



Council Meeting

BUSINESS PAPER

THURSDAY 28/01/2021

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

<https://us02web.zoom.us/j/83754571047> (Passcode 50428)

Open Space Discussion with Community Members and Councillors
will be held from 6:00pm – 6:25pm in the
Council's Gazebo

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 Litchfield Council Chambers
and via video conference

<https://us02web.zoom.us/j/83754571047> (Passcode 50428)

on Thursday 28 January 2021 at 6:30pm

Daniel Fletcher
Chief Executive Officer

Number	Agenda Item	Page
1	Opening of Meeting	1
2	Acknowledgement of Traditional Owners	1
3	Apologies and Leave of Absence / Electronic Attendance	1
4	Disclosures of Interest	1
5	Confirmation of Minutes	1-13
6	Business Arising from the Minutes	14-17
6.1	Action List	
7	Presentations	18
8	Petitions	18
9	Public Questions	18

Members of the public are encouraged to submit their questions five (5) days prior to the meeting – these questions and responses will be read out at the meeting and recorded accordingly

<https://www.litchfield.nt.gov.au/form/raise-a-question>

10	Accepting or Declining Late Items	18
11	Notices of Motion	18
12	Mayors Report	19-20
	12.1 Mayor's Report	
13	Reports from Council Appointed Representatives	21
14	Finance Report	22-43
	14.1 Litchfield Council Finance Report – December 2020	
15	Officers Reports	44
	15.1 Council Leadership & Community Services	
	15.1.1 Municipal Plan 2020-21 Quarterly Performance Report October – December 2020	45-64
	15.1.2 LGANT – Neighbourhood Watch NT Nomination	65-70
	15.1.3 Approach to Regulatory Services	71-76
	15.1.4 Southport Progress Association – Lease for Mira Square	77-121
	15.1.5 Appointment of Committee Member to the Howard Park Management Reserve Committee	122-124
	15.1.6 Humpty Doo Village Green – Management of Reserve	125-130
	15.1.7 Draft Litchfield Sport Recreation and Open Space Strategy	131-176
	15.2 Business Excellence	
	15.2.1 Work Team Presentation – Finance	177-178
	15.2.2 SCALE Funding Extension	179-180
	15.2.3 People and Performance Monthly Report	181-185
	15.3 Infrastructure & Operations	
	15.3.1 Summary Planning and Development Report January 2021	186-205
	15.3.2 Selection of Projects for Phase 2 of LRCI and 2020/21 LGPIF Funding	206-210
16	Common Seal	211
17	Other Business	211
18	Public Questions	211
19	Confidential Items	211
	19.1 Administrative Review Committee Agenda Minutes – 24 December 2020	

COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Thursday 28 January 2021

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:

- Special Council Meeting Minutes held 2 December 2020, pages 3;
- Council Meeting Minutes held 9 December 2020, pages 9; and
- Council Meeting Confidential Minutes held 9 December 2020, pages 2.



SPECIAL COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Special Meeting
held in the Council Chambers, Litchfield
on Wednesday 2 December 2020 at 5.30pm

Present	Maree Bredhauer Christine Simpson Kirsty Sayers-Hunt Doug Barden	Mayor Deputy Mayor / Councillor Central Ward Councillor East Ward Councillor South Ward
Staff	Daniel Fletcher Arun Dias Leon Kruger Melissa Waite	Chief Executive Officer Acting Director Community & Corporate Services Director Infrastructure & Operations Acting Executive Assistant
Public	As per Attendance Register	

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

Moved: Cr Barden
Seconded: Cr Sayers-Hunt

THAT Council notes Cr Salter's apology.

CARRIED (4-0)-2021/098

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. PUBLIC QUESTIONS

Nil.

6. OFFICERS REPORTS

6.1 Request for Common Seal on Mira Square Leasing Documents

Wendy Smith, Manager Planning & Regulatory Services presented to the meeting at 5.32pm

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council authorise the Chief Executive Officer and a Council Member to sign and place the Common Seal on the Occupation Licence and Crown Lease for a portion of Mira Square, Southport.

CARRIED (4-0)-2021/099

Wendy Smith, Manager Planning & Regulatory Services departed at 5.34pm

7. CONFIDENTIAL ITEMS

Nil.

8. CLOSE OF MEETING

The Chair closed the meeting at 5:35pm.

9. NEXT MEETING

Wednesday 9 December 2020.

MINUTES TO BE CONFIRMED
Wednesday 9 December 2020

.....
Mayor
Maree Bredhauer

.....
Chief Executive Officer
Daniel Fletcher

Unconfirmed



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Meeting

held in the Council Chambers, Litchfield

on Wednesday 9 December 2020 at 6:30pm

Present	Maree Bredhauer	Mayor
	Christine Simpson	Deputy Mayor / Councillor Central Ward
	Kirsty Sayers-Hunt	Councillor East Ward
	Doug Barden	Councillor South Ward
Staff	Daniel Fletcher	Chief Executive Officer
	Leon Kruger	General Manager Infrastructure & Operations
	Arun Dias	Acting General Manager Business Excellence
	Melissa Waite	Acting Executive Assistant
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

Mathew Salter - Councillor North Ward – Apology

Moved: Cr Barden

Seconded: Cr Sayers-Hunt

THAT Council notes and approves Cr Salter's apology

CARRIED (4-0)-2021/100

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 Sayers-Hunt

Seconded: Deputy Mayor Simpson

THAT Council confirm the minutes of the:

- Special Council Meeting Minutes held 11 November 2020, pages 3;
- Council Meeting Minutes held 18 November 2020, pages 8; and
- Council Meeting Confidential Minutes held 18 November 2020, pages 2

CARRIED (4-0)-2021/101

6. BUSINESS ARISING FROM THE MINUTES

Moved: Deputy Mayor Simpson

Seconded: Cr Barden

THAT Council receives and notes the Action List.

CARRIED (4-0)-2021/102

7. PRESENTATIONS

Nil.

8. PETITIONS

Nil.

9. PUBLIC QUESTIONS

9.1 Andrew Mackay – Girraween

Mr Mackay referred Item 15.5 – Chief Executive Officer's report and sought clarification in regard to staff numbers increasing.

Mr Mackay referred to Item 15.2 – Proposed Reduction of Speed Limit Along Girraween Road and sought clarity that the speed reduction was an outcome of the road safety audit.

Chief Executive Officer clarified the staffing increased was both temporary staff and recently recruited permanent staff members.

Chief Executive Officer further clarified the speed limit change was due to the Road Safety Audit this was reaffirmed by the General Manager Infrastructure and Operations.

10. ACCEPTING OR DECLINING LATE ITEMS

10.1 Late Report – 15.6 Freds Pass Sport and Recreation Reserve \$2M Upgrades – Funding Variation

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council consider the late report item 15.6 Freds Pass Sport and Recreation Reserve \$2M Upgrades- Funding Variation under Officer's Reports for consideration.

CARRIED (4-0)-2021/103

10.2 Late Report – 15.7 Council Meeting – January 2021 – Change of Date

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council consider the late report item 15.7 Council Meeting – January 2021 – Change of Date under Officer's Reports for consideration.

CARRIED (4-0)-2021/104

11. NOTICES OF MOTION

Nil.

12. MAYORS REPORT

Moved: Cr Sayers-Hunt

Seconded: Cr Barden

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

CARRIED (4-0)-2021/105

13. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

Moved: Cr Sayers-Hunt

Seconded: Cr Barden

THAT Council note the Councillors' verbal report.

CARRIED (4-0)-2021/106

14. FINANCE REPORT

14.1 Litchfield Council Finance Report – November 2020

Moved: Cr Barden

Seconded: Deputy Mayor Simpson

THAT Council note the Litchfield Council Finance Report for the period ended 30 November 2020.

CARRIED (4-0)-2021/107

15. OFFICERS REPORTS

15.1 December 2020 Summary Planning and Development Report

Wendy Smith, Strategic Projects (Planning) Advisor presented to the meeting at 7.04pm.

Moved: Deputy Mayor Simpson

Seconded: Cr Sayers-Hunt

THAT Council:

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

CARRIED (4-0)-2021/108

Wendy Smith, Strategic Projects (Planning) Advisor departed at 7.05pm

15.2 Proposed Reduction of Speed Limit Along Girraween Road

Moved: Cr Sayers-Hunt

Seconded: Deputy Mayor Simpson

THAT Council approve reduction of the speed limit from 80kph to 70kph along Girraween Road between the point where Litchfield Council assumes care, control and maintenance of Girraween Road (ie: approx. 300m from the roundabout at Coolalinga) at the Azure Court intersection.

AMENDMENT

Moved: Mayor Bredhauer

Seconded: Cr Barden

THAT Council:

1. approve reduction of the speed limit from 80kph to 70kph along Girraween Road between the point where Litchfield Council assumes care, control and maintenance of Girraween Road (ie: approx 300m from the roundabout at Coolalinga) to the Azure Court intersection and
2. request a review of the speed limit on Girraween Road be presented to Council at the December 2021 Council Meeting.

CARRIED (4-0)-2021/109

The Amendment became the motion

15.3 Review of Council Policy INF04 Place Names

Wendy Smith, Strategic Projects (Planning) Advisor presented to the meeting at 7.22pm.

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council adopts INF04 Place Names as found in Attachment A (with track changes accepted) to this report.

CARRIED (4-0)-2021/110

15.4 Place Names – Road Name for Subdivision at 200 Trippe Road North, Humpty Doo

Moved: Cr Barden
Seconded: Cr Sayers-Hunt

THAT Council:

1. resolve to support the proposed road name Nelly's Place for the road within the subdivision at 200 Trippe Road North, Humpty Doo; and
2. provide a letter of comment to the applicant detailing the above resolution, including recognising that the name does not meet the Guidelines for NT Place Names and providing reasons for Council's deviation from those Guidelines.

CARRIED (4-0)-2021/111

Wendy Smith, Strategic Projects (Planning) Advisor departed at 7.31pm

15.5 Chief Executive Officer Monthly Report

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council receive and note the Chief Executive Officer monthly report for November 2020.

CARRIED (4-0)-2021/112

15.6 Freds Pass Sport and Recreation Reserve \$2M Upgrades – Funding Variation

Diana Leeder, Executive Manager Community Services presented to the meeting at 7.33pm.

Moved: Cr Barden
Seconded: Cr Sayers-Hunt

THAT Council:

1. receive and note this report;
2. approve the deed of variation to the Freds Pass Sport and Recreation Reserve Upgrades grant agreement as shown in Attachment A to this report; and
3. authorise the application of the common seal to the variation to the Freds Pass Sport and Recreation Reserve Upgrades grant agreement as shown in Attachment A to this report.

CARRIED (4-0)-2021/113

Diana Leeder, Executive Manager Community Services departed at 7.36pm

15.7 Council Meeting – January 2021 – Change of Date

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council approves changing the Ordinary Council Meeting scheduled for Wednesday 20 January 2021 to Thursday 28 January 2021 commencing at 6:30pm.

CARRIED (4-0)-2021/114

16. COMMON SEAL

Nil.

17. OTHER BUSINESS

Nil.

18. PUBLIC QUESTIONS

Nil.

19. CONFIDENTIAL ITEMS

Moved: Deputy Mayor Simpson
Seconded: Cr Sayers-Hunt

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 2021 Australia Day Awards

8(c)(iv) information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

19.2 Operational Service Review

8(c)(iv) information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

CARRIED (4-0)-2021/115

The meeting was closed to the public at 7:39pm.

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 re-opened to the public.

CARRIED (4-0)-2021/118

The meeting moved to Open Session at 7.53pm.

20. CLOSE OF MEETING

The Chair closed the meeting at 7.53pm.

21. NEXT MEETING

Thursday 28 January 2021.

MINUTES TO BE CONFIRMED

Thursday 28 January 2021

.....
Mayor
Maree Bredhauer

.....
Chief Executive Officer
Daniel Fletcher

Unconfirmed

COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Thursday 28 January 2021

6. Business Arising from the Minutes

THAT Council receives and notes the Action List.

In Progress

Completed and to be removed

Resolution Number	Resolution	Meeting Date	Officer	Status
15/0175/02	Meeting Procedures By-Laws 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.	19/11/2015	GMBE	Update to be provided at February 2021 Council Meeting.
16/0203	Signage, Roadside Vans and Events on Council Land 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; 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; 3. Develop policy and procedures to support any Council by-laws which are enacted; and 4. To commence work on these by-laws, policy and procedures in 2017/18 financial year.	21/09/2016	GMBE	On hold until Meeting By-Laws are concluded.
17/0036/4	Litchfield Aquatic Facility Needs Analysis Report 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.	15/02/2017	GMBE	Project on hold.
1718/240	Berry Springs Water Advisory Committee - Council Representative 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.	16/05/2018	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	Recreation Reserve Leases and Funding Agreements Project THAT Council: 1.notes the update on the development of leases and funding agreements as part of the Recreation Reserves Leases project; 2.notes the draft lease agreement; 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 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.	16/01/2019	GMBE	Lease Agreements for McMinns Lagoon, Livingstone and Berry Springs Recreation Reserves have been executed. Management arrangements for the Humpty Doo Village Green are changing, report included in January 2021 Council Meeting.
1920/174	Mira Square - Application for Crown Land THAT Council: 1.proceed with an application for Crown land for a portion of Mira Square for initial construction of a serviced shed and play area; and 2.authorise the Chief Executive Officer to lodge such application and enter into a lease agreement for the site.	19/03/2020	GMIO	Leasing documents have been received; signatures from both Council and NTG are being finalised.

NGA20 Notice of Motion

THAT Council endorse the submission of the following motion to the National General Assembly of Local Governments for consideration:

1920/182	<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>	19/03/2020	CEO	Referred to the National General Assembly of Local Government 2021
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COVID-19 Response Plan

THAT Council:

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.

1920/183		19/03/2020	CEO	This resolution of council continues to be active until the Australian and/or Northern Territory Governments declare the COVID-19 pandemic has ended.
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Change to Meeting Protocols

THAT Council:

1. acknowledge the need to adapt GOV02 Meeting procedures policy to allow for the use of online platforms for conducting Council meetings;
2. suspend:
 - 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:
 - a. at the first Council meeting in 2021, or
 - b. when Social distancing protocols are lifted by the Northern Territory Chief Health Officer.

1920/207		15/04/2020	GMBE	Ongoing as physical distancing rules regarding COVID19 still apply.
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2021/067	Knuckey Lagoon Recreation Reserve Request for Funding THAT Council approve the increase of the budget for the construction of a storage shed at the Knuckey Lagoon Reserve from \$45,000 to \$50,270.95.	21/10/2020	GMBE	On hold pending further discussions with user groups.
2021/071	Sponsorship – Territory Natural Resource Management Conference and Annual Awards THAT Council: 1.partner with Territory Natural Resource Management as a sponsor of its 2020 Conference and Northern Territory Natural Resource Management Awards at the Silver level by financially contributing \$2,500; and 2.authorise the Chief Executive Officer to sign the Partnering / Sponsorship documentation.	21/10/2020	GMBE	COMPLETE - event supported.
2021/093	SCALE Funding Extension THAT Council: 1. approve a request for the extension of the SCALE funding to be 31 December 2020 for the following projects: a. Berry Springs Reserve Community hall upgrades; This is page 6 of 8 of the Minutes of Litchfield Council Meeting held Wednesday 18 November 2020 b. Mira Square Development; c. Shared Path Plan safety program; and d. Entrance Signage to the Municipality. 2. approve a request for the extension of the SCALE funding project of Humpty Doo Village Green Playground to be 31 January 2021; and 3. authorise the Chief Executive Officer to lodge the request for extension for the SCALE funding with the Department of Local Government, Housing and Community Development.	18/11/2020	GMBE	Notification from Northern Territory Government received on 21 December 2020. Deadline for the expending of all grant funds was extended to 31 March 2021 with the revised certification report is due on or before the 15 of April 2021.
2021/109	Proposed Reduction of Speed Limit Along Girraween Road THAT Council: 1.approve reduction of the speed limit from 80kph to 70kph along Girraween Road between the point where Litchfield Council assumes care, control and maintenance of Girraween Road (ie: approx 300m from the roundabout at Coolalinga, to the Azure Court intersection and 2.request a review of the speed limit on Girraween Road be presented to Council at the December 2021 Council Meeting.	9/12/2020	GMIO	1. Visual Message Boards put up on 11th January 2021 advising of speed limit change. 70km signs will be in place from 5:30am Monday 25th January 2021. 2. Review referred to December 2021 Council Meeting (added to Agenda Planner) Marked as Complete
2021/110	Review of Council Policy INF04 Place Names THAT Council adopts INF04 Place Names as found in Attachment A (with track changes accepted) to this report.	9/12/2020	GMBE	Policy register updated and INF04 Place Names is available on Councils website.
2021/113	Freds Pass Sport and Recreation Reserve \$2M Upgrades – Funding Variation THAT Council: 1.receive and note this report; 2.approve the deed of variation to the Freds Pass Sport and Recreation Reserve Upgrades grant agreement as shown in Attachment A to this report; and 3.authorise the application of the common seal to the variation to the Freds Pass Sport and Recreation Reserve Upgrades grant agreement as shown in Attachment A to this report.	9/12/2020	GMBE	Documentation signed under Common Seal 20 January 2021.

COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Thursdy 21 January 2021

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: 28/01/2021
Attachments: Nil

Executive Summary

A summary of the Mayor's attendance at meetings and functions representing Council for the period 10 December 2020 to 28 January 2021.

Summary

Date	Event
10 Dec 2020	Girraween School – Celebrating Helen Chattos Retirement
10 Dec 2020	Seniors Morning Tea & Christmas Lunch
10 Dec 2020	Middle Point School Assembly & Presentation
11 Dec 2020	Girraween & Humpty Doo Schools – End of Year Event
11 Dec 2020	Seniors Morning Tea – Library
12 Dec 2020	Freds Pass Markets Stall
16 Dec 2020	St Francis of Assisi School Assembly – End of Year Event
17 Dec 2020	Howard Springs School – End of Year Event
17 Dec 2020	TOPROC Meeting
18 Dec 2020	Litchfield Council Staff Recognition BBQ – End of Year Event
24 Dec 2020	Administrative Review Committee Meeting
5 Jan 2021	Litchfield Women in Business Monthly Network Event
11 Jan 2021	New Citizen – Meeting re Citizenship Pledge

Date	Event
12 Jan 2021	Community & Residents Catch Ups
13 Jan 2021	Municipal Plan & Budget Workshop
14 Jan 2021	Strategic Discussion & Briefing Session
15 Jan 2021	Councillors Catch Up
16 Jan 2021	Freds Pass Markets Stall
18 Jan 2021	Councillors Catch Up
20 Jan 2021	Freds Pass Rural Community Show
21 Jan 2021	NT Australian of the Year Recipients Presentation
22 Jan 2021	Palmerston Litchfield Seniors Association General Committee Meeting
26 Jan 2021	Australia Day Celebrations
26 Jan 2021	Australian Citizenship Ceremony
26 Jan 2021	Australia Day Celebrations – Multicultural Council of the NT
28 Jan 2021	Open Space Discussion with Community Members & Councillors
28 Jan 2021	Litchfield Council & Thorak Regional Board Meetings

Recommendation

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



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Thursday 28 January 2021

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	-	Knuckey Lagoon Recreation Reserve Management Committee Meeting
	-	Howard Park Committee Meeting
Cr Sayers-Hunt	-	LGANT Executive
Mayor Bredhauer	-	Howard East Water Advisory Committee
	-	Litchfield Women in Business Network Committee

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 9 December 2020

14	Finance Report
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14.1	Litchfield Council Finance Report November 2020
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COUNCIL REPORT

Agenda Item Number:	14.1
Report Title:	Litchfield Council Finance Report – December 2020
Author:	Bianca Hart, Acting Manager Corporate Services
Recommending Officer:	Arun Dias, Acting General Manager Business Excellence
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

Council's Operational Income position as at December 2020 reflects full year of rates levied. The surplus position is temporary due to the timing difference. The surplus position is expected to gradually decrease as expenses are incurred for the remainder of the year. Total year to date operational expenses are in line with budget. The surplus position excludes depreciation expense.

Council received \$1.8 million of Roads to Recovery (R2R) funding in November which has been recognised as liabilities in the report. As projects are progressed through to completion, the funding will be recognised as income in line with the revised accounting standards.

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.

Current year rates outstanding have decreased compared to prior month and remain in line with the amount outstanding this time as last year.

Recommendation

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

Background

Detailed financial information presented in the following pages.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

This report is in compliance with section 18 of the Local Government (Accounting) Regulation, Council policies and relevant Accounting Standards.

Financial Implications

Nil.

Risks



Risks - Please refer to section 5 of the report.

Community Engagement

Not applicable.

LITCHFIELD COUNCIL



Community effort is essential

Finance Report December 2020

Contents

SECTION 1.....	5
DASHBOARD REPORT	5
SECTION 1.....	6
CONSOLIDATED FINANCIAL STATEMENTS	6
CONSOLIDATED OPERATING STATEMENT at 31 December 2020.....	6
CONSOLIDATED BALANCE SHEET at 31 December 2020.....	7
SECTION 2.....	8
OPERATING POSITION BY DEPARTMENT	8
CAPITAL BUDGET POSITION	9
SECTION 3.....	15
CASH ON HAND & INVESTMENTS.....	15
FINANCIAL RESERVES	16
SECTION 4.....	17
DEBTORS.....	17
FINES AND INFRINGEMENTS	17
OUTSTANDING RATES	18
SECTION 5.....	20
FINANCE KEY PERFORMANCE INDICATORS (KPI).....	20

SECTION 1

DASHBOARD REPORT

SECTION 1

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.

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 December 2020

	2020/21 Budget	2020/21 YTD Actuals	% of Budget
REVENUE			
Rates	11,050,208	10,563,006	96%
Stat Charges	125,200	91,980	73%
User Charges	1,186,723	937,688	79%
Grants	3,580,922	2,021,809	56%
Inv Income	678,201	206,385	30%
Other Revenue	118,200	80,126	68%
TOTAL REVENUE	16,739,455	13,900,993	83%
EXPENSES			
Employee Costs	6,932,575	3,186,750	46%
Auditors Fees	33,356	26,918	81%
Bad Debts	900	1,164	129%
Elected Member	270,910	106,402	39%
Cemetery Operations	380,563	212,173	56%
Contractors	4,103,852	1,653,444	40%
Energy	196,300	56,388	29%
Insurance	260,000	303,157	117%
Maintenance	451,821	241,781	54%
Legal Expenses	82,004	13,545	17%
Donations and Community Support	131,131	118,085	90%
Computer / IT Costs	388,455	179,558	46%
Parts, Accessories & Consumables	185,860	72,296	39%
Professional Fees	982,239	284,477	29%
Sundry	558,589	355,085	64%
TOTAL EXPENSES	14,958,554	6,811,222	46%
RESULT	1,780,901	7,089,772	398%¹

¹ High percentage is temporary due to a timing difference as rates income is recognised in full at the beginning of the year. The surplus position is expected to gradually decrease as expenses are incurred over the remainder of the year.

CONSOLIDATED BALANCE SHEET at 31 December 2020

	30-Nov-20	31-Dec-20	Movement
CURRENT ASSETS			
Cash & Cash Equivalents	3,295,540	607,432	(2,688,108)
Trade and Other Receivables	5,147,037	4,321,238	(825,799)
Other Financial Assets	22,484,028	24,307,445	1,823,417
Other Current Assets	184,223	138,501	(45,722)
TOTAL CURRENT ASSETS	31,110,828	29,374,616	(1,736,212)
NON-CURRENT ASSETS			
Infrastructure, Property, Plant & Equipment	299,273,630	299,273,630	0
Other Non-Current Assets	8,189,936	8,350,197	160,262
TOTAL NON-CURRENT ASSETS	307,463,566	307,623,827	160,262
TOTAL ASSETS	338,574,393	336,998,443	(1,575,950)
CURRENT LIABILITIES			
Trade and Other Payables	1,879,210	3,042,689	1,163,479
Current Provisions	189,827	1,042,385	852,558
TOTAL CURRENT LIABILITIES	2,500,959	4,085,074	1,584,115
NON-CURRENT LIABILITIES			
Non-Current Provisions	402,070	402,070	0
TOTAL NON-CURRENT LIABILITIES	402,070	402,070	0
TOTAL LIABILITIES	2,903,029	4,487,144	1,584,115
NET ASSETS	335,671,365	332,511,299	(3,160,064)
EQUITY			
Accumulated Surplus	18,088,200	14,928,136	(3,160,064)
Asset Revaluation Reserve	294,301,835	294,301,835	0
Other Reserves	23,281,329	23,281,329	0
TOTAL EQUITY	335,671,365	332,511,299	(3,160,064)

SECTION 2

OPERATING POSITION BY DEPARTMENT

The 2020/21 rates and charges have been applied to properties and recognised in Council's accounts, which is reflected in year to date revenue. The surplus position is subject to decrease as operating expenses are incurred as the year progresses.

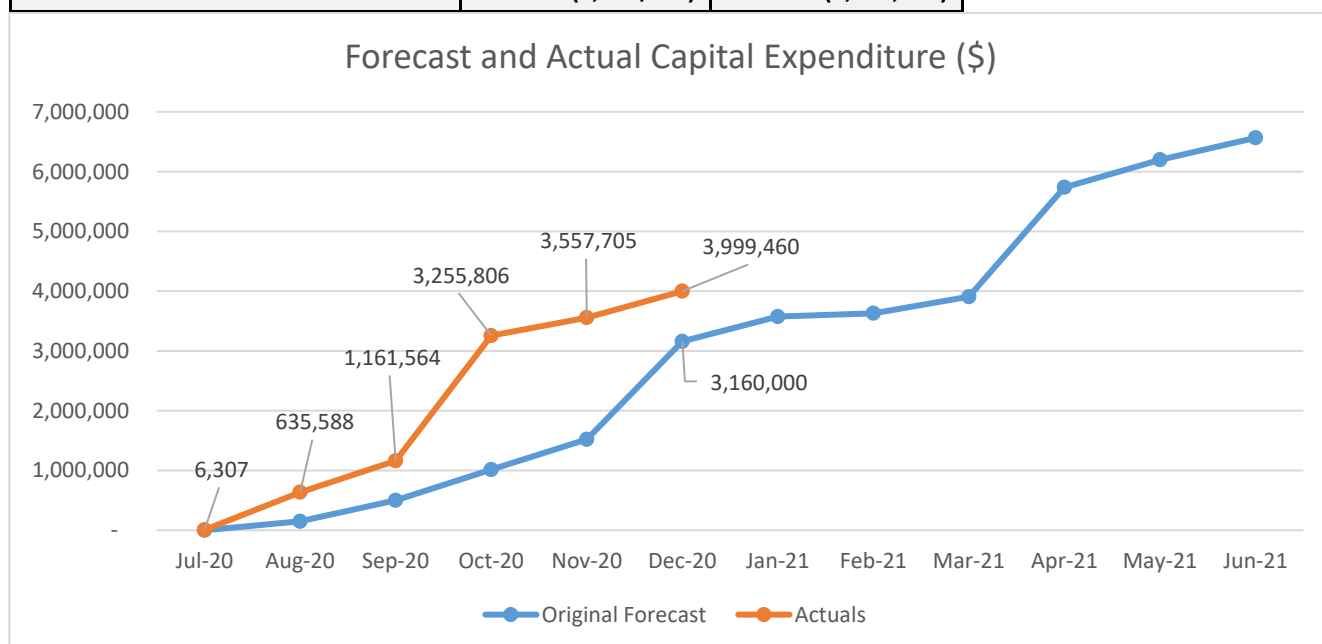
Note. This does not include Thorak Regional Cemetery.

	2020/21 Budget	2020/21 YTD Actuals	% of Budget
REVENUE			
Council Leadership	-	326	0%
Corporate	-	143,000	0%
Finance & Customer Service	9,047,699	8,053,503	89%
Infrastructure & Assets	2,924,174	1,246,278	43%
Planning & Development	53,040	135,324	255%
Waste Management	3,162,705	3,054,128	97%
Community	78,000	81,174	104%
Community – Library	419,953	405,811	97%
Mobile Workforce	-	6,135	0%
Regulatory Services	125,400	91,980	73%
TOTAL REVENUE	15,810,972	13,217,658	84%
EXPENSES			
Council Leadership	1,065,068	425,310	40%
Corporate	610,392	307,256	50%
Information Services	614,000	238,173	39%
Finance & Customer Service	1,615,906	885,395	55%
Infrastructure & Assets	2,745,312	1,115,301	41%
Planning & Development	701,502	344,599	49%
Waste Management	3,131,132	1,324,482	42%
Community	1,452,426	980,641	68%
Community – Library	419,953	142,729	34%
Mobile Workforce	1,289,009	393,326	31%
Regulatory Services	402,716	191,009	47%
TOTAL EXPENSES	14,047,416	6,348,221	45%
OPERATING RESULT	1,763,556	6,869,437	390%

CAPITAL BUDGET POSITION

The table below compares capital revenue and expenditure to budget by the end of December 2020. Budgeted Capital Revenue excludes funding received under the Special Community Assistance and Local Employment (SCALE) funding and funding receivable under the Local Roads and Community Infrastructure (LRCI) program. The first Council co-contribution payment of \$1,225,000 for Productive (Mango) roads project was made in October 2020 to the Department of Infrastructure, Planning and Logistics. The original cash flow forecast anticipated the payment in December 2020. Extension has been granted to expend the SCALE grant funding on or before the 31st of March 2021.

	2020/21 Budget	2020/21 YTD Actuals
REVENUE		
Council Leadership	0	66,997
Infrastructure & Assets	1,520,525	1,036,161
Planning & Development	0	238,160
Mobile Workforce	0	0
Community	300,000	287,123
Regulatory Services	0	0
Waste Management	0	47,138
TOTAL REVENUE	1,820,525	1,608,583
EXPENSES		
Infrastructure & Assets	5,743,518	3,586,327
Planning & Development	75,000	834
Waste Management	230,000	61,088
Mobile Workforce	0	0
Thorak Cemetery	80,000	11,694
Community	377,000	338,787
Regulatory Services	60,000	729
TOTAL EXPENSES	6,565,518	3,999,460
CAPITAL RESULT	(4,744,993)	(2,390,877)



Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	December 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									
Productive Roads - Mango Roads Stage 2	Jul-20	Jun-21	2,450,000	1,225,000	Project Delivery	Yes	Yes	50%	
Drainage Renewal and Upgrade	Aug-20	Jun-21	560,000	0	Project Initiation	Yes	Yes	0%	
Vehicle Replacement	Aug-20	Jun-21	280,000	149,133	Project Delivery	Yes	Yes	93%	
Shared Path Program	Aug-20	Jun-21	100,000	0	Project Initiation	Yes	Yes	0%	
Pathway Renewal	Aug-20	Mar-21	80,000	0	Project Initiation	Yes	Yes	0%	
Gravel Surface Renewal	Aug-20	Jun-21	300,000	0	Project Initiation	Yes	Yes	0%	
Road Seal Renewal	Jul-20	Jun-21	945,000	0	Project Delivery	Yes	Yes	0%	
Street Lighting Replacement (Contingent)	Aug-20	Jun-21	10,000	0	Not Started	N/A	Yes	0%	Budget only required for repairs as required
Road Safety Upgrades	Aug-20	Sep-21	463,518	0	Project Initiation	No	Yes	0%	RFQ has been awarded, and detailed design underway. Power Road Floodway - Due to site complexities, project completion date on the Blackspot Project has been extended. \$378,000 of project budget to be carried forward to 2021-2022. Approval for project extension currently underway, delays are not expected to compromise any safety issues.
Thorak Cemetery Asset Renewal	Aug-20	Jun-21	20,000	0	Project Planning	Yes	Yes	0%	
Thorak Cemetery Vehicle Replacement	Aug-20	Jun-21	60,000	0	Project Initiation	Yes	Yes	0%	
Waste Vehicle Replacement	Sep-20	Jun-21	170,000	42,370	Project Initiation	Yes	Yes	0%	

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	December 2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
Reserve Building Renewal & Compliance	Sep-20	Jun-21	20,000	0	Project Initiation	Yes	Yes	0%	
Reserve Playground Renewal	Mar-21	Jun-21	12,000	0	Not Started	Yes	Yes	0%	
Fred's Pass Upgrade	Jul-20	Jun-21	300,000	0	Project Commencement	Yes	Yes	0%	
Knuckey Lagoon Building works	Sep-20	Jun-21	45,000	0	Project Initiation	Yes	Yes	0%	
Council Administration Building Renewal	Oct-20	Feb-21	20,000	0	Project Initiation	Yes	Yes	0%	
Driveway Surface and Culvert Renewal	Oct-20	Jun-21	40,000	0	Project Initiation	Yes	Yes	0%	
Kerb Renewal and Upgrade	Oct-20	Jun-21	10,000	0	Project Initiation	Yes	Yes	0%	
Pavement Renewal	Aug-20	Jun-21	485,000	0	Project Initiation	Yes	Yes	0%	
Mira Square Development	Oct-20	Jun-21	75,000	0	Project Initiation	Yes	Yes	0%	
Dog Pound Upgrade	Apr-21	Jun-21	60,000	723	Project Initiation	Yes	Yes	0%	
Waste Transfer Station Renewal	Aug-20	Jun-21	50,000	14,150	Project Commencement	Yes	Yes	14%	
Waste Strategy	Sep-20	Jun-21	10,000	0	Project Initiation	Yes	Yes	0%	
Carry over Capital Works projects from 2019-20 budget*									
Pavement Renewal - Whitewood Road	Started in 2019-20	Jun-20	7,742	0	Completed	No	Yes	0%	Residual funds to be reallocated to Stage 2
Roads to Recovery Capital Works - Whitewood Road, Howard Springs	Started in 2019-20	Jun-20	296,902	341,253	Project Closure	No	Yes	115%	Project Complete, final invoices have been issued. Overall Program budget for R2R still under budget.
Pavement Renewal - Stevens Road	Started in 2019-20	Jun-20	473,159	155,162	Project Delivery	No	Yes	26%	Project is substantially complete, with final tidy-up to occur by end of January. Final invoices are being processed
BlackSpot – Girraween and Hillier Road	Started in 2019-20	Jun-20	355,428	342,433	Project Closure	No	Yes	96%	Project is substantially complete with the speed

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	December 2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
									reduction currently being implemented.
Shoulder Widening - Pioneer Norm Lane	Started in 2019-20	Jun-20	299,607	364,295	Project Closure	No	Yes	120%	Final invoice has been processed. Overall Program budget for R2R still under budget.
Whitstone Road Sealing	Started in 2019-20	Jun-20	376,555	407,316	Complete	No	Yes	108%	Project is complete. Funding re-alignment to be undertaken during budget review. Overall Program budget for R2R still under budget.
Smart Controls for LED lighting	Started in 2019-20	Jun-20	22,820	0	Project Delivery	No	Yes	0%	Project rolled into the LED streetlighting program.
LED streetlighting	Started in 2019-20	Jun-20	136,923	117,447	Project Delivery	No	Yes	82%	All streetlights have been installed. An additional base station is required to give us 100% coverage, which can be funded through the existing budget.
Council office – automatic doors all ability access	Started in 2019-20	Jun-20	4,000	3,750	Project Planning	No	No	94%	RFQ has been released, and closes mid January 2021. Current project budget at risk, additional budget to be realigned as part of budget review.
Brougham Road - January Monsoonal Damage	Started in 2019-20	Jun-20	20,000	8,707	Project Closure	No	Yes	44%	Project is complete. Capitalising the project. Surplus funds to be returned to the grant funding body.

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	December 2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
Kentish Road Re-sheeting	Started in 2019-20	Jun-20	529	529	Complete	No	Yes	100%	
Swamp Road Re-sheeting	Started in 2019-20	Jun-20	421	421	Complete	No	Yes	100%	
Mango Roads Stage 1 - 2019-20	Started in 2019-20	Jun-20	89,941	85,443	Project Delivery	No	Yes	95%	Weather has affected stage 1 completion. With seal scheduled for all roads by Feb 2021.
FPSRR Equine Facilities Upgrade	Started in 2019-20	Mar-21	240,000	85,581	Project Delivery	Yes	Yes	36%	
FPSRR Cricket Club Change Rooms	Started in 2019-20	Jan-21	95,000	80,977	Project Delivery	Yes	Yes	85%	
FPSRR Roads and Carpark Upgrades	Started in 2019-20	Jan-21	34,000	2,000	Project Delivery	Yes	Yes	6%	
FPSRR Building Certification	Started in 2019-20	Mar-21	50,000	14,593	Project Delivery	Yes	Yes	29%	
FPSRR Project Management	Started in 2019-20	Mar-21	44,277	6,240	Project Delivery	Yes	Yes	0%	
SCALE Grant funding Capital Works projects*									
Humpty Doo Village Green Playground	Jul-20	Mar-21	80,000	75,768	Complete	No	Yes	95%	
Shared Path Plan Safety Program	Jul-20	Mar-21	150,000	84,500	Project Delivery	No	Yes	49%	Engineered design was required for each of the four components of this project. Inclement weather has delayed the final segment of the SCALE funded shared paths upgrade with the Smyth Road Construction of Concrete Shared Path scheduled for completion in January 2021.

