to 1:2,469	Increase from 4 to 5 wards 4 5	Approximate extra cost of \$40,000 annually



Visit Your Say Litchfield to read the full Electoral Review Consultation Paper that provides more detailed and explanatory information regarding the process of the electoral review and clarifies all the items that were discussed as part of the review, such as: Council name, composition and boundaries to name a few.

Register on Your Say Litchfield to provide your comments, alternatively, you can email council@litchfield.nt.gov.au

ATTACHMENT B

Summary of public submissions

Review of Constitutional Arrangements - Submissions									
Respondent	Which title should principal member have?	Should the elected members have the title of Councillor?	Wards or No Wards?	How many wards? (3, 5 or status quo)	Increase number of elected members?	Future ward names?	Change Council name and/or municipal boundary?	Comments	
1	President	No	No wards	Status quo	No	North, South, East, West	No		
2	Mayor	Yes	Wards	3 wards Option 1	No	Wood	Yes	Ditch Lambells Lagoon and Coolalinga from the municipality and focus on true rural areas.	
3	Mayor	Yes	Wards	Status quo	No	-	No		
4	Mayor	Yes	Wards	Status quo	No	Geographically	No		
5	President	Yes	Wards	Status quo	No	Not after politicians	No	Reduce costs, not increase cost	
6	President	Yes	No wards	No wards	No	-	Yes	The Litchfield Council name has a significant historical importance and should be retained. The Litchfield Council boundaries are quite extensive as they stand. Consideration could be given to reducing the size of the Litchfield Council and incorporating another council to cover the southern/outer areas. (See submission for further comments)	
7	Mayor	Yes	Wards	Status quo	No	South East	Yes	Consideration should only be given to changing the municipal boundary if the people in Marakai want it.	
8	President	Yes	No wards	No wards	No	-	No		
9	Mayor	Yes	No wards	No wards	No	-	No change to name	Increase municipal boundary could be of value as long as we don't just inherit kms of road with min. residents.	
10	President	Yes	Wards	5 wards	Yes	Southport; Humpty Doo	Yes	Give the hospital to Palmerston and Macmillan Road to Darwin.	
11	Mayor	Yes	Wards	Status quo	No	-	No		
12	Mayor	Yes	Wards	Status quo	No	status quo	No		
13	Mayor	Yes	No wards	No wards	No	-	No		
14	Mayor	Yes	Wards	-	No	-	No		
15	Mayor	Yes	Wards	5 wards	No	-	No		
16	-	-	-	Status quo	No	-	No	See submission for comments	
17	Mayor	Yes	Wards	Status quo	No	-	No	See submission for comments	
18	Mayor	Yes	-	-	No	-	No		