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	December 2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
Berry Springs Hall electrical upgrades	Jul-20	Mar-21	50,000	4,313	Project closure	No	Yes	9%	Project is near in completion, with invoices to be processed.
Livingstone Recreation Reserve Playground	Jul-20	Mar-21	70,000	0	Project Delivery	No	Yes	0%	Remaining works to be completed by the end of February 2021.
Digital Whiteboards	Jul-20	Sep-20	39,100	38,856	Complete	Yes	Yes	99%	
IT remote work set up	Jul-20	Nov-20	27,300	27,519	Complete	No	No	101%	
Entrance Signage to the Municipality	Jul-20	Mar-21	40,000	3,153	Project Planning	No	Yes	6%	Signs have been constructed and will be installed by end of January 2021.
Mira Square Development Stage 1	Jul-20	Mar-21	60,000	834	Project Closure	Yes	Yes	1%	Mira Square Stage 1 is completed. The site is fenced, and access to the facility will be available end of March when grass is fully established. Invoices are yet to be received.
LRCI Grant funding Capital Works projects*									
Resealing of Wells Creek, Mocatto, Townend and Redcliff Roads	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.*

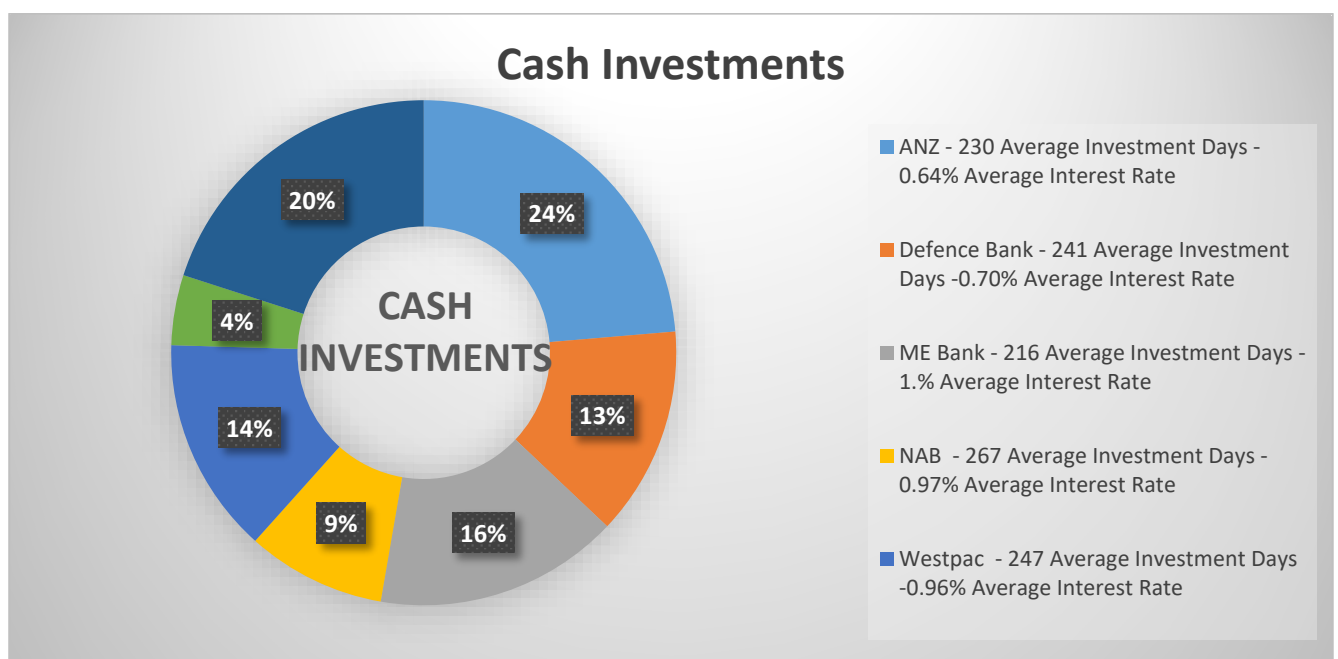
SECTION 3

CASH ON HAND & INVESTMENTS

Investment Schedule as at 30 December 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
6/05/2020	1,000,000	251	ME Bank	1.35%	12/01/2021	9,283.56
13/05/2020	1,000,000	258	Westpac	1.10%	26/01/2021	7,775.34
1/06/2020	2,000,000	253	Westpac	0.95%	9/02/2021	6,584.93
1/06/2020	1,500,000	267	NAB	0.97%	23/02/2021	14,191.23
2/06/2020	1,010,669	280	ME Bank	1.05%	9/03/2021	12,082.19
21/07/2020	1,020,559	245	Defence Bank	0.85%	23/03/2021	5,766.35
4/08/2020	800,000	118	ME Bank	0.65%	30/11/2020	2,144.57
18/08/2020	1,112,040	231	ANZ	0.80%	6/04/2021	4,050.41
3/09/2020	3,000,000	231	Westpac	0.82%	20/04/2021	5,771.03
22/09/2020	1,515,515	217	ANZ	0.65%	27/04/2021	11,593.15
14/10/2020	1,000,000	242	ANZ	0.48%	16/06/2021	4,823.07
28/10/2020	1,000,000	236	Commonwealth	0.54%	22/06/2021	3,491.51
4/11/2020	2,000,000	237	Defence Bank	0.55%	29/06/2021	7,142.47
17/11/2020	2,000,000	238	Commonwealth	0.50%	13/07/2021	6,520.55
2/12/2020	1,500,000	236	Commonwealth	0.47%	27/07/2021	4,558.36
8/12/2020	1,009,090	231	Bendigo	0.45%	03/08/2021	2,873.83
TOTAL INVESTMENTS	22,467,872					109,215.96



FINANCIAL RESERVES

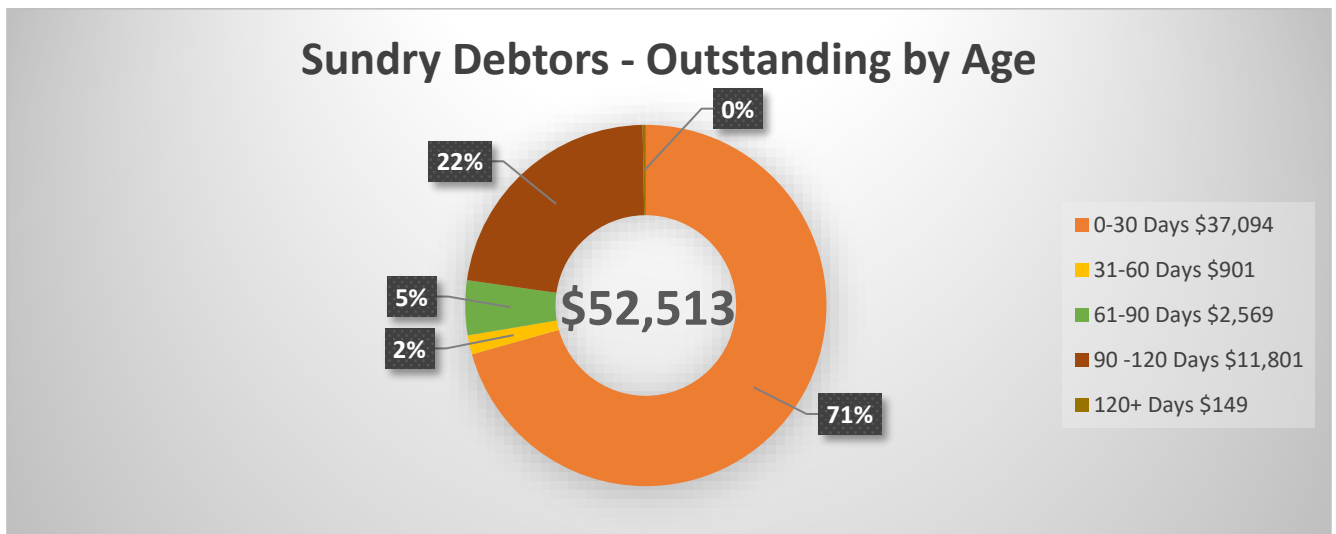
Table showing forecasted reserve balance for 30 June 2021.

	Balance at 1 July 2020 (\$)	Net Increase/(Decrease) During the year (\$)	Forecasted Balance at 30 June 2021 (\$)
Developer Contribution Reserve	767,587	(765,335)	2,252
Unexpended Grants and Contributions	2,371,679	0	3,831,520
Asset Reserve	11,560,546	(3,787,428)	7,773,118
Waste Management Reserve	4,784,705	(686,974)	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	20,584,517	(2,901,438)	16,804,921

SECTION 4

DEBTORS

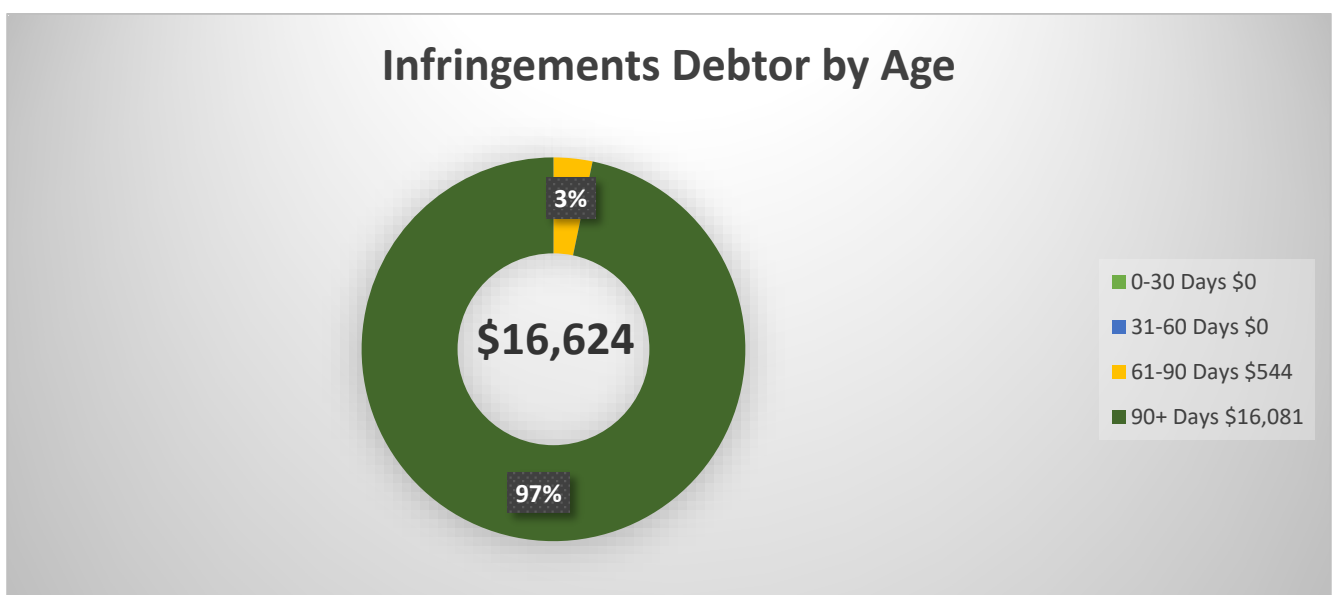
Total Debtors as at 31 December 2020 is \$52,513.



In line with Council procedures aged debts are being pursued and depending on requirement will be forwarded to debt collection agencies. Four outstanding debt more than 120 days; one debtor to requested to be written off, two debtors potential unrecoverable and one debtor to be raised with credit note.

FINES AND INFRINGEMENTS

As at 31 December 2020, Council has 67 infringements outstanding with a balance of \$16,624. 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 payment².



² Infringements sent to FRU are expected to exceed 90 days due to the recovery processes

OUTSTANDING RATES

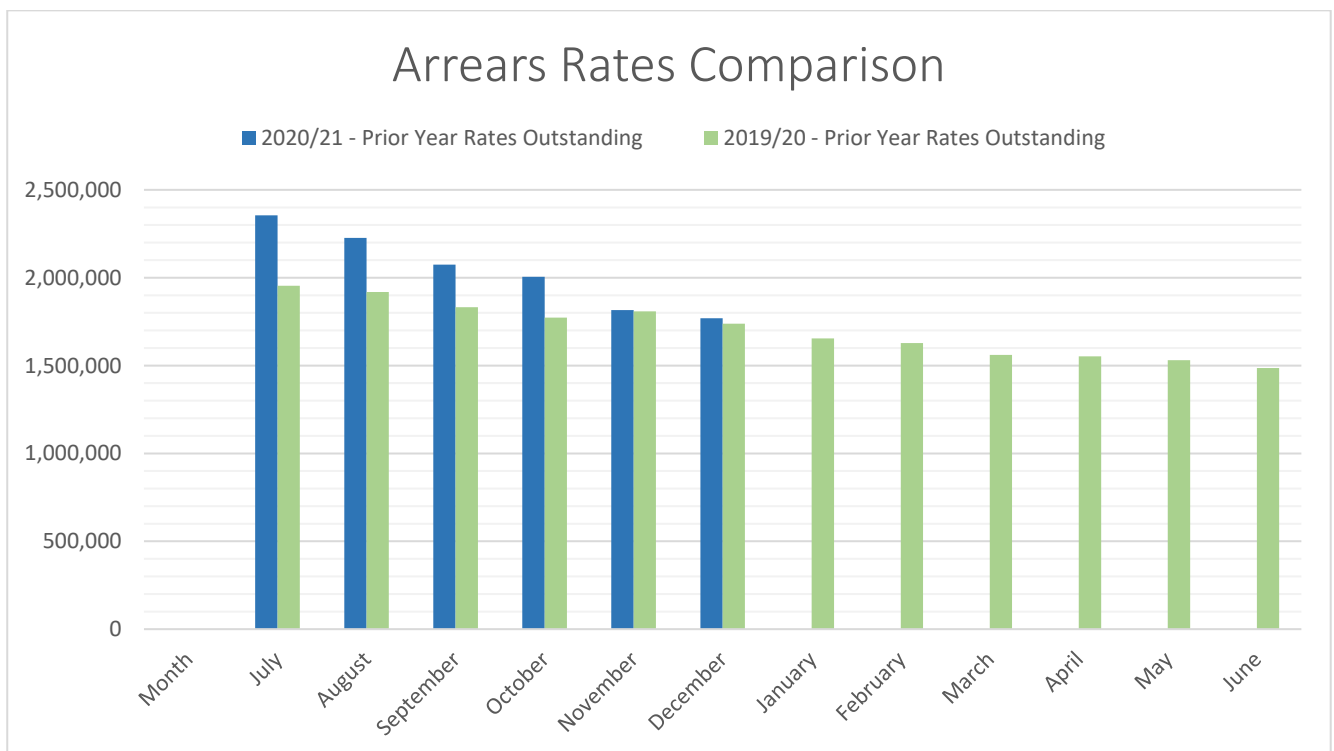
PRIOR YEAR RATES

The below table illustrates the split of prior year outstanding rates. Prior year rates as at 31 December 2020 are \$1.7 million, this is an increase of 13% compared to prior year December 2019.

Council is prioritising rates collection and will be taking steps to ensure to promote 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.

The graph below compares prior year rates between 2020-21 and 2019-20 financial years.

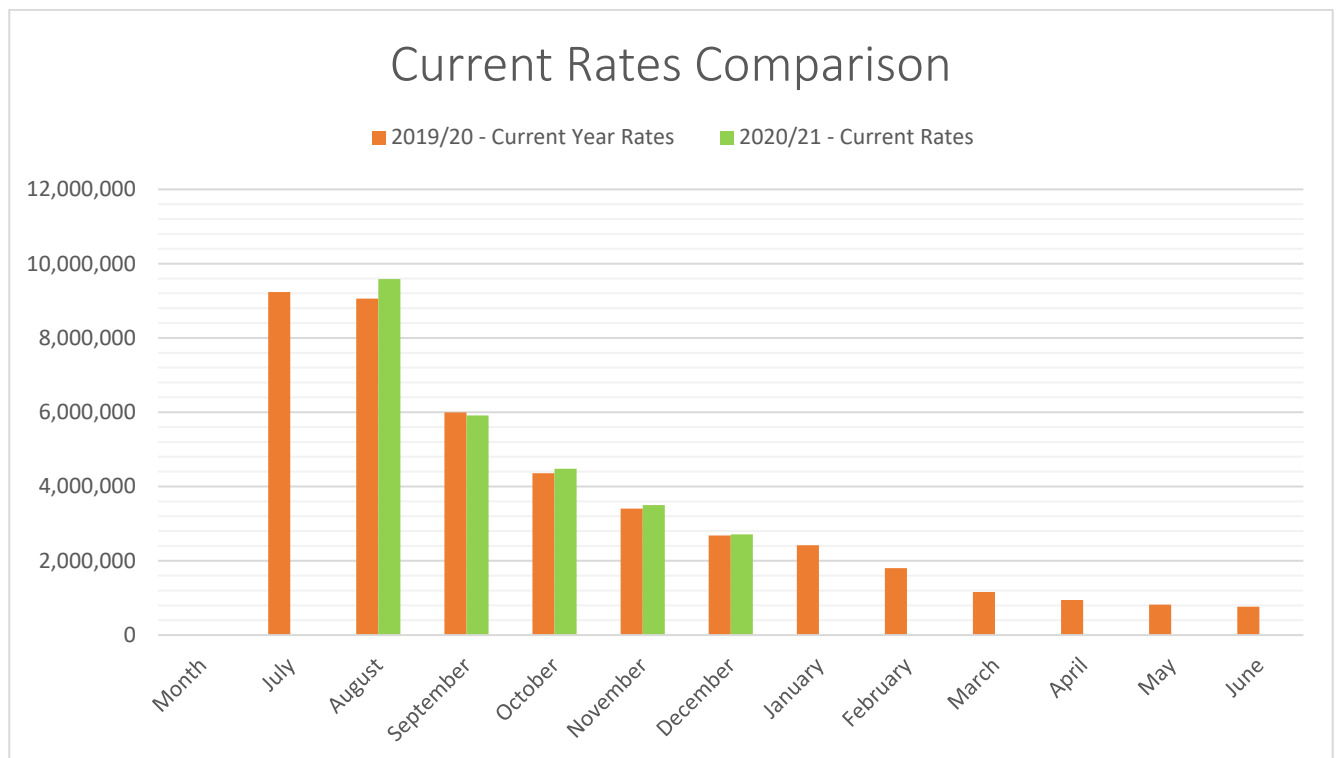
	Beginning 2020/21 Prior Years Outstanding (\$)	Previous Month (November 2020) (\$)	Current Month (December 2020) (\$)	Monthly Variance (\$)
COMMERCIAL	89,301	51,035	53,247	(2,212)
GAS PLANT	30	0	0	0
MINING	107,229	103,126	104,069	(943)
NON-RATEABLE MINING	8,802	9,382	9,456	(74)
NON-RATEABLE WASTE	27,378	27,661	27,911	(250)
PASTORAL	0	0	0	0
RURAL RESIDENTIAL	2,071,264	1,480,145	1,427,216	52,929
URBAN RESIDENTIAL	155,687	144,760	147,613	(2,853)
TOTAL	2,459,691	1,816,109	1,769,512	46,597
Arrears LESS legal		1,586,409	1,540,951	



CURRENT YEAR RATES

The below table illustrates the split of current year outstanding rates:

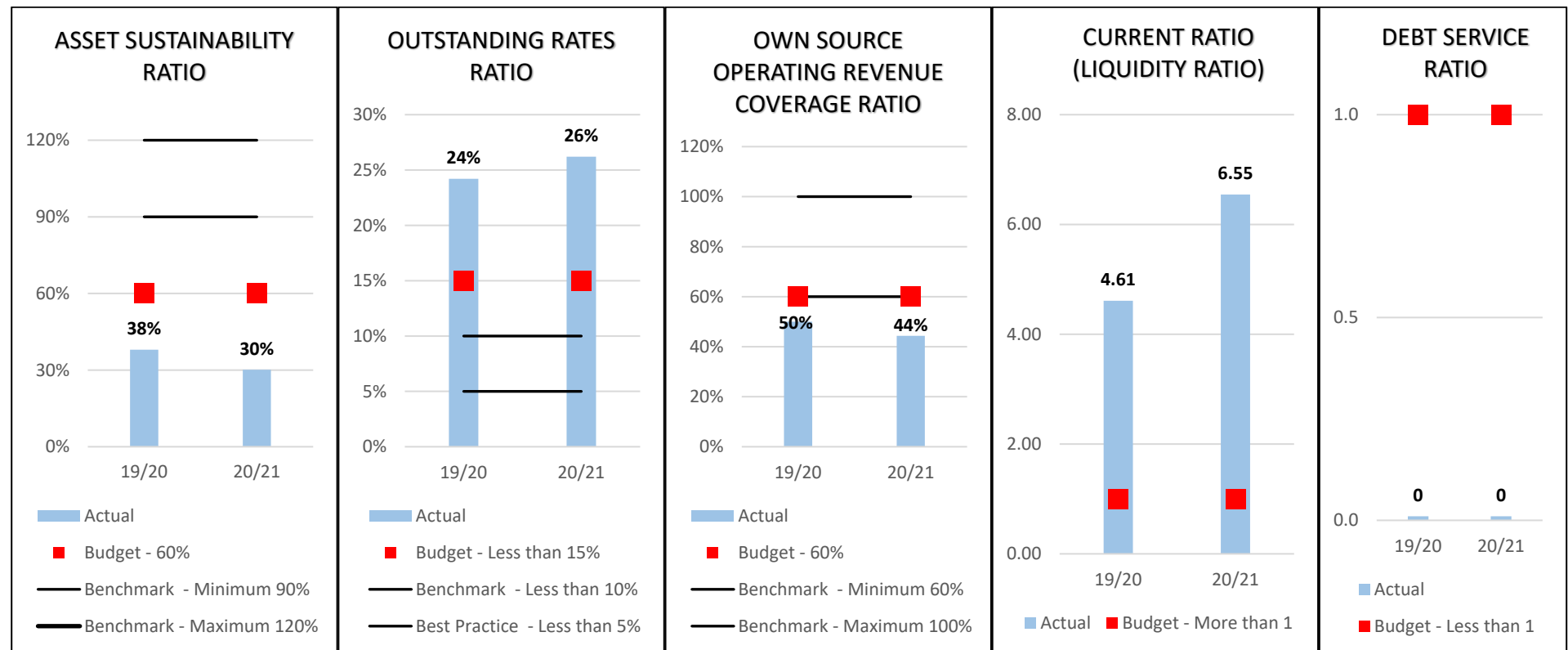
	Previous Month (November 2020) (\$)	Current Month (December 2020) (\$)	Variance (\$)	Due Dates
Instalment 1	517,248	409,578	(107,670)	30 September 2020
Instalment 2	1,235,183	589,227	(645,956)	30 November 2020
Instalment 3	1,749,574	1,612,414	(137,160)	28 February 2021
TOTAL	3,502,005	2,611,219	890,786	



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.



Indicates if Council is replacing or renewing existing assets in a timely manner as the assets are used up.	Identifies if Council is collecting rates and charges in a timely manner and the effectiveness of debt recovery efforts.	This ratio measures the degree to which Council relies on external funding to cover its operational expenses.	Identifies Council's ability to meet its short-term financial commitments as and when they fall due.	Indicates Council's ability to repay loans.
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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 of 30% for the month of December shows a decrease in capital expenditure and fails to meet both the budget of 60% and the local government benchmark of 90%. Council's asset base is currently valued at \$500 million. The current Long-term Financial Plan shows insufficient levels of revenue to fund long-term infrastructure renewal needs of the Council. The risk exists that Council's current levels of revenue will not be sustainable in the long-term to address a growing back-log of infrastructure replacement needs in future.</p>
Outstanding Rates Ratio	<p>In the absence of a local government industry standard benchmark, a 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 25% sees an increase from November's 21% due to the second instalment becoming due and sits unfavourably higher than the maximum budgeted target of 15%. A growing outstanding rates ratio increases liquidity risk and places burden on Council's existing resources. Council will need to manage the risk by prioritising rates debt recovery to see a downward trend in the rates outstanding ratio gradually.</p>
Own Source Revenue Ratio	<p>This ratio indicates Council's ability to pay for its operational expenditure through its own revenue sources**. The higher the ratio the more self-reliant a Council. 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 44% for December 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 7.19 for December 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 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

Thursday 28 January 2021

15 Officers Reports

15.1 Council Leadership & Community Services

- 15.1.1 Municipal Plan 2020-21 Quarterly Performance Report October – December 2020
- 15.1.2 LGANT – Neighbourhood Watch NT Nomination
- 15.1.3 Approach to Regulatory Services
- 15.1.4 Southport Progress Association – Lease for Mira Square
- 15.1.5 Appointment of Committee Member to the Howard Park Management Reserve Committee
- 15.1.6 Humpty Doo Village Green – Management of Reserve
- 15.1.7 Draft Litchfield Sport Recreation and Open Space Strategy

15.2 Business Excellence

- 15.2.1 Work Team Presentation – Finance
- 15.2.2 SCALE Funding Extension
- 15.2.3 People and Performance Monthly Report

15.3 Infrastructure & Operations

- 15.3.1 Summary Planning and Development Report January 2021
- 15.3.2 Selection of Projects for Phase 2 of LRCI and 2020/21 LGPIF Funding

COUNCIL REPORT

Agenda Item Number:	15.1.1
Report Title:	Municipal Plan 2020-21 Quarterly Performance Report October - December 2020
Author & Recommending Officer	Daniel Fletcher, Chief Executive Officer
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

The Municipal Plan 2020-21 Quarterly Performance Report October - December 2020 is presented to Council to highlight the organisation's progress towards implementation of the Municipal Plan.

Recommendation

THAT Council receives the Municipal Plan 2020-21 Quarterly Performance Report for the second quarter ending 31 December 2020.

Background

In accordance with good governance principles this report presents the quarterly performance of the organisation against the 2020-21 Municipal Plan for October - December 2020.

This report directly assesses the performance of the organisation against the set activities within the endorsed Municipal Plan 2020-21. Specifically, the report highlights the Key Performance Indicators and measures the progress against these achieved in the quarter and further presents progress against the 'new initiative' projects.

As the level of reporting matures, the details and commentary within this report will become clearer and more useful and demonstrate more succinctly how the organisation is achieving its outcomes.

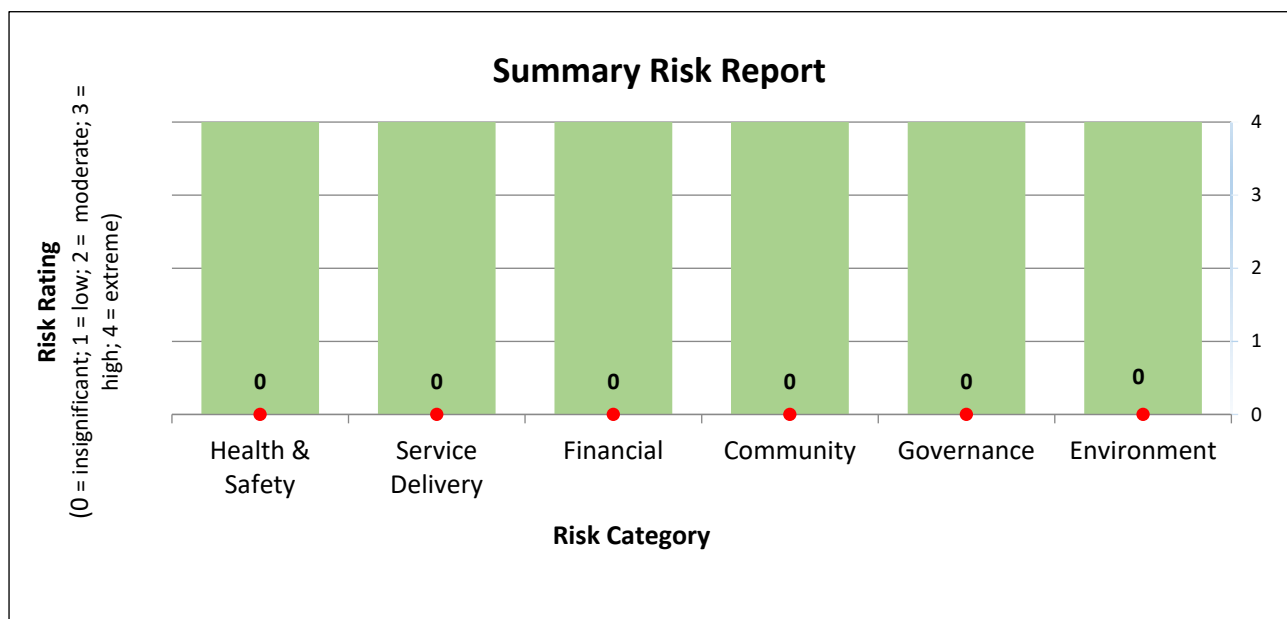
Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

NT Local Government Act (2008)

Risks



Community Engagement

N/A



Quarterly Performance Report

October - December 2020

Quarter 2 Performance Report 2020-21

The Best Place to Live in the Top End

Welcome to the second quarter report for the 2020-21 financial year.

This quarter has seen Council commence significant work under the new Municipal Plan 2020-21 which includes the largest infrastructure and capital works (roads and buildings) program Council has ever undertaken. This is primarily a result of additional funding provided to Council to bring forward capital works projects and stimulate the local economy to assist in rebounding after COVID-19.

The last quarter of Council's performance has been characterised by important capital projects (mostly related to our road re-sealing program and the Strategic Mango Roads project) being both progressed and interrupted with inclement weather – much to the delight of our shallow aquifers though.

Overall, though, our important work at Council continues while COVID-19 rages on.

Many organisations, both public and private, have been forced by circumstance rather than by design to adapt – especially to the new environment of remote working. Litchfield has been no different. We have implemented a new organisational structure which supports both functional and customer service delivery.

It further reinforces our twin goals: (1) to have a high performing organisation and (2) to have staff that enjoy high levels of job satisfaction.

Successfully implementing this new structure is a credit to our organisation's embodiment of two key approaches to our work (1) empowerment and (2) accountability.

Empowerment

Staff are provided the necessary support and resources to fully empower them to deliver the critical services for our community.

Accountability

We have extremely high levels of trust in our staff to produce results in this dynamic environment. As a result, the high levels of self-accountability exhibited by our team has influenced our performance positively.

Our ability to remain effective and efficient will heavily rely on the culture of our organisation and that we understand and resonate with our community.

A progressive and outcomes-focussed model of working is a strength of our diverse organisation. These changes can be attributed to a different leadership style (of the whole management team), one that is focused on outcomes, not on hours spent at your desk. Staff have the trust and are empowered to design their work in alignment with **the 4 R's of local government (Roles, Responsibilities, Relationships, & Results)** to achieve the best outcome for our community. With this new way of working, staff are motivated (and inspiring others) while enhancing our performance capabilities. Furthermore, with this sharpening of our focus we are considered an attractive and flexible employer.

The Christmas holiday period and highly anticipated monsoonal weather has tested our road network. Our team has been responding to a large number of both small and large damage to prioritise and rectify these and quickly as possible.

I want to thank the Mayor, Councillors, staff and community members for swiftly reporting these issues to Council so that they can be addressed.

I continue to be a proud resident of Litchfield which is welcoming, diverse and connected. It is a place where community matters and it certainly is ***'The best place to live in the Top End'***.



Daniel Fletcher
Chief Executive Officer

Leadership & Community Services

Library

Despite COVID-19 requirements to manage numbers within the library by limiting numbers of program participants and utilising larger outdoor areas visitors to the library have remained at an average above four hundred per week this quarter. Contact tracing is facilitated by the library having its own QR code linked to the NT app, Territory Check-in. Facebook continues to be a popular source of information about library activities with new 'likes' being regularly added. Vigorous weeding of outdated resources means 46% of the library collection has been published in the last five years against the Australian Library and Information Association standard of 60%. Borrowing reflects the increased quality of the collection. Story- and Nursery-times continued as well as school holiday programs, Litchfield Lego League and a special Christmas Storytime event. Seniors events included a BeConnected program for increasing digital literacy skills in seniors and a Christmas party.

Community Development

From October to December 2020 ten community grants were awarded through the Annual Community Grants. These were for various projects that will have a positive impact on the Litchfield Community and will be led by community organisations. The projects include new cooking and BBQ equipment for the Southern Districts Football Club to assist their fundraising efforts, support for Darwin Community Arts to continue the successful Cuppa program which connects women through art in Humpty Doo and IT equipment for Veterans Australia NT to support their efforts in supporting Veterans in Litchfield.

During this quarter the Recreation Reserve Management Boards were provided with training for a program called AssetTRAC. This program will provide significant support to the Boards by streamlining asset maintenance and renewals and assistance with budgeting. The program will ensure Council's assets are maintained to an appropriate standard with the funding provided by Council each year.

This quarter also saw the first round of community consultation for the development of the Litchfield Sport, Recreation and Open Space Strategy. This consultation formed the development of the draft Strategy which will be presented at the January Council Meeting for endorsement for public consultation.

This Strategy will provide the framework and guidance necessary to develop sport, recreation and open space for the next decade in Litchfield.

Regulatory services

The rangers joined the new community services department in early December and this gives them a clear focus on their roles in providing a service to the community through the management of the dog population in the municipality so that the quality of life of all residents is enhanced rather than upset through unmanaged dogs. Following a period of staff vacancies and turn over the team is now fully staffed and includes some temporary business support working in the dog registration and abandoned vehicles processing areas. Dealing with the large number of wandering dogs due to properties that are either not adequately fenced or where gates are left open so dogs escape continues to take up a considerable time as does working with people to ensure dogs are registered and microchipped. More education of the community generally is required for people to know that Council's by-laws only cover management of dogs and that animal welfare issues or nuisance caused by livestock, birds and other animals are not handled by Council. The Rangers have also been involved with ongoing actions relating to complaints of public nuisance and community safety and have issued multiple Regulatory Orders to enforce compliance and the removal of hazards that have been stored on Litchfield Council's land.



Card making workshop with Fairy Jill, Taminmin Library, January 2021

Business Excellence

People, Governance and Workplace Health and Safety

Council undertook an organisation wide restructure in the second quarter of the year. The restructure places Litchfield Council in a competitive position by placing emphasis on creating efficiencies within the Organisation to ensure all changes ultimately result in creating value to our community.

Recruitment was another operational focus for the last quarter, this is more relevant as Litchfield Council is set to deliver its largest Capital Works Program. Council’s new Enterprise Agreement was approved by the Fair Work Commission which took effect from 25th September 2020.

When it comes to our Workplace Health and Safety (WHS) initiatives, we cannot over deliver echoing our CEO words ‘Nobody has permission to work in an unsafe way’. WHS awareness, induction, audit, inspection and management review are some key WHS priorities for the next quarter.