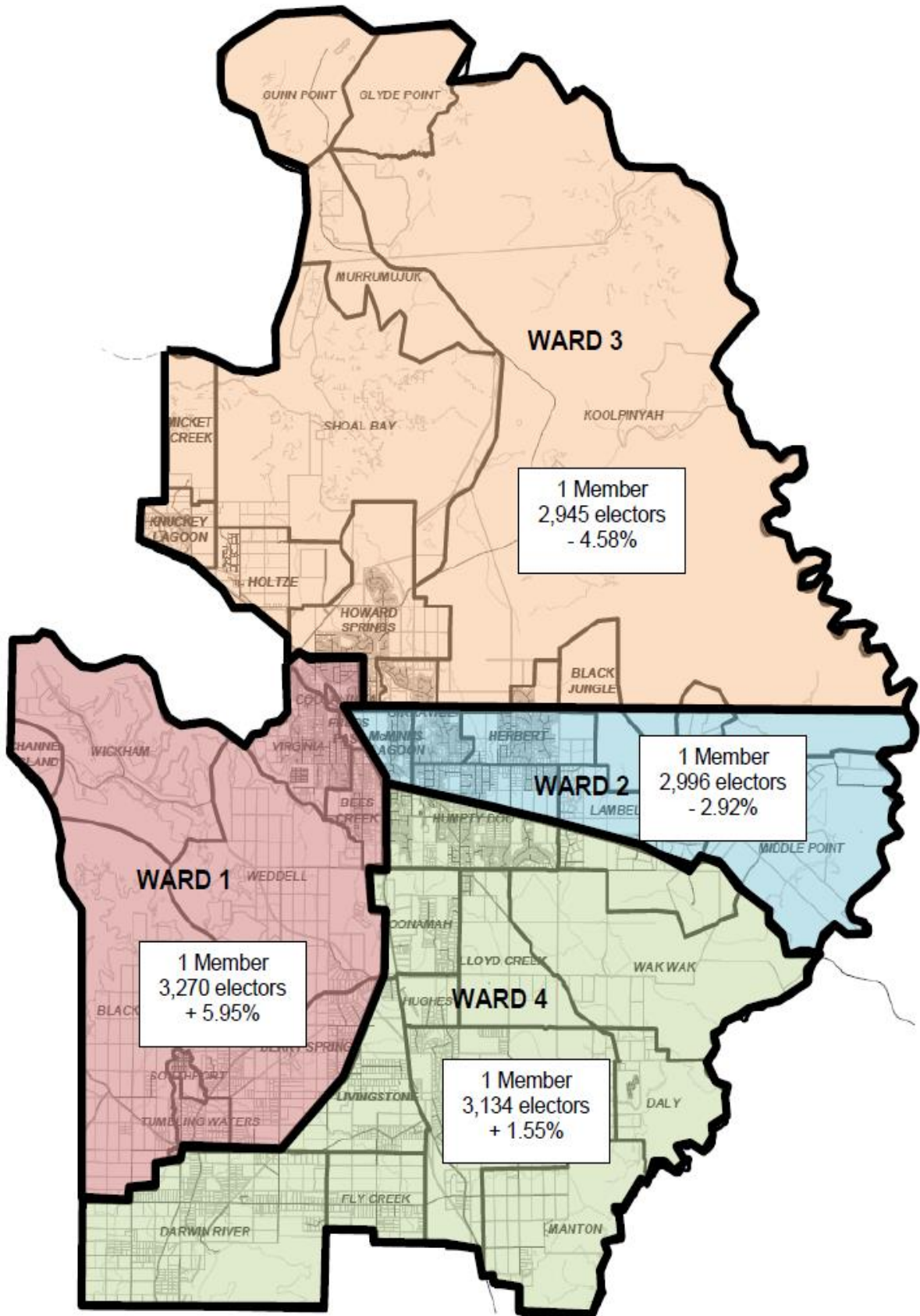
Review of Constitutional Arrangements – Submissions (continued)									
Respondent	Which title should principal member have?	Should the elected members have the title of Councillor?	Wards or No Wards?	How many wards? (3, 5 or status quo)	Increase number of elected members?	Future ward names?	Change Council name and/or municipal boundary?	Comments	
19	Mayor	Yes	Wards	status quo	No	-	No		
20	Mayor	Yes	Wards	3 wards Option 1	Yes	North, South, Central	No	Preference for 5 elected members plus the Mayor (See submission for further comments)	
21	President	Yes	Wards	5 wards	Yes		No	Name wards after past families that have made significant contributions to the shire	
22	Mayor	Yes	Wards	-	No	-	No		
23	President	Yes	Wards	Odd number	No	-	No		
24	Mayor	Yes	Wards	5 wards	Yes	Based on the suburbs	No	No to name change and no to boundary change - don't let Palmerston steal any area	
25	Either	Yes	Wards	5 wards	No	-	No		
26	-	-	-	-	No	-	-		
27	Mayor	Yes	Wards	Status quo	No	Same	No		
28	President	Yes	Wards	6 wards (single Councillor wards)	Yes	Geographical names - Central, West, South, East etc	Yes	Should go back to being a Shire (See submission for further comments)	
29		Yes	No wards	No wards	Yes	-	Yes	Change to Shire It would be good if the council area butted up to Litchfield National Park, save confusion (See submission for further comments)	
30	Mayor	Yes	Wards	Status quo	No	-	No	See submission for comments	
31	Mayor	Yes	No wards	3 wards Option 1	Yes (6)	Same	Yes	Incorporate Litchfield Park	
32	President	Yes	Wards	Status quo	No	Same	No		
33	Mayor	No - Alderman	Wards	Status quo	No	-	No		
34	Neither	No	No wards	Status quo	No	-	-		
35	Mayor	Yes	Wards	Status quo	No	-	No	Have an overseeing residents group that has free speech at meetings and veto vote (See submission for comments)	
36	Mayor	Yes	Wards	3 Wards (x 1 councillor)	No	-	No	See submission for comments	
37	Mayor	Yes	Wards	Status quo	No	Same	No	See submission for comments	
38	Mayor	Yes	Wards	Status quo	No	-	No	See submission for comments	

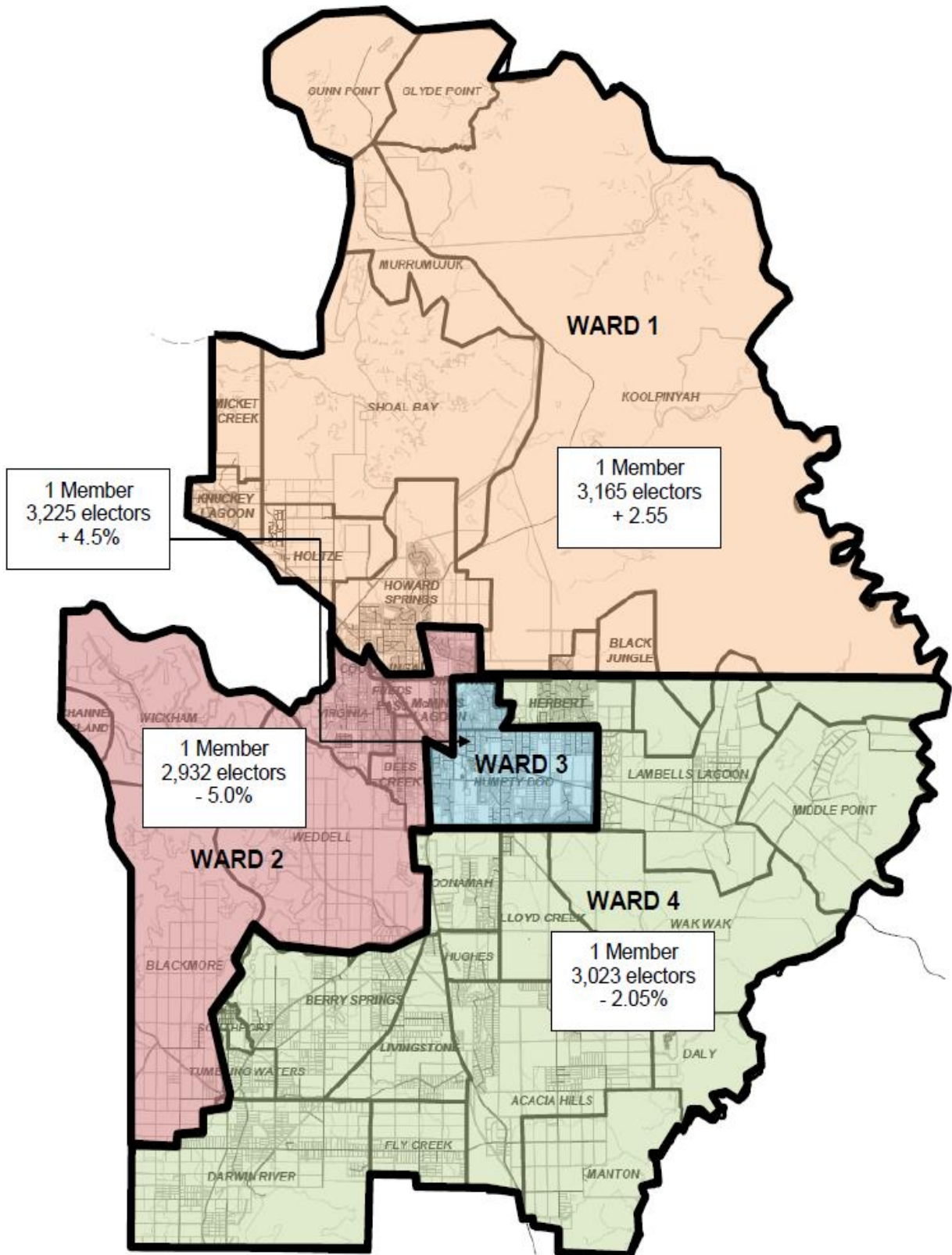
Review of Constitutional Arrangements – Submissions (continued)