In our constant changing business environment and the ‘new normal’ way of life we recognise the need to have an agile method of staff and contractor training. Council will embark upon a new ‘eLearning’ system which will enhance our approach to deliver training to our staff and contractors. The new training system will play a key role in staff training and ensuring compliance with legislative requirements as a result of the proposed changes to the Local Government Act to be ef

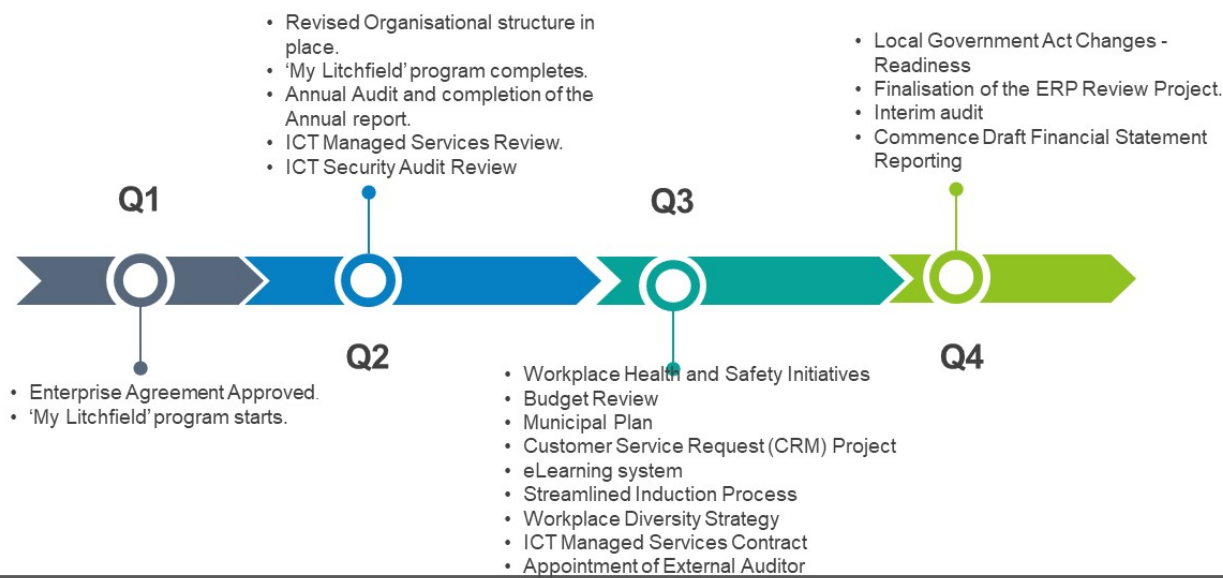
‘My Litchfield’, a partnership between Litchfield Council and the Northern Territory Government to provide economic stimulus to the Litchfield community ended in December 2020. By supporting 52 businesses and more than 5,000 recipients of the grant, a total \$180,000 was provided to commercial businesses to assist our community from the disruption caused by the global pandemic.

Corporate Services

Litchfield Council delivered the Audited Financial statements and the Annual report for 2019-20 in the last quarter. Work began for the Annual Budgets and planning for the Municipal Plan is underway.

Council commenced the Customer Service Request (CRM) project in the last quarter. The project will provide Council officers to measure against key areas of customer service which will be used to drive process and systems improvements in customer service.

Project and Priorities Timeline



Infrastructure & Operations

The overall works program (capital, maintenance and operation) is progressing well notwithstanding rain delays and lack of a full staff complement during this quarter.

Infrastructure and Assets

Some of the highlights during the last quarter are as follows.

- 15 Driveways maintained.
- 50.8 tonne pothole and patching.
- Mango Road Stage 1 – Mocatto, Horsnell and Chibnall roads are up to base level with the last of the seals scheduled for February 2021.
- Mango Road Stage 1 – Kentish Road design is at 90% with stakeholder consultation underway.
- The street light replacement program is substantially complete with the remaining budget used for the installation of an additional streetlight base station to achieve 100% network coverage for street light monitoring purposes.
- The first grading round of unsealed roads is complete.
- Mira Square Stage 1 is complete. The site is fenced and access to the facility will be available end of March when grass is fully established.
- Stage 1 of the reseals program is nearing completion.
- The Blackspot Power Road project safety improvements is in design stage.
- The LRCI Virginia Road rehabilitation project is in design stage.
- The ARRB Video / Laser Road Condition Assessment Survey is 100% complete. We are still awaiting the final data but the analysis of the data received to date is underway. The data will inform a review of the current backlog and the review of the road asset management plan.
- Sealing of NDRRA Brougham Road Reconstruction is complete.
- The Berry Springs Reserve electrical upgrade project is complete.

- Freds Pass recreation reserve main arena lighting upgrade – the construction contract has been awarded and construction has been delayed to late Jan to accommodate users.
- Freds Pass recreation reserve – the market shed fire hydrant system is now complete with application for the building certification being finalised.

Inclement weather has delayed the final segment of the SCALE funded shared paths upgrade with the Smyth Road section nearing completion.

Planning and Development

As customary there are no planning advertisements from end of November 2020 to end January 2021. Consultation related to 320 Arnhem Highway Masterplan Options is planned to begin in the 3rd quarter. Some of the highlights during the last quarter are as follows.

- Securing Crown Lease and Occupation Licence for Mira Square, Southport.
- Announcement of an intended formal campground from NT Land Corporation at Gunn Point.
- Proposed location of battery facilities for Suncable solar project on Channel Island Road.
- No planning advertisements from end of November 2020 to end January 2021.

Mobile Workforce

Some of the highlights during the last quarter are as follows.

- Bushfire management plan adopted with six clearing recommendations and four mitigation burns completed prior to the wet season.
- Weed management plan is well underway with stakeholder and community engagement completed. All excised land parcels have been surveyed prior to the wet season.
- 75% of Councils firebreaks were sprayed prior to becoming too wet. We will be monitoring the remaining prior to April (seeding time) for access opportunities and follow-up spraying on the completed breaks.
- We are on target (as per previous years) with slashing and spraying notwithstanding the

wetter conditions with sunny breaks has promoted quicker growth of vegetation.

- Compliments were received from the Environment Division of the Northern Territory Government Department of Environment and Natural Resources (DENR) staff during meetings on our Gamba eradication efforts.
- MWF team were also complemented by training provider whilst refreshing our Verification of Competency (VOC) on all plant we operate. It was stated that we are a considerate team and very competent with safety and unity in mind.
- The replacement of two RTV buggies with spray units and replacement tractor were finalised and are performing well.

bins placed in the pit will continue. Replacement computer hardware were purchased and installed.

Thorak Cemetery

Some of the highlights during the last quarter are as follows.

- All capital works have been completed.
- Pedestrian crossing line marking and carpark disabled carpark were realigned to Australian standards.
- The installation of two memorial beams.
- Removal of surplus communication tower.
- Installation of interconnection of the Thorak Regional Cemetery's generator to remote monitor.
- Purchase of cemetery truck with delivery scheduled for end Jan and disposal of old truck scheduled for Feb.

Waste

We welcomed the new Resource Recovery Program Leader, James Morgan in December. James brings strong leadership skills and experience which will enhance the proficiencies of the team. We had one incident at the Humpty Doo waste transfer station when a resident fell into the pit and broke her leg in two places. Worksafe attended the scene and a report was submitted with remedial actions included updated signage and work health and safety flyers to be handed out at the gate house. The Humpty Doo waste transfer station was hit by lightning on Boxing Day resulting in compactor failure and failure of computer hardware for networking. Parts for the compactor is on order awaiting delivery. While repair work is underway, manual loading of extra

PROGRESS ON PROGRAM PROFILES



Council Leadership

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Powerful and Effective Advocacy					
Advocacy Submissions to government	Community Survey – Satisfaction with Council's Advocacy Efforts	>60%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 68% of respondents said Council's Advocacy was good or very good.
Represent Council on legislation and other reforms	Community Survey – Satisfaction with Council's Strategic Direction	>55%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 50% of respondents said Council's Strategic Direction was good or very good.
Good Governance					
Elected members training and development Elected Member Support Business Planning and Performance Reporting Framework Council meetings and activities Executive Leadership Reputation Management	Number of Professional Development Sessions	>2 sessions	YES	YES	Q1 - Independent Commission Against Corruption (ICAC) Training - complete 26 November 2020 Q2 - Reading Financial Statements - complete 7 December 2020 Q3 - Meeting Procedures - complete 6 February 2021 Q4 - The Value of Strategic Planning & Thinking - to be confirmed
Modern Service Delivery					
Supporting local businesses	Hold three Litchfield Women in Business Network Events per annum	1	YES	YES	Activating Litchfield Business Week held in October 2020 Planning underway to celebrate International Womens Day in March 2021

Corporate Communications

Engaging our community					
Community Engagement	Community Engagement Strategy actions: Year 3 complete	90%	YES	YES	98% of Year 3 Actions complete. Year 3 evaluation report will be tabled at the February Council Meeting. This KPI is measured annually in the first quarter and refers to the previous financial year.
Annual Community Survey	Community Survey – Overall satisfaction	>60%	YES	YES	The Community Survey results for the 2019/20 financial year showed 56% of respondents said their overall satisfaction with Council was good or very good.
	Community Survey - Community Engagement Satisfaction	>60%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 34% of respondents said Council's Community Engagement was good or very good.

Social Media Management	Increased interaction on Council's Facebook page - post engagement	>8000	YES	YES	This quarter there were 4873 unique people who engaged with the Litchfield Council posts, for example by commenting on, likeing, sharing, or clicking upon particular elements.
Modern Service Delivery					
Media Monitoring and Management	Media response time	<24 hours	YES	YES	Media requests were responded to by the end of the day the enquiry was received.

Human Resources and Work Health and Safety

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Good Governance					
Human Resources Policies, Procedures, Checklists	Reviewed and compliant	Complete	YES	YES	Policies reviewed.
An engaged and productive workforce	Staff turnover rate	<20%	YES	YES	2.7% in quarter 2.
	Staff Survey satisfaction	>70%	YES	YES	72% achieved in Staff Satisfaction Survey conducted in February 2020.
Modern Service Delivery					
Workplace Health and Safety (WHS) Management System, including updated policies and procedures and WHS Manual	Policies, procedures and Manual	Complete	YES	YES	WHS Management Plan developed and contains policy, procedures and a range of management plans to address key components of the Safety Management System.
	Workers Compensation Claims	<3	YES	YES	Nil claims.

Planning and Development

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Powerful and Effective Advocacy					
Submissions to the NT Government	Comments submitted on applications within required time frame	>90%	YES	YES	11 applications were received and 10 were responded to within allocated timeframe.
Participation in NT planning working groups	Attendance at meetings	>75%	YES	YES	Council has attended all planning meetings for Area Plan development.
Modern Service Delivery					
Approval of plans, reports and construction documentation	Plan reviews for building certification issued within 10 works days	>90%	YES	YES	75 building certification plans were reviewed and actioned. 73 within required timeframes and 2 overdue with payment requirements not being met due to Christmas Closure of Council
	Plan and report reviews for development and subdivision issued within 15 working days	>90%	YES	YES	All 11 plans/reports were reviewed and actioned within required timeframes, resulting in a 100% result
	Works Permits issued within 5 days	>90%	YES	YES	All 23 work permit applications were reviewed and actioned within required timeframes
Subdivision approvals and handover processes	Delivered in accordance with standards	Achieved	YES	YES	Council's approval and handover processes have been undertaken in accordance with Council's Standards
New Initiative - Stage 2 - 320 Arnhem Highway Master Plan	Broader community consulted on potential development of Council's property	Completed	YES	YES	Project to be completed by end FY 2020/21

Infrastructure and Assets

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Engaging our community					
Capital Works Program	Affected residents and relevant stakeholders consulted prior to works starting	100%	YES	YES	All stakeholders and affected residents were been consulted prior to works commencing.
Road Maintenance Program	Community Survey : satisfaction with local road maintenance	>65%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 62% of respondents said Council's road maintenance was good or very good.
Drainage Maintenance Program	Community Survey : satisfaction with roadside drainage	>60%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 61% of respondents said Council's roadside drainage was good or very good.
Modern Service Delivery					
Capital Works Program	Programmed works completed within budget	>90%	YES	YES	As reported in Monthly Finance Reports
Grant-funded projects	Five-year program developed - including Road Safety (Black Spot)	Complete	YES	YES	Expected to commence January 2021, once updated road asset data has been received from ARRB
Asset Management Plans	Building, drainage, driveway and fleet asset management plans, including 10-year replacement programs delivered	Complete	YES	YES	Thorak Regional Cemetery – Adopted Roads – Adopted (will be subject to further review once updated asset data is received from ARRB) Plant & Fleet – has commenced, and intend to complete by June 2021 Driveway – Draft underway
Road Maintenance Program	Potholes patched and repaired - customer requested	Reducing trend	YES	YES	Road Treatments are implemented to prevent water and interference to the cracks and underlying pavement layers
	Gravel roads graded	>2 times	YES	YES	First grading round has been completed.
Street Lighting Maintenance	Percentage of network outage from annual night-time audit	<5%	YES	YES	Streetlight replacement project is 100% complete in line with Municipal Plan
Productive Mango Roads Project	Horsnell Road, Mocatto Road, Chibnall Road	Complete	YES	YES	Mango Road Stage 1 - Roads up to Base Level with seal scheduled to be applied by February 2021
New Initiative - Private Roads Policy Agreements	Kentish Road Draft agreements to address the Private Roads Policy developed	Commenced Complete	YES N/A	YES N/A	Detailed design is 90% complete
New Initiative - Climate Action Plan	Development of Plan	Complete	N/A	N/A	Projects discontinued - funding reallocated to myLitchfield program

Mobile Workforce

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Engaging Our Community					
Roadside Maintenance	Community Survey - Satisfaction with Roadside Maintenance	>60%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 62% of respondents said Council's roadside maintenance was good or very good.
Weed Management	Community Survey - Satisfaction with Weed Management	>50%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 35% of respondents said Council's weed management was good or very good.
Modern Service Delivery					
Roadside Maintenance	Volume of litter collected	Reducing Trend	YES	YES	Roads are monitored for litter and serviced as required; 200kg of 15 roads this quarter.
	Vegetation Slashed and Council Roads Mowed	2 rounds	YES	YES	On target as per program plan.
Weed Management	Weeds Managed on Council Roads and Land in accordance with Weed Management Plan	Complete	YES	YES	On target as per program plan.
	Council Firebreaks Maintained	Complete	YES	YES	
Bushfire Management	Firebreaks Widened in accordance with Fire Management Plan	Complete	YES	YES	6 land parcels were mulched to the recommended width as per the 2020-25 BMP
	Hazard Burns Undertaken in Consultation with Other Authorities	Complete	YES	YES	4 land parcels had fuel reduction burns late November as recommended in the 2020-25 BMP
Road Furniture Maintenance	Signs and Guideposts repaired with Target Timeframes	>90% <24 hours urgent 14 days standard	YES	YES	91 signs were replaced or repaired 130 guide-posts installed and 170 straightened
New Initiative - Weed Management Plan	Weed Management Plan developed, support by community education	Complete	YES	YES	Project is well underway; stakeholder and community engagement completed along with the surveys for our main 34 land parcels.
MWF other tasks	Prompt response to various services	>90% <24 hours urgent 7 days standard	YES	YES	3 rounds of traffic counts installed and retrieved. 4 x trees that damaged fences removed and fence repaired, 4 tree over road responded to. Assistance with grounds and building maintenance at 3 reserves.

Waste Management

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Engaging Our Community					
Efficient Operation of Waste Transfer Stations	Community Survey - Satisfaction with Water Transfer Stations	>80%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 83% of respondents said Council's waste transfer stations were good or very good. This KPI is measured annually in the first quarter and refers to the previous financial year.
	Community Survey - Satisfaction with Waste Recycling	>55%	YES	YES	The Community Survey results for the 2019/20 financial year showed 52% of respondents said Council's waste recycling was good or very good.
Community Benefit Fund Income	Income raised through recycling activities including cash for containers	5% annual increase	YES	YES	10.6 Tonnes of Cash for Containers collected to date. November / December data still to be inputted Yr. to date 3305 Tonnes.
Maximise diversion from landfill	Residential waste tonnage transferred to Shoal Bay	<7000 tonnes	YES	YES	Note: HDWTS lightening strike resulted in limited access to reporting. December figures incomplete Yr. to date 532 Tonnes.
	Commercial waste tonnage transferred to Shoal Bay	<1000 tonnes	YES	YES	Note: HDWTS lightening strike resulted in limited access to reporting. December figures incomplete
Cyclone Season Preparation	Free residential green waste disposal in November	Complete	YES	YES	Completed
Modern Service Delivery					
Recycled Materials	Sale of processed materials (mulch, crushed concrete)	>80% sold within six months of processing	YES	YES	Green waste processed at HS and HD WTS in November. All green waste at HD sold prior to end of December 2020. Approximately 20% left for sale at HS 878 Tonnes green waste collected for processing to date
	Volume of green and wood waste processed for resale	>3,500 cubic metres	YES	YES	Note: HDWTS lightening strike resulted in limited access to reporting. December figures incomplete
	Volume of concrete crushed for resale	>500 cubic metres	YES	YES	305 tonnes of construction waste collected to date for processing
Maximise diversion from landfill	Amount of total waste diverted from landfill	>35%	YES	YES	To date 39% of total incoming waste has been diverted from landfill.
	Amount of total waste that is dry recyclables	?15%	YES	YES	To date 16% of waste is dry recyclables.
	Quantity of scrap metal collected and recycled	>1000 tonnes	YES	YES	578 Tonnes of scrap metal processed to date.
	Quantity of cash for containers collected and recycled	>50 tonnes	YES	YES	10.6 Tonnes of Cash for Containers collected to date. November / December data still to be inputted
	Quantity of electronics collected for Techcollect	>40 tonnes	YES	YES	16.5 Tonnes of electronics collected to date.
	Quantity of tyres, batteries and oil collected for recycling	>100 tonnes	YES	YES	46.7 Tonnes of tyres, batteries and oils collected to date

Waste Strategy - Year 3	Landfill closure plans for Howard Springs and Berry Springs Waste Transfer Stations (extends to year 4) prepared	Commenced	YES	YES	Tender documents developed to be released
	Waste education - litter collection campaign and ongoing education relating to waste and recycling delivered	Complete	YES	YES	Data updated
	Business case for dry recyclables received at transfer stations prepared	Complete	YES	YES	Grant application unsuccessful. Other avenues for funding to be explored
	Amenity upgrades at transfer stations (continues year 4 and 5) undertaken	Commenced	YES	YES	Investigating tree planting options at HDWTS to assist with wind breaks and improve amenity.
New Initiative - Berry Springs Waste Transfer Station Review	Berry Springs Waste Transfer Station licensing opportunities reviewed	Complete	YES	YES	Landfill closure plans in development. Opportunities to be explored

Regulatory Services

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Engaging Our Community					
Regulatory Services	Community Survey - satisfaction with animal management	>50%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 43% of respondents said Council's Animal Management was good or very good.
Responsible dog ownership	Number of registered dogs increased	>10%	YES	YES	There is a total of 2766 registered dogs. 33% increase from last quarter.
	Number impounded dogs reclaimed by owner	>70%	NO	YES	Of the 80 dogs impounded, 49 were released to their owner, which equates to 61%
	Number of registered dogs de-sexed	>70%	YES	YES	There are 2680 registered desexed dogs which is 96% of all registered dogs.
Animal Management Plan - Year 2	Attendance at community events	2+ events attended	YES	YES	All year two awareness events will be conducted in quarters three and four.
	Dog Awareness Program delivered at schools and childcare	6+ visits	YES	YES	All year two awareness events will be conducted in quarters three and four.
	Dogs Day Out event (or similar) delivered, targeting improved awareness, increase registration, general pet owner education	1 event	YES	YES	All year two awareness events will be conducted in quarters three and four.
	Education marketing / education campaign delivered with neighbouring councils	Complete	N/A	YES	TV commercial coordinated by TOPROC and featuring reciprocal registration has been completed.
Modern Service Delivery					
Regulatory Services	Investigations completed within 14 works days	>90%	YES	YES	Compliance achieved.
	Customer requests actioned in less than two working days	>90%	YES	YES	Compliance achieved.
Abandoned vehicles (roadside)	Vehicles removed within seven days of being reported	100%	NO	YES	Not removed within 7 days due to staff availability.
	Dedicated dog management information provided on website and social media page	Complete	YES	YES	Impounded dogs posted on Council's Facebook page and website.
Animal Management Plan - Year 2	Number of Desexing Vouchers redeemed	>60 vouchers	N/A	N/A	Desexing initiative planned for 3rd quarter.
	Number of dogs microchipped through Council's low cost / free program)	>200 dogs microchipped	N/A	N/A	Microchipping initiative planned for 3rd quarter.
	Dog training supported and incentivised through Good Dog initiative	Complete	YES	YES	Completed.

Community Development

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Engaging our community					
Council partnership and support grants	Number of partnerships supported	10	YES	YES	Eleven community organisations have been supported by the Community Grant Scheme.
Servicing community needs at reserves	Funding provided to community reserves	Funding agreements established	YES	YES	Funding has been provided to the Recreation Reserves in line with the Municipal Plan. Funding Agreements are in development with Management Boards
New Initiative - Management software for Council's assets on recreation reserves	Software and training provided to recreation reserve management committees	Completed	YES	YES	Training for Recreation Reserve Management Boards complete, with ongoing support provided to each Board.
Good governance					
Grant applications	Grants received by Council acquitted within agreed timeframes	100%	YES	YES	Extension was issued for the SCALE funding as per guidelines. No acquittals completed this quarter.
Governance and support for Council's seven recreation reserves	Community Survey - satisfaction with recreation reserves	>65	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 79% of respondents said Council's recreation reserves were good or very good.
Modern service delivery					
Annual Community Grants Program initiatives	Number of community events and programs supported	10	YES	YES	Eleven community organisations have been supported by the Community Grant Scheme.
Represent and advocate for the needs of young people in Litchfield	Participation in Palmerston and Rural Youth Services meeting	Maintain an active membership	YES	YES	Two PARYS meetings attended this quarter.
Australia Day Event	Community participation	>300	YES	YES	Event is planned for 26 January 2021.
Playground Inspection Program	Playgrounds on Council-owned land audited	100%	YES	YES	Audits are due in March 2021.
Tree Management Plan	Audits undertaken in line with plan	100%	YES	YES	A level one inspection has been carried out throughout all high risk areas.
Annual Art Exhibition	Level of community participation	>55 entries	YES	YES	Art Exhibition is scheduled for 6-8 March 2021, planning is underway.
New Initiative - Recreation Reserve Master Plan	10-year strategic plan for recreation reserves developed	Completed	YES	YES	Draft of Strategy has been received to be endorsed for public consultation at the January 2021 Council Meeting.

Finance

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Good Governance					
Annual Budget / annual Report Municipal Plan	Compliance with management, statutory and regulatory budgeting and reporting	100%	YES	YES	2020/21 Budget Review planned for February 2021/22 Budget workshop 1 completed. Workshop 2 scheduled 30/01/2021
	Unqualified audit	Complete	YES	YES	Audit for 2019/20 complete. Report on Management notes to be presented to Risk Management & Audit Committee in February
Monthly and annual financial reporting, including annual audit and forecasting	Liquidity ratio	1:01	6.55:1	YES	Above Local Government benchmark
	Asset sustainability ratio	>60%	30%	NO	Inline with council's Long Term Financial Plan, Council have not budgeted to achieve target. Budget workshops will include discussion on initiatives to move toward target.
	Current ratio	>1	6.55	YES	Above Local Government benchmark
	Debt service ratio	>1	0%	YES	Council has no debt.
Long term rating strategy	Own-source revenue ratio increased, to lower Council's dependency on government grants and other funding sources	>60%	44%	NO	Inline with council's Long Term Financial Plan, Council have not budgeted to achieve target.
Investments	Compliance with policy and statutory requirements, reported monthly	100%	100%	YES	All investments have been placed inline with council policy an legislation.
Modern Service Delivery					
Rates and accounts receivable collection	Volume of rates and annual charges outstanding	<15%	NO	YES	26% of 2020/21 rates remain outstanding. This is expected to reduce when final instalment become due at the end of February \$1.77m in prior year rates remain outstanding. This is expected to reduce as FY2019/20 outstanding rates have just been sent to debt collectors (delayed due to Covid).
Front counter customer service	Community Survey – satisfaction in customer service	>60%	YES	YES	This KPI is measured annually in the first quarter and refers to the previous financial year. The Community Survey results for the 2019/20 financial year showed 46% of respondents said Council's customer service was good or very good.

Information Technology

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Modern Service Delivery					
Information and communications technology (ICT) managed service contract management	Percentage of Service Desk requested closed	90%	YES	YES	Lodged requests this quarter 123 Requests open as of 01/01/2021 6 Achieved KPI 95.1%
Corporate Enterprise Solution (CES) software	CES updated with the latest version (patch) available nationally	No more than 1 Patch behind latest version	YES	YES	Council is currently up to date with all patches and this service is monitored by ICT staff through the managed ICT services contractor.
Information and Communications Technology Improvement Plan	Annual actions completed	100%	YES	YES	Assessment of Strategic Framework underway in line with ICT Improvement Plan.
Geographical Information System (GIS)	Age of GIS imagery of populated areas	<1 year	YES	YES	New imagery contract started in September 2020. Next image update expected in May/June 2021.
	Age of NTG downloaded data	<1 week	YES	YES	Data downloaded weekly.

Governance and Risk

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Good Governance					
Local Government Act 2008 compliance	Compliance with legislative requirements of the Department of Local Government, Housing and Community Development Compliance Checklist	100%	YES	YES	All policies compliant.
Policy framework	Council policies reviewed before due date	>90%	YES	YES	One Council policy (FIN10) currently outstanding, update is in progress.
Modern Service Delivery					
Elected members support	Complaints upheld Breaches of the code of conduct by elected members	0	YES	YES	No complaint or of breach of conduct notices received over the quarter.
Risk Management Audit Committee	Number of Risk Management Audit Committee (RMAC) meetings held	4	YES	YES	Meeting held 22 October 2020 with an additional meeting held on 27 October 2020 following finalisation of annual financial audit. Next meeting scheduled for 23 February 2021.
Records managements review and improvements	Volume of records held in storage reduced	By 10%	YES	YES	Project for records disposal scheduled for second half of the financial year.
Annual Internal Audit Plan	Internal audits conducted in line with RMAC recommendations	100%	YES	YES	Internal Audit Plan is expected to be modified and will need to go to the Risk Management Audit Committee (RMAC) in February. Scopes can be developed following acceptance from RMAC.

Library Services

Key Outputs	Measures	Targets	On Time/Target	On Budget	Status Commentary
Engaging Our Community					
Visitors to the library	Weekly door count	>400	YES	N/A	Average of 431 visitors per week for this quarter. With last quarter's average of 462 bringing the financial year's average to 446 at the halfway point. This is higher than anticipated since the library is limiting numbers to programs and events and holding events in larger outdoor areas to minimise COVID-19 risk, hence the expectation of less foot traffic in the library.
Promotion of services	Interaction with Library Facebook page	650 likes of Facebook page	YES	N/A	The library Facebook page has 742 likes. Last financial year, the library was given a KPI of 500 which was exceeded greatly. The total "likes" for this quarter totalled 25, totalling a rise of 52 "likes" so far this financial year.
Good Governance					
Shared Service Governance Framework	Governance framework developed	Completed	YES	YES	Works to commence in second quarter.
Modern Service Delivery					
Collection Improvements	Number of Annual Returns	>15,800	YES	N/A	3,925 loans for this quarter. The total loans so far for this financial year are 8,045.
	Age of collection % of collection published in the past five years	>40%	YES	YES	46% of the collection has been published in the past 5 years. This has increased from 41% in the previous quarter. This is a continuous effort to reach the standard set by the Australian Library and Information Association that 60% of the collection being published in the past 5 years. The library is achieving this by vigorous weeding of outdated resources and concentrating on purchasing new releases.
Program delivery	Program participation each year	>3200	YES	YES	There were 564 attendees to library programs this quarter, which includes school holiday programs, Litchfield Lego League, Story and Nursery time and seniors events. The total attendees for library programs this financial year is at 1456. Programs delivered within budget.
Library events	Events delivered	>3	YES	YES	During this quarter the library held a Be Connected event for increasing digital literacy skills to seniors and a Christmas Storytime event. Programs delivered within budget.



COUNCIL REPORT

Agenda Item Number:	15.1.2
Report Title:	LGANT – Neighbourhood Watch NT Nomination
Author & Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	28/01/2021
Attachments:	A : NHWNT Board Member Position Description B : Template Nomination Form C : Procedures for LGANT Representatives on Committees

Executive Summary

The Local Government Association Northern Territory (LGANT) is calling for nominations to represent LGANT on Neighbourhood Watch NT. This position is open to elected members and council officers.

This report is presented to determine if a Councillor within Litchfield Council would be interested in representing LGANT on Neighbourhood Watch NT.

Recommendation

THAT Council advise the Local Government Association of the Northern Territory that Councillor ... be nominated to represent LGANT on Neighbourhood Watch NT.

Background

The goal of this board is to empower people to take responsibility for their own personal safety while encouraging them to participate with and support the Northern Territory Police in the prevention of crime and promotion of community safety.

Board meetings typically occur on the second Thursday of each month (although are only required to facilitate 6 meetings annually). These meetings start at 5:30pm and are usually held in the Northlakes MLA community room, although all meetings are accessible via zoom.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Nil

Risks



Community Engagement

N/A

Position Title	Volunteer Ordinary Board members Neighbourhood Watch NT
Location	Northern Territory
Primary Objective	Ordinary Board members are required to be active participants in the organisation to support NHWNT to provide crime prevention strategies to the community. Board members represent the organisation, regular members and volunteers across the NT. A board member is required to participate in Board meetings and be part of relevant sub-committees when required. A board member must also ensure that NHWNT is compliant under the Constitution and legislation (Act and regulations).
Key responsibilities	<ul style="list-style-type: none"> • Be well informed about all the organisation activities • Attend and participate in all Board meetings , including the AGM • Provide agenda items (if relevant and when called for) • Be prepared for Board meeting by reading all Board papers before attending the meetings to allow for active discussion. These include (not limited to): <ul style="list-style-type: none"> ○ Agendas ○ Minutes ○ Reports ○ Papers ○ Financials • Attend all meetings in line with the constitution and at the meetings: <ul style="list-style-type: none"> ○ be interested and involved ○ participate fully ○ listen to others ○ clarify points ○ consider ideas carefully ○ voice concerns / opinions ○ act in the best interest of the organisation • Board members may also be called upon to: <ul style="list-style-type: none"> ○ fill executive committee casual vacancies that may arise ○ perform specific tasks for the organisation ○ sit on sub committees. • Work with and support the employees of NHWNT inc Police positions to meet the strategic directions of the organisation

LOCAL GOVERNMENT ASSOCIATION OF THE
NORTHERN TERRITORY

NOMINATION FORM

NEIGHBOURHOOD WATCH NT BOARD



COUNCIL NAME:

1. Agreement to be nominated

I, _____ agree to be nominated as a member of the
(full name)

NEIGHBOURHOOD WATCH NT BOARD.

Signature: _____ Date: _____

2. Council Confirmation of Nomination

I, _____ the Chief Executive Officer

hereby confirm that _____

was approved by resolution of Council to be nominated as a member of the
NEIGHBOURHOOD WATCH NT BOARD at a meeting held on / /2021.

Signature: _____ Date: _____

3. Nominee's Contact Details

Email address: _____

Phone No: _____

4. Nominee Information

The following information is required to enable the Executive to make an informed decision. If you want to submit further information please attach it to this form.

4.1 What is your current council position? _____

4.2 How long have you held your current council position? _____

4.3 Please list your educational qualifications:

4.4 What experience do you have that is relevant to this committee?

4.6 Apart from your current position what other experience have you had in local government?

5. You agree to supply the Executive with a report on the committee meetings you attend?

I agree ☐ I Disagree ☐

6. Have you read and agree to the Outside Committee procedures

Yes ☐

LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY



PROCEDURES FOR LGANT REPRESENTATIVES ON COMMITTEES

LGANT representatives on committees are required to provide the Association with regular reports and an annual report for its Annual General Meeting in November of each year.

The Association also requires the minutes of each meeting attended to be emailed to the CEO's Personal Assistant, elaine.mcleod@lgant.asn.au.

Representatives are required to supply the Association with contact details such as mobile phone number, email address, postal address and the council they are a member of.

The Association will supply information to nominees of committees, including their Terms of Reference.

If a LGANT representative resigns from a committee, he/she is requested to inform the Association in writing, by letter or email, so that an alternative representative can be nominated to the committee.

The Association may remove its endorsement of a representative on a committee if that representative fails to deliver regular reports or misses meetings without just cause. It would then be up to the committee to decide whether or not the representative remains on that committee if the representative is without LGANT endorsement.



COUNCIL REPORT

Agenda Item Number:	15.1.3
Report Title:	Approach to Regulatory Services
Recommending Officer:	Diana Leeder, Acting Executive Manager Community Services
Meeting Date:	28/01/2021
Attachments:	A: Policy approach to Regulatory Services

Executive Summary

The purpose of this report is to present for Councillors' consideration the current approach to the Regulatory Services activities of animal management and removal of abandoned vehicles.

Recommendation

THAT Council:

1. receive and note the report on the Approach to Regulatory Services; and
2. adopt the points listed below as the preferred approach to Regulatory Services –
 - focus on dog management through the implementation of the Animal Management Plan and the enforcement of the Litchfield (animal Management) By-laws;
 - development of an enforcement policy for adoption by Council, as outlined in the Animal Management Plan, and increase enforcement, to deter non-compliance and encourage responsible dog ownership;
 - employment of a temporary Business Support (Animal Management) Officer as a trial 12-month project, funded through registration revenue generation;
 - for animals other than dogs, continue to provide residents with information about appropriate other avenues including civil action and not commence issuing regulatory orders for animal nuisance, due to the time and resource commitment involved to achieve limited success;
 - extend the time frame for removal of abandoned vehicles by Council staff to 14 days to manage community expectations and staff availability; and
 - Consider including the provision of microchipping in standard registration fees for a dog when determining the 2021/22 fees and charges.

Background

Council introduced dog management by-laws in 2017 to regulate domestic dogs and protect the safety and amenity of the community and commenced requiring dogs housed within the municipality to be registered. In 2019 the Animal Management Plan 2019 – 2023 was adopted outlining Council's role and level of responsibility in animal management. Together with the by-laws, the four-year plan provides Council with the strategic framework to effectively manage the number of domestic dogs within the community. It outlines the programs, services and strategies Council intends to pursue over the four-year period to ensure residents are aware of Council's Dog Management By-laws and encourage compliance.

The Animal Management Plan actions and by-law enforcement are undertaken by Council's Regulatory Services Team. In addition to animal management, team members deal with abandoned vehicles under the NT Traffic Regulations and assist in administering Regulatory Orders under the Local Government Act. No after hours or weekend services are undertaken, and weekend pound management is by a contractor when required.

Current Approach

Dogs

In line with the focus on community education and encouragement of compliance in year one of the Animal Management Plan, Council's Regulatory Services team's approach leans more to a focus on education than enforcement. The Animal Management Plan recognises the need to be proactive in compliance and enforcement of the Dog Management By-laws however, the enforcement policy identified as an action in year 1 of the Plan has not yet been developed due to staff turnover at the senior level.

In the second year of the Plan this approach of leaning more to education and less to focussing on enforcement has not been effective to deter reoffending and generally does not encourage voluntary compliance and responsible dog ownership. Without effective follow up and enforcement, registration of dogs within the municipality in 2019/20 was down by 16% on the previous year.

Other animals

For animals other than dogs the Animal Management Plan contains information about management of wild dogs, feral and unowned cats and horses, buffalo, pigs and other livestock.

Recently, Council has received several complaints of numerous peacocks on properties causing nuisance to the neighbouring residents and complaints related to odour from pigs, as well as the number of various animals on properties.

The 2020 changes to the NT Planning Scheme have removed regulation of domestic livestock from the NT Planning Scheme, with interim arrangements in place with NT Planning until 30 July 2022 to enable local government authorities time to determine policies for management of domestic livestock within their municipalities. This has led to residents being erroneously advised that Council is now responsible for dealing with such complaints.

Council has the authority to regulate nuisance animals, but not a requirement to do so, by issuing a regulatory order under the Local Government Act.

The Regulatory Services team does not recommend regulatory orders and any complaints for animals other than dogs are handled through the provision of information to residents on options available, due to the large time commitment and associated costs involved in the investigation and enforcement of regulatory orders.

Abandoned vehicles

Vehicles identified as having been left on the roadside for more than 24 hours are checked to see if the vehicle is registered, stickered in case the owners return and if the vehicle is not removed within the required timeframe a towing company is contracted to remove the car to Council's impound lot. While currently the KPI for removal of the vehicle is seven (7) days once reported, as dog/human interactions are given higher priority this target is often missed and should be revisited to reflect a more realistic time frame.

Council has the authority to issue infringements for other traffic violations, such as parking on yellow lines or parking on Council's road verges but neither the demonstrated demand nor the resources to undertake such regulation is currently available.