Respondent	Which title should principal member have?	Should the elected members have the title of Councillor?	Wards or No Wards?	How many wards? (3, 5 or status quo)	Increase number of elected members?	Future ward names?	Change Council name and/or municipal boundary?	Comments
39	Mayor	No	Wards	Both options have merit	No	Simple names	No	See submission for comments
40	Mayor	Yes	Wards	Status quo	No	Same	No	See submission for comments
41	-	-	-	-	-	-	-	Why is this survey focused on stuff that does not benefit residents
42	Mayor	Yes	Wards	Status quo	No	-	No	
43	Mayor	Yes	No wards	Status quo	No	-	No	
44	-	-	-	Status quo	No	-	No	
45	Mayor	Yes	Wards	Status quo	No	Same	No	
46	No	No	No wards	No wards	No	-	No	
47	Mayor	Yes	Wards	3 Wards (x 1 councillor)	No	North, Central, South	No	See submission for comments
48	Mayor	Yes	Wards	Status quo	No	-	No	See submission for comments
49	-	-	-	-	-	-	-	
50	Mayor	-	Wards	Status quo	No	Weddell	No	
51	Not president	Yes	Wards	Status quo	No	Have a public vote	No	
52	Mayor	Yes	Wards	Status quo	No	-	No	See submission for comments
53	Mayor	Yes	Wards	Status quo	No	-	No	See submission for comments
54	President	-	Wards	Status quo	No	-	-	See submission for comments
55	Mayor	Yes	No wards	No wards	No	-	No	

ATTACHMENT C

Alternative ward structure options (4 wards)







COUNCIL REPORT

Agenda Item Number:	15.8
Report Title:	Acquittal of Special Purpose Grant Energy Efficiency and Sustainability Grant
Author:	Jessica Watts, Community Development Officer
Recommending Officer:	Silke Maynard, Director Community & Corporate Services
Meeting Date:	19/08/2020
Attachments:	A: Acquittal Form B: Expense Listing

Executive Summary

Council received an Energy Efficiency and Sustainability Grant from the Northern Territory Government (NTG) Department Housing and Community Development on 21 June 2019. It is a condition the grant is acquitted as of 30 June 2020.

Recommendation

THAT Council:

1. note the Energy Efficiency and Sustainability Grant Acquittal report; and
2. approve the acquittal of the Energy Efficiency and Sustainability Grant for replacement of streetlight luminaries to the value of \$132,499.67 as of 30 June 2020.

Background

On 21 June 2019 Council received an Energy Efficiency and Sustainability Grant to the value of \$162,800.00 for replacing inefficient streetlights with LED smart controlled luminaires. Works commenced in the 2019/20 year, with the remainder of works planned for the first half of the 2020/21 year.

The total amount expended on the above works to date is \$132,499.67 resulting in a surplus of \$100,300.33 which is forecasted to be expended in the 2020/21 year.

The attached acquittal forms (Attachment A) and an overview of expenditures to date (Attachment B) identifies the works undertaken to date.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Council has no policies directly relevant to this matter.

Risks



Energy Efficiency and Sustainability Grants provided by the Department of Housing and Community Development require funding to be acquitted as of 30 June each year. Any acquittal provided to the Department requires approval by Council. Failure to acquit the grant within the required timeframe may hinder Council’s eligibility for future funding.

Community Engagement

Nil

Click or tap here to enter text.

Acquittal of Energy Efficiency and Sustainability Grant 2019-20

File Number:

Purpose of Grant: Replacement of street light luminaries with LED, smart controlled luminaires

Purchases were in accordance with the Northern Territory Buy Local Plan: Yes No

(If no please provide an explanation with this acquittal)

INCOME AND EXPENDITURE ACQUITTAL FOR THE PERIOD ENDING 30 JUNE 2019

Grant Income	<u>\$162,800.00</u>
Council Funding	<u>\$70,000.00</u>
Total income	<u>\$232,800.00</u>
Expenditure (Specify accounts and attach copies of ledger entries) <i>An 'administration fee' is not to be apportioned to the grant for acquittal purposes.</i>	
Total Expenditure	<u>\$73,056.67</u>
Total Committed	<u>\$59,443.00</u>
Total Expenditure + Committed	<u>\$132,499.67</u>
Surplus/(Deficit)	<u>\$100,300.33</u>

IS THE PROJECT COMPLETE: Yes No

We certify, in accordance with the conditions under which this grant was accepted, that the expenditure shown in this acquittal has been actually incurred and reports required to be submitted are in accordance with the stated purpose of this grant.

Acquittal prepared by: **Silke Maynard** **29/07/2020**

Laid before the Council at a meeting held on 19/08/2020 Copy of minutes attached.

CEO or CFO:  **29/07/2020**

DEPARTMENTAL USE ONLY

Grant amount correct: Yes No

Expenditure conforms to purpose: Yes No

Capital Works – Bought from Territory Enterprise: Yes No

Minutes checked: Yes No

Balance of funds to be acquitted: _____

Date next acquittal due: ____/____/____

ACQUITTAL ACCEPTED: Yes No

Acquittal checked by: _____ /____/____

Comments:

Donna Hadfield, Manager Grants Program _____ /____/____

Work Order
Transaction Listing

29/07/2020 12:36:25PM

Work Order Description

4744 19/20 Capital Works - LED Street Lighting Replacement Program (Annual)

LAND		Capital Works		Electrical						
Trans Dte	Reference	Mod	Account	Account Description	Transaction Description	PO No.	Comitted	On Cost	Actual Val	Total Value
21	Capital - Street Lighting									
15/01/20	07391.0765.0401	PU	1528	NEXT ENERGY LIGHTING PTY LTD		18076	0 7,500.00	0.00	0.00	7,500.00
24/03/20	07391.0765.0401	PU	1787	OrangeTek International Pty Ltd		18643	0 33,060.00	0.00	0.00	33,060.00
24/03/20	07391.0765.0401	PU	1787	OrangeTek International Pty Ltd		18643	0 4,860.00	0.00	0.00	4,860.00
24/03/20	07391.0765.0401	PU	1787	OrangeTek International Pty Ltd		18643	0 17,600.00	0.00	0.00	17,600.00
24/03/20	07391.0765.0401	PU	1787	OrangeTek International Pty Ltd		18643	0 10,800.00	0.00	0.00	10,800.00
01/04/20	07391.0765.0401	PU	1790	Signify Australia Limited		18691	0 53,486.00	0.00	0.00	53,486.00
01/04/20	07391.0765.0401	PU	1790	Signify Australia Limited		18691	0 4,712.00	0.00	0.00	4,712.00
01/04/20	07391.0765.0401	PU	1790	Signify Australia Limited		18691	0 1,245.00	0.00	0.00	1,245.00
15/04/20	07391.0765.0401	AP	1528.01	NEXT ENERGY LIGHTING PTY LTD	201	1920489	18076 -7,500.00	0.00		(763.33)
30/06/20	07391.0765.0401	AP	1787.01	OrangeTek International Pty Ltd	201	INV-0278	18643 -33,060.00	0.00		0.00
30/06/20	07391.0765.0401	AP	1787.01	OrangeTek International Pty Ltd	201	INV-0278	18643 -4,860.00	0.00		0.00
30/06/20	07391.0765.0401	AP	1787.01	OrangeTek International Pty Ltd	201	INV-0278	18643 -17,600.00	0.00		0.00
30/06/20	07391.0765.0401	AP	1787.01	OrangeTek International Pty Ltd	201	INV-0278	18643 -10,800.00	0.00		0.00
							59,443.00	0.00	73,056.67	132,499.67
							59,443.00	0.00	73,056.67	132,499.67



COUNCIL REPORT

Agenda Item Number:	15.9
Report Title:	Draft FIN05 Debt Recovery Policy
Recommending Officer:	Silke Maynard, Director Community and Corporate Services
Meeting Date:	19/08/2020
Attachments:	A: Draft FIN05 Debt Recovery Policy B: Marked up version of Draft Fin05 Debt Recovery Policy

Executive Summary

FIN5 Debt Recovery Policy was due for review in line with Council's policies. The review has mainly resulted in the removal of linkage to specific sections of the Act and procedural content.

Recommendation

THAT Council adopt FIN05 Debt Recovery policy as attached to the report.

Background

Council's FIN05 Debt Recovery Policy outlines the way Council aims to collect debt from various sources, e.g. rates, infringements and other debts.

Council is committed to consistent processes and guaranteeing the community an organised approach to debt recovery that is financially sustainable for the organisation.

The review of the policy has resulted in the following amendments (marked up version of changes in Attachment B):

- Transfer of policy to the new policy template, including policy scope
- Removal of the linkage to specific sections in the Act.
- Removal of procedural content as this is documented in detailed procedures for staff.
- Removal of the step "communication" under debt collection process for rates debt. The prior policy version had the following wording:

Officers will contact wherever possible rates debtors to inform them verbally of the status of their debt and the consequences as described on their rates notice.