Resourcing

The Regulatory Services team comprises a Regulatory Services Program Leader and two Rangers, with a trainee to be recruited in the new year. Shared administrative assistance is provided. The team sits within the Community Services Department and reports to the Manager Community Services. The team struggles to meet all requests for customer assistance in a timely manner and to enforce the requirements for dog registration. Some of this is attributable to the large amount of work associated with an on-going regulatory order matter. Additionally, the geographic nature of the municipality adds additional time to routine work than is required for similar tasks in highly urban areas.

Staff have not been enforcing dog registration requirements but relying on voluntary compliance. The lack of follow up of dogs that were registered last year but not this year, as well as unregistered dogs found in the municipality during the normal course of business, has meant a reduction in registration of dogs. As of June 2020, Council had 1999 registered dogs, a decrease from the 3164 dogs registered in 2018-19. It is estimated that there could be up to 4000 unregistered dogs in the municipality.

A temporary staff member has been employed to follow up dog registration renewals. This work involves phoning individuals whose dogs were previously registered but who have not renewed the registration. As a result, the dog register has been updated in terms of dogs relocated out of the municipality, dogs that have passed away, outstanding registration fees and current owner details. The additional revenue from dog registrations has more than offset the cost of the employee. In the first eight weeks of employment the cost was \$14,883 and the registration revenue \$20,365, with 519 dogs being registered during this period.

Employing an officer as a Business Support (Animal Management) officer to take responsibility for registration follow up and enforcement, advice on containment and similar activities could be funded from dog registration and enforcement and free the rangers to undertake animal education, investigation and action on attack, menace and at large complaints, property inspections and impounding. Increasing the number of dogs registered will enable first time wandering registered dogs to be returned to owners without incurring impounding fees. Council's view on a trial twelve-month project to employ such an officer funded through revenue generation is sought. Reviewing the registration fee structure to include micro-chipping within the base registration fee rather than as an additional cost would also assist in increasing registration of dogs.

The trainee to be employed from early 2021 will undergo the relevant level certificate in government business administration and be trained in managing customer requests as well as receiving on the job training with an experienced ranger to improve knowledge and understanding of the by-laws.

Links with Strategic Plan

A Great Place to Live - Recreation
A Beautiful Safe Natural Environment - Animals and Wildlife
A Well-Run Council - Good Governance
A Well-Run Council - Modern Service Delivery

Legislative and Policy Implications

Council's adopted Animal Management Plan includes development of an enforcement policy to provide consistency, transparency, procedural fairness and ensure that actions are proportionate to the alleged offences. This is yet to be developed and is an immediate priority. This is in line with recommendations from the Ombudsman's Office.

Risks



There are resource and financial costs associated with all approaches however the recommended actions can be met from within existing resources, with the exception of the registration follow up actions which could be funded through registration revenue.

For all noted risks above, the approach that Council selects for the management of the Regulatory Services activities may influence the level of those risks

Health and Safety

The presence of uncontained, potentially dangerous and dangerous dogs in the municipality is a risk to the community.

Service Delivery

Different avenues of approach will affect the ability of current staffing levels to undertake the services noted. Service delivery is linked to staffing resources and funding.

Financial

While enhancing the service delivery will require additional staffing resources, these costs are expected to be somewhat offset by the additional revenue gained, primarily through enforcement of registration and including some infringement notices.

Community Engagement

The Litchfield Council 2020 Community Survey Report indicates that only 43% of respondents are satisfied that Council is very good or good in animal management and that animal management ranks 8th out of 10 noted Council services. Changes to enforcement and education approaches may influence future community perceptions of Council's animal management.

EDUCATION

ENFORCEMENT



POLICY POSITION	EXPLANATION	RISK/S				COMMENTS
STRONG EDUCATE:	No enforcement opportunities, pure approach is to educate the community on responsible pet ownership and compliance with regulations.		Low	Medium	High	Year 1 of dog management by-laws; voluntary compliance
		Compliance				
		Registrations				
		Infringement				
		Revenue				
MODERATE EDUCATE:	Enforcement options only utilised with deliberate non-compliant community members. Focus remains on educating and supporting the community.		Low	Medium	High	Year 1 of Animal Management Plan – limited voluntary compliance with by-laws leading to inequity between those renewing registration and those ignoring requirement.
		Compliance				
		Registrations				
		Infringement				
		Revenue				
BALANCED:	Balanced approach towards both education and enforcement.		Low	Medium	High	The ideal approach once community acceptance of by-laws and understanding of community benefits of registration is more widespread.
		Compliance				
		Registrations				
		Infringement				
		Revenue				
BALANCED APPROACH NOT RECOMMENDED – CREATES TOO MUCH INCONSISTECY FOR THE COMMUNITY AND STAFF						
MODERATE ENFORCEMENT:	Education approach taken with community members genuinely accepting their errors on first occasions. No discretion towards repeat offenders		Low	Medium	High	Desirable approach to deal with current level of recalcitrance; eg. Warning for minor non-compliance but follow up of registration requirements as courtesy with failure to comply leading to infringement (which could be withdrawn if dog(s) registered within seven days of infringement, for example)
		Compliance				
		Registrations				
		Infringement				
		Revenue				
STRONG ENFORCEMENT:	Zero tolerance for non-compliance. Hard and fast enforcement approach.		Low	Medium	High	Appropriate for dog attack/dangerous dog containment offences and repeat offenders
		Compliance				
		Registrations				
		Infringement				
		Revenue				



COUNCIL REPORT

Agenda Item Number:	15.1.4
Report Title:	Southport Progress Association – Lease for Mira Square
Author:	Jessica Watts, Community Development Program Leader
Recommending Officer:	Diana Leeder, Acting Executive Manager Community Services
Meeting Date:	28/01/2021
Attachments:	A: Draft Lease

Executive Summary

This report presents for Council's information the draft lease with Southport Progress Association (SPA) for Mira Square and requests authorisation for the signing of the lease agreement.

Recommendation

THAT Council:

1. receive and note this report; and
2. authorise the application of the common seal to the lease with Southport Progress Association for Mira Square, as shown in Attachment A to this report, and the signing by the Mayor and the Chief Executive Officer.

Background

Council has been working with the NT Crown Land Estate over a number of years to obtain a lease over an 8,000m² portion of Mira Square in Southport to provide a community gathering/recreation space for Southport residents. This lease was signed by Council at the Special Council Meeting on 2 December 2020.

Council has been in discussion with the Southport Progress Association (SPA) to formalise a lease agreement (Attachment A). These discussions are in the final stages. This lease agreement, with minor changes made at the request of SPA, is the same as the lease for:

- Berry Springs Recreation Reserve;
- Livingstone Recreation Reserve; and
- McMinns Lagoon Recreation Reserve,

These recreation reserve leases were signed under resolution from Council and by the Mayor and Chief Executive Officer. It is intended this lease will follow the same procedure.

The standard recreation reserve lease outlines responsibilities for both parties (Recreation Reserve Management Committee/User Group and Council) and links to a Funding Agreement. The Funding Agreement provides a basis for the amount of funding provided (e.g. calculation of annual increments) and requirements linked with it (e.g. reporting requirements). The Funding Agreement will give certainty to the SPA about future funding and will allow Council to withhold funds in case of breaches to the Funding Agreement.

Below is a summary of key elements of the draft lease:

Term

Ten (10) years with option of extension for a further three (3) years and a second extension of a further two (2) years thereafter.

Maintenance – responsibilities of the tenant

- Maintain premises to a standard;
- Keep clean and sanitary;
- Comply with any direction given by the owner (Council);
- Promptly replace worn or damaged items;
- Maintain playgrounds and sporting grounds fit for purpose; and
- Must not alter or add to premises without prior written consent of Council.

Signs

- Tenant must obtain written consent from owner before erecting any signs, notices or advertisement; and
- All signs installed in a proper and workmanlike manner.

Tenant's Works

- Tenant must ensure all works undertaken are completed:
 - o in a proper and workmanlike manner;
 - o in accordance with Owner's directions;
 - o in accordance with laws; and
 - o by a contractor holding insurance for the risks.

Owner's Access to the Premises

- Tenant must permit the Owner at all reasonable times but on reasonable notice to:
 - o enter on and view condition of the premises; and
 - o rectify at the Tenant's expense any works under the lease the Tenant failed to undertake.

Tenant's Positive Obligations at its own expense

- Comply with the Tenant's constitution;
- Prior to obtaining any licence, approval permit or consent from any Authority obtain prior consent from Owner (e.g. Liquor licence);
- Comply in time with all laws and requirements of Authorities;
- Put up signs prohibiting smoking if required by the Owner;
- Secure premises when unoccupied;
- Comply with all rules and regulations of the Owner;
- Supply the Owner with its annual financial reports and minutes of general meetings within two weeks of being issued;
- Provide a report of activities for the previous financial year by the 31 July each year;
- Report any tree risk or faults; and
- Undertake all actions to satisfy the Owner's tree management plan.

Tenant's Negative Obligations – Tenant Must not

- Smoke in buildings;
- Do anything in or around the Premises which in the Owner's reasonable opinion may be annoying, dangerous or offensive;
- Install or operate vending or amusement machines;
- Hold auction, bankrupt or fire sales in the premises;
- Keep an animal or bird on the premises (except where required for the Permitted Use);
- Cease to be a not for profit organisation during the term; and
- Operate a musical instrument, radio, television, flashing lights or other equipment that can be heard or (in the case of flashing lights) seen from outside the Premises (without the consent of the Owner).

Owner's additional rights

- May carry out work on the land or limit access to or close premises;
- Exclude or remove any person or property from the land;
- Permit functions, displays or other activities on the land;
- Undertake the owner's tree management plan;
- Alter, extend or undertake construction on the land or in relation to any building on the land; and
- If there is an emergency the owner may stop the Tenant from entering the premises.

Following the formalisation of a lease agreement it is intended discussions will commence on a funding agreement with SPA to commence in the 2021/22 financial year.

Resource and financial implications

At the Council meeting of 20 April 2016 Council resolved to allocate \$20,000 in seed funding to the SPA and it is expected this will be provided.

The lease agreement states that a funding agreement will be in place with the lessee. As with the other independently managed Recreation Reserves this funding agreement will outline Council's commitment to provide funding to the Associations to continue to manage the site on behalf of Council.

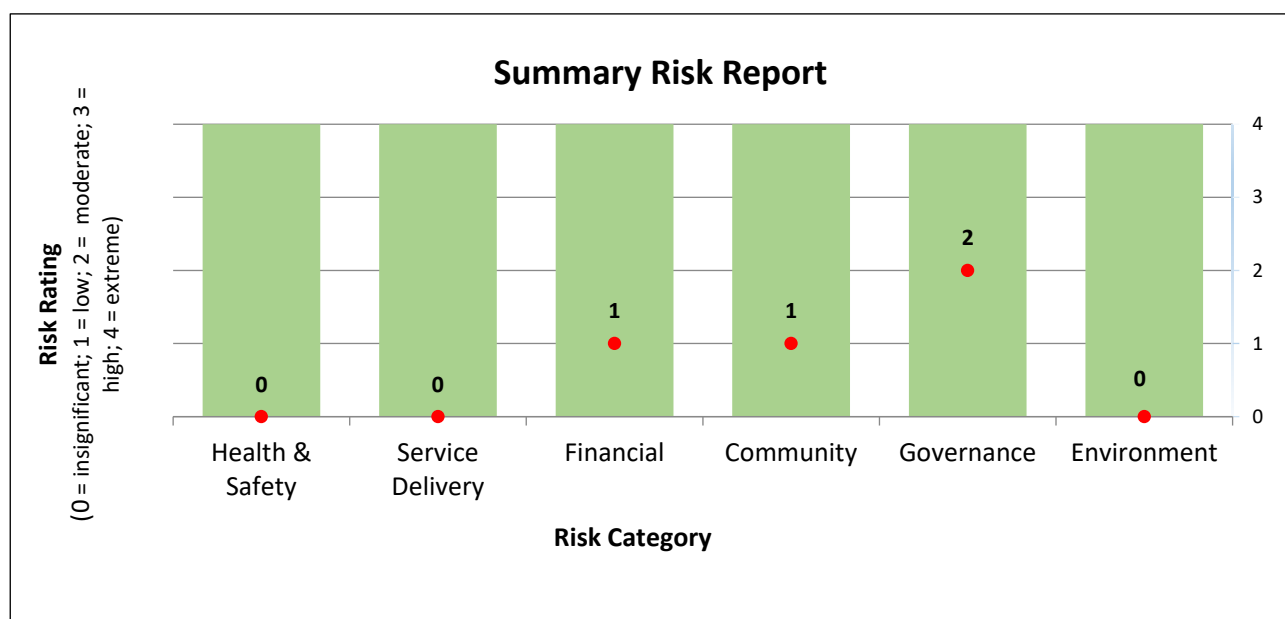
Links with Strategic Plan

A Great Place to Live - Recreation

Legislative and Policy Implications

Council has no policies relating to this matter.

Risks



Financial

The increase in expenditure to the Recreation Reserves will need to be considered for the 2021/22 financial year.

Community

Should Council not proceed with a lease for Mira Square with the SPA this could result in a negative impact for Council's reputation as this is the final step in a series of long-term negotiations with both SPA and Crown Land.

Governance

This lease sufficiently addresses Council's legal risk when it comes to management and maintenance of a public asset and delivery of public service to the community.

Community Engagement

Council has worked closely with the SPA over a number of years to progress this project and will continue to do so as development projects are planned for the site.



Lease

Litchfield Council

(Owner)

and

Southport Progress Association Incorporated

(Tenant)

DRAFT

Table of contents

1.	Definitions and interpretation clauses	2
1.1	Definitions	2
1.2	Rules Of Construction	4
2.	Grant of Lease	5
3.	Rent and Outgoings	5
3.1	Rent	5
3.2	Outgoings	5
3.3	Owner Costs and Charges	6
4.	Payment and interest on overdue money	7
4.1	Payment of Monies	7
4.2	Interest on Overdue Money	7
5.	Insurance	7
5.1	Insurance	7
5.2	Owner's Premiums and Insurance	8
6.	Indemnities and releases	8
6.1	Tenant's Risk	8
6.2	General Indemnities	9
6.3	Release	9
6.4	Water Damage	10
7.	Use of the Premises	10
7.1	Permitted Use	10
7.2	Statutes	11
8.	Repair and maintenance	11
8.1	Maintenance	11
8.2	Painting	13
8.3	Rubbish and Use of Water Apparatus	13
8.4	Signs	13

8.5	Tenant's Works	14
8.6	Notice of Damage, Hazard or Risks	14
8.7	Owner's Access to the Premises	14
8.8	Sanitary Facilities	14
9.	Tenant's General Obligations	15
9.1	Positive Obligations	15
9.2	Negative Obligations	16
10.	Air-conditioning	17
10.1	Air-Conditioning	17
11.	Transfers and other dealings	18
11.1	Prohibition on Dealings	18
11.2	Owner's Consent to Dealings	19
11.3	Mortgage of Lease	20
12.	Owner's rights and obligations	21
12.1	Quiet Enjoyment	21
12.2	Consents	21
12.3	Insurance	21
12.4	Enforcing Rights	21
12.5	Owner's Additional Rights	21
12.6	Agents and Authorised Persons	22
12.7	Rules & Regulations	22
12.8	Lifts	22
12.9	Access to the Premises	22
13.	Renewal of Lease	23
14.	Expiry or termination	23
14.1	Vacation of the Premises	23
14.2	Make Good	23
14.3	Non-Surrender	24
14.4	Holding Over	25
15.	Default	25
15.1	Breach of Lease	25

15.2	Notice to Quit Period	27
15.3	Damages	27
16.	Damage to land or premises	27
16.1	Premises Unfit for Occupation or Use	27
16.2	Termination because Unfit for Occupation or Use	28
17.	Security	28
17.1	Power Of Attorney	28
18.	Dispute resolution	29
18.1	Dispute	29
18.2	The Expert	29
18.3	Determination of the Dispute	29
19.	GST	30
20.	General provisions	30
20.1	Relocation of Tenant	30
20.2	Demolition of Premises	31
20.3	Owner's Building Works	32
20.4	No Relationship Partnership etc	32
20.5	No Partnership	32
20.6	Time	32
20.7	Waiver	33
20.8	Notices	33
20.9	Governing Law	33
20.10	Reading Down and Severance	34
20.11	Entire Agreement	34
20.12	Moratorium Negatived	34
20.13	Contra Preferentem	34
Schedule 1		35

Lease

Date

Parties

Litchfield Council

of PO Box 446, Humpty Doo NT 0836

(Owner)

Humpty Doo Village Green Management Board Incorporated

of [Insert]

(Tenant)

Recitals

- A. The Owner is a body corporate under the provisions of the *Local Government Act*.
- B. The Owner is the registered proprietor of the Land.
- C. The Owner has agreed to grant the Tenant a lease of the Premises and the Tenant has agreed to lease the Premises upon the terms and conditions contained in the foregoing Land Titles Act - Form 31, these lease covenants and other provisions incorporated in this Lease all of which are to be construed as part of this Lease.

This lease witnesses that in consideration of, among other things, the mutual promises contained in this deed the parties agree as follows:

1. Definitions and interpretation clauses

1.1 Definitions

In this Lease:

ADI	means an authorised deposit taking institution as defined in the <i>Banking Act</i> (Cth).
Authority	means any government, semi or local government, statutory or other body.
Building	means all buildings, structures and other improvements (including the Owner's Property) erected or situated from time to time on the Land.
Business Day	means a day which is not a Saturday, Sunday or public holiday in Darwin.
Business Hours	means the hours from 8.00 am to 5.00 pm on a Business Day.
Commencement Date	means the date specified next to the words 'TERM OF LEASE', beneath the word 'Commencing' on the front page of this Lease.
Expiry Date	means midnight Central Standard Time in Darwin, Northern Territory on the date specified next to the words 'TERM OF LEASE', beneath the word 'Expiring' on the front page of this Lease.
Funding Agreement	means the agreement between the Owner and Tenant wherein the Owner agrees to provide financial and potentially other consideration to the Tenant in return for the Tenant attending to certain activities contained in the agreement.
GST	has the meaning it has under the <i>GST Act</i> .
GST Act	means <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth).
Land	means the land described on the front page of this Lease.

Lease	means the instrument of lease of which these Provisions of Lease form part, and includes all variations made in accordance with this Lease, despite any change in the identity of the parties.
Owner	means the person specified next to the heading 'OWNER' on the front page of this Lease.
Owner's Property	means all plant, equipment, fixtures, fittings, furniture, furnishings, signs and other property the Owner provides on the Land or in the Premises.
Permitted Use	means the purposes specified in Item 3 of Schedule 1.
Premises	means the Land specified in Item 1 of Schedule 1, together with all the Owner's Property.
Prior Encumbrances	means those encumbrances and interests specified in Item 2 of Schedule 1.
Rent	means the amount specified next to the words 'MARKET RENT UNDER THE LEASE' on the front page of this Lease as reviewed or varied in accordance with this Lease from time to time.
Schedule	means a schedule attached to this Lease.
Security Deposit	means the amount, if any, specified in Error! Reference source not found. of Schedule 1.
Tenant	means the person specified next to the heading 'TENANT' on the front page of this Lease and where not repugnant to the context, includes the servants, agents, employees and invitees of the Tenant.
Tenant's Property	means all property (including stock) owned or leased by the Tenant on the Land or in the Premises, or any other property on the Land or in the Premises other than the Owner's Property.
Term	means the period from the Commencement Date to the later of: (a) the Expiry Date; and

(b) the date of expiry of any periods of renewal or extension of this Lease,

(inclusive), subject to any earlier determination in accordance with this Lease.

1.2 Rules Of Construction

In this Lease unless the context otherwise requires:

- (a) headings used in this Lease are for convenience only, do not affect its construction, interpretation or meaning and do not form part of this Lease;
- (b) where two or more persons are named as a party to this Lease:
 - (i) every covenant or agreement expressed or implied in this Lease on the part of those persons binds those persons jointly and severally;
 - (ii) any covenant or agreement in favour of those persons is, except where expressed to the contrary, to the benefit of each of them and to all of them;
- (c) where the day on which an act, matter or thing is to be done under this Lease is not a Business Day, the act, matter or thing is to be done on the next day which is a Business Day (except the payment of Rent under clause 3.1);
- (d) a reference to:
 - (i) currency means the lawful currency of the Commonwealth of Australia;
 - (ii) a clause, recital, schedule, exhibit or annexure, refers to a clause, recital, schedule, exhibit or annexure of this Lease and recitals, schedules, exhibits and annexures form part of this Lease;
 - (iii) a party to the Lease includes a reference to their successors and, in the case of the Tenant, permitted assigns;
 - (iv) a statute includes a reference to or citation of all enactments consolidating, amending, replacing or substituting the statute referred to, and includes all instruments made under the statute;
 - (v) any thing (including, without limitation, any amount) includes a reference to the whole or any part of it and a reference to the whole or any part of it and a reference to a group of persons includes a reference to any one or more of them;
 - (vi) the singular number includes the plural and vice versa;
 - (vii) one gender includes the other genders;

- (viii) a 'person' includes a reference to any person, firm, corporation, company, partnership (whether or not having corporate legal personality), government, governmental or statutory authority, state or agency of a state, association (whether incorporated or not) or any one or more of them together, and includes a reference to the person's executors, administrators, successors, substitutes (including, without limitation, a person taking by novation) and (in the case of the Tenant, permitted) assigns;
- (ix) 'writing' includes printing, typewriting, photocopy or any other mode of reproducing words in a visible form and in the English language and 'written' has a corresponding meaning.

2. Grant of Lease

The Owner leases to the Tenant, and the Tenant accepts the lease of, the Premises for the Term beginning on the Commencement Date subject to the Prior Encumbrances.

3. Rent and Outgoings

3.1 Rent

The Tenant must pay the Rent on or before the Commencement Date.

3.2 Outgoings

- (a) Subject to 3.2(b), the Tenant must promptly pay all of the following charges payable by the Owner in respect of the Premises:
 - (i) any taxes, assessments and other similar charges (including local and municipal rates, statutory charges and land tax) whether of an existing or novel nature as charged, levied or assessed from time to time against or payable by the Owner in respect of the Premises;
 - (ii) any new rate, tax, impost, duty, charge, assessment, outgoing or imposition whatsoever or liability of any nature and however described (without limiting the generality of the foregoing whether parliamentary, municipal or otherwise and whether assessed, charged or imposed by or under Federal or State or Territory law or by Federal, State, Territory or local authorities) which may be assessed, charged, imposed or accrue during the Term on or in respect of the Land or the Premises or any part of the Land or the Premises or the operation or use to which the Building is put by any party, including but not limited to any rate, tax, impost, duty, charge, assessment, outgoing or imposition however described, including but not limited to the following:
 - (A) a land tax;

- (B) any carbon pollution reduction scheme, liability, duty, charge, assessment, outgoing, imposition
 - (C) arrangement, treaty or tax;
 - (D) any carbon tax, duty, impost, assessment liability or tax
 - (E) any emission trading scheme tax, duty, impost, assessment, liability or tax;
 - (F) any carbon specific duty, impost, assessment, liability or tax; or
 - (G) any emissions or pollution duty, impost, assessment, liability or tax.
- (iii) gas and electricity;
 - (iv) water and sewerage charges;
 - (v) the clearance of garbage and trade waste and municipal cleansing;
 - (vi) the provision of security services, if any;
 - (vii) the maintenance of any gardens and outdoor areas; and
 - (viii) any other outgoings specific to the Premises not mentioned above.
- (b) Where the Premises is separately metered or where charges are otherwise charged separately to the Premises, the Tenant must pay the whole of the charge. The Tenant must when required by the Owner produce to the Owner receipts for the payment of the charges.
 - (c) If the Owner pays any charges for which the Tenant is responsible, the Tenant must promptly on demand reimburse the Owner for the cost of the charges, including the amount of any GST payable in respect of the charges.

3.3 Owner Costs and Charges

The Tenant must pay to the Owner on demand:

- (a) the Owner's legal costs and expenses as between solicitor and client incurred by the Owner in connection with any breach by the Tenant of this Lease or in relation to any request act or negotiation by the Tenant or a person acting on behalf of the Tenant relating to this Lease;
- (b) any costs, charges or expenses relating to any assignment, subletting, renewal, extension, amendment or granting of security over this Lease;
- (c) any costs, charges or expenses incurred in considering requests for approvals; and

- (d) all architect's fees or surveyor's fees and any costs, charges or expenses incurred with any works the Tenant wishes to carry out including considering, approving and supervising plans and works.

4. Payment and interest on overdue money

4.1 Payment of Monies

All payments payable by the Tenant to the Owner under this Lease must be paid without deduction to the Owner by electronic funds transfer into the Owner's bank account as notified in writing to the Tenant from time to time (unless otherwise agreed). The Owner may apply any monies received by it in payment of any amount due to the Owner by the Tenant and in the order determined.

4.2 Interest on Overdue Money

The Tenant must pay to the Owner on demand interest on any money from time to time that has become due and payable by the Tenant to the Owner under this Lease, but is overdue and unpaid, calculated on a daily rate that is 2% higher than the highest ANZ credit card rate or any replacement rate at the time when such money became due and payable.

5. Insurance

5.1 Insurance

- (a) The Tenant must from the Commencement Date maintain in force at all times the following insurances in respect of the Premises and the activities and business conducted on the Premises by the Tenant with insurers and on terms approved by the Owner:
 - (i) public risk (occupiers' and public liability) insurance extended to include 'goods sold' cover, and the total amount covered in each case must be not less than \$20 million or such other sum as the Owner may from time to time require in the joint names of the Owner and the Tenant;
 - (ii) an insurance policy in accordance with the terms of the *Return to Work Act* for its full liability under that legislation in the joint names of the Owner and the Tenant;
 - (iii) plate glass insurance against all risks specified by the Owner and in relation to all glass on the Premises to the full insurable value of the plate glass; and
 - (iv) insurance in respect of all of the Tenant's Property to the full insurable value of all that Property including damage against mechanical breakdown and fusion.

- (b) The Tenant agrees that it will:
 - (i) pay all premiums in respect of the insurances as and when they fall due and payable;
 - (ii) produce to the Owner on demand evidence of currency of all insurances required under this Lease and on 1 July annually during the Term; and
 - (iii) notify the Owner immediately if an insurance policy required by this clause is cancelled or an event occurs which may allow a claim or affect rights under an insurance policy in connection with the Premises or the Land.
- (c) All insurance required to be maintained or acquired pursuant to the terms of this Lease shall be maintained or acquired with a reputable insurance company registered with the Australia Prudential Regulation Authority and, if required, approved by the Owner.

5.2 Owner's Premiums and Insurance

- (a) The Tenant shall be liable for any excess payable with respect to claim made on the insurance held by the Owner with respect to the Owner's Property, the Building or any other infrastructure located on the Premises and must on demand by the Owner pay to the Owner the amount of any such excess upon the provision of a valid tax invoice from the Owner's insurer.
- (b) The Tenant must not do or permit or suffer anything to be done which could invalidate, make void or voidable any policy of insurance in respect of the Premises or the Land.
- (c) The Tenant must not do or permit or suffer anything to be done which could affect the Owner's rights under any insurance or increase premiums payable by the Owner or any other Tenant in connection with the Premises or the Land or any property in them.
- (d) The Tenant must on demand by the Owner pay to the Owner any extra or excess premium for insurances on the Premises incurred by reason of any extra risk caused by the use to which the Premises are put or allowed to be put by the Tenant.

6. Indemnities and releases

6.1 Tenant's Risk

The Tenant occupies and uses the Premises at its own risk.

6.2 General Indemnities

- (a) The Tenant indemnifies the Owner against all damages, costs, charges, expenses, actions, claims and demands whatsoever by any person against the Owner in connection with any of the following (except to the extent caused by a wilful act of the Owner or its employees):
 - (i) any breach of this Lease or the breach of any laws including any environmental or occupational health and safety laws by the Tenant;
 - (ii) any damage, loss, death or injury caused or contributed to by the act, negligence or default of the Tenant or the Tenant's employees, contractors, invitees or agents;
 - (iii) any damage, loss, death or injury caused or contributed to by the Tenant's business;
 - (iv) any damage, loss, death or injury sustained by any person when using, entering or being near any part of the Premises resulting from any cause or reason whatsoever, whether it arises naturally, negligently or otherwise; and
 - (v) the Owner doing any thing or taking any action which the Tenant is required to do under this Lease, but has not done or which the Owner considers the Tenant has not done properly.
- (b) The Tenant must not do, or omit to do, or permit or suffer to be done or omitted to be done, anything in or about the Premises, or other premises of which the Premises forms part, or to which the Tenant has access under this Lease, if the Owner may become exposed to a liability to pay a penalty, damages, compensation, cost, charge or expense and the Tenant must keep the Owner indemnified against all such liabilities.
- (c) This covenant by the Tenant must be read in aid of and not in derogation of any of the other covenants or agreements on the part of the Tenant hereunder.
- (d) Each indemnity is independent from the Tenant's other obligations and continues during this Lease and after it expires or is terminated. The Owner may enforce an indemnity before incurring expense.

6.3 Release

The Tenant releases the Owner from, and agrees that the Owner is not liable for, liability or loss arising from, and cost incurred in connection with:

- (a) damage, loss, injury or death unless it is caused by the negligence of the Owner or its employees or agents;
- (b) anything the Owner is permitted or required to do under this Lease; and
- (c) a Service not being available, being interrupted or not working properly;

- (d) the Owner's plant and equipment not working properly;
- (e) any damage to the Owner's property caused directly or indirectly from water or fluids flowing or leaking out of or into or being on the Premises; or
- (f) the Premises not being watertight.

6.4 Water Damage

The Tenant must indemnify the Owner against all loss or damage whatsoever, irrespective of whether the damage is direct or consequential:

- (a) Caused or contributed to by the use (whether negligent or otherwise), misuse or abuse of the water supplied to the Premises or the Land, including the use (negligent or otherwise), misuse or abuse of water, other fittings or fixtures, by the Tenant or the Tenant's employees, contractors, invitees or agents or by any other person, and the Tenant must pay compensation to the Owner for any loss or damage; and
- (b) Arising directly or indirectly from rain, water or liquids flowing or leaking into the Premises.

7. Use of the Premises

7.1 Permitted Use

- (a) The Tenant must not use the Premises for any purposes other than the Permitted Use unless the Owner has given its consent in writing.
- (b) The Tenant warrants to the Owner that it has satisfied itself that the Premises and the Land are suitable for the Permitted Use at law and it complies with the *Planning Act* (NT).
- (c) The Owner does not warrant that the Permitted Use is or will remain permitted by the *Planning Act* (NT) or any statutory zoning laws, and will accept no liability during the Term of the Lease for any inability on the part of the Tenant to use the Premises for the Permitted Use pursuant to the *Planning Act* (NT) of any relevant zoning laws.
- (d) The Tenant must not use nor permit any use of the Premises:
 - (i) for an illegal, immoral, dangerous, noisy or offensive trade, business purpose or process or any actions which could cause nuisance; or
 - (ii) which could damage or destroy the Premises.
- (e) The Tenant acknowledges and agrees that, regarding the present or future suitability or adequacy of the Tenant's intended use of the Premises, the

Building or the fixtures, fittings, furnishings, plant, machinery, equipment, services and facilities provided by the Owner:

- (i) no promise, representation or warranty was given by the Owner or by any person on behalf of the Owner to the Tenant or any person acting on behalf of the Tenant;
- (ii) the Owner makes no warranties; and
- (iii) any warranties implied under the general law or by statute are excluded under this Lease and negated to the extent permitted by law.

7.2 Statutes

- (a) The Tenant must at its own cost comply with and observe at all times:
 - (i) all statutes and instruments in force relating to the Premises, including without limitation and to the reasonable satisfaction of the Owner, all fire safety laws in respect of the Premises' safety systems, emergency measures & plans that may be required as a result of the business or activities of the Tenant carried on in the Premises; and
 - (ii) all requirements notices and orders of any competent authority with reference to the use (including sanitation) notwithstanding to whom such notice is addressed.
- (b) If required by the Owner, the Tenant must produce on demand all certificates, logs or any other documentary evidence as reasonably required by the Owner evidencing the Tenant is compliant with and observing the obligations under clause 7.2(a).

8. Repair and maintenance

8.1 Maintenance

- (a) At all times during the Term, the Tenant must at its own cost keep and repair the Premises and the Tenant's Property including all things on the Premises which are not the property of the Tenant in good and tenable repair and condition.
- (b) The Tenant must give to the Owner prompt notice in writing of any structural or other defects which may from time to time become apparent in the Premises, any accident to or defect or want of repair in any services to or fittings in the Premises excluding any minor matters which are to be promptly repaired or rectified by the Tenant and any other apparent circumstances reasonably likely to be or cause any danger risk or hazard to the Premises or any person therein.

- (c) The Tenant must at all times, at its own cost:
- (i) maintain the Premises and Tenant's Property to a standard consistent with the style, nature and location of the Building and Land, fair wear and tear excepted
 - (ii) ensure the Premises and the Tenant's Property are clean and sanitary and that no property or rubbish accumulates in the Premises or on the Land;
 - (iii) maintain the Owner's Property and the Tenant's Property and comply with any direction given by the Owner;
 - (iv) repair and maintain all alterations, additions, drains, pipes, sanitary and water apparatus, doors, windows, latches, keys, locks, furniture, glass, light bulbs, fluorescent tubes and decorations on or forming part of the Premises as required to ensure they are in good, operating order; and
 - (v) promptly replace worn or damaged items in or attached to the Premises (including all light globes, Tenant's Property and those floor coverings and furnishings which part of the Tenant's Property) with items of similar quality;
 - (vi) immediately replace or repair broken, cracked or damaged glass in or about the Premises;
 - (vii) keep the grounds of the Premises clean and tidy and the lawns and gardens in the Premises thoroughly watered and tended;
 - (viii) maintain all and any playgrounds, or sporting ovals and ensure that they are and remain fit for purpose;
 - (ix) maintain the Premises and Land in the style and manner they are at the Commencement Date;
- (d) The Tenant must not without the prior written consent of the Owner:
- (i) alter, damage or add to the Premises;
 - (ii) make any attachment to the walls or floors of the Premises; or
 - (iii) add any fittings or fixtures to the Premises,
- and any costs, charges, fees, (including any of a reoccurring nature) and professional costs, incurred by the Owner in considering, assessing and providing its consent or otherwise in relation to any such works shall be paid by the Tenant to the Owner forthwith upon presentation of a tax invoice. The Owner's approval is at its absolute discretion.
- (e) If the Tenant breaches its covenant not to alter damage or add to the Premises, the Owner, in its absolute discretion, may direct the Tenant to undertake all necessary rectification works, to the reasonable satisfaction of the Owner,

relating to the breach of covenant. If the Tenant fails to comply with the Owner's written direction within 14 days, the Owner may undertake the rectification works and the Tenant shall upon the receipt of a valid tax invoice be immediately be liable for all the Owner's costs which are recoverable as a liquidated debt.

- (f) Subject to clause 8.1(e), the obligations in this clause 8.1 do not require the Tenant to carry out any work of a structural nature, unless such work is required by reason of the number of, or sexes of, the persons employed by the Tenant or whom the Tenant permits in or upon the Premises, or by reason of the use to which the Premises are put by the Tenant.

8.2 Painting

The Tenant must paint those parts of the Premises previously painted in a proper and workmanlike manner with good quality paint in colours approved by the Owner once in every five year period from the previous time the Premises were painted and notwithstanding the five year intervals, three months prior to the vacation of the Premises by the Tenant.

8.3 Rubbish and Use of Water Apparatus

The Tenant must at its own expense ensure:

- (a) all garbage, refuse, and waste materials are placed in the appropriate receptacles or as directed by the Owner from time to time;
- (b) any wet refuse is removed weekly from the Premises;
- (c) all packaging, materials, cartons, containers and other waste materials of every description are removed from the Land and disposed of properly;
- (d) toilets or other apparatus located on the Premises or the Land are not used for any purpose other than that for which they were constructed. In particular, the Tenant must not throw or place in any drains, sinks, basins or baths any tea leaves, sweepings, rubbish, rags, ashes or other unsuitable substances; and
- (e) no item is thrown out of the windows, doors or stairways of the Premises

8.4 Signs

The Tenant must at its own cost:

- (a) obtain the Owner's written consent before erecting any signs or installing any notice or other advertisement on the Premises or the Land;
- (b) ensure all signs or other notices comply or are approved by the relevant authorities and are installed in an proper and workmanlike manner without disturbance; and

- (c) at the expiry of the Term, remove or paint over any such sign or advertisement and reinstate the Premises to the same condition as existed before the erection affixing the sign, placement or display.

8.5 Tenant's Works

The Tenant must ensure that any works undertaken on the Premises or the Land are completed:

- (a) in a proper and workmanlike manner;
- (b) in accordance with all laws and the requirements of Authorities (including but not limited the *Building Act* (NT) whereby the Owner must be given a copy of the Occupancy Permit for any works completed);
- (c) in accordance with the Owner's requirements and directions;
- (d) in accordance with any construction site agreement or industrial award in connection with the Building; and
- (e) by a contractor holding insurance for the risks and amounts the Owner reasonably requires.

8.6 Notice of Damage, Hazard or Risks

The Tenant must immediately notify the Owner in writing of any damage or defect defective operation of any of the fire equipment, air-conditioning equipment or appurtenances or of any other structural elements or services to the Premises or the Land but excluding any minor matters which are to be promptly repaired or rectified by the Tenant and any other apparent circumstances reasonably likely to be or cause any danger risk or hazard to the Premises or any person therein.

8.7 Owner's Access to the Premises

The Tenant must permit the Owner and its agents, employees and contractors at all reasonable times but on reasonable notice (except in cases of emergency or in connection with the Owner undertaking the tree management plan or connected with management of the Land in which cases notice is not required) to:

- (a) enter on and view the condition of the Premises; and
- (b) do any act or thing at the sole expense of the Tenant which the Tenant is required to do under this Lease or otherwise, and has failed to do.

8.8 Sanitary Facilities

The Tenant is entitled to the use during usual Business Hours, in common with the Owner and other persons who are entitled, of the sanitary conveniences, if any, provided by the Owner for that purpose, and is entitled to access over such part of the Land or other premises of the Owner as is required to facilitate the use of those

conveniences, providing that the Tenant pays to the Owner on demand a reasonable proportion of the costs of keeping the sanitary conveniences in a clean and tidy condition.

9. Tenant's General Obligations

9.1 Positive Obligations

The Tenant must at its own expense:

- (a) comply strictly with the Tenant's constitution in all activities carried out or in connection with the Premises;
- (b) conduct the Tenant's operations at all times in a proper, orderly and business like manner;
- (c) keep the Premises free of rodents, vermin, insects, pests, birds and animals and if required by the Owner, the Tenant must engage registered pest exterminators to treat the Premises;
- (d) thoroughly fumigate and disinfect the Premises in accordance with any relevant standards if any infectious disease occurs in, on or near the Premises;
- (e) observe maximum floor loading weights as determined by the Owner and not permit the floors of the Premises to be broken, stained or damaged by overloading the floors of the Premises in any manner;
- (f) not obstruct any yard, pavement, passageway, path or stairways on the Land nor any part of the Land for any purposes other than ingress and egress to the Premises;
- (g) not use any form of light power or heat other than:
 - (i) electric current supplied through meters or generators; or
 - (ii) gas either supplied through meters or bottled; or
 - (iii) solar power, supplied through any means.
- (h) not bring upon or store in the Premises any explosive or any inflammable or corrosive fluids or chemicals other than as notified and approved by the Owner and then only as if properly confined in containers in which such fluids or chemicals are stored or sold and as required by any relevant code or regulation
- (i) prior to obtaining any licence, approval permit or consent from any Authority required to enable the Tenant to trade in connection with the Tenant's operations, the Tenant's Property or the Permitted Use or occupation of the Premises, obtain the prior written consent of the Owner for any such licence, approval, permit or consent;

- (j) keep the drains spouting and water pipes on the Premises (if any) clean;
- (k) comply on time with all laws and the requirements of Authorities in connection with the Tenant's operations, the Tenant's Property and the Tenant's use or occupation of the Premises (including obtaining all permits);
- (l) inform the Owner of damage to the Building or the Premises or of a faulty Service (where the damage or faulty Service affects the Permitted Use of the Building or the Premises) immediately it becomes aware of it;
- (m) promptly, when asked by the Owner, do everything necessary for the Tenant to do to enable the Owner to exercise its rights under this Lease;
- (n) put up signs in the Premises prohibiting smoking if required by the Owner;
- (o) if the Owner approves the Tenant's use of a business name which is connected with the Building or Land, terminate any right it has to use that business name on the date it must vacate the Premises;
- (p) secure the Premises when they are unoccupied and comply with the directions of the Owner about Building security;
- (q) comply with all rules and regulations of the Owner;
- (r) supply the Owner with the Tenant's annual financial reports and minutes of general meetings within two (2) weeks of being issued;
- (s) provide a report on the activities of the Tenant for the previous financial year by 31 July every year of the Term;
- (t) report any tree risks or faults which are reasonably likely to be or cause any danger risk or hazard to the Premises or any person therein; and
- (u) undertake all actions required to satisfy the Owner's tree management plan.

9.2 Negative Obligations

The Tenant must not:

- (a) smoke in the Building;
- (b) overload any floor or any electrical, mechanical or drainage service in or to the Premises;
- (c) store or use inflammable, volatile or explosive substances on the Premises except when the substances are required for the Permitted Use;
- (d) do anything in or around the Premises which in the Owner's reasonable opinion may be annoying, dangerous or offensive;
- (e) misuse or do anything to overload the Premises' facilities, appurtenances or Services;

- (f) install blinds, awnings, antennae or receiving dishes on any part of the outside of the Premises without the Owner's approval;
- (g) install or operate vending or amusement machines;
- (h) hold auction, bankrupt or fire sales in the Premises;
- (i) keep an animal or bird on the Premises (except where required for the Permitted Use);
- (j) use a business name which includes words connecting the business name with the Building without the Owner's approval;
- (k) use any method of heating, cooling or lighting the Premises other than those provided or approved by the Owner;
- (l) cease to be a not for profit organisation during the Term;
- (m) use the Land or the Premises for the conduct of gambling, wagering or betting in the nature of lottery or internet gambling or bring into the land gaming machines, amusement machines, ticket dispensing machines, instant scratch lottery or any other form of lottery
- (n) operate a musical instrument, radio, television, flashing lights or other equipment that can be heard or (in the case of flashing lights) seen from outside the Premises (without the consent of the Owner); or
- (o) obstruct:
 - (i) windows in the Premises or Building;
 - (ii) air vents, air-conditioning ducts skylights, sprinklers and fire equipment in the Premises; or
 - (iii) the emergency exits from the Building or the Premises.

10. Air-conditioning

10.1 Air-Conditioning

- (a) Subject only to proper compliance with (b), the Tenant must not interfere with the air-conditioning and refrigeration equipment located on or forming part of the Premises (the **Equipment**), nor permit it to be interfered with in any manner.
- (b) The Tenant must:
 - (i) at least once every three months during the Term clean the air-conditioning filters to the Equipment;

- (ii) comply with all directions given by the Owner in respect of the Equipment;
 - (iii) at all times during the Term have a preventative maintenance contract in force in respect of the Equipment with an air-conditioning and refrigeration service company approved of by the Owner on such terms as the Owner may require from time to time;
 - (iv) deliver to the Owner as soon as it is available a copy of any contract held under (iii) and any reports provided by that service company from time to time; and
 - (v) pay all costs payable under the said service contract held pursuant to (iii) at the due time for payment of the same
- (c) The Owner is not under any circumstances liable to the Tenant for any inconvenience, damage or loss which the Tenant may suffer by reason of any shutting off or faulty operation or breakdown of the Equipment.
 - (d) The Tenant must replace the Equipment or any part of it unless the need for such replacement arises as a result of the Owner's negligent act or default.

11. Transfers and other dealings

11.1 Prohibition on Dealings

- (a) The Tenant must not assign, transfer, grant, sublet or in any manner part with possession of the Premises in whole or in part or any of the Tenant's rights or interests in the Premises, without the prior written consent of the Owner.
- (b) Every application by the Tenant for a proposed assignment or sublease must be in writing, must provide details of the Tenant's proposal and must include at least the following details in respect of the proposed assignee or sublessee:
 - (i) full name and residential and business addresses;
 - (ii) qualifications, suitability and experience of the proposed assignee or sublessee;
 - (iii) two character and business references from persons or companies of good repute;
 - (iv) authority of the proposed assignee or subtenant to its banker authorising it to furnish a financial reference to the Owner on request; and
 - (v) if the proposed assignee or subtenant is a corporation, a certified copy of the profit and loss account and balance sheet of the corporation for

the financial year immediately preceding the date of application for consent.

11.2 Owner's Consent to Dealings

- (a) The consent of the Owner will not be unreasonably refused or withheld provided (and without limiting the factors or circumstances which may be considered a reasonable basis for the Owner to withhold consent):
 - (i) the proposed assignee or subtenant does not propose to change the use to which the Premises are put;
 - (ii) the Tenant provides evidence to the satisfaction of the Owner that the proposed assignee has the financial resources and business or retailing skills (as applicable) that will enable the proposed assignee to fulfil all of the obligations of the Tenant under this Lease, and that the proposed assignee is of good repute (which may include a credit check as the request of the Owner at the cost of the Tenant);
 - (iii) the Tenant pays and indemnifies the Owner for:
 - (A) all costs including legal costs and expenses incurred by the Owner in relation to the dealing including consideration of the proposed assignee or subtenant's suitability and consideration of any documents; and
 - (B) all costs payable by the Tenant under this Lease incurred in relation to the consideration of, or giving of, its consent;
 - (iv) the Owner may as a precondition to giving its consent require from the proposed assignee or sublessee:
 - (A) an agreement (to be prepared by the Owner's solicitors at the expense of the Tenant) in a form required by the Owner requiring the proposed assignee or subtenant to observe and perform all of the Tenant's obligations under this Lease whether expressed or implied;
 - (B) an unconditional bank guarantee complying with the requirements of clause **Error! Reference source not found.** or a cash security deposit in an amount considered reasonable by the Owner having regard to the financial status and obligations of the proposed assignee or sublessee (which in any event shall be for an amount equivalent to not less than four month's Rent); and
 - (C) if the proposed assignee or subtenant is a company, the Owner may also require any or all of the directors and shareholders of that company, as the Owner thinks fit, to provide a guarantee and indemnity by that or those directors or shareholders in respect of the observation and performance of the Tenant's obligations under this Lease, and the guarantees and

indemnities are to be prepared by the Owner's solicitors at the expense of the Tenant.

- (b) Despite this clause 11, if the Tenant is a company and wants to assign this Lease to a company that is a subsidiary of the Tenant, the Owner must give its consent if:
 - (i) the proposed assignee provides the agreement and the guarantees and indemnities referred to in clause 11.2(a)(iv)(C); and
 - (ii) the existing Tenant enters into a guarantee and indemnity prepared by the Owner's solicitors to be responsible for the payment of all monies payable under this Lease and for the observance and compliance of the Tenant's obligations under this Lease.
- (c) If the Tenant is a corporation having shares not listed on a stock exchange in Australia, the following circumstances constitute an assignment of this Lease:
 - (i) any sale transfer or other disposition of the shares in the capital of the Tenant, or any issue or allotment of any new shares in the capital of the Tenant, or the happening of any other matter or event the effect of which is to transfer directly or indirectly the effective ownership management and control of the Tenant; or
 - (ii) if any of the events referred to in the preceding subclause occur to:
 - (A) any holding company; or
 - (B) any ultimate holding company,
 (as defined in the *Corporations Act*).
- (d) No consent given by the Owner to the assignment or sublease of this Lease by the Tenant under this clause is to be construed as or operates as a release of the Tenant from its obligations under this Lease or the guarantors (if any) from guarantees given under this Lease.

11.3 Mortgage of Lease

- (a) The Tenant must not mortgage, charge, encumber or pledge this Lease or any estate or interest in this Lease or the Premises without the prior written consent of the Owner, which consent may be withheld in its absolute discretion.

The Tenant shall at all times during the subsistence of this Lease keep the Premises free and clear of liens charges or encumbrances of any kind whatsoever (other than those created by the Owner or its successors in title) including in particular but without limiting the generality of the foregoing any liens charges or encumbrances based on claims for income tax land tax municipal rates and claims by persons who have supplied services or materials to the Tenant for use in or on the Premises but not including any rates and taxes payable by the Owner pursuant to this Lease.

12. Owner's rights and obligations

12.1 Quiet Enjoyment

Provided the Tenant complies with this Lease, the Owner agrees that the Tenant is entitled to occupy the Premises for the Term without undue interference by the Owner.

12.2 Consents

If the Owner has agreed to obtain a consent in relation to this Lease, then the Owner must do all things reasonably necessary to obtain that consent.

12.3 Insurance

- (a) The Owner must at all times during the Term insure the Premises and keep them insured with a reputable insurer against damage caused by fire, storm, flood and tempest, to the full replacement value of the Premises.
- (b) Nothing within this clause shall require the Owner to insure the Tenant's fixtures and fittings or any part of the Fitout whether installed by the Owner or by the Tenant and the Tenant shall have no claim whatsoever against the Owner or its insurer for any compensation.
- (c) Nothing within this clause shall require the Owner to reinstate the Premises or any improvements upon the Land or otherwise diminish or vary the provisions of clause 16.

12.4 Enforcing Rights

The Tenant acknowledges that the Owner may:

- (a) enforce its rights against the Tenant whether or not it enforces its rights against other tenants or occupiers; and
- (b) lease or licence any part of the Land to any tenant it deems acceptable regardless of whether that tenant conducts a business which competes with the Tenant's business.

12.5 Owner's Additional Rights

The Owner may:

- (a) carry out works on the Land or limit access to or close Premises;
- (b) exclude or remove any person or property from the Land;
- (c) restrict access or alter access arrangements to loading, delivery or parking areas;

- (d) permit functions, displays (including any signage) or other activities on the Land;
- (e) use the Premises and/or Buildings on the Land by negotiation during the Term;
- (f) install and use emergency, security, public address and any other building management systems on the Land;
- (g) undertake the Owners tree management plan; and
- (h) alter, extend or undertake construction on the Land or in relation to any building on the Land.

12.6 Agents and Authorised Persons

The Owner may appoint agents or others to exercise any of its rights or perform any of its obligations under this Lease, however, communications and notices received from the Owner will override those of agents if inconsistent.

12.7 Rules & Regulations

The Owner may make rules and regulations, not inconsistent with the rights of the Tenant under the terms of this Lease, as in its judgment are from time to time needed or desirable for the safety, care, maintenance, aesthetics and cleanliness of the Premises and the Tenant acknowledges that any failure of the Tenant to keep any such rules and regulations will be deemed to constitute a breach of the provisions of this Lease in the same manner as if the rules and regulations were contained in this Lease.

12.8 Lifts

If the Tenant has use of any lifts (including any goods elevators) in the Premises or any building of which the Premises forms part, the use is permissive and gratuitous only, and the Owner is not liable for:

- (a) any accident which happens in connection with the lifts; or
- (b) any failure of the lifts to run at any time,

from any cause whatsoever, and the Tenant must release and indemnify the Owner from any loss or damage caused or incurred in relation to the Tenant's use of the lifts.

12.9 Access to the Premises

- (a) The Tenant is entitled, in common with any other persons who are also entitled, during usual business hours to access to and from the Premises from the street frontage.
- (b) If there is an emergency, the Owner may stop the Tenant from entering the Premises.

13. Renewal of Lease

- (a) To the extent permitted by law, section 142 of the *Law of Property Act* (NT) does not apply to this Lease or any option to renew contained in this Lease.
- (b) If there is a renewal or renewals specified in Item 4 of Schedule 1, the Owner offers the Tenant a renewal of this Lease commencing on the day after the date of expiry of the Term and containing identical provisions to the provisions of this Lease except for:
 - (i) this clause 13 which shall be deleted if the renewal is the last renewal term offered; and
 - (ii) Expiry Date which shall be amended to refer to the last date of the extended term.
- (c) The Tenant is not entitled to the renewal described in clause 13(b) unless it has at all times during the Term:
 - (i) complied with the provisions of this Lease; and
 - (ii) served on the Owner notice that it wishes to accept this offer of a renewed term during a period commencing nine months and ending six months before the date of expiry of the Term.

14. Expiry or termination

14.1 Vacation of the Premises

- (a) The Tenant must vacate and deliver up possession of the Premises on the earlier of the Expiry Date or sooner determination of this Lease.
- (b) Prior to delivering up the Premises in accordance with (a), the Tenant must:
 - (i) make good the Premises (with 'make good' having the meaning given in clause 14.2); and
 - (ii) ensure the Premises is in good and tenantable repair, order and condition and otherwise in accordance with the provisions of this Lease.

14.2 Make Good

For the purposes of clause 14.1(b), 'make good' means the restoration of the Premises to an open plan configuration as if it had never been occupied and shall include:

- (a) removal of all of the Tenant's Property from the Premises;
- (b) properly repairing any damage whatsoever caused to the Premises or the Land by the removal as described in 14.2(a);

- (c) reinstating any part of the structure or the Land which has been penetrated or otherwise altered by the Tenant during the Term;
- (d) thoroughly cleaning the Premises and removing all rubbish, waste and other materials from the Premises and the Land; and
- (e) if required by the Owner, re-altering any alterations made by the Tenant so that:
 - (i) the Premises must be converted back to its original condition (including pursuant to the condition of the Premises at the commencement of any preceding lease); and
 - (ii) the Fitout or any part thereof is removed.

14.3 Non-Surrender

- (a) If the Tenant fails to surrender the Premises and deliver up vacant possession and make-good in accordance with clause 14.1, then without affecting any of its other rights, the Owner, at its sole discretion:
 - (i) may elect to have the cost assessed and determined for the Premises to be delivered back to the Owner in accordance with clause 14.1 by a suitably qualified professional (the **Consultant**), appointed by the Owner, and the determination of the Consultant shall be final and binding; or
 - (ii) may treat the Tenant's Property as abandoned;
 - (iii) may deal with the Tenant's Property as if it were the Owner's Property;
 - (iv) may remove, store or dispose of any property of the Tenant (including all Fitout) which the Tenant has not removed from the Premises,

and the Tenant shall upon the receipt of a valid tax invoice in respect of clauses 14.3(a)(i) or 14.3(a)(ii) above be immediately liable for all the Owner's costs which are recoverable as a liquidated debt.
- (b) The Tenant must reimburse (and indemnifies) the Owner for:
 - (i) costs and expenses incurred in the removal, storage or disposal of any of the Tenant's Property;
 - (ii) all costs and claims made by any succeeding Tenant as a result of or in any way connected with the Tenant's delay in delivering up vacant possession of the Premises in accordance with clause 14.1; and
 - (iii) any other damages, costs and expenses suffered as a result of or in connection with the Tenant failure to vacate and surrender the Premises in accordance with clause 14.1.

14.4 Holding Over

- (a) If the Tenant continues to occupy the Premises with the consent of the Owner, which consent must be explicitly obtained in writing from the Owner, after the Expiry Date, it does so as a tenant from month to month on the following conditions:
 - (i) the provisions of this Lease remain in force so far as they are applicable to a monthly tenancy;
 - (ii) the monthly tenancy may be determined by one month's notice in writing which notice may expire at any time and the Tenant does not in any circumstances hold as a tenant from year to year on the expiry of the Term; and
 - (iii) the Rent payable under the Lease remains the same as was payable under this Lease immediately prior to the commencement of the monthly tenancy or as notified by the Owner from time to time at its absolute discretion.
- (b) For the avoidance of any doubt, the requirement to deliver up vacant possession and make-good in accordance with clause 14.1 will apply to the termination of any holding over period pursuant to clause 14.4(a) whether or not the consent of the Owner has been obtained in writing by the Tenant to occupy the Premises after the Expiry Date.

15. Default

15.1 Breach of Lease

- (a) If the Tenant fails to comply with or observe its obligations under this Lease, the Owner may, without being under any obligation to do so, and without prejudice to any other right, remedy or power which the Owner may have under this Lease or otherwise, do anything or take any action that it considers necessary or desirable to remedy such default, and the cost of so doing is recoverable by the Owner from the Tenant as a liquidated debt.
- (b) If the Tenant breaches or doesn't observe any of the following covenants that are more fully set out in the other provisions of this Lease:
 - (i) the covenant not to assign this Lease;
 - (ii) the covenant not to encumber this Lease;
 - (iii) the covenant as to use of the Premises;
 - (iv) the covenant to keep the Premises open for carrying on the Permitted Use;
 - (v) the covenant to keep, repair and maintain the Premises;

- (vi) the covenant not to alter damage or add to the Premises;
- (vii) the covenant to comply with statutes and notices;
- (viii) the covenant to take out and maintain insurances,

and the Tenant fails to remedy the breach or non-observance (if capable of remedy) within 14 days (and the parties agree that this period is a reasonable period in which to remedy any breach or non-observance) after service on the Tenant of a notice in writing requiring remedy of the breach or non-observance, then that failure to remedy the breach or non-observance, is deemed to be a breach of an essential term of this Lease amounting to a repudiation of this Lease by the Tenant, and the Owner may without notice accept that repudiation and terminate this Lease, but without prejudice to any other remedy right or power which the Owner may have under this Lease or otherwise.

(c) The following events are Events of Default:

- (i) the Tenant carries on, or threatens to carry on, any matter or business which is illegal or causes nuisance to the Owner or to occupiers of neighbouring premises;
- (ii) if the Tenant is a company, an order is made or a resolution is effectively passed for the winding up of the Tenant (except for the purpose of reconstruction or amalgamation);
- (iii) if the Tenant and Owner do not agree the terms of a Funding Agreement during the Term or part of it;
- (iv) the Tenant makes an assignment for the benefit of or enters into an arrangement or composition with its creditors or stops payment or is unable to pay its debts as and when they fall due, within the meaning of the *Corporations Act*;
- (v) execution is levied against the Tenant and not discharged within 30 days;
- (vi) a provisional liquidator, receiver, receiver and manager or administrator is appointed to the Tenant or any of its property;
- (vii) the Tenant ceases or threatens to cease to carry on business;
- (viii) if the Tenant is or are individual, a creditor's petition in bankruptcy is presented by or against the Tenant or any event referred to in section 40 of the *Bankruptcy Act* (Cth) occurs, which with the occurrence or failure of any subsequent event therein referred to would result in the commission by the Tenant of an act of bankruptcy; and
- (ix) if the Tenant is or are individual, any document, the execution of which by the Tenant would result in the commission by the Tenant of an act of bankruptcy, or any deed of assignment, deed of arrangement or deed of

composition is prepared by or for or presented to the Tenant for execution by the Tenant.

- (d) If an Event of Default occurs, the Owner may immediately or at any subsequent time:
- (i) serve a notice to quit on the Tenant requiring the Tenant to quit and deliver up the Premises to the Owner or its agents at the expiry of 14 days from the date of the notice;
 - (ii) determine the Lease by notice in writing to the Tenant; and/or
 - (iii) re-enter the Premises, at which time this Lease and the estate of the Tenant absolutely ceases and determines,

but without prejudice to any other remedy right or power which the Owner may have under law or this Lease.

15.2 Notice to Quit Period

The period fixed by this Lease of any notice to quit in respect of the Premises given by the Owner to the Tenant is 14 days.

15.3 Damages

If the Owner is entitled to terminate this Lease, or if this Lease terminates for any reason (including by operation of law) consequent upon default or non-compliance by the Tenant, the Owner is entitled, whether it has or has not re-entered or taken possession of the Premises, to take action against, and recover damages from, the Tenant for damages arising from that conduct default or non-compliance, including damages for any antecedent breach or non-compliance and damages for the loss of the entire Term and of the Owner's bargain.

16. Damage to land or premises

16.1 Premises Unfit for Occupation or Use

- (a) If, during the Term, the Premises or any part of the Premises are destroyed or damaged by earthquake, fire, storm, flood, tempest, Act of God, inevitable accident, riot, civil commotion, enemy action or incidental to resisting or preparing to resist enemy action, so as to render the Premises inaccessible or wholly or partially unfit for occupation or use, then the obligation to pay Outgoings or other charges is suspended either in whole or as to a fair and just proportion of the Outgoings or other charges according to the damage sustained, as long as the Premises or that part of the Premises remains unfit for occupation or use by reason of such damage.
- (b) Subject to clause 16.1(a), if the Owner and the Tenant are unable to agree within 14 days of the destruction or damage as to the amount of Outgoings or

other charges remaining payable under this Lease, either party may request the then President of the Northern Territory Group of the South Australian Division of the Australian Property Institute Inc (or the principal officer of any successor organisation) to appoint a valuer to determine a fair Oughtings or other charges and the valuer's determination must be made as an expert and is final and binding on the Owner and Tenant and the costs of that determination are payable by the Owner and the Tenant equally.

16.2 Termination because Unfit for Occupation or Use

- (a) Subject to clause 16.2(b), if the Premises are destroyed or damaged by the events referred to in this clause 16.1 so that the Premises are wholly or substantially unfit for occupation or use by the Tenant for the purposes of carrying on its business, and if the Owner does not:
 - (i) within six calendar months after the destruction or damage, commence to repair the damage and reinstate the Premises; or
 - (ii) within a reasonable period (but not less than six months) of time after being requested by the Tenant to do so, repair the damage and reinstate the Premises,

the Owner or the Tenant may, by seven days notice in writing to the other party, terminate this Lease but that termination is without prejudice to any rights which might have accrued to either party prior to the termination (including any right that the Owner may have to recover damages from the Tenant in respect of the destruction or damage).

- (b) The Tenant will forfeit any right to terminate the Lease under clause 16.2(a), if the destruction or damage to the Premises was caused or contributed to by the negligent act or omission of the Tenant.

17. Security

17.1 Power Of Attorney

To secure the interests of the Owner under this Lease, the Tenant irrevocably appoints the Owner its successors, assigns or substitutes to be the attorney of the Tenant to do at the expense of the Tenant all things in its name and as its act as are necessary or desirable to remedy any breach or non-compliance on the part of the Tenant under this Lease and on the expiry of the Term to execute a surrender of this Lease and procure the registration of that surrender under the provisions of the *Land Title Act* (NT).

18. Dispute resolution

18.1 Dispute

If the Tenant alleges a breach of the terms of this Lease by the Owner (the **Dispute**):

- (a) the Tenant must not commence court or arbitration proceedings unless it has completed the following dispute resolution process;
 - (i) the Tenant must notify the Owner in writing that it wishes to commence the dispute resolution process in this clause 18 within 10 Business Days (and in this respect time is of the essence) of the alleged breach of the terms of this Lease by the Owner; and
 - (ii) the parties must act reasonably and bona fide to reach agreement in relation to the Dispute.

18.2 The Expert

- (a) If within 10 Business Days of the Tenant's notification to the Owner described in 19.1(a), the parties have not resolved the Dispute, either party can apply to the President of the Law Society of the Northern Territory to appoint an appropriate expert to resolve the dispute;
- (b) The expert must:
 - (i) act as an expert and not an arbitrator;
 - (ii) accept oral or written submissions from the parties as to the subject matter of the Dispute;
 - (iii) not be bound by the rules of evidence;
 - (iv) keep confidential matters coming to the expert's knowledge by reason of being appointed and performance of his or her duties;
 - (v) make a determination, having regard to the submissions of the parties;
 - (vi) provide a statement of reasons to the parties, stating full reasons for its determination in writing as soon as practicable; and
 - (vii) act in accordance with the principles of natural justice.

18.3 Determination of the Dispute

- (a) In making its determination, the expert may:
 - (i) obtain information independently if necessary in relation to technical matters to which the dispute relates;

- (ii) consult with such other professionally qualified persons as the expert in his or her discretion thinks fit; and
 - (iii) take measures as the expert thinks fit to expedite the resolution of the Dispute.
- (b) In the absence of manifest error, the decision of the expert is valid and binding upon the parties.
 - (c) The cost of the expert and any advisers must be borne by one or both of the parties as determined in the discretion of the expert taking into account the expert's decision in the Dispute, and failing such determination must be borne equally.
 - (d) Nothing in this clause prejudices any of the Owner's rights pursuant to this Lease or otherwise, or any written or unwritten law of the Northern Territory and notwithstanding the Dispute being referred to the dispute resolution procedure in this clause 18, the parties must so far as it is reasonably practicable, continue to perform and comply with their respective obligations under this Lease.

19. GST

Words used in this clause 19 which are defined in the *GST Act* have the same meaning as given in the *GST Act*.

- (a) Unless expressly stated otherwise, all amounts and payments stated in this Lease do not include GST.
- (b) If a supply made by the Owner under this Lease is a taxable supply under the *GST Act*, the Tenant must in addition to the amount payable to the Owner for that supply, concurrently pay to the Owner the amount of any GST payable in respect of that supply.
- (c) Without limiting clause 19(b) supply includes the possession, occupation or use of the Premises by the Tenant, including after the expiry of the Term.

20. General provisions

20.1 Relocation of Tenant

- (a) The Tenant hereby acknowledges and agrees that the Owner may, at any time during the Term, give to the Tenant a notice that it intends to conduct building work to extend, improve or change the Premises and require the Tenant to surrender this Lease and relocate to an alternative premises.

- (b) A notice given pursuant to clause 20.1(a) shall:-
 - (i) specify the date by which the Tenant is required to relocate from the Premises to the alternative premises;
 - (ii) offer a lease of the alternative premises on terms similar to this Lease;
 - (iii) specify a date on which the offer of a lease of the alternative premises is to be accepted;
 - (iv) specify the date on which this Lease is determined in the event that the Tenant does not accept the offer to lease the alternative premises;
 - (v) specify that the Owner will pay or reimburse all actual costs of the relocation of the Tenant including fit-out to the standards and specifications of that contained in the Premises.
- (c) If the Tenant does not accept the offer of a lease of the alternative premises within the time allowed in the Notice, then this Lease shall be determined at that time, and the Owner shall not be liable to pay to the Tenant any amount or sum by way of compensation, damages or otherwise in respect of the determination of this Lease.
- (d) If the Tenant accepts the offer of a lease of the alternative premises, then the Tenant shall enter into such a lease and shall execute such documentation as may be prepared by the Owner or its solicitors on or before the commencement date of that Lease and before the Owner is required to pay any monies in respect of the Tenant's relocation costs and expenses.
- (e) Notwithstanding the provisions contained in this clause 20.1, the Owner shall not be liable to the Tenant in respect of any loss of trade, inconvenience, nuisance or interference with the Tenant's business conducted in and from the Premises, howsoever caused.

20.2 Demolition of Premises

Notwithstanding anything herein contained, in the event that the Owner shall desire to demolish the Premises during the term of this Lease and any extension or renewal thereof (hereinafter called the Redevelopment) as a result of which the Owner will require the Premises or the Premises will be made wholly or partly inaccessible whether temporarily or permanently then the Owner shall have the right from time to time and at any time to:

- (a) require the Tenant to vacate and/or cease to use the Premises for such period as the Owner may require without any compensation or damages being payable by the Owner to the Tenant in respect of any loss or damage suffered by the Tenant as a result of such vacation or cessation aforesaid provided that:
 - (i) the Owner shall give to the Tenant not less than three months' notice in writing of its intention to require the Tenant to caveat or cease to use the Premises, and

- (ii) the rental in respect of the Premises will abate and the Tenant will not be required to pay its proportion of the operating expenses in respect of the period commencing on the date of the vacation or cessation and terminating on the date on which the Tenant is entitled to resume occupation of the Premises;

or

- (b) terminate this lease without compensation provided always that the Owner shall give to the Tenant not less than three months' notice in writing of its intention to terminate this lease.

20.3 Owner's Building Works

- (a) The Owner may carry out works that it reasonably believes are required to the common areas or services to the Land and any building thereon.
- (b) Such works may include but are not limited to the demolition, extension or other alterations of the common areas, refurbishment or replacement of finishes, extensions or reductions, alteration of means of access and alteration or modernisation of services.
- (c) If the Owner engages contractors or tradespersons that are suitable to the works to be carried out and they carry out such works during hours and in a manner that is usual to carry out such works then the Owner will not be in breach of its obligations pursuant to clause 12.1.

20.4 No Relationship Partnership etc

No provision of this Lease nor any acts of the parties are deemed to create any relationship between the parties other than the relationship of Owner and Tenant upon the terms and conditions only as provided in this Lease.

20.5 No Partnership

Nothing contained herein shall be deemed or construed by the parties hereto nor by any third party as creating the relationship of partnership or of principal and agent or of joint venture or joint enterprise between the parties hereto it being understood and agreed that neither the method of computation of rent nor any other provision contained herein nor any acts of the parties hereto shall be deemed to create any relationship between the parties hereto other than the relationship of lessor and lessee upon the terms and conditions only as provided in this Lease.

20.6 Time

Unless the contrary intention appears, wherever a period of time in this Lease is limited for the performance of any obligation by either party or for any other purpose, that period commences at 9.00 am on any relevant commencement date or at 9.00 am on the day after any relevant notice has been served or given or relevant default act event or omission has occurred and expires at 4.00 pm on the last day of that period but if the

last day of any period falls on a day that is not a Business Day, that period is extended to 4.00 pm on the next Business Day.

20.7 Waiver

- (a) A waiver by the Owner of any breach or non-observance by the Tenant of any of the Tenant's obligations under this Lease must not be construed to be a general waiver, and the waiver has effect only as to the particular breach or non-observance in respect of which it was made.
- (b) Without limiting the generality of this clause, a waiver of a continuing breach must not be construed as a general waiver of that breach so as to allow it to continue during the Term or any part of the Term other than that which precedes that waiver.

20.8 Notices

- (a) All notices, approvals, consents, demands or other communications required or permitted to be given under this Lease must be in writing and served personally or by prepaid certified post, facsimile transmission or transmitted email at the address of the party indicated below or at another address that a party substitutes for the address below by notice to the other party and, in the case of the Tenant, by service at the Premises.
- (b) A notice, approval, consent, demand or other communication sent by
 - (i) prepaid certified post is taken to be received on the 3rd, (7th, if outside Australia) Business Day after posting.
 - (ii) facsimile transmission, is taken to be received on production of a transmission report from the facsimile machine of the sender which shows that the transmission was sent in its entirety to the facsimile number shown in this Lease for the recipient, provided that the transmission report is produced before 4.00 pm, otherwise the facsimile transmission is taken to be received on the next Business Day.
 - (iii) email is taken to be received by another party, if transmitted to a party's email address and no error or bounce-back message is received, on the day of transmission.
- (c) For the purposes of this clause the initial addresses for service of the parties are those specified in Item 5 of Schedule 1.

20.9 Governing Law

This Lease is governed by and construed in accordance with the laws of the Northern Territory of Australia and each party agrees to submit to the non-exclusive jurisdiction of the courts of the Northern Territory of Australia at Darwin.

20.10 Reading Down and Severance

If a provision of this Lease:

- (a) is reasonably capable of an interpretation which would make that provision valid and enforceable and an alternative interpretation which would make it unenforceable, illegal, invalid or void then that provision will be interpreted or construed, so far as is possible, to be limited and read down to the extent necessary to make it or this Lease valid and enforceable; and
- (b) is invalid or unenforceable and cannot be limited or read down to the extent necessary to make it or this Lease valid and enforceable,

then the provision will be severed to the extent necessary to make it or this Lease valid and enforceable.

20.11 Entire Agreement

The provisions contained in this Lease and in any statutory provisions relating to this Lease are expressly agreed by the parties to comprise the whole of the agreement between them and the existence of any implied, collateral or other agreement, warranty or representation relating to this Lease or the parties is hereby negated, to the extent permitted by law, including, but not limited to any implied obligation on the Owner to conduct repairs or maintenance on the Premises or Building, and no variation of this Lease will be effective unless made in writing and signed by both parties.

20.12 Moratorium Negatived

The application to this Lease of any moratorium or other Act whether Territory or Federal having the effect of extending the term reducing or postponing the payment of the rent or any part thereof or otherwise affecting the operation of the covenants conditions and stipulations on the part of the Tenant to be performed or observed or providing for compensation rights or privileges at the expense of the Owner in favour of the Tenant or any other person is hereby expressly excluded and negated to the fullest extent permitted by law.

20.13 Contra Preferentem

Neither this Lease nor any part of it is to be construed against a party on the basis that the party or its legal or other representatives were responsible for its drafting.