Council's outstanding debt is comparable large with the outstanding rates debt percentage well above the Local Government benchmark. Council has engaged external rates debt collectors that will identify the suitable process and facilitate communication.

Council will continue to focus on the reduction of aged debt with appropriate debt collection procedures. To ensure new debt is not increased Council will increase education of ratepayers around rates concession and debt collection processes.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Draft FIN05 Debt Recovery policy is in line with current legislation.

Risks



No risk identified with the review of the policy.

Community Engagement

The policy will be published on Council's website.

Debt Recovery **POLICY FIN05**

Name	FIN05 Debt Recovery
Policy Type	Council
Responsible Officer	Finance Manager
Approval Date	24/06/2020
Review Date	23/06/2024

1. Purpose

This policy sets out a clear, equitable, accountable and transparent process that Council will follow for its debt management and collection practices. The Policy will ensure that proper records are kept of debts owed to Council in line with the *Local Government Act Northern Territory* and corresponding Regulations.

2. Scope

This policy applies to all Council employees and all debts to Council.

3. Definitions

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

Term	Definition
Council	Refers to Litchfield Council
The Act	The term refers to the <i>Local Government Act Northern Territory</i>
Accounting Regulations	The term refers to the <i>Local Government (Accounting) Regulations</i>
Debt	The amount of money owed by the debtor as a result of transaction with Council
Debtor	Any individual, corporation, organisation or other entity owing money to Council.
Risk	The possibility of non-payment of the debt by the debtor when the amount is due. The likelihood of non-payment increases with the age of the debt.
Write off	The accounting procedure for cancelling debt that is no longer collectable resulting in its removal from Council's balance sheet.
Rates	For the purpose of this policy the term is defined in line with Section 168 of the Act.

Commented [SM1]: Included Scope, due to update to new policy template

Commented [SM2]: Added definition

Debt Recovery **POLICY FIN05**

Provision for Doubtful Debts	The accounting procedure for recognising the estimated value of debts that may end up being uncollectable.
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4. Policy Statement

4.1 Staff Responsibilities

- 4.1.1. Council will ensure that all related debts are managed fairly and equitably. Maximum possible collection targets are sought by Council. All debtors are shown utmost respect, courtesy and diligence in all dealings. All debt collection arrangements are treated as strictly ~~confidential~~.
- 4.1.2. Principles of risk management will underpin decisions made in relation to debt management. To reduce the risk of non-payment of debt, a structured collection and collection process will be applied.

Commented [SM3]: Item 4.1.2. from old policy removed – procedural content

4.2 Debt Records

- 4.2.1. In line with Accounting Regulations proper records of debts owed to Council are kept by computer and are arranged by:
- category of debt; and
 - age of debt
- 4.2.2. The following categories of debt are recorded:
- rates debtors
 - infringement debtors
 - sundry debtors
- 4.2.3. The following categories of age are recorded:
- current balance (not overdue – invoice date equals report date)
 - 30 days balance (due – invoice date is 1 to 30 days smaller than the report date)
 - 60 days balance (overdue – invoice date is 31 to 60 days smaller than the report date)
 - 90 days balance (overdue – invoice date is 61 to 90 days smaller than the report date)
 - over 91 days' balance (overdue – invoice date is more than 90 days smaller than the report date)
- 4.2.4. Each category of debt, by its particular name, requires distinct methods of debt collection processing. Each category is considered individually hereunder.

4.3 Rates Debtors

4.3.1. Definition:

Rates Debtors have incurred a debt of Rates. For the purpose of debt collection the definition of Rates follows the Act.

4.3.2. Payment Terms:

In line with the Act Council allows payment by instalments per financial year. The Act states that if a ratepayer defaults in payment of an instalment by the due date, all remaining instalments become immediately due and payable.

4.3.3. Penalty Interest:

In line with the Act interest will accrue on unpaid rates at the relevant interest rate. The relevant interest rate will be set by Council annually. A remission of interest may be granted in individual circumstances under the Rate Concession Policy.

4.3.4. Debt Collection Process:

- Rates Notice:

In accordance to the Act Council will issue rates notices at least 28 days before the first instalment of the rates falling due.

- Instalment Reminder Notice:

Council will issue Reminder Notices before each further instalment thereafter.

- Overdue Reminder Letter:

Council will issue an overdue reminder letter (letter of demand) after instalment due dates advising the debtor to contact Council to arrange payment in full or by instalments within 14 days and that failure to do so will result in the debt being forwarded to an external debt collection agency and possible legal action.

- External Debt Collection Agency:

Failure to contact Council to resolve rates arrears will result in the engagement of an external debt collection agency. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

- Overriding statutory charge:

In accordance to the Act rates become a charge on the land if not paid by the due date. After rates have been in arrears for at least 6 months, council may apply for registration of the charge over the land to which the charge relates. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

- Sale of land:

Commented [SM4]: Removed section Communication – Council cannot guarantee that ratepayers can be reminded verbally of overdue rates

Debt Recovery **POLICY FIN05**

Council reserves the right to sell land for non-payment of rates as outlined in the Act if rates have been in arrears for at least 3 years, and an overriding charge has been registered for at least 6 months. Council will employ legal representatives in the process. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

4.3.5. Payment Arrangements:

Council may enter into payment arrangement with any ratepayer. Those agreements are made on an individual basis depending on the situation and payment history of a rates debtor. With payment arrangements penalty interest for overdue rates will continue to accrue unless a rate concession has been granted to the rates debtor (refer to Rate Concession Policy).