Schedule 1

Item 1	That Part Of The Land Forming The Premises	The whole of the Land
Item 2	Prior Encumbrances	As per Certificate as to Title
Item 3	Permitted Use	Public recreation reserve
Item 4	Renewal/s Offered	<p>Option 1</p> <p>Annual Rent: \$1.00 (GST Inclusive)</p> <p>Term: Three (3) years</p> <p>Commencement Date: 2028</p> <p>Expiry Date: 2031</p> <p>Option 2</p> <p>Annual Rent: \$1.00 (GST Inclusive)</p> <p>Term: Two (2) years</p> <p>Commencement Date: 2031</p> <p>Expiry Date: 2033</p>
Item 5	Address For Service Of	<p>OWNER: Litchfield Council</p> <p>Contact name: Daniel Fletcher</p> <p>Address: PO Box 446 Humpty Doo NT 0836</p> <p>Facsimile number: Not Applicable</p>

Email:

TENANT: Southport Progress Association
Incorporated

Contact name: #[insert]#

Address: #[insert]#

Facsimile number: Not Applicable

Email: #[insert]#

Item 6

DRAFT



COUNCIL REPORT

Agenda Item Number:	15.1.5
Report Title:	Appointment of Committee Member to the Howard Park Reserve Committee
Author:	Jessica Watts, Community Development Program Leader
Recommending Officer:	Diana Leeder, Acting Executive Manager Community Services
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

This report presents a nomination for the Howard Park Reserve Committee for Council's consideration and recommends appointment.

Recommendation

THAT Council:

1. appoints Gerard Maley to the Howard Park Reserve Committee for a term of three years, commencing 29 January 2021; and
2. writes to Mr Maley to inform him of Council's decision.

Background

On 14 December 2015 Council resolved to establish the Howard Park Reserve Committee as a Council Committee. Terms of Reference were further updated, and new members appointed in November 2017.

The role of the committee is to:

- To provide advice and make recommendations to Council on the future direction and development of Howard Park.
- To oversee the operational management of the Reserve.
- To inform and involve all key stakeholders to promote partnerships addressing community need.
- To comply with all relevant Council policies relating to the care, protection and management of Howard Park.
- To promote effective co-operation and communication with all user groups.
- To prioritise and submit recommendations for Council's consideration as part of its annual capital works program and grant opportunities.

As per the Terms of Reference for the Committee:

- The Committee has no delegated authority and cannot incur expenditure or bind Council.
- The Committee may make recommendations to the Council. Recommendations of the Committee will be presented to the Council in written form accompanied by a report from the Secretary.
- Committee recommendations determined as 'operational', will be dealt with and actioned by the internally within Council with any action or lack thereof, reported to the Committee on a regular basis.

In accordance with the Terms of Reference, all Committee members are required to be formally appointed by Council for a term of three years. Currently there are two members, plus Council's Community Development Officer, and Cr Salter as the Chair. According to the Terms of Reference, the committee shall comprise a minimum of seven members, with at least four and up to six community members. This means that two additional community members are required to be appointed in order for the Committee to meet its Terms of Reference. Council will continue to advertise for this position.

Mr Maley has been an appointed committee member since its inauguration and has expressed his interest to continue as a community member.

The Committee is guided by the Terms of Reference for the Howard Park Reserve Committee.

Resource and financial implications

Nil.

Links with Strategic Plan

A Great Place to Live - Recreation

Legislative and Policy Implications

Nil.

Risks



Community Engagement

A public advertisement for Committee members has been a continuous process and advertised through:

- Council's Facebook Page;
- word of mouth from the Committee members to the community;
- discussions with existing user groups on the Reserve; and
- community noticeboards.



COUNCIL REPORT

Agenda Item Number:	15.1.6
Report Title:	Humpty Doo Village Green – Management of Reserve
Author:	Jessica Watts, Community Development Program Leader
Recommending Officer:	Diana Leeder, Executive Manager Community Services
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

Council intends to retain the management of the Humpty Doo Village Green (HDVG) for a period of twelve months following the dissolution of the Humpty Doo Village Green Management Board Inc. This is considered the best outcome for the community as it will allow for Council to determine the required service level to the community before seeking any expressions of interest for community management.

This report outlines the:

- features of the management including a plan to seek expressions of interest for community management;
- the timelines; and
- the community engagement strategy that will be used.

Recommendation

THAT Council:

1. note this report;
2. approve one-off increase in the current 2020/21 budget for the Humpty Doo Village Green of \$10,000 to allow for the forecasted increase in operational expenditure for the remainder of the 2020/21 year;
3. approves and delegates the Chief Executive Officer the authority to commence negotiations on a formal agreement with the current caretaker for services beyond 16 February 2021;
4. request that a budget of \$40,000 be included in the future budget register for Council consideration in the 2021/22 Budget to fund a Master Plan for the Humpty Doo Village Green.

Background

At the Annual General Meeting on 17 November 2020, the HDVG Management Board Inc. voted in favour of dissolving the Association and handing the operations of the HDVG reserve back to Council. The Board has informed Council the official hand over date is 16 February 2021, allowing for three months to formally dissolve.

The best outcome for the community is considered to be for Council to retain the management of the HDVG for twelve months. This will allow Council to determine the required level of service while seeking expressions of interest from the community to form an independent association to enter into a lease agreement with Council for the management of the reserve. This will also allow for Council support of any newly established community committee in understanding its responsibilities to maintain the Reserve to the appropriate service level before it is fully handed back over to the community.

Going straight out for expressions of interest for a new association to sign a lease and take on the operations of the Village Green is seen as an unnecessary high risk for Council and the community. This is due to the lack of time between the current association dissolving and the handover date, given the time lost over the Christmas and New Year period. The time constraints would result in a new association forming that has not been fully supported to provide the level of service required at the HDVG.

This does not preclude consideration of any approaches by an existing organisation willing to undertake management of the HDVG.

The advantages and disadvantages of Council retaining the operations for HDVG for a period of twelve months are outlined below.

Table 1. Council maintains and operates the Reserve using internal resources for a period of twelve months.

Advantages	Disadvantages
<ul style="list-style-type: none">• Council maintains full control of the site to be able to:<ul style="list-style-type: none">○ set the service level for the Reserve and be able to communicate this to the community;○ develop a master plan for the site;○ allocate funding for best utilisation;○ be better placed to provide programs and resources to the community at the Reserve; and○ advocate better for community groups to use the facilities including for youth programs.	<ul style="list-style-type: none">• Internal resources are already stretched. This Reserve is estimated to be quite resource intensive given the high number of community members and groups visiting each week.

Advantages	Disadvantages
<ul style="list-style-type: none"> Reduce the risk to Council as Officers will be onsite more regularly to monitor high risk elements such as trees, skatepark and the playground. 	<ul style="list-style-type: none"> Council cannot fully utilise volunteering power of the community and as a result the cost for operating and maintaining the Reserve is likely to be higher.
<ul style="list-style-type: none"> A twelve-month period will allow for a rigorous expressions of interest process to ensure the most suitable community members are available to manage the Reserve. 	<ul style="list-style-type: none"> As seen with Howard Park and Knuckey Lagoon, there is a higher service level expected from the community if Council runs the Reserve versus volunteer community members. A higher service level means a higher resource allocation is required.

Timelines

The below table outlines the proposed timelines for the twelve-month period of Council retaining the management of HDVG.

November 2020	HDVG Management Board resolve to dissolve the association as of 16 February 2021
January – February 2021	Council works with the HDVG Management Board on the transition process for the Board from the Board to Council.
16 February 2021	Council will now be responsible for the management of HDVG.
March – June 2021	Council retains the management.
March 2021	Request for quotes are sent to suitably qualified contractors for services at HDVG.
June 2021	An update is provided to Council on the management of HDVG.
July – December 2021	A master plan is undertaken for the site pending the finalisation of the 2021/22 budget process.
July – November 2021	Expressions of interest are sought from interested and suitable community members to form an independent association to take over the management of HDVG
October 2021	An update is provided to Council on the expression of interest process.
December 2021 – June 2022	The new independent association is provided close support by Council for its establishment.
July 2022 – Ongoing	Council provides continued support to the independent association.

Policy Considerations

There are no policies in relation to this matter.

Resource and financial implications

An estimate is provided below for the annual costs while Council retains the management of the Reserve in comparison to the current financial and resourcing implications with a Management Board in place.

	Council Retains Management	Management Board Model
Operational costs	\$60,000.00	\$48,563.00
Repairs and Maintenance	\$37,197.00	\$37,197.00
Tree Maintenance	\$20,000.00	\$20,000.00
Playground Audit	\$600.00	\$600.00
Staffing Resources to be provided with current staffing structure for ongoing management	\$4,784.00	\$7,176.00
Additional staff to manage and oversee operations	\$37,000.00	Nil
Estimated Total Annual Budget Required	\$159,581.00	\$113,536.00

The incremental cost for Council retaining the management is estimated to be \$46,045.00 for a twelve-month period. The incremental cost is not funded through the 2020/21 budget and has not been factored in the Long-term Financial Plan. Depending on the outcomes from this report, the Long-term financial plan and the 2021/22 budget will be adjusted to reflect to address the funding gap.

In the short term it is estimated the handover to Council will require an additional \$10,000 in budget for the 2020/21 year for the following:

- Increase in costs to contractors as seen with the handover of Knuckey Lagoon and Howard Park Recreation Reserves;
- Mitigation of risks to Council such as installation of signage on the halfpipe warning users of the steep slope as recommended in the draft Sport, Recreation and Open Space Strategy; and
- Any unforeseen costs that an independent association would have been eligible to fund through a community grant and as Council is not eligible for such funding.

Additional work associated with both Humpty Doo Village Green, together with the acquisition of Mira Square, in establishing community driven management of the facilities will impact current staff resources and additional support in the form of a temporary Level 4 0.5FTE is factored into the cost implications and can be funded from within salary savings. This 0.5FTE can provide facilities support and administration across the three managed Council Reserves being Humpty Doo Village Green, Howard Park Recreation Reserve and Knuckey Lagoon Recreation Reserve.

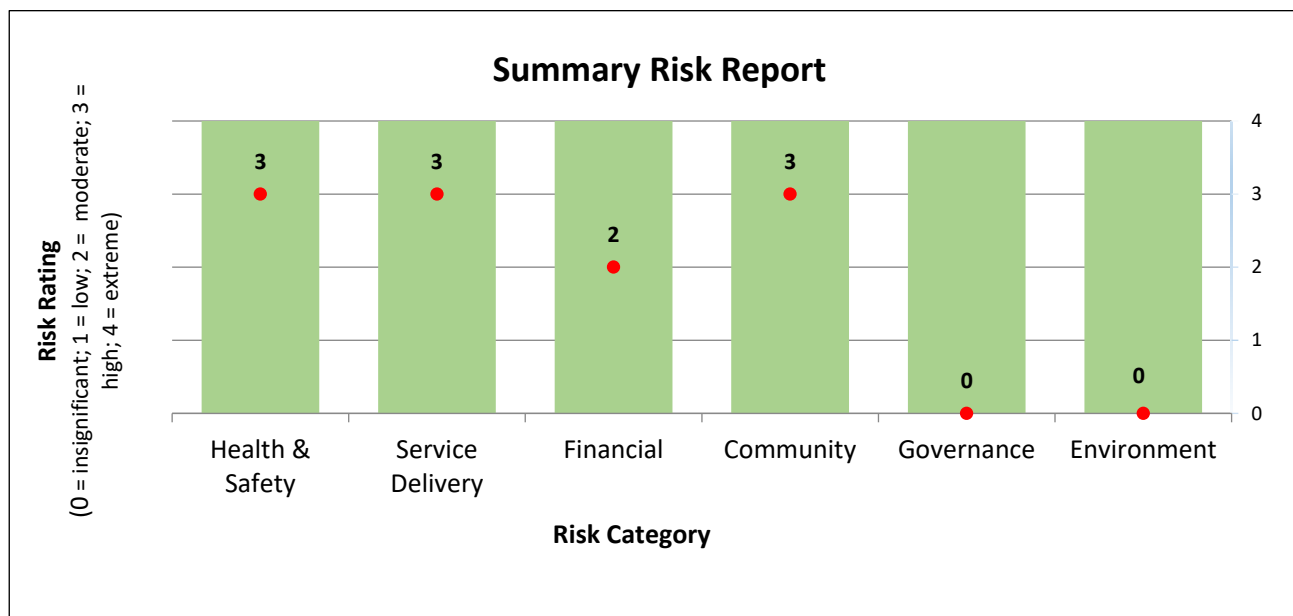
Links with Strategic Plan

A Great Place to Live - Recreation

Legislative and Policy Implications

Council has no policies relating to this matter.

Risks



Health and Safety

The risk to health and safety is high for the caretaker currently on site. This risk can be mitigated through a formal agreement outlining specific duties. It must also be noted that a current Council employee resides with the current caretaker on site.

Service Delivery

Should another independent association form, there is a high risk they will take time to form and not provide the service level that is expected by the community or required by Council. This will be mitigated as much as possible through a funding agreement which will set the expected service delivery. This risk will also be mitigated by Council managing the site for twelve months and advertising for expressions of interest in mid-2021.

Financial

Should Council take on the operations and management of the Humpty Doo Village Green, it is expected the cost will increase. This is due to the lack of volunteering power available to Council and the increased internal resources that will be required. Any new community-based association is also likely to draw existing resources away from other priorities during establishment.

Community

Should Council take over the operations and management, it may be perceived Council does not value volunteering power even though this is not the case. This has been seen at other Recreation Reserves.

Conversely, there is some community expectation for a high service level, with several community members already assuming Council manages the Reserve. Should Council not take over the Reserve, there may be confusion in the community as to Council's responsibility for the Recreation Reserves.

Additionally, should the caretaker cease to exist at the Reserve, this may cause some negative associations with Council within the community which will need to be managed through careful communication.

This risk will be lowered with a community engagement strategy to communicate to the community the positive outcomes for them.

Community Engagement

Council will inform the community of the handover of the Village Green via Council's Facebook page and upcoming community newsletter due to be distributed in February 2021.

From mid-2021 Council will then begin to seek expressions of interests from interested community members, or from an already establish association, to enter into a lease agreement with Council for the management of the Reserve commencing February 2022. This public expression of interest will be advertised through:

- Council's Your Say Page;
- Council's Facebook;
- Council's Community Newsletter;
- community noticeboards; and
- print media.



COUNCIL REPORT

Agenda Item Number:	15.01.07
Report Title:	Draft Litchfield Sport Recreation and Open Space Strategy
Author:	Jessica Watts, Community Development Program Leader
Recommending Officer:	Diana Leeder, Acting Executive Manager Community Services
Meeting Date:	28/01/2021
Attachments:	A: Draft Sport, Recreation and Open Space Strategy

Executive Summary

This report presents the draft Sport, Recreation and Open Space Strategy to Council and requests endorsement for community consultation for a period of 21 days.

Recommendation

THAT Council:

1. receive and note the draft Sport, Recreation and Open Space Strategy; and
2. endorse the draft Sport, Recreation and Open Space Strategy for public consultation for a period of 21 days commencing 29 January 2021.

Background

Sport and Recreation is an important part of the Litchfield lifestyle. The provision of sport, recreation and open space opportunities provide health, social and economic benefits to the community. Litchfield Council works closely with the community and other levels of government to provide well-planned, co-ordinated and integrated facilities and programs that stimulate community involvement and participation. In July 2020 Council commissioned Otium Planning Group to develop a Sport, Recreation and Open Space Strategy covering a ten-year period to provide the guidance required to plan, develop and manage sport and recreation opportunities for the Litchfield community.

The draft Strategy has been prepared based on a review of:

- relevant documents;
- discussions with Councillors and council staff;
- analysis of the trends in sport and recreation participation;
- a review of current provision;
- engagement with the community;
- Recreation Reserve stakeholders;

- sporting users;
- peak sport bodies; and
- relevant Territory Government Agencies.

To develop the draft Strategy the following methodology was used:

Timeline	Stage
August – September 2020	Background research and situational analysis
September – October 2020	First round of community engagement
November 2020	Analysis of the engagement
January 2021	Draft Strategy developed for wider community consultation
February 2021	Final Strategy

As part of the draft Strategy a funding a resourcing strategy has been included which outlines and recommends a range of actions to ensure sport and recreation is strategically planned and equitability resourced.

The report being presented to Council is a draft to be used for a second-round community consultation. Following this second round of community consultation, all submissions will be considered before the final Sport, Recreation and Open Space Strategy is presented to Council for adoption.

Links with Strategic Plan

A Great Place to Live - Recreation

Legislative and Policy Implications

Nil.

Risks



The development of the Sport, Recreation and Open Space Strategy is part of the 2020/21 Municipal Plan.

The Sport, Recreation and Open Space Strategy will provide Council and the community with guidance on the development of Sport, Recreation and Open Space in Litchfield over the next decade and therefore no risks are identified.

Community Engagement

If endorsed, the draft Strategy will be open for a period of 21 days for community consultation commencing 29 January 2020.

The draft Strategy will be available for comment on Council's Your Say page and will be promoted through:

- Recreation Reserve Management Boards and User groups;
- Community Groups;
- Council's Facebook page; and
- Council's webpage.

LITCHFIELD COUNCIL SPORT, RECREATION AND OPEN SPACE STRATEGY

Final Draft Report | December 2020

LITCHFIELD
COUNCIL



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SPORT + LEISURE



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OPG, IVG and PTA Partnership has offices in Hong Kong, Shenzhen, Shanghai and Beijing.

Otium Planning Group acknowledges the Australian Aboriginal, Torres Strait and South Sea Islander peoples of this nation.

We acknowledge the traditional custodians of the lands on which our company is located and where we conduct our business. We pay our respects to ancestors and to Elders, past, present and emerging.

Otium is committed to national reconciliation and respect for indigenous peoples' unique cultural and spiritual relationships to the land, waters and seas, and their rich contribution to society.

TABLE OF CONTENTS

1. EXECUTIVE SUMMARY	1
1.1. The Litchfield Context	2
1.2. Our Vision and Planning Principles	2
1.3. Key Recommendations	3
2. INTRODUCTION	4
2.1. Study Methodology	4
2.2. Facility Locations	5
3. POPULATION ANALYSIS	6
3.1. Population Projections	7
4. BACKGROUND RESEARCH	8
5. SPORT AND RECREATION IN LITCHFIELD	9
5.1. Overview of Community Engagement	10
5.2. Peak Sporting Organisations	10
6. RESERVES IN LITCHFIELD	11
6.1. Freds Pass Sport and Recreation Reserve	11
6.2. Howard Park Recreation Reserve	14
6.3. Knuckey Lagoon Recreation Reserve	15
6.4. McMinns Lagoon Recreation Reserve	16
6.5. Humpty Doo Village Green	17
6.6. Berry Springs Recreation Reserve	19
6.7. Livingstone Recreation Reserve	20
7. FUTURE LAND OPPORTUNITIES	22
7.1. 320 Arnhem Highway	22
7.2. Southport – Mira Square	22
7.3. Coolalinga Open Space – Local Park	22
7.4. Council Office	22
8. THE SPORT, RECREATION AND OPEN SPACE STRATEGY	23
8.1. Plan Implementation Overview	23
8.2. Council Policy and Planning Recommendations	24
8.3. Future Facility and Planning Recommendations	27
8.4. Reserve Plans	28
8.5. Funding and Resourcing Strategy	35
9. WARRANTIES AND DISCLAIMERS	37

1. EXECUTIVE SUMMARY

The Litchfield Sport, Recreation and Open Space Strategy aims to provide Council with a clear guide to the planning, development, and management of sport and recreation opportunities for the community. This strategy has been prepared based on a review of relevant documents; discussions with Councillors and council staff; analysis of the trends in sport and recreation participation; a review of current provision and engagement with the community, reserve stakeholders, sporting users, peak sport bodies and Territory Government Agencies.

This research and analysis led to the development of a provision framework, to guide planning and provision of sport, recreation and open space.

Sport and Recreation Provision Framework

REGIONAL - COUNCIL WIDE PROVISION



Competition level playing surface and lighting for each facility type.



Access to an event space for major events



Access to cultural/ community/ library



Competition Equestrian facilities



Access to an aquatic facility



Access to an indoor court facility

TOWNSHIP LEVEL PROVISION

(access within 10 minutes drive to cover 80% of the population)



Township Recreation

- « Access to training field and junior competition space
- « Access to multi-use court
- « Access to a youth space/ activity area
- « Access to a community meeting space/ hall (in the long term to be air conditioned)
- « Access to picnic facilities and play spaces for younger children
- « Access to active recreation opportunities (e.g. trails/ exercise stations)
- « Access to local community events outdoor space



Nature Based Recreation

- « Access to walking and riding trails
- « Access to picnic facilities in natural areas

URBAN RESIDENTIAL AREAS PROVISION

(90% of urban areas to have access within 500 m safe walking)



Walking access to local park of a minimum size of 0.5 Ha



Walking access to a local play space



Access to picnic facilities



Local Park must provide access to water, have good road frontage (preferred 50%)

The framework has been used to assess provision across the council area and to categorise the existing reserves and their primary role.

There are a number of more detailed recommendations in regard to reserves and sport and recreation provision that are discussed in Section 8.

1.1. THE LITCHFIELD CONTEXT

A number of recommendations have been developed to address areas of under provision, propose strategies for improving existing assets, working with key partners to share provision and finding cost effective and sustainable ways to meet community need. These have been developed having regard to the unique context of the Litchfield Council and its communities.

- « Litchfield covers a large area and has a **mix of rural, township and urban areas** and different standards of service are needed to reflect this diversity.
- « The proposed urban development in the Holtze area means a **significant growth in population** and demand for sport and recreation facilities.
- « There are a number of high-level sport and recreation opportunities available in Palmerston and Darwin which do not need to be duplicated in Litchfield. However for some sports such as equestrian, the **peak facility** is within Litchfield.
- « Provision of sport and recreation has historically been in partnership with the local community and others and this **spirit of community and council partnership** is a strength to be built upon.
- « The focus of past provision has been on larger multi-purpose reserves which has encouraged **sharing of resources** and created focal points for the community.
- « Like elsewhere, **participation patterns and activity demands are changing** as populations change, the council grows and other trends impact on preferences.
- « There are multiple **pressures on council resources and competition for priorities**. Not all recommendations can be delivered without external funding and other partnerships. This includes in some cases, delivery of the desired service standards expressed in the provision framework, where a capital investment is required and partnership with government agencies is essential to source adequate funds.

1.2. OUR VISION AND PLANNING PRINCIPLES

Sport and Recreation is an important part of the Litchfield lifestyle. The provision of sport, recreation and parkland opportunities provide health, social and economic benefits to the community. Litchfield Council will work closely with the community and other levels of government to provide well-planned, co-ordinated and integrated facilities and programs that stimulate community involvement and participation.

1.2.1. Planning Principles

- « **A holistic planning approach** – sport and recreation crosses over many areas of Council governance and provides a broad range of benefits. It should not be managed in isolation.
- « **Access and equity** – all members of the community will have the opportunity to participate in sport and recreation.
- « **Innovation** – seeking innovative solutions to new challenges that emerge due to population change and sport and recreation trends.
- « **Minimise duplication of resources** – efficient use of community assets to meet needs is a core principle and if possible, it is not desirable to duplicate facilities for sport and recreation including those provided by Territory Government Departments such as Education.
- « **Environmental and economic sustainability** – ensuring sport and recreation initiatives preserve natural resources, achieve sustainable environmental outcomes and support the local economy.
- « **Responsible asset management** – a sustainable approach to sport and recreation asset management with a focus on supporting multi-use and shared facilities and being financially viable.
- « **Social and cultural wellbeing** – using sport and recreation as a vehicle for bringing the community together and providing opportunities for social interaction and healthy lifestyles.
- « **Positive partnerships with individuals and groups** – working collaboratively with the community, government agencies, sport and recreation bodies and the private sector in planning provision and management of sport and recreation.

1.3. KEY RECOMMENDATIONS

The following are key recommendations arising from the strategy. Additional detail is contained in Section 8.

1

Council should adopt a new integrated Sport and Recreation Policy that details the provision framework for sport and recreation, the role of Council and community groups and the process for prioritising action. A draft Policy Outline is contained in Appendix One.

2

Council should continue to work with Reserve Committees and the local community to develop, adopt and implement master plans for the reserves. These plans should include both long term spatial planning and strategic planning for the sport and recreation uses. (Recommendations for each reserve are contained in Section 8.4)

3

Community involvement and community groups are critical to delivering sport and recreation in Litchfield and a program to support clubs and committees to continue to develop skills and capacity should be developed and implemented in partnership with peak sport bodies and the NTG.

4

Freds Pass should continue to be planned and invested in as the main regional facility for Litchfield. Additional spatial planning should be undertaken with the Reserve Management Committee to have a single integrated plan for future development and to assist in securing funds from other levels of government.

5

Provision of an outdoor court sports precinct should be progressed in partnership with tennis, netball and basketball. Planning for this should include development of a sustainable model based on the potential management of the precinct by a peak spot body such as tennis.

6

There are number of locations where desired provision outcomes have not been met. This includes access to local parks in urban areas, access to sports fields, outdoor courts and youth spaces. Meeting these shortfalls in provision requires a number of strategies including better community access to school fields and courts, further investment in some reserves and partnership with NTG to address issues in some new development areas. Priority areas are Coolalinga and Southport.

7

In the longer term, with population growth from new development areas, a multi-purpose sport, recreation and community centre should be considered. This could provide a library, cultural and events centre, indoor courts and a pool. A feasibility study and business case should be prepared to enable access to external funding.

2. INTRODUCTION

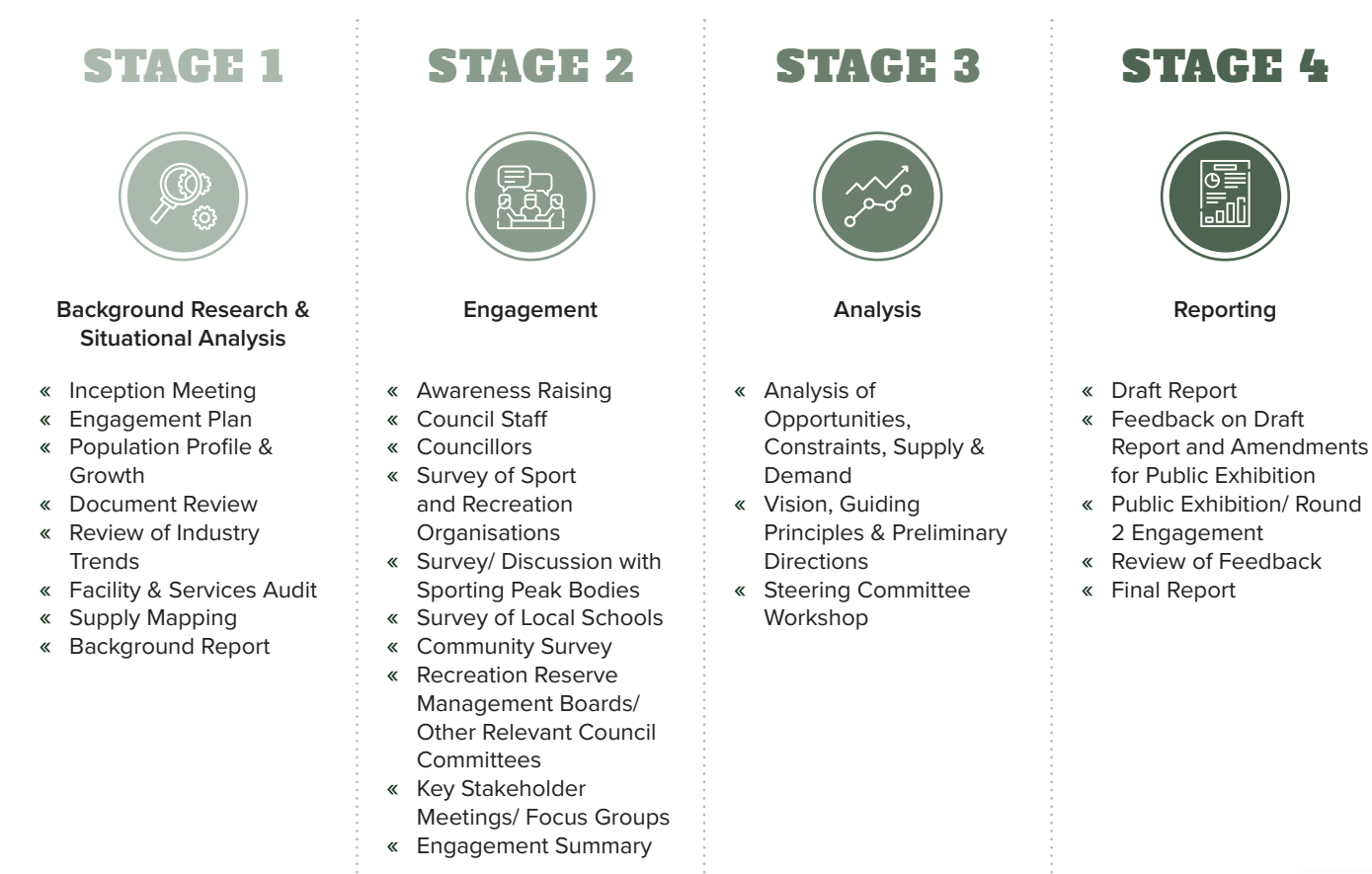
Litchfield is located approximately 45 km from Darwin's CBD and forms the rural fringe of the greater Darwin region, primarily comprised of rural residential housing. Litchfield has a strong history in sport and recreation, which it has become an integral part of the community. Litchfield Council wants to build on this history with the development of this Sport, Recreation and Open Space Strategy.

The Sport, Recreation and Open Space Strategy is accompanied by a Background Report that details the findings of the document review and stakeholder and community engagement activities.

2.1. STUDY METHODOLOGY

To develop this strategy the following project methodology was used.

Figure 1: Study Methodology



2.2. FACILITY LOCATIONS

The study reviewed the seven sport and recreation reserves (shown as pink pins in the figure below) and investigated potential future sites for sport and recreation use (shown as blue dots) that are public land and suitably zoned.

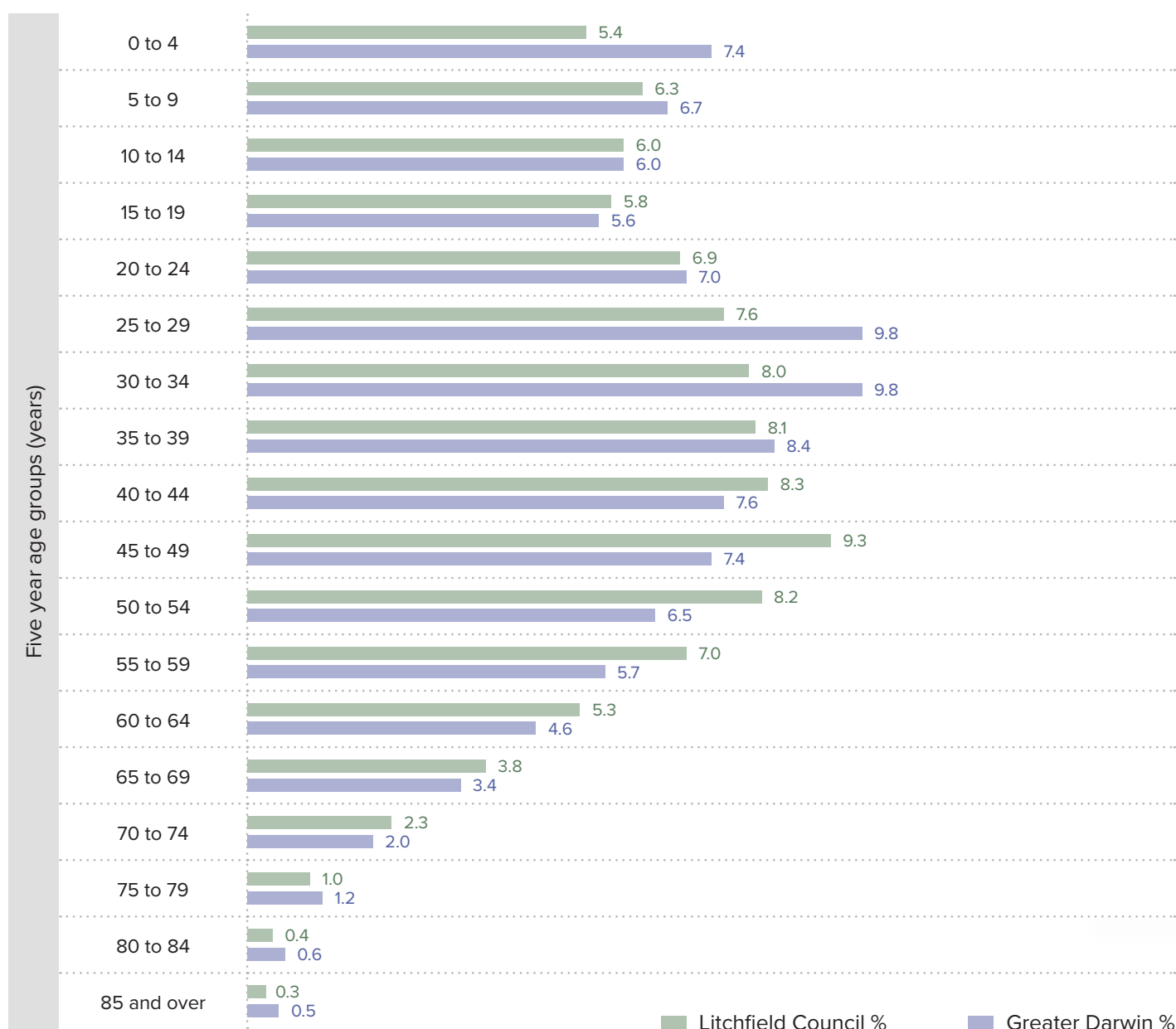
Figure 2: Reserve Sites in the Study Area



3. POPULATION ANALYSIS

The Litchfield Council area covers approximately 3,100 Km², which includes large areas of uninhabited land, including the Koolpinyah Forest. The latest population estimate (2019) was 25,561¹, which is an increase of 5,343 since 2011. There are significantly more males in Litchfield than females (59.4% to 40.6%), and an increasing indigenous population, which currently accounts for 1.1% of the population.

Table 1: Population Age Cohorts



When compared to the Greater Darwin area there is a significantly higher proportion of residents aged 40-64 (38.1% in Litchfield and 31.8% in Greater Darwin). There are also significantly less people aged 25-39 (23.7% in Litchfield and 28% in Greater Darwin). It will be important to consider these cohorts together, as the 25-39 age cohort is typically the main participants in traditional organised sport, while the older cohort is moving towards more unstructured and individual pursuits of sport and recreation.

¹ <https://profile.id.com.au/litchfield>

3.1. POPULATION PROJECTIONS

The Northern Territory Department of Treasury and Finance projects that the Litchfield Community will increase to 35,598 by 2036. This is expected to be a gradual increase of 1.5% - 2.0% every five years. The majority of this growth will be from the non-indigenous cohort, which will increase its growth rate from 0.8% in 2021 to 1.9% in 2036, while the indigenous population will grow at a higher rate, the rate of growth halves over the next decade and a half from 5.0% in 2021 to 2.6% by 2036.



ESTIMATED POPULATION BY 2036

35,598

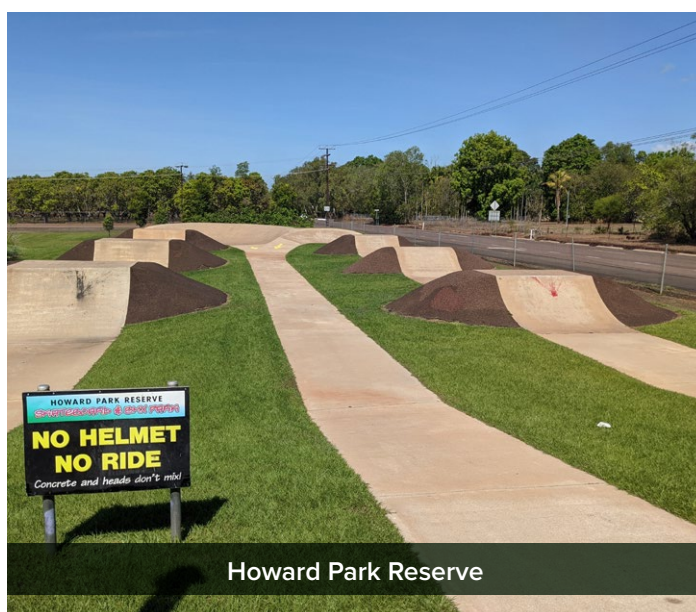


GRADUAL INCREASE EVERY 5 YEARS

1.5% - 2.0%



Freds Pass Reserve



Howard Park Reserve

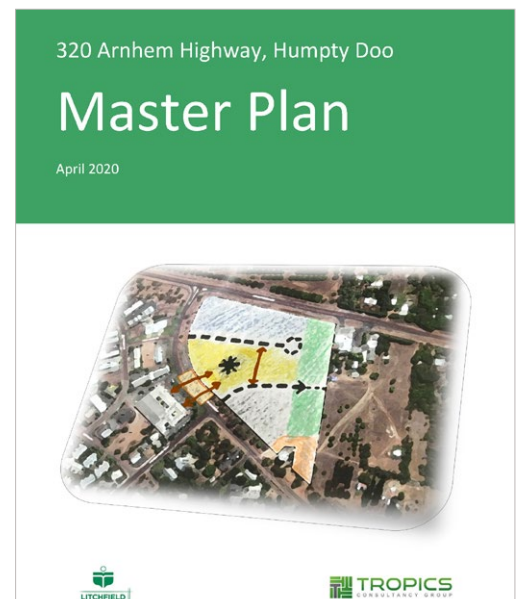
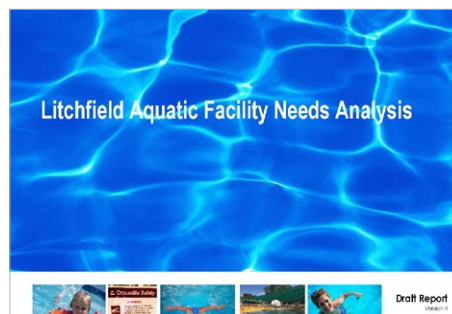
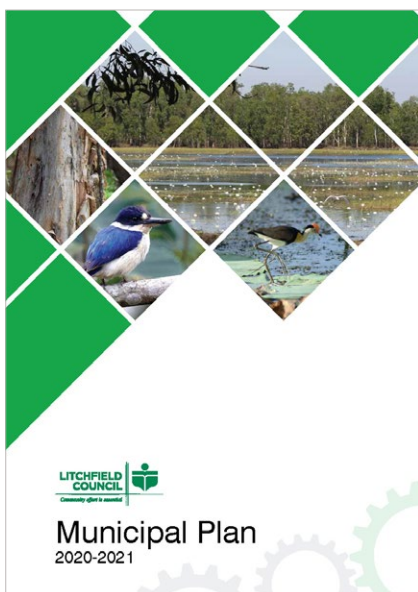
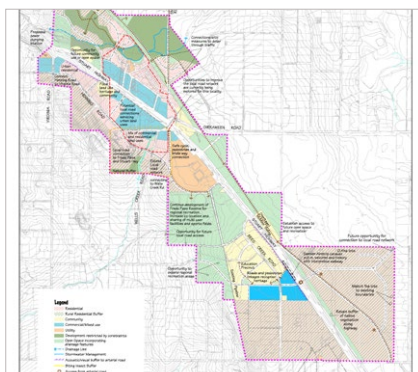


McMinns Lagoon

4. BACKGROUND RESEARCH

The list below details the documents that were reviewed to ensure the Strategy aligned with existing Council documents, State Sporting Plans and State Government documents. A detailed analysis of these reports can be found in the supporting Background Report.

320 Arnhem Highway, Humpty Doo Master Plan 2020, Litchfield Council	2020 Advocacy Plan, Litchfield Council 2020
Aquatics Needs Analysis Report 2017, Litchfield Council	Humpty Doo Rural Activity Centre, NT Planning Commission 2018
Freds Pass Reserve Master Plan 2018-2027	Proposal to amend NT Planning Scheme – Coolalinga/Freds Pass Area Plan
Litchfield Council Municipal Plan 2020-2021, Litchfield Council, 2020	Mira Square Master Plan, Litchfield Council 2020
Litchfield Strategic Plan 2018-2022, Litchfield Council	Holtze Kowandi North Social Infrastructure Assessment, Fyfe 2020



5. SPORT AND RECREATION IN LITCHFIELD

The Northern Territory has a planning system where the Territory Government is responsible for the land use planning, including detailing the location of land for community use, including sport and recreation. Council has limited influence over the location of land designated for these uses, which is evident in the lack of parks and open space activation in the urban development area of Coolalinga.

For Council's part, the management of the seven recreation reserves falls under one of two models, Council managed or leased. The reserves that are Council managed are maintained, booked and promoted by Council. All financial costs associated with the reserve are Council's responsibility. This includes Knuckeyes Lagoon and Howard Park Reserve.

Council has established an advisory committee to provide input to Council for the development of these reserves. These committee's operate under a terms of reference which has a purpose to:

- « Provide advice on the efficient and effective operations of the reserve
- « Provide advice to council concerning strategic or policy issues relating to the reserve
- « Enhance communication between Council and the community to ensure that the reserve meets community expectations and needs

The roles and responsibilities include:

- « To provide advice and make recommendations to Council on the future direction and development
- « To oversee the operational management of the Reserve
- « To inform and involve all key stakeholders to promote partnerships addressing community need
- « To comply with all relevant Council policies relating to the care, protection and management of Knuckey Lagoon
- « To promote effective co-operation and communication with all user groups
- « To prioritise and submit recommendations for Council's annual capital works program and grant opportunities

The second model involves leasing to independent associations who become the reserve management "Boards". These associations have their own constitutions and are incorporated entity's. These boards are responsible for the day to day running of the reserves, facility maintenance and improvements and grant applications. Council provides funding to support their role, and is in the process of finalising leases with the committee boards. These reserves include, Freds Pass, Livingstone, Berry Springs, McMinns Lagoon and Humpty Doo Village Green.²



Freds Pass Reserve

² At the time of writing, there was some uncertainty about the future management of Humpty Doo Village Green and this may revert to Council.

5.1. OVERVIEW OF COMMUNITY ENGAGEMENT

There were a number of engagement activities that were undertaken to inform the development of the strategy. The aim of the engagement program was to establish the community's needs and priorities for sport and recreation in the future; to understand the current state of play in Litchfield including the plans, barriers and opportunities that clubs, users and management committees experience and identifying opportunities that may be available with peak sporting organisations and; the Northern Territory Government. The findings for each reserve can be found in section 6, for each reserve.

The activities that were undertaken included:



Community Survey



Club and User group



School Survey



Interviews with
Peak Sporting
Organisations



Workshops with

- Councillors
- Council Staff
- Reserve Management Committees
- Department of Sport, Tourism and Culture

5.2. PEAK SPORTING ORGANISATIONS

Key Peak Sporting Organisations were consulted to understand their view regarding strategic direction of sport in Litchfield. The table below details the specific implications from the consultation.

Table 2: SSO Consultation Feedback

STATE SPORTING BODY	STRATEGIC DIRECTION
Netball Northern Territory	<ul style="list-style-type: none"> « Ideally any development of courts in Litchfield should be a 4-6 court facility to ensure that the development can cope with future demand. « There is potentially suitable space available at Freds Pass and this would be the preferred development site. « Netball NT encourages more collaboration with the Palmerston Netball Association in the short term as Freds Pass is not a short-term priority for the State body. « Netball NT encourages more communication between the local club and the peak body.
Rugby League NT	<ul style="list-style-type: none"> « There is a need for a second senior field at Freds Pass. Rugby League NT noted that there have been difficulties in the line marking with Athletics « Rugby League noted that there may be other opportunities to share access to increase field usage across Freds Pass. « Want to ensure the club facilities at Freds Pass are to standard.
Northern Territory Tennis	<ul style="list-style-type: none"> « Investigating potential feasibility of a 5-6 court facility. Tennis NT have indicated that they would be willing to manage the facility, which is a model they operate in other locations. « Freds Pass has been suggested as a potential location. « Tennis NT are willing to look at a shared facility accommodating other sports (netball/basketball) with community access through the book-a-court system. « Tennis NT Prefers a model where a facility can be used by like-minded groups.
AFL NT	<ul style="list-style-type: none"> « The priority in the Litchfield LGA is to secure lighting for the AFL field. at Freds Pass. This is to assist with the scheduling of home games. « AFL NT are focusing on establishing a new site in Woodroffe and that is their number one priority at present.

6. RESERVES IN LITCHFIELD

There are seven formal recreation reserves in Litchfield Council area, all of which offer a unique opportunity to the local community and the broader region. These reserves provide opportunities that include, but are not limited to, sports grounds, BMX/ pump tracks, skate parks, playgrounds, community halls, pavilions parks and court sports. This section details the findings of the consultation with Council, the community, user groups and the management boards and the site audits. It then details the opportunities and constraints at each site.

6.1. FRED'S PASS SPORT AND RECREATION RESERVE

Figure 3: Freds Pass Aerial



6.1.1. Site Details

Freds Pass Sport and Recreation Reserve is the region's largest sporting precinct, and currently caters for a wide range of sports. Currently the site covers 80.2 Ha and services the following sports, fields and facilities:

Table 3: Freds Pass Sporting Provision

SPORT/ ACTIVITY	FIELDS/ SURFACES	FACILITIES
Cricket	« 1 x Oval	« Clubhouse « Change rooms
AFL	« 1 x Oval	« Clubhouse « Sealed Car Park
Rugby League	« 1 x Senior Field « 1 x Junior Field	« Clubhouse
Soccer	« 2 x senior Field	« Clubhouse « Ablution block
Rugby Union	« 2 x Senior Field	« Clubhouse « Sealed Car Park
Athletics	« Grass Athletics Track (shared with Rugby League junior field) « Long Jump Pit « Throwing cage	
Polocrosse	« 7 x Polocrosse fields	« Clubhouse
Equestrian Sports	« Undercover Arena « Dressage Area	« Clubhouse « Storage facilities
Positive Dog Club	« Main Arena (share the use of the equestrian arena)	« Clubhouse
Archery	« Archery Range	« Clubhouse
Paintball (commercial provider)	« Range	« Clubhouse (Container)
Recreation Facilities		« Pavilion « Bee Hive (Meeting Space and Quilters Down the Track) « Lakeview Hall (includes playground) « Under cover area (used for markets)
Fred's Pass Rural Show	Multiple spaces (Equine fields, Rugby League, Pavilion, Market Carpark)	

6.1.2. Site Audit Findings

Several concerns were outlined during the site audit. These included:

- « **The Pavilion (also known as the Community Hall) has been condemned** and is currently only used for the annual show.
- « There are **concerns that the dressage arena is not of a suitable slope**, however this was not confirmed during the site audit.
- « There are a number of **demountable office spaces** have been brought to the site, which have not been certified.
- « There is a **lack of way finding signage** and line marking, which causes parking issues.
- « The **site is not always fully opened**, limiting travel between the sites within Freds Pass Reserve.
- « There are a number of sites that have **watering issues**, and water security continues to be of concern.
- « There was a clear **lack of planned development**, with the most users developing their own spaces in "silos" and not considering if this was beneficial to the reserve as a whole.
- « Due to the siloed planning that has been undertaken in the past there is **significant duplication** across the site, in particular in the development of clubhouses and parking spaces.
- « There are signs of **poor pedestrian connectivity** between sites. This may be due to the poor parking infrastructure and signage of sites.

6.1.3. Consultation Findings

Survey Findings

The user groups at Freds Pass were generally satisfied with the facilities, however when asked to outline the priorities for facilities going forward, the overwhelming consensus was to prioritise building improvements and field improvements. For field improvements the priorities don't necessarily advocate for new fields but rather access to fields for training and to improve competition offerings. For building and amenities, the focus of the clubs was the use of new or improved existing buildings for clubhouses, with many also specifically mentioning bar facilities.

Reserve Management Committee

The reserve management committee developed a master plan in 2018 which has been guiding the development of the reserve. The committee identified a number areas that needed to be considered as part of the strategy:

- « A need to balance the priorities of the current user groups and avoiding duplication of facilities
- « The existing infrastructure is old and requires regular work to maintain, however much of this was developed by the club and there are legacy concerns with removal of any infrastructure
- « Critical infrastructure that needs improvement is:
 - Water availability and delivery
 - Power to the site
 - Improving drainage
- « Road and parking infrastructure (varied level across the precinct)
- « There is a desire from the management committee to work closer with the peak sporting bodies to assist the local clubs develop capacity and move towards a model as used by Marrara Sports Precinct in Darwin
- « The development of future plans has been impacted by the changes made at a local club committee level who then change their direction
- « Currently the funding from Council is critical to the development of the precinct. The reserve would like to see increased funding from Council to establish a greater sinking fund for infrastructure maintenance and development
- « There is limited available capital funding for larger projects with most finances being spent on maintenance
- « The committee is looking at alternative locations for athletics, noting that the site identified in the master plan is no longer suitable
- « Irrigation and drainage are the main priorities for the management committee including upgrades to the bore
- « Power to the site requires a new transformer, especially if additional fields are to be lit
- « A decision is required on the future of the community hall. The committee identified that one possibility was to replace the hall with a community centre and administration building
- « The remaining building certification works are significant, and the committee is in the process of determining who is responsible

6.1.4. Issues and Opportunities

Freds Pass Reserve is the second largest sporting precinct in the Greater Darwin area, and is home to 24 user groups mostly from the Litchfield area. The facilities on site have been built by the users over a long period of time, many of which now have recently been repaired to pass certification. Legacy issues associated with building compliance will continue to be an issue for the management committee.

Compounding this legacy issue was a lack of coordinated planning in the past. This has led to significant duplication of facilities and limited sharing of sports grounds. Access and circulation for cars and pedestrians also needs an overall site planning approach. The management committee is looking to rectify these issues with the development of the Fred Pass Master Plan, which has set out the strategic direction for the entire precinct.

Developing court facilities within the reserve was identified by user groups, the management committee and two state sporting bodies. Tennis NT have indicated a willingness to manage the facility if it was found to be feasible. This may also provide an opportunity for the management committee to trial a lease with State Sporting Bodies.

The Freds Pass Master Plan provides the Reserve Management Committee and Council an opportunity to advocate with State Sporting Bodies to the Territory and Federal Governments for additional funds for the reserve. Council have already made this a priority in the 2020 advocacy Plan.

6.2. HOWARD PARK RECREATION RESERVE

Figure 4: Howard Park Recreation Reserve



6.2.1. Site Details

The Howard Park Recreation Reserve is approximately 8 Ha in size. It is located adjacent to the primary school and has the following infrastructure.

- « Concrete BMX Track
- « Baseball cage (no current diamond developed)
- « 1.5 Ha open space with concrete cricket pitch
- « Two community halls
- « Picnic facilities
- « Shaded Playground
- « Scouts Hall

6.2.2. Site Audit Findings

The site is well maintained, and the community halls are some of the only halls with Airconditioning within the LGA. The BMX/ skate track is a simple design and offers two differing levels of difficulty of the same track. The diamond cage is not accompanied by any diamond field, and if a baseball or softball diamond skin was installed this would have a significant impact on any use of the cricket pitch for formal cricket competition. The site has good shade, both natural and built and is located next to a primary school, which may increase passive use before and after school.

6.2.3. Issues and Opportunities

The BMX/ skate track design could be improved to offer a more diverse activity site for the community. One side could be retained, with the other being altered. The community halls are currently the only halls in the LGA that provide air-conditioned space for larger community gatherings. Prior to Whitewood Hall being transferred to Council it operated as a GP Clinic.

6.3. KNUCKEY LAGOON RECREATION RESERVE

Figure 5: Knuckey Lagoon Recreation Reserve



6.3.1. Site Details

This is the most northern site in Litchfield, and is approximately 18 Ha, which consists mostly of bushland. The site consists of a multi-use court, multi-use hall with large undercover area and an open space, which was formerly a field, but in its current state is not suitable for any sport.

6.3.2. Site Audit Findings

The site has a small nature play/ adventure play area adjacent to the community hall and multi-use court. The site is not in a prominent position within its suburb and hidden away from the community. The adventure playground appeared to be recently constructed, however there was limited signage indicating what was available. There was a lack of signage across the site specifically for way finding. Although there was space for a kick about/ open space, this had not been maintained and was mostly compacted rock with no grass covering.

6.3.3. Consultation Findings

The reserve is managed by Council and had very limited response from the community and user group survey. There may be additional use of the site, once Holtze Kowandi is developed, however it is more likely that residents in this area would use facilities in Palmerston. Scouts and a local community group are the only current user groups. Lack of awareness about the site and facilities available, along with its poor visibility may be factors in the low level of use.

6.3.4. Issues and Opportunities

Knuckey Lagoon Recreation Reserve is the most northern reserve in Litchfield, however it appears that there is limited use from the local community. The site has limited signage, is not on any main road and has limited facilities available. The combination of location, lack of signage and surrounding large rural lots means Knuckey Lagoon Recreation Reserve has limited use. Residents are also close to Darwin and Palmerston facilities.

As the main use of the site is for the community hall, there may be an opportunity to work with NTG to investigate the potential of a land swap for a more suitably located site that would deliver greater community benefit.

6.4. MCMINNS LAGOON RECREATION RESERVE

Figure 6: McMinns Lagoon Recreation Reserve



6.4.1. Site Details

McMinns Lagoon is unlike the other recreation reserves. Based around a large lagoon with migratory birds present, the site is more nature reserve than recreation reserve. The site has a number of connecting trails used mainly for walking and running. There is a large lawn picnic area overlooking the Lagoon, which has been popular for events, including weddings and bush markets. As this is a reserve managed by a management committee there is also a small office and storage area.

6.4.2. Site Audit Findings

The site is well maintained with multiple walking trails branching off prior to the large grass area, which is also well maintained. Beyond the trails there is limited other infrastructure on the site. There is a lack of wayfinding signage within the reserve to direct people around the Lagoon or give indications of distances (advice was provided that signage was being installed).

6.4.3. Consultation Findings

The management committee indicated that the Lagoon averaged between 15-20 people per day, and more on weekends. Some of this was due to programs run by Council to get the community more active following the Covid-19 restrictions. The site is very popular for walkers, runners and people walking their dogs and is valued by the community.

The management committee noted that a stormwater drain has not been adequately maintained by the NT Government and is impacting the trails around the Lagoon causing localised flooding which the committee has insufficient funding to address. There is also a lack of

volunteers to assist in managing the site, which has put more pressure on the caretaker.

The current level of funding is considered insufficient by the caretaker, with most funding spent on maintenance of the facility and the machinery and not improvements. To overcome this shortfall the committee is looking to establish a seed sale revenue stream in conjunction with a local school.

6.4.4. Issues and Opportunities

McMinns Lagoon sits in a unique position within Litchfield Council as its primary use is nature conservation with nature based recreation (and trails based recreation) a secondary use. The site has been used in the past with events such as bush markets and education presentations with the potential to be a small use event site. There is a need to establish power to the large, grassed area to improve the event capabilities of the site.

The trails around the lake have also become very popular recently and there is an opportunity to develop the site as an exercise focal point for the community. The addition of distance markers, wayfinding and interpretive signs across the site may further increase the popularity of the site. Some consideration should also be given to formalising a track around the lake to reduce the level of maintenance, particularly in the wet season.

Some consideration may need to be given to increasing the size of the office space if Council is to continue to use the reserve management committee as the management model. This may need to be reviewed as volunteers for the site have declined sharply and volunteering in general has continued to decline across Australia.

6.5. HUMPTY DOO VILLAGE GREEN

Figure 7: Humpty Doo Village Green



6.5.1. Site Detail

Humpty Doo Village Green has the most significant infrastructure outside of Freds Pass Sport and Recreation Reserve. The infrastructure on site includes:

- « Three playgrounds
- « Community hall (fenced)
- « Picnic facilities
- « Scouts Hall
- « Covered Skate Park
- « Dirt Pump Track
- « Caretaker facility
- « Lawn Bowls Club (club managed)

6.5.2. Site Audit Findings

The site is well maintained, however due to recent antisocial behaviour on site, significantly increased fencing may lower the visual appeal of the site. The shade sail roof structure over the skate park is damaged frequently and must be removed during the cyclone season. This removes the shade from the site when it is most needed in the summer months.

The community hall is locked when not in use (as a response to ongoing vandalism issues) and although this is a large open undercover space, it is not available to the general public unless for a booked use. The hall has a commercial kitchen but struggles during hot weather due to poor air-circulation. The park lands are well used and well maintained.

The halfpipe in the skatepark is very steep and requires a high level of skill to use. It is unlikely that this part of the skate park would be used and it may be better for it to be modified to a more appropriate design for a community skate park. Adjacent to the skate park is a small dirt bike track that was developed by local children (with the assistance of the committee) .

There is also some undeveloped open space, in particular the land adjacent to the skate park and in front of the bowls club.

6.5.3. Consultation Findings

The development of infrastructure at the site has been driven by the community. Consultation with the management committee indicated that decisions regarding infrastructure development were based on the demands of the community at the time. There was no strategic site master plan that directed decision making and priorities of the management committee. The site is also well used by residents from the neighbouring council areas, specifically Palmerston.

The bowls club advised that there was a need to repair the power to the site, as this has been a long-standing issue. The club is currently seeking funding to repair the issue. The Club's membership is declining, although this can fluctuate, but there may be a need to plan to increase membership and other revenue streams, such as social competitions.

At the time of writing, the Humpty Doo Village Green Reserve Management Committee had not signed a lease with Litchfield Council, with their main concern over the roles and responsibilities of each of the parties. Both the management committee and the bowls club were concerned about responsibility for compliance issues, such as those at the bowls club and the scout's hall.

6.5.4. Issues and Opportunities

Humpty Doo Village Green is a popular site with the community and is the main destination parkland in Litchfield. It offers the largest variety of activities. The most critical issue facing the management committee is the requirement to remove the shade sail during cyclone season, when it would be most beneficial. This is also a significant financial burden on the management committee, who suggested a cost over \$10,000 annually. Replacement with a fixed roof should be investigated.

The management committee indicated that there is no strategic master planning to guide development and investment. While this has worked in the past, the roles and responsibilities moving forward will place greater pressure on the volunteers. The site has a number of issues with the long-term viability of multiple buildings, including the scouts hall and community hall. Development of a long-term plan for the site will allow the management committee to plan for any necessary development that will be required and identify potential funding sources.

There may be an opportunity to diversify the services offered at the Humpty Doo Bowls Club if the infrastructure issues can be rectified. A number of bowls clubs are diversifying programming through alternative uses, including low impact activities, such as yoga, boot camps and in some cases futsal on the bowling green. This may provide a future revenue source for the Bowls Club to assist in maintenance and upkeep.



6.6. BERRY SPRINGS RECREATION RESERVE

Figure 8: Berry Springs Recreation Reserve



6.6.1. Site Details

Berry Springs Recreation Reserve is Council's most western location and is located next to the local primary school. The site offers an AFL field, community hall, playground, tennis court and picnic facilities.

6.6.2. Site Audit Findings

The site appears well maintained, with minor issues in the community hall regarding power for cooling. The existing goal posts at the site do not properly align and may not be currently suitable as a competition venue, however the surface looks suitable for training. There is significant shade around the site, both natural shade trees and structures. The site has good connectivity between the community halls, field, playground and tennis court. There is also significant parking available at the site.

6.6.3. Consultation Findings

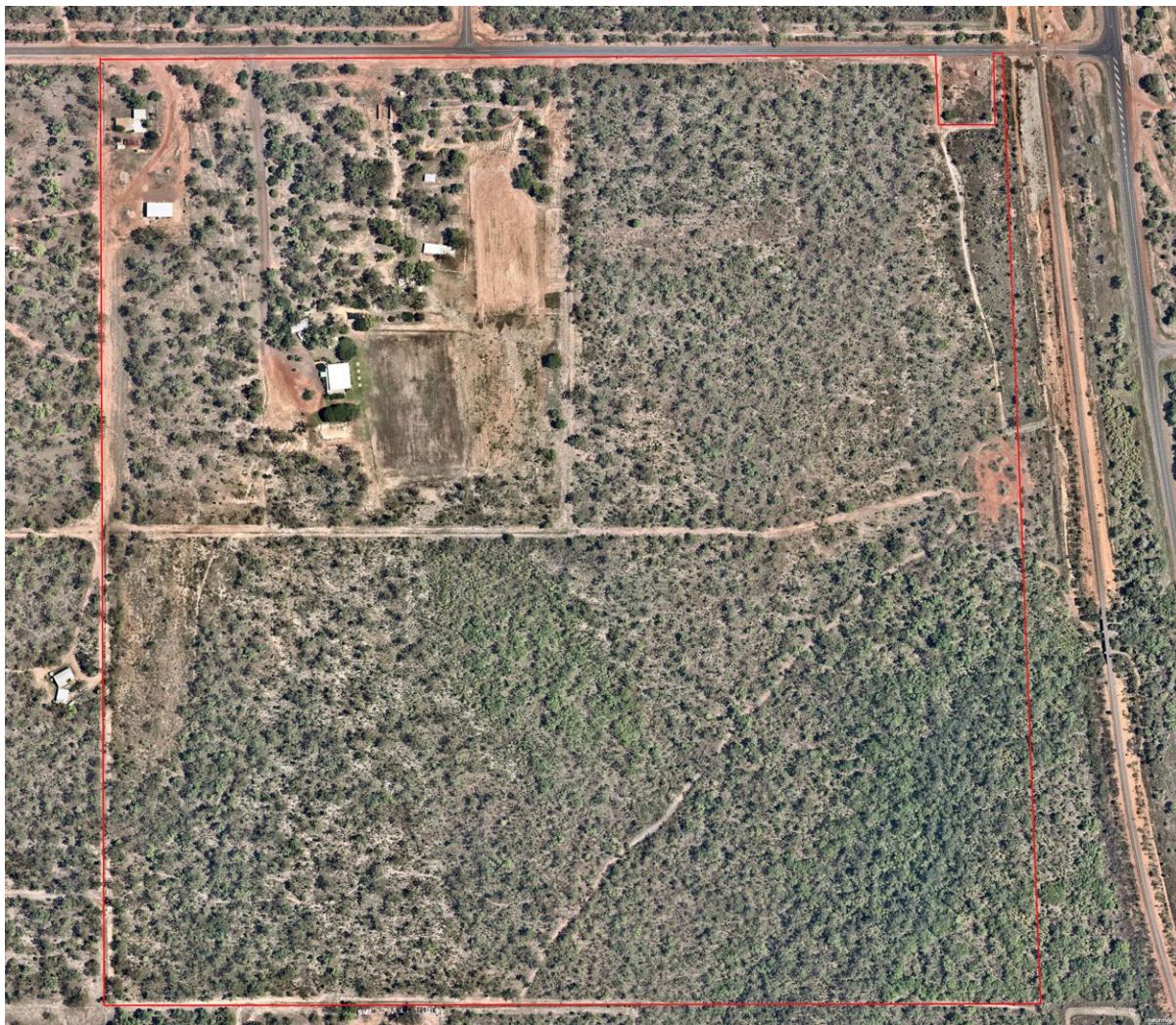
The Berry Springs Recreation Reserve Management Committee were contacted multiple times, including in person by Council staff at a management committee meeting. At the time of writing this report, no issues have been raised by them.

6.6.4. Issues and Opportunities

The reserve is a well laid out multiple use precinct. Apart from power supply issues, configuration of the sports field and pursuing shared provision approaches with the adjacent school, no other issues or opportunities were identified.

6.7. LIVINGSTONE RECREATION RESERVE

Figure 9: Livingstone Recreation Reserve



6.7.1. Site Details

Livingstone Recreation Reserve is approximately 28 Ha in size with a developed area of approximately 10 Ha. The site consists of the following infrastructure:

- « Community Hall
- « Rectangular field
- « Beach Volleyball Court
- « Equestrian facilities
- « Picnic tables
- « Playground (being replaced)
- « The Livingstone Volunteer Bushfire Brigade (site and facilities managed by the Brigade)

The site recently had a playground however it has been removed for compliance issues but is expected to be replaced in the near future.

6.7.2. Site Audit Findings

The community hall is well maintained and has recently been upgraded. This is to support the meals provided on a Friday night. The beach volleyball court is not currently in use and would require more work to bring it to standard for use. The sports field at the time of the visit was being used for equestrian activities, which would limit any potential field activities.

As stated above, the site is approximately only one third developed, with much of the undeveloped land bushland, which may be conducive to mixed use trails including cross country trails. The community hall does look out over the rectangular field and adjacent bushland, which may provide an opportunity for the site to be used for different events.

6.7.3. Consultation Findings

The reserve management committee outlined that there is currently only one current user of the site, Litchfield Horse and Pony Club. They have been working well with the club, recently making the field available for dressage. The committee did mention that the club only approaches them when they need assistance however as they are the only user this is not a current issue.

The management committee have a master plan for the site, established in 2015 and plans until 2025. The management committee has completed 25 of 46 planned actions. The committee is struggling for volunteers; however, this document ensures that there is a strategic direction for the site going forward.

The site runs a Friday night “pub” service with the kitchen operation leased to a third-party operator. This is providing an important service to the local community as a social opportunity and community gathering. This is operating successfully with around 120 meals served on a Friday night and it is the main revenue source for the committee to manage the reserve.

The old playground is being replaced as the site has become popular with families. There were also suggestions for a multi-use court at the site to meet the needs of the community. The committee is yet to determine what the potential use of such a site would be. In the past the beach volleyball court had been a popular social competition.

Car parking at the site is an issue during events, including the Pub nights. The management committee have plans to rectify the issue by formalising the parking at the site. The committee has also undertaken works to improve the irrigation on the rectangle field, however this is not fully connected as there are no users of the site.

6.7.4. Issues and Opportunities

The Livingstone Recreation Reserve Master Plan has been used to guide development and will continue to do so. The remaining sporting and recreation facilities including the beach volleyball court and multi-use court are expected to cost more than \$500,000 and there is limited expressed demand for these facilities, which if developed would require additional maintenance and funding.

The site is largely undeveloped, and the management committee is open to developing the site further if there is expressed demand. There may be potential to develop the bushland area of the site for bushwalking and horse trails. This will need to be balanced with the availability of resourcing within the committee to maintain any such trails.

With the success of the Friday night “Pub” the Livingstone Recreation Reserve acts as a focal point for the community and improvements to this service, including planned upgrades to the hall should be encouraged. This could be complimented with the development of additional unstructured active opportunities such as a new playground (planned development), half court and walking trails. This would confirm the site as the community hub of the local area.



7. FUTURE LAND OPPORTUNITIES

7.1. 320 ARNHEM HIGHWAY

An existing masterplan concept has been completed for the site. However implementation is subject to a number of factors including access to external funding and competing priorities. The master plan proposed the following facilities for a community purpose:



Council Offices



Cafe/Children
Playground



Seating



Community
Pool – 25m X
8 lane



District
Library/Early
learning
development



Multipurpose
Space/
Community hall

7.2. SOUTHPORT – MIRA SQUARE

The community at Southport have approached Council to establish land for the community. As part of the current discussions a masterplan for land (Mira Square) has been developed to deliver a community park. This includes:



COMMUNITY HALL

A 400m² covered multi-use space for community activities, including a meeting room and toilet facilities.



PLAY AREA

Play area consisting of multi-age climbing structures, slide and swing facilities within a soft fall play area.



CAR PARKING

Gravel base car parking with space for 18 parking bays with bollards to define the extent of the car park.



OPEN GRASSED AREA

Open grass area for play and picnicking, defined by the surrounding bush land and purpose planted shade trees.



SHADE STRUCTURE

Open roof structure providing shaded picnic seating and community BBQ area.



WATER TANK

200,000L Capacity water storage tank, collected off the Community Hall roof, large enough to supply the facility with water all year round.

7.3. COOLALINGA OPEN SPACE – LOCAL PARK

As part of the overall development of the Coolalinga site, the Northern Territory Government has indicated that land would be set aside for community use (parkland). This community has a large area of medium density housing and currently no public space provision at all. It will be critical prior to any additional releases of land for housing, an accessible area of public open space developed as a local park is provided.

7.4. COUNCIL OFFICE

There have been internal discussions within Council regarding the relocation of the staff to a larger site to accommodate the growth within Council. If this was to occur there would be an opportunity to reuse the offices to provide the community with significant meeting spaces and picnic facilities.

8. THE SPORT, RECREATION AND OPEN SPACE STRATEGY

8.1. PLAN IMPLEMENTATION OVERVIEW

This plan sets out a 10 year strategy for planning and providing sport recreation and open space opportunities for the Litchfield community. The plan details a number of policy, strategy and specific recommendations and has been designed to be flexible as there is a high reliance on external funding and partnerships to achieve many recommendations.

While Council's role is to provide leadership in planning and support for existing and emerging community partnerships, Council and the community acknowledge there are limited financial and staff resources and that it is only through multiple partnerships with community groups and other levels of government that many of the plan's objectives will be realised.

An Implementation Plan with indicative timing, responsibilities and resources will be prepared for Council following endorsement of the final Sport, Recreation and Open Space Strategy.

8.1.1. Plan Priorities and Review

Priorities have been indicated for the recommendations using the following:

- « High (1- 3 years)
- « Medium (3-6 years)
- « Low (6-10 years)
- « Ongoing (continuing actions)

These priorities are a guide only as, opportunities may arise (e.g. through access to external funding) which will enable some actions to be brought forward. Similarly some circumstances may change and mean that some actions will need to be deferred.

Once adopted the Implementation Plan should be reviewed each year to allow Council to report to the community on progress and to adjust actions and priorities according to emerging needs and resource opportunities.



Berry Springs Reserve

8.2. COUNCIL POLICY AND PLANNING RECOMMENDATIONS

8.2.1. Review and adopt a new Sport and Recreation Policy (High)

A Sport and Recreation Policy will allow for more consistent decision making, endorse the proposed provision framework, defines Council's role and provides the context to develop additional policies around leasing and not for profit tenure or management of reserves and facilities. The policy will provide a basis for prioritising emerging proposals and requests. A draft policy outline is provided in Appendix One for consideration.

8.2.2. Adopt the Sport and Recreation Provision Framework (High)

The provision of sport, recreation and open space should be provided equitably across the Council area. The following framework sets out the hierarchy of provision and the minimum standard of service anticipated to be provided.