4.3.6. Debt Write Off

Council may by resolution, write off unpaid rates or some other debt owed to council.

4.3.7. Reporting

As part of the monthly finance report council receives information about rates outstanding as per instalment date and as per financial year. The report will outline debts written off and a summary of rates debtors in the debt collection process.

4.3.9. Provision for Doubtful Debts:

Rates are a charge over the land, therefore provision for doubtful debt for rates debt will only be established if the origin of the debt is doubtful and not if it is doubtful that the rates can be recovered from the current land owner.

4.4 Infringement Debtors

4.4.1. Definition:

Infringement Debtors have incurred a debt of regulatory nature. For the purpose of this policy an Infringement debt can include one or more of the following:

- Animal Infringement
- Other Law and Order Infringement

4.4.2. Payment Terms:

In accordance with the Fine and Penalties Recovery Act, any infringement issued by Council under the Legislation allows the alleged offender 14 days to pay the prescribed amount. Payment must be made in full, no part payments will be accepted.

4.4.3. Penalty Interest:

Council is not applying penalty interest to the outstanding debt of infringement debtors.

Debt Recovery **POLICY FIN05**

4.4.4. Debt Collection Process:

If payment is not received within 14 days, a courtesy letter will be issued with an additional administration cost requiring payment within 28 days of receiving the letter. Unpaid infringements can be lodged with the Fines Recovery.

4.4.5. Payment Arrangements:

Fines can only be paid in full to Council. If an unpaid infringement is lodged by Council with the Fines Recovery Unit, they are the competent authority that manages payment arrangements.

4.4.6. Debt Write Off:

The cancellation or withdrawal of an infringement notice may only be authorised by an officer holding the appropriate delegation. Withdrawal of an infringement may also occur after a written appeal has been submitted to Council against the alleged offence.

4.4.7. Reporting:

As part of the monthly Finance Report Council is informed about the outstanding infringement debt categorised by infringement type.

4.4.8. Provision for Doubtful Debts:

A provision for Doubtful Debt is made, if a person who receives an infringement chooses to have the matter dealt with by the Courts.

Commented [SM5]: Removed section 4.4.8. from old policy - as authorities are managed through the internal delegations manual

4.5 Sundry Debtors

4.5.1. Definition:

Sundry Debtors have incurred a debt for other Goods and/or Services delivered by Council. For the purpose of this policy a Sundry debt can include one or more of the following:

- User Fees and Charges
- Statutory Charges
- Investment Income
- Reimbursements
- Other Income
- Grants, Subsidies and Contributions

4.5.2. Payment Terms:

Payment terms for all Sundry debtors are 30 days from the date of invoice. Where appropriate, prepayment, bonds or deposits will be required prior to Council commencing

Debt Recovery **POLICY FIN05**

the supply of goods or services. Council reserves the right to request full payment in advance depending on a debtor's payment history.

4.5.3. Penalty Interest:

Council may apply penalty interest to the outstanding debt of sundry debtors.

4.5.4. Debt Collection Process:

- Monthly Statements:

Sundry Debtors are issued with statements of all outstanding debt at the end of each calendar month.

- Reminder Letter:

When deemed appropriate, Council may issue Reminder Letters to sundry debtors to inform of an overdue amount and advise of possible legal actions.

- External Debt Collection Agency:

Council may involve an external debt collection agency for issuing reminder letters or other legal actions. All incurred expenses will be charged to the relevant sundry debtor and recovered in full.

4.5.5. Payment Arrangements:

Council may enter into payment arrangement with any sundry debtor. Those agreements are made on an individual basis depending on the situation and payment history of a sundry debtor.

4.5.6. Debt Write Off:

Council may by resolution; write off unpaid debt owed to council.

4.5.7. Reporting:

As part of the monthly finance report council receives information about sundry debts outstanding categorised by age.

4.5.8. Provision for Doubtful Debts:

Where the recovery of debt is unlikely prior to completing all steps listed in the debt collection process (i.e. where the debtor is bankrupt or in liquidation), a provision shall be made in line with the Australian Accounting Standards.

Commented [SM6]: Removed section 4.4.8. from old policy - as authorities are managed through the internal delegations manual

5. Associated Documents

Delegation Manual

FIN06 Rates Concession Policy

Commented [SM7]: Added reference to relevant policy

6. References and Legislation

Northern Territory *Local Government Act*

Northern Territory Local Government Regulations

Ministerial Guidelines

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
15/02/2017	Establishment from prior policy
19/08/2020	Removal of section reference to the act and procedural content

Debt Recovery ~~DRAFT~~ FIN05 FIN05


**LITCHFIELD
COUNCIL**

Community effort is essential



Name	FIN05 Debt Recovery
Policy Type	Council Policy
Responsible Officer	Chief Executive Officer
Approval Date	15/02/2017
Review Date	19/02/2020
Document ID	LITCHFIELD-454211611-9

1 Purpose

This policy sets out a clear, equitable, accountable and transparent process that Council will follow for its debt management and collection practices. The Policy will ensure that proper records are kept of debts owed to Council in line with the *Local Government Act Northern Territory* and corresponding Regulations.

2 Principles

Litchfield Council is committed to provide a considered approach and consistent decision making process when collecting debt owed to Council.

3 Definitions

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

Term	Definition
The Act	The term refers to the <i>Local Government Act Northern Territory</i>
<u>Council</u>	<u>Refers to Litchfield Council</u>
Accounting Regulations	The term refers to the <i>Local Government (Accounting) Regulations</i>
Debt	The amount of money owed by the debtor as a result of transaction with Council
Debtor	Any individual, corporation, organisation or other entity owing money to Council.
Risk	The possibility of non-payment of the debt by the debtor when the amount is due. The likelihood of non-payment increases with the age of the debt.
Write off	The accounting procedure for cancelling debt that is no longer collectable resulting in its removal from Council's balance sheet.
Rates	For the purpose of this policy the term is defined in line with Section 168 of the Act.
Provision for Doubtful Debts	The accounting procedure for recognising the estimated value of debts that may end up being uncollectable.

4 Policy Statement

4.1 Staff Responsibilities

- 4.1.1. Council will ensure that all ~~credit and~~ related debts are managed fairly and equitably. Maximum possible collection targets are sought by Council. All debtors are shown utmost respect, courtesy and diligence in all dealings. All debt collection arrangements are treated as strictly confidential.
- 4.1.2. ~~The department providing the goods and/or services to the debtor will be responsible for completing the documentation required for an invoice to be generated and providing finance with~~

~~all known contact details for the debtor. Finance will be responsible for raising the invoice and collection of any debts for all departments.~~

- 4.1.3. Principles of risk management will underpin decisions made in relation to ~~credit and related~~ debt management. To reduce the risk of non-payment of debt, a structured collection and collection process will be applied.

4.2 Debt Records

- 4.2.1. In line with ~~Section 26~~ Accounting Regulations proper records of debts owed to Council are kept by computer and are arranged by:

- category of debt; and
- age of debt

- 4.2.2. The following categories of debt are recorded:

- rates debtors
- infringement debtors
- sundry debtors

- 4.2.3. The following categories of age are recorded:

- current balance (not overdue – invoice date equals report date)
- 30 days balance (due – invoice date is 1 to 30 days smaller than the report date)
- 60 days balance (overdue – invoice date is 31 to 60 days smaller than the report date)
- 90 days balance (overdue – invoice date is 61 to 90 days smaller than the report date)
- over 91 days' balance (overdue – invoice date is more than 90 days smaller than the report date)

- 4.2.4. Each category of debt, by its particular name, requires distinct methods of debt collection processing. Each category is considered individually hereunder.

4.3 Rates Debtors

- 4.3.1. Definition:

Rates Debtors have incurred a debt of Rates. For the purpose of debt collection the definition of Rates follows ~~Section 168~~ of the Act. Rates include:

- ~~–General Rates~~
- ~~–Special Rates~~
- ~~–Charges~~
- ~~–Accrued interest~~
- ~~–Costs reasonably incurred by the council in recovering the above~~

- 4.3.2. Payment Terms:

In line with ~~Section 161~~ of the Act Council allows payment by ~~three~~ instalments per financial year. The Act states that if a ratepayer defaults in payment of an instalment by the due date, all remaining instalments become immediately due and payable.

- 4.3.3. Penalty Interest:

In line with ~~Section 162~~ of the Act interest will accrue on unpaid rates at the relevant interest rate. The relevant interest rate will be set by Council annually. A remission of interest may be granted in individual circumstances under the Rate Concession Policy.

- 4.3.4. Debt Collection Process:

- Rates Notice:

In accordance to ~~Section 159~~ of the Act Council will issue rates notices at least 28 days before the first instalment of the rates falls ing due. ~~The notice states the due dates and~~

~~amounts due for all instalment dates of the financial year and outlines arrears from former financial years due and payable now.~~

- Instalment Reminder Notice:

Council will issue Reminder Notices ~~at least 21 days~~ before each further instalment thereafter. ~~The notice states the due dates and amounts due for the instalments remaining in the financial year and outlines overdue amounts of the rates account.~~

~~- Communication~~

~~Officers will contact wherever possible rates debtors to inform them verbally of the status of their debt and the consequences as described on their rates notice.~~

- Overdue Reminder Letter:

Council will issue an overdue reminder letter (letter of demand) ~~21 days~~ after ~~the third and final~~ instalment due dates_s advising the debtor to contact Council to arrange payment in full or by installments within 14 days and that failure to do so will result in the debt being forwarded to an external debt collection agency and possible legal action.

- External Debt Collection Agency:

Failure to contact Council to resolve rates arrears will result in the engagement of an external debt collection agency. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

- Overriding statutory charge:

In accordance to ~~Section 170 and 171 of~~ the Act rates become a charge on the land if not paid by the due date. After rates have been in arrears for at least 6 months, council may apply for registration of the charge over the land to which the charge relates. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

- Sale of land:

Council reserves the right to sell land for non-payment of rates as outlined in Part 11.9 Division 4 of the Act if rates have been in arrears for at least 3 years, and an overriding charge has been registered for at least 6 months. Council will employ legal representatives in the process. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

4.3.5. Payment Arrangements:

Council may enter into payment arrangement with any ratepayer. Those agreements are made on an individual basis depending on the situation and payment history of a rates debtor. With payment arrangements penalty interest for overdue rates will continue to accrue unless a rate concession has been granted to the rates debtor (refer to Rate Concession Policy).

4.3.6. Debt Write Off

Council may by resolution, write off unpaid rates or some other debt owed to council ~~under Section 27 Accounting Regulations. The writing off of a debt under the regulation does not prevent the Council from subsequently taking action for the recovery of the debt.~~

4.3.7. Reporting

As part of the monthly finance report council receives information about rates outstanding as per instalment date and as per financial year. The report will outline debts written off and a summary of rates debtors in the debt collection process.

~~4.3.8. Authorities~~

~~The authority of a council officer to initiate the debt collection process and enter rates into payment arrangements with rates debtors is outlined in council's delegation manual, and is dependent on the amount and age of the debt.~~

4.3.9. Provision for Doubtful Debts:

Rates are a charge over the land, therefore provision for doubtful debt for rates debt will only be established if the origin of the debt is doubtful and not if it is doubtful that the rates can be recovered from the current land owner.

4.4 Infringement Debtors

4.4.1. Definition:

Infringement Debtors have incurred a debt of regulatory nature. For the purpose of this policy an Infringement debt can include one or more of the following:

- Animal Infringement
- Other Law and Order Infringement

4.4.2. Payment Terms:

In accordance with the Fine and Penalties Recovery Act, any infringement issued by Council under the Legislation allows the alleged offender 14 days to pay the prescribed amount. Payment must be made in full, no part payments will be accepted.

4.4.3. Penalty Interest:

Council is not applying penalty interest to the outstanding debt of infringement debtors.

4.4.4. Debt Collection Process:

If payment is not received within 14 days, a courtesy letter will be issued with an additional administration cost requiring payment within 28 days of receiving the letter. Unpaid infringements can be lodged with the Fines Recovery Unit and enforcement orders may be made. Enforcement measures can include licence suspension, property seizures and community work orders. Enforcement orders add costs to the original penalty.

4.4.5. Payment Arrangements:

Fines can only be paid in full to Council. If an unpaid infringement is lodged by Council with the Fines Recovery Unit, they are the competent authority that manages payment arrangements.

4.4.6. Debt Write Off:

The cancellation or withdrawal of an infringement notice may only be authorised by an officer holding the appropriate delegation. Withdrawal of an infringement may also occur after a written appeal has been submitted to Council against the alleged offence, which in the opinion of the relevant officer has merit. Written confirmation of the infringement cancellation will be sent to the customer.

4.4.7. Reporting:

As part of the monthly Finance Report Council is informed about the outstanding infringement debt categorised by infringement type.

~~4.4.8. Authorities:~~

~~The authority of a council officer to recover infringement debts is outlined in Council's delegation manual.~~

4.4.9. Provision for Doubtful Debts:

A provision for Doubtful Debt is made, if a person who receives an infringement chooses to have the matter dealt with by the Courts.

4.5 Sundry Debtors

4.5.1. Definition:

Sundry Debtors have incurred a debt for other Goods and/or Services delivered by Council. For the purpose of this policy a Sundry debt can include one or more of the following:

- User Fees and Charges
- Statutory Charges
- Investment Income

- Reimbursements
- Other Income
- Grants, Subsidies and Contributions

4.5.2. Payment Terms:

Payment terms for all Sundry debtors are 30 days from the date of invoice. Where appropriate, prepayment, bonds or deposits will be required prior to Council commencing the supply of goods or services. Council reserves the right to request full payment in advance depending on a debtor's payment history.

4.5.3. Penalty Interest:

Council ~~is not~~ ~~may~~ ~~applying~~ penalty interest to the outstanding debt of sundry debtors.

4.5.4. Debt Collection Process:

- Monthly Statements:

Sundry Debtors are issued with statements of all outstanding debt at the end of each calendar month.

- Reminder Letter:

When deemed appropriate, Council may issue Reminder Letters to sundry debtors to inform of an overdue amount and advise of possible legal actions.

- External Debt Collection Agency:

Council may involve an external debt collection agency for issuing reminder letters or other legal actions. All incurred expenses will be charged to the relevant sundry debtor and recovered in full.

4.5.5. Payment Arrangements:

Council may enter into payment arrangement with any sundry debtor. Those agreements are made on an individual basis depending on the situation and payment history of a sundry debtor.

4.5.6. Debt Write Off:

Council may by resolution; write off unpaid debt owed to council ~~under Section 27 Accounting Regulations. The writing off of a debt under the regulation does not prevent the Council from subsequently taking action for the recovery of the debt.~~

4.5.7. Reporting:

As part of the monthly finance report council receives information about sundry debts outstanding categorised by age.

~~4.5.8. Authorities:~~

~~The authority of a council officer to initiate the debt collection process and enter debt into payment arrangements with sundry debtors is outlined in council's delegation manual, and is dependent on the amount and age of the debt.~~

4.5.9. Provision for Doubtful Debts:

Where the recovery of debt is unlikely prior to completing all steps listed in the debt collection process (i.e. where the debtor is bankrupt or in liquidation), a provision shall be made in line with the Australian Accounting Standards.

5 Associated Documents

~~Nil~~ [Delegations Manual](#)

[FIN06 Rates Concession Policy](#)

6 References and Related Legislation

Northern Territory Local Government Act

Northern Territory Local Government (Administration) Regulations
Northern Territory Local Government (Accounting) Regulations
Ministerial Guidelines

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COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 19 August 2020

16 Common Seal

17 Other Business

18 Public Questions

19 Confidential Items

20 Close of Meeting