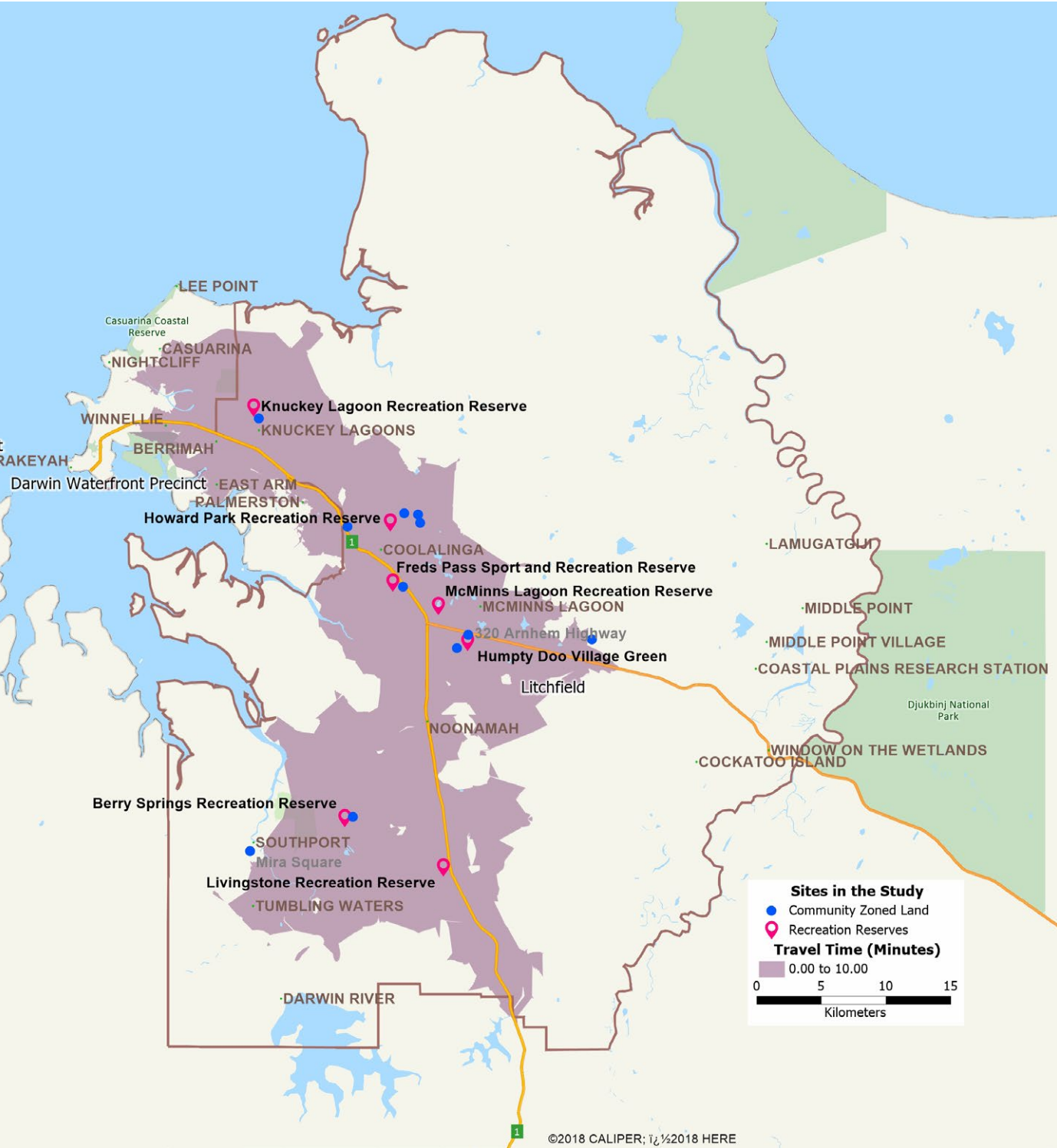
The intent is to define the desired opportunity outcome for the majority of residents. Litchfield is a large council and in some areas sparsely populated, so a target percentage coverage of the population has been defined

Table 4: Proposed Hierarchy Framework

HIERARCHY OF PROVISION	DESIRED SERVICE CATCHMENT	MINIMUM LEVEL OF SERVICE
Regional	Within the Local Government Area	<ul style="list-style-type: none"> « Competition level playing surface and lighting for each facility type « Access to an event space for major events « Access to cultural/ community/ library « Competition Equestrian facilities « Access to an aquatic and indoor court facility
Nature Based Recreation	Within 10 minutes-drive for 80% of residents	<ul style="list-style-type: none"> « Access to walking and riding trails « Access to picnic facilities in natural areas
Township Sport and Recreation	Within 10 minutes-drive for 80% of residents	<ul style="list-style-type: none"> « Access to training field and junior competition space « Access to multi-use court « Access to a youth space/ activity area « Access to a community meeting space/ hall (long term to be air conditioned) « Access to picnic facilities and play spaces for younger children « Access to active recreation opportunities (e.g. trails/ exercise stations) « Access to local community events space
Urban – Only applicable in small lot development areas.	Within 500m walk for 90% of residents	<ul style="list-style-type: none"> « Access to park of a minimum size of 0.5 Ha « Access to play space « Access to picnic facilities « Park must provide access to water, have good road frontage (preferred 50%)

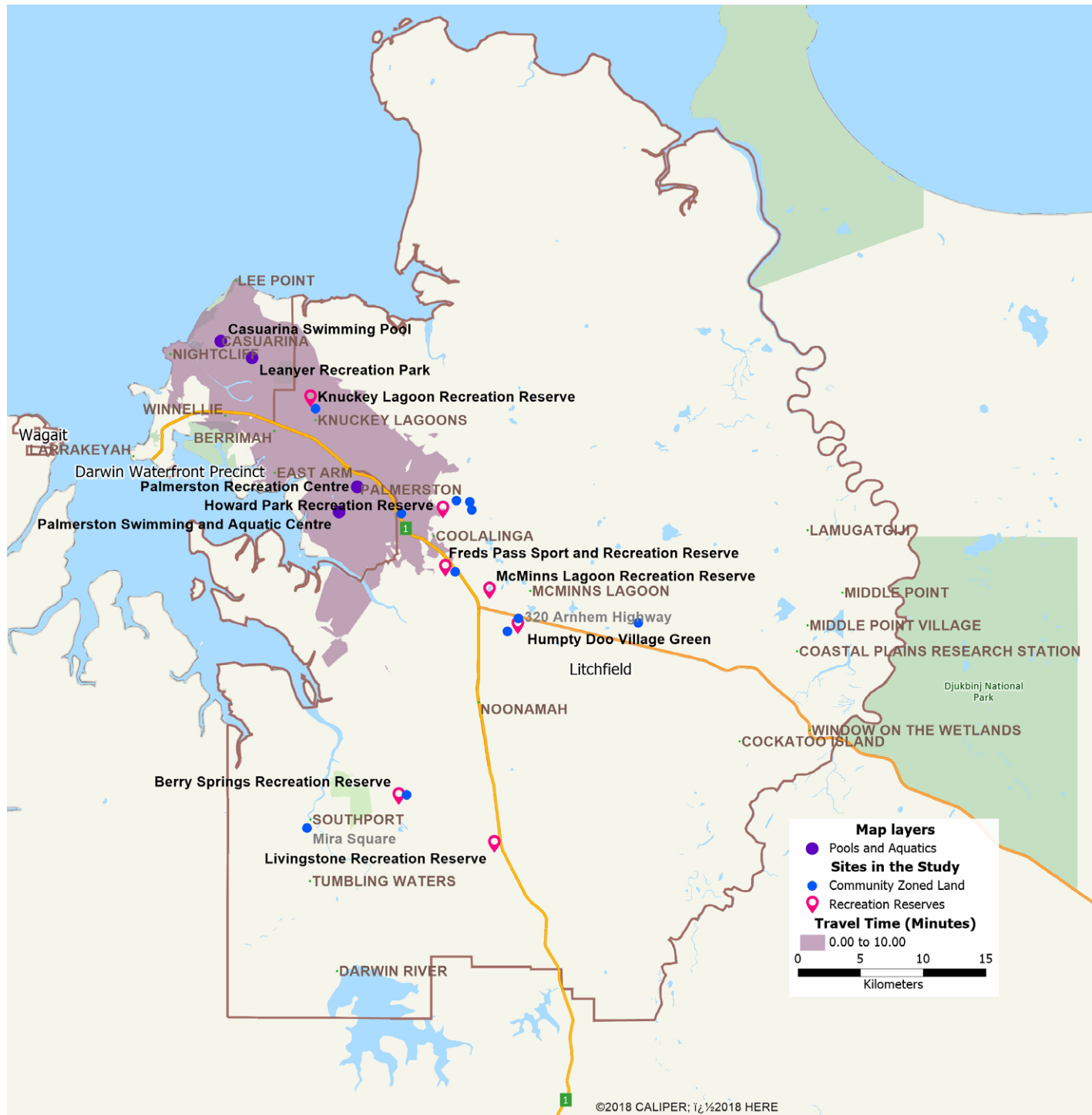
There are approximately 20,000 Litchfield Residents with n the desired 10 minute drive range for township and nature based opportunities. This represents a coverage of 80% of the population, as shown in the figure below.

Figure 10: Reserve Level of Service Catchment (population covered by 10 minutes drive to a Reserve)



There are no Aquatic or indoor sport facilities in Litchfield, however a 10-minute drive time catchment from aquatic and indoor facilities located in Darwin and Palmerston extends into Litchfield and covers a small part of the council area (see map below). The growth in demand associated with the development of Holtze and the lack of provision elsewhere in the council area suggests that there is likely to be sufficient demand for a small facility centrally located in Litchfield. The following map shows the coverage of Litchfield based on the 10-minute drive time radius.

Figure 11: Existing Aquatic and Indoor Catchment (10 min Drive Time)



8.3. FUTURE FACILITY AND PLANNING RECOMMENDATIONS

There are a number of recommendations designed to address existing provision issues, strengthen existing partnerships or develop new strategies for provision. It will be critical that Council (and the NTG) ensure that urban development areas, such as Coolalinga, Humpty Doo, Southport and Holtze are provided with suitable infrastructure to meet the minimum level of service outlined in the Provision Framework..

The table below provides more detail.

Table 5: Future Facilities and Other Planning Recommendations

ACTION	PRIORITY
Council should implement the master plan for Mira Square at Southport and undertake staged development of the site, ensuring the area meets the minimum standard for an urban park.	High
Council should ensure that the residents in Coolalinga have a suitable level of service, as described above for an urban area. This should include lobbying to the Northern Territory Government to provide a functional and accessible local park before more housing in released.	High
It will be critical that as further development is undertake in Coolalinga, and the bus terminal remains nearby, Council works with the NTG to develop a safe active transport (walking and cycling) route to Freds Pass.	High
Council should develop a structured program to develop the skills and capacity of management committee and clubs. This should include upskilling in management, planning, financial management, grants and fundraising, event management, sustainability, and facility management. This improves capacity associated with the tasks they are required to undertake. The program needs to be recurring to ensure that incoming committee members have access to skills and training support. ³	High
Council should continue to plan for the 320 Arnhem Highway site. This could include a feasibility into a multiuse centre that can accommodate the following: <ul style="list-style-type: none"> « 25m Program pool « Learn to swim program « Cultural/ community centre/ library « 2-court indoor centre. The potential additional population from any development of the Holtze area will create additional demand and may provide support for this type of development by improving feasibility	Medium
Council should work with Court Sport Organisations including Netball, Tennis, Basketball to develop a local court sport precinct. This should be a multiuse site that caters for training and local competition. Tennis NT indicated an openness to managing such a facility and Council should work with Tennis to better understand the requirements of such a management option.	Medium
Council should continue to support expansion of trail-based recreation supporting, walking, trail running and cycling. This includes supporting the continued development of the rail trail. and increasing the community's knowledge of the availability of the rail trail and promotion of other walking and cycling trails what recreation activities are available within the Council area.	On-going
Council should work with schools and clubs to identify possible opportunities to increase community use of existing school fields and courts. This is a more efficient use of public resources and avoids duplication . To reduce the risk in this approach, support from NTG Sport, Tourism and Culture should be sought to develop agreements with schools that protect access for clubs for a reasonable level of time. Agreements may include some additional support from Council such as support for maintenance.	On-going
Council should continue to lobby the Territory Government to secure Gunn Point as a reserve for the community to support outdoor recreation.	On-going

³ Examples include Cairns Regional Council's Go Clubs program and Sport Community. NTG Sport and Recreation are also exploring club training programs and would be the logical partner.

8.4. RESERVE PLANS

8.4.1. Freds Pass Sport and Recreation Reserve

Table 6: Freds Pass Sport and Recreation Reserve Plan

FREDS PASS RECREATION RESERVE		
Role and Hierarchy	Regional Sporting Reserve to service the competition needs of the Litchfield Community. Township sport and recreation opportunities for surrounding community	
Vision	Develop a destination sport and recreation reserve which provides high level competition facilities across most sports and has the ability to be the major event location in Litchfield. The precinct also provides park, picnic and play opportunities as well as providing for exercise and fitness based recreation.	
Current Management	Managed under lease	
Level of Service Compliance	Desired Recreation Outcome	Provision
	Competition lit playing field per code	Provided
	Major Outdoor Events Space	Provided
	Outdoor court sport precinct	Potential
	Active recreation opportunities, e.g. running loops or trails	Potential
	Community meeting and activity hall	Provided
	Picnic area	Provided
	Playground	Provided
	Competition Equestrian Facilities	Provided
Recommendations and Priority	<ol style="list-style-type: none"> 1. Work with the NTG to develop a safe active transport connection between Coolalinga and Freds Pass Recreation Reserve. 2. Work with Netball NT and Tennis NT to develop a court sport precinct, approximately 6 courts, that caters for Netball, Basketball and Tennis. Council should also work with Tennis NT to have Tennis NT manage the site. 3. Work towards lighting all competition fields to a suitable competition level. 4. Council and the management committee should consider a spatial master plan to address circulation, parking and access issues to identify the best potential location for a court sport precinct and a future home for athletics. 5. Establish an active/ running trail within the reserve, of a suitable size to undertake a park run. 6. Council should work with the Committee and user groups to agree on the priority of the actions from the endorsed Freds Pass Master Plan. This should include the incorporation of the club/user developed site concept plans. 7. Council should work with the management committee to have the master plan endorsed by the Peak Sporting Bodies including the priority level of actions and each individual user groups site concept plan. 8. Implement the Equestrian Master Plan and priorities 	<ol style="list-style-type: none"> 1. High 2. Medium - High 3. Medium 4. Medium - Low 5. Low 6. On-going 7. On-going 8. On-going

8.4.2. Howard Park Recreation Reserve

Table 7: Howard Park Recreation Reserve Plan

HOWARD PARK RECREATION RESERVE		
Role and Hierarchy	Township Reserve to service the northern area for family gatherings and active recreation.	
Vision	To provide the community with a space suitable for family gathering and local community events.	
Current Management	Council Managed with Community Advisory Committee	
Level of Service Compliance	Desired Recreation Outcome	Provision
	Training/junior field	Provided
	Access to multi-use court	Investigate use of school facility
	Access to a youth space/ activity area	Provided
	Access to a community meeting space/ hall (long term to be air conditioned)	Provided
	Access to picnic facilities and play spaces for younger children	Provided
	Access to active recreation opportunities (e.g. trails/ exercise stations)	Provided
	Access to local community events space	Provided
Recommendations and Priority	<ol style="list-style-type: none"> 1. Develop a long-term plan for the site to ensure there is suitable capacity in the reserve for any increased used from the Holtze Kowandi Development. This should focus on developing the site to reflect the vision of the reserve. 2. Consider the long-term sustainability of three halls and the potential to have long term leases in place that reduce Council responsibility for operating costs and minor maintenance. 3. Continue to work with the community to establish a reserve management board or increase involvement in reserve planning. 	<ol style="list-style-type: none"> 1. Low 2. Low 3. On-going



8.4.3. Knuckey Lagoon Recreation Reserve

Table 8: Knuckey Lagoon Recreation Reserve Plan

KNUCKEY LAGOON RECREATION RESERVE		
Role and Hierarchy	Nature Based Recreation Reserve providing access to recreation trails and small community events and township recreation opportunities.	
Vision	The reserve provides the nearby residents a safe place to exercise, gather and partake in social activities, groups and events.	
Current Management	Council Managed with Community Advisory Committee to be established	
Level of Service Compliance	Desired Recreation Outcome	Provision
	Access to walking and riding trails	Continue to develop
	Access to picnic facilities in natural areas	Provided
	Community meeting space/ hall	Provided
	Playground	Consider upgrade- enhance nature play
	Sports court	Provided
	Sport field, activity space	Convert to outdoor event community space.
Recommendations and Priority	<ol style="list-style-type: none"> 1. Work with the local community user groups to manage the building with a view to establishing a lease. 2. If the above is successful, explore expansion to a new (whole of) reserve management board. 3. Develop a number of walking and riding trails within the reserve to encourage active recreation. 4. Consider the future use of the “field” space and the potential to convert to an outdoor community events and cultural space or similar alternative use. This should include establishing power to the area to accommodate a greater variety of uses. 5. Ensure the site is maintained to encourage more use. This should also include more advertising by Council of what is available at the site. 6. Promote the available sports court to the community to identify any regular user groups, who may form part of a reserve management committee. 	<ol style="list-style-type: none"> 1. High - Medium 2. Medium 3. Medium 4. Low 5. On-going 6. On-going



8.4.4. McMinns Lagoon Recreation Reserve

Table 9: McMinns Lagoon Recreation Reserve Plan

MCMINNS LAGOON RECREATION RESERVE		
Role and Hierarchy	Nature Based Recreation Reserve providing access to the Lagoon, natural area activities (including bird watching), recreation trails and community events.	
Vision	The reserve provides the nearby residents a safe place to exercise, gather and partake in social activities, groups and events.	
Current Management	Managed under lease	
Level of Service Compliance	Desired Recreation Outcome	Provision
	Access to walking and riding trails	Provided
	Access to picnic facilities in natural areas	Provided
	Community meeting/events space	Upgrade lawn area to provide
Recommendations and Priority	<ol style="list-style-type: none"> 1. Advocate to the NTG to rectify the drainage issues causing trail damage. 2. Support the Committee to gain funding to establish power to the lawn area for events. 3. Support the Committee to gain funding for improvements to the office space. 4. Continue to support the Management Committee to recruit new members and plan for the future use of the reserve 5. Continue to support the development and improvements of walking trails around the Lagoon. 	<ol style="list-style-type: none"> 1. High 2. Medium - Low 3. Low 4. On-going 5. On-going



8.4.5. Humpty Doo Village Green

Table 10: Humpty Doo Village Green Plan

HUMPTY DOO VILLAGE GREEN			
Role and Hierarchy	Township Reserve to provide the community with a well activated space, providing opportunities for the whole family.		
Vision	The reserve provides opportunities for the whole family, including activation for young children, youth, and older adults.		
Current Management	Managed by a Reserve Committee (Lease negotiations on-going)		
Level of Service Compliance	Desired Recreation Outcome		Provision
	Training/junior field		Investigate use of school facility
	Access to multi-use court		Investigate use of school facility
	Access to a youth space/ activity area		Provided
	Access to a community meeting space/ hall (long term to be air conditioned)		Provided
	Access to picnic facilities and play spaces for younger children		Provided
	Access to active recreation opportunities (e.g. trails/ exercise stations)		Provided
	Access to local community events space		Provided
Recommendations and Priority	<ol style="list-style-type: none"> 1. Install a fixed steel roof over the skate park. 2. Install signage at the halfpipe of the skate park, outlining the required skill level of the halfpipe. If the long-term plans for the site include redesigning the skate park, consideration should be given to removing this aspect of the skate park. 3. Develop a formal spatial and strategic plan for the reserve to guide planning and assist in gaining grant funding for improvements. 4. Investigate the potential of developing a court sports precinct here is not possible at Freds Pass. 5. Develop a plan to determine the future of the current buildings on site, including the scouts hall. 6. Council and the management committee, as part of the overall strategic and spatial plan, should work with the nearby schools to ensure there is greater youth activation and ownership of the site to assist in reducing vandalism of the site. 		<ol style="list-style-type: none"> 1. High 2. High 3. Medium 4. Low 5. Low 6. On-going



8.4.6. Berry Springs Recreation Reserve

Table 11: Berry Springs Recreation Reserve Plan

BERRY SPRINGS RECREATION RESERVE		
Role and Hierarchy	Township Reserve to provide a space for junior sport and training, while also a community gathering space, providing informal recreation opportunities.	
Vision	The reserve provides a meeting space for the community to participate in sport and recreation activities.	
Current Management	Managed under lease	
Level of Service Compliance	Desired Recreation Outcome	Provision
	Training/junior field	Provided
	Access to multi-use court	Provided
	Access to a youth space/ activity area	To be developed
	Access to a community meeting space/ hall (long term to be air conditioned)	Provided
	Access to picnic facilities and play spaces for younger children	Provided
	Access to active recreation opportunities (e.g. trails/ exercise stations)	Provided
	Access to local community events space	Provided
Recommendations and Priority	<ol style="list-style-type: none"> 1. Council should work with the management committee to establish a priority plan of works for the upkeep and maintenance of the site. This should include rectifying the goal post alignment issues. 2. The Committee should work with the neighbouring school to determine a suitable youth activation plan for the north east corner of the site, if demand is identified. 3. The committee should increase promotion of the field for training purposes. 	<ol style="list-style-type: none"> 1. High 2. Medium - Low 3. On-going



8.4.7. Livingstone Recreation Reserve

Table 12: Livingston Recreation Reserve Plan

LIVINGSTONE RECREATION RESERVE		
Role and Hierarchy	Township Reserve to provide a space for equestrian sport, active recreation opportunities and event space for the residents south of Noonamah.	
Vision	A place for the community to gather, undertake informal recreation, equestrian activities and community events.	
Current Management	Managed under lease	
Level of Service Compliance	Desired Recreation Outcome	Provision
	Training/junior field	Provided
	Access to multi-use court	Planned to provide
	Access to a youth space/ activity area	To be provided
	Access to a community meeting space/ hall (long term to be air conditioned)	Provided
	Access to picnic facilities and play spaces for younger children	Planned to be provided
	Access to active recreation opportunities (e.g. trails/ exercise stations)	Provided
	Access to local community events space	Provided
Recommendations and Priority	<ol style="list-style-type: none"> 1. Council to endorse the master plan for the site. 2. Develop picnic facilities with the installation of new playground equipment. 3. Investigate the feasibility of a multi-use court at the reserve. 4. Investigate the potential for a mixed-use trail network within the current bushland area. 5. If there is a need identified by current users, the long-term potential for a equestrian cross country course should be further investigated. 6. Consider long term future of the sports field, with potential interim alternative use, while maintaining the ability to convert back to a sport field if demand arises. 	<ol style="list-style-type: none"> 1. High 2. High 3. Medium 4. Low 5. Low 6. On-going



8.5.FUNDING AND RESOURCING STRATEGY

This ten-year plan recommends a range of actions to ensure strategically planned and equitably resources sport and recreation opportunities for the Litchfield community. There are limitations to the resources available to Council and the Community and access to external funding and partnerships with other organisations and agencies will be essential to the progress of many recommendations.

While detail on potential funding and implementation partners may be contained in the prior recommendations, an overall funding strategy framework has been developed to assist in implementation.

The following matrix outlines the proposed funding and resourcing strategy for different recommendation categories.

RECOMMENDATION TYPE	FUNDING IMPLICATION	COUNCIL ROLE	KEY PARTNERS AND FUNDING OPPORTUNITIES
Developing and adopting new policies and the Provision Framework	Staff and Councillor time to review. Each new policy may have funding implications.	« Finalise and adopt « Include budget measures or funding strategies if required « Review regularly and update	Nil- Internal process
Addressing under provision in Urban Areas	Capital costs to develop new parks/ facilities Ongoing maintenance and operations costs	« Liaise with NTG in regard to addressing issue « Approve/ agree to proposed concept plan/ master plan « Budget for ongoing maintenance	NTG - to provide land and capital funds to develop missing infrastructure. Possible federal grants for facilities or park embellishments
Preparing reserve master plans and spatial plans	Staff time to work with Lessee/ Committee/ Community Funding for consultants or specialists	« Support reserve manager to prepare/ revise master plans and spatial master plans « Manage the preparation of plans for reserves where there is no community management. « Provide technical advice on proposed actions to ensure building and planning standards are met. « Contribute to funding needed to prepare plans	Reserve Managers to manage planning process if they have capacity. Grant funding from NTG Collaborative funding from Peak Sports with a major interest.
Planning and Feasibility Studies	May be an essential part of getting capital grants to develop facilities. Funding needed for Consultants and specialists Staff time to manage or be involved in project Potential operational costs if project proceeds	« Provide all or part funding for the study. « Manage the project and support community engagement « Include budget allocation where there is an operating cost implication for council	NTG grants to support preparation of a business case or feasibility. Peak Sports or other potential facility partners (including reserve managers if applicable) who may contribute to the study costs.

RECOMMENDATION TYPE	FUNDING IMPLICATION	COUNCIL ROLE	KEY PARTNERS AND FUNDING OPPORTUNITIES
Supporting community based and not for profit management of reserves and club delivery of sport and recreation	For community based management of reserves and facilities to remain sustainable continued investment in skills and capacity is required.	<ul style="list-style-type: none"> « Staff time to coordinate with external providers and curate resources for community groups. « Support groups and provide advice and guidance to develop strong committees with good governance « Provide help in accessing training and on-line resources 	<p>Numerous partners, support agencies including:</p> <ul style="list-style-type: none"> « NTG (Sport, Tourism and Culture) « Sport Australia « Volunteers Australia « Our Community.org « Peak Sports « Not for Profit training providers « Extensive on-line resources provided by most State Sport and Recreation Agencies.
Developing new facilities	Capital funding for development. Recurrent funding to support or subsidise operation.	<ul style="list-style-type: none"> « Only support projects that are in keeping with Sport and Recreation Strategy priorities and have been shown to be sustainable. « Prepare grant funding applications or assist with preparation of applications. « Provide auspice role if needed. « Endorse the lodging of applications by others for projects on council land. « Manage the grant and construction if needed. « Contribute seed funding or a portion of capital funds subject to a detailed funding strategy approved by Council. « Include operational funding in future budgets if required. 	<p>NTG grant and capital funding programs for sport and recreation</p> <p>Federal sporting and community facilities grants.</p> <p>Peak sports identified as key partner in facility.</p> <p>Potential commercial partners willing to provide funding in exchange for commercial rights.</p> <p>Property developers required to provide community infrastructure.</p>

9. WARRANTIES AND DISCLAIMERS

The information contained in this report is provided in good faith. While Otium Planning Group has applied their own experience to the task, they have relied upon information supplied to them by other persons and organisations.

We have not conducted an audit of the information provided by others but have accepted it in good faith. Some of the information may have been provided 'commercial in confidence' and as such these venues or sources of information are not specifically identified. Readers should be aware that the preparation of this report may have necessitated projections of the future that are inherently uncertain and that our opinion is based on the underlying representations, assumptions and projections detailed in this report.

There will be differences between projected and actual results, because events and circumstances frequently do not occur as expected and those differences may be material. We do not express an opinion as to whether actual results will approximate projected results, nor can we confirm, underwrite or guarantee the achievability of the projections as it is not possible to substantiate assumptions which are based on future events.

Accordingly, neither Otium Planning Group, nor any member or employee of Otium Planning Group, undertakes responsibility arising in any way whatsoever to any persons other than client in respect of this report, for any errors or omissions herein, arising through negligence or otherwise however caused.



APPENDIX ONE – DRAFT SPORT AND RECREATION POLICY

NOTE: This is draft policy outline only and is provided for guidance. As part of implementing this plan, Council will consider, discuss and revise this policy before adoption.

POLICY VISION

Sport and Recreation is an important part of the Litchfield lifestyle. The provision of sport, recreation and parkland opportunities provide health, social and economic benefits to the community. Litchfield Council will work closely with the community and other levels of government to provide well-planned, co-ordinated and integrated facilities and programs that stimulate community involvement and participation.

DEFINING COUNCIL'S ROLE

Council has a primary role to provide leadership on planning for sport and recreation and to support existing and future partnerships with the community and others in providing a diverse range of opportunities. Council fulfils this role by:

- « Recognising sport and recreation as important to the community and ensuring a that a minimum level of service as defined in the Provision Framework is delivered.
- « Planning ahead for the upgrading of existing facilities and the provision of new facilities and ensuring that planning undertaken by others for community sport and recreation facilities is realistic, sustainable and at a suitable standard for public use.
- « Continuing to develop and strengthen Council's partnerships with lessees, community groups and other agencies to deliver a range of sport and recreation opportunities.
- « Ensuring that existing parks, reserves and facilities managed by Council are maintained effectively and ensuring that committees and lessees managing reserves and facilities maintain facilities to the agreed standards.
- « Establishing and supporting partnerships with community groups (either as Lessees or Management Committees) who manage and maintain reserves and facilities. This can be in the form of: advice, financial support, assistance with funding applications and support for long term planning.

KEY PRINCIPLES

In achieving the vision, Council will be guided by some key principles for the planning and provision of sport and recreation facilities, services and programs:

- « **A holistic planning approach** – sport and recreation crosses over many areas of Council governance and provides a broad range of benefits. It should not be managed in isolation.
- « **Access and equity** – all members of the community will have the opportunity to participate in sport and recreation.
- « Innovation – seeking innovative solutions to new challenges that emerge due to population change and sport and recreation trends.
- « **Minimise duplication of resources** – efficient use of community assets to meet needs is a core principle and if possible, it is not desirable to duplicate facilities for sport and recreation including those provided by Territory Government Departments such as Education.
- « **Environmental and economic sustainability** – ensuring sport and recreation initiatives preserve natural resources, achieve sustainable environmental outcomes and support the local economy.
- « **Responsible asset management** – a sustainable approach to sport and recreation asset management with a focus on supporting multi-use and shared facilities and being financially viable.
- « **Social and cultural wellbeing** – using sport and recreation as a vehicle for bringing the community together and providing opportunities for social interaction and healthy lifestyles.
- « **Positive partnerships with individuals and groups** – working collaboratively with the community, government agencies, sport and recreation bodies and the private sector in planning provision and management of sport and recreation.

POLICY IMPLEMENTATION

Council will implement this policy through:

- « Adopting the Sport, Recreation and Open Space Plan and updating it regularly.
- « Agreeing on an objective framework for considering priority of new requests for support or investment.
- « Ensuring there is an annual budget for sport and recreation that is sufficient to meet the policy outcomes and increases in line with needs with population growth.
- « Seeking external capital funding sources and supporting grant applications to enable investment in new or upgraded facilities.
- « Providing capital funding to support integrated funding strategies for new and upgraded facilities.
- « Ensuring development of parks, sporting facilities and recreation facilities occurs in such a way as to provide sustainable long-term access to the community.
- « Ensuring that all urban areas or townships receive a minimum level of service in regard to sport and recreation opportunities.
- « Developing and updating a detailed policy on community-based management or leasing of the main reserves.

POLICY CONSIDERATIONS

Sport and Recreation Benefits

Provision of sport and recreation opportunities are essential for the physical, social and economic health of the Litchfield community. This means that Council should recognise and 'value' these benefits as a major return to the community for any investment in sport and recreation opportunities. The cost to operate or support facilities and activities should be measured in terms of the return in:

- « Health and physical activity opportunities;
- « Community integration and social interaction;
- « Support and development of local economies.

Limited Resources and Priorities

Investing in sport and recreation opportunities needs to consider the issue of limited resources and should therefore seek to use a range of resourcing opportunities to maximise the sport and recreation opportunity 'return'. This can be done by:

- « Establishing strategic partnerships to maximise return on existing land and facility resources already existing in the community. A key partnership is with community-based sport and recreation organisations and this should be supported.
- « Improving community access to sport and recreation facilities within school campuses to avoid the need for duplication.
- « Ensuring that existing land and facility resources are managed so as to return maximum benefits.
- « Using available financial and other resources in the most efficient way to encourage multiple use and

shared investment in viable facilities. This can include hard decisions where Council needs to choose the most viable of two options and withdraw support for the other.

- « Creating an information rich environment for community groups, residents and visitors that ensures resource sharing and awareness of opportunities.
- « Building capacity within the community to manage local sport and recreation clubs and groups and providing an environment that nurtures these groups and encourages sustainability and good management.
- « Ensuring that any support or investment for new facilities is based on feasibility or business case analysis that demonstrates viability. This includes ensuring that existing facilities are being used effectively before considering new.

Managing Reserves

There are seven existing reserves that comprise the main provision of sport, recreation and open space for the Litchfield community. In keeping with the strong history of community partnership, the planning and management of these and any future reserves should be undertaken within a partnership framework. Council's preference is to have a formal arrangement where possible and a Not for Profit Tenure Policy will be developed to support this.

In general, the preferred approach is:

1. For large multi-user reserves a formal lease should be agreed with an incorporated community based and not for profit organisation (such as a community board, incorporated management committee, sporting club or regional sports association). The responsibilities of the lessee will be supported with an annual contribution from Council.
2. Where a lease may not be possible or there are no suitable organisations willing to become the lessee, then a community advisory group should be established to help engage the local community and provide input into planning and management decision making. This group would be seen as a first step in developing additional capacity in the local community in the hope of establishing a future community-based organisation to become the lessee for the reserve.
3. Where neither of the above options are currently possible then Council will manage the reserve and will seek to engage with the community on the development of future plans for the reserve and to encourage the establishment of regular users within the reserve which can be developed over time into more community involvement in reserve management.
4. Small parks and undeveloped reserves will be managed by council

Sport and Recreation Provision Framework

Insert the adopted framework as agreed in the Sport and Recreation Strategy.



COUNCIL REPORT

Agenda Item Number:	15.02.01
Report Title:	Work Team Presentation – Finance
Author:	Bianca Hart, Manager Corporate Services
Recommending Officer:	Arun Dias, Acting Manager Corporate Services
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

The purpose of this report is to introduce Council to the various Work Teams within Council and receive a brief presentation.

Recommendation

THAT the Work Team Presentation – Finance be received and noted.

Background

Commencing in 2021, each work team within Council will provide a brief presentation introducing their staff members and the upcoming projects and priorities within their team.

The objectives of the presentation include:

1. to introduce the staff behind the work; and
2. update council on the projects and priorities the team are working on to deliver the Municipal Plan.

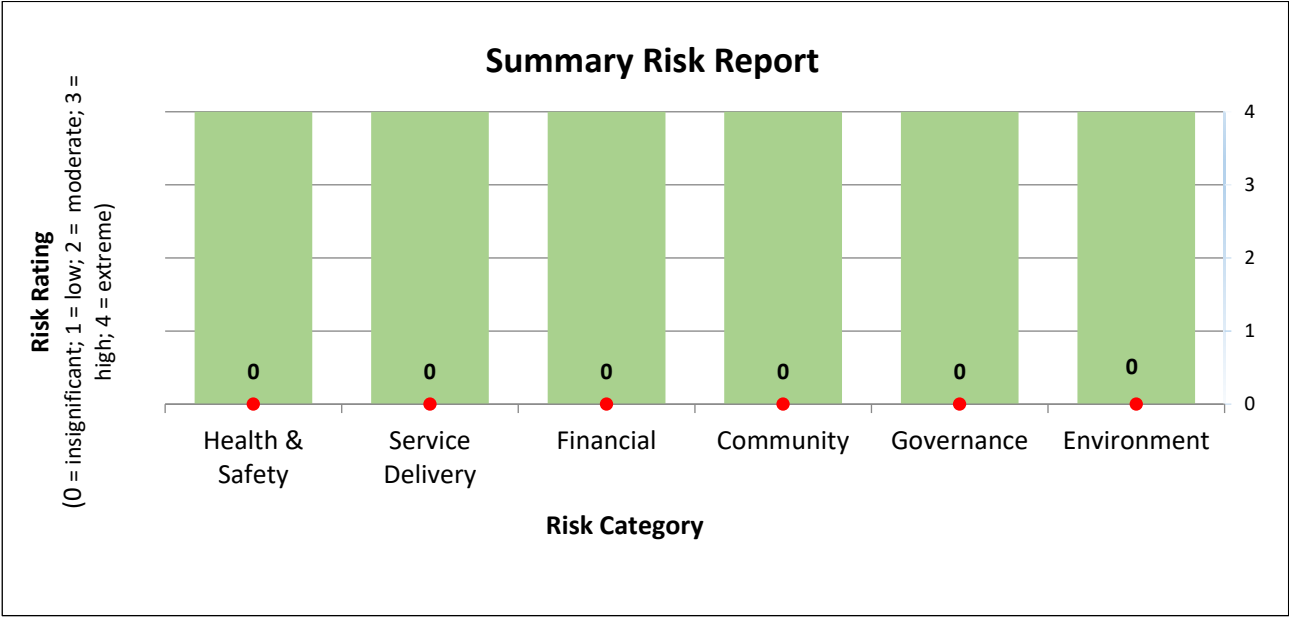
Links with Strategic Plan

A Well-Run Council - Good Governance
A Well-Run Council - Modern Service Delivery

Legislative and Policy Implications

Nil.

Risks



N/A

Community Engagement

N/A



COUNCIL REPORT

Agenda Item Number:	15.2.2
Report Title:	SCALE Funding Extension
Author & Recommending Officer:	Arun Dias, Acting General Manager Business Excellence
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

In November 2020, Council received a report requesting to authorise the Chief Executive Officer (CEO) to seek an extension from the Northern Territory Government (NTG) for the Special Community Assistance and Local Employment (SCALE) grant funding program. Following Council approval, application to extend the grant funding deadline was sought later that month.

Council was granted an extension by the NTG on the 21 of December 2020. The revised deadline for the expending of all grant funds is 31 March 2021. The revised certification report is due on or before the 15 of April 2021.

Recommendation

THAT Council note the Northern Territory Governments approval of extension, with all Special Community Assistance and Local Employment grant funding to be fully expended on or before 31 March 2021 and revised date for certification report submission being on or before 15 April 2021.

Background

On 23 April 2020, the then Minister for Local Government, Housing and Community Development, the Honourable Gerald McCarthy, announced the establishment of a one-off SCALE program in 2019-20 to support the local government sector to manage the impact of the COVID-19 pandemic. Following the announcement, Council was notified of an allocation of \$560,700 as a one-off grant under the SCALE program. Council's SCALE program is comprised of thirteen projects totalling \$560,700.

As at 13 January 2021, Council has expended \$336,638 which represents 60% of the total grant funding. The remaining \$224,062 which represents 40% of the total grant funding is expected to be spent by 31 March 2021.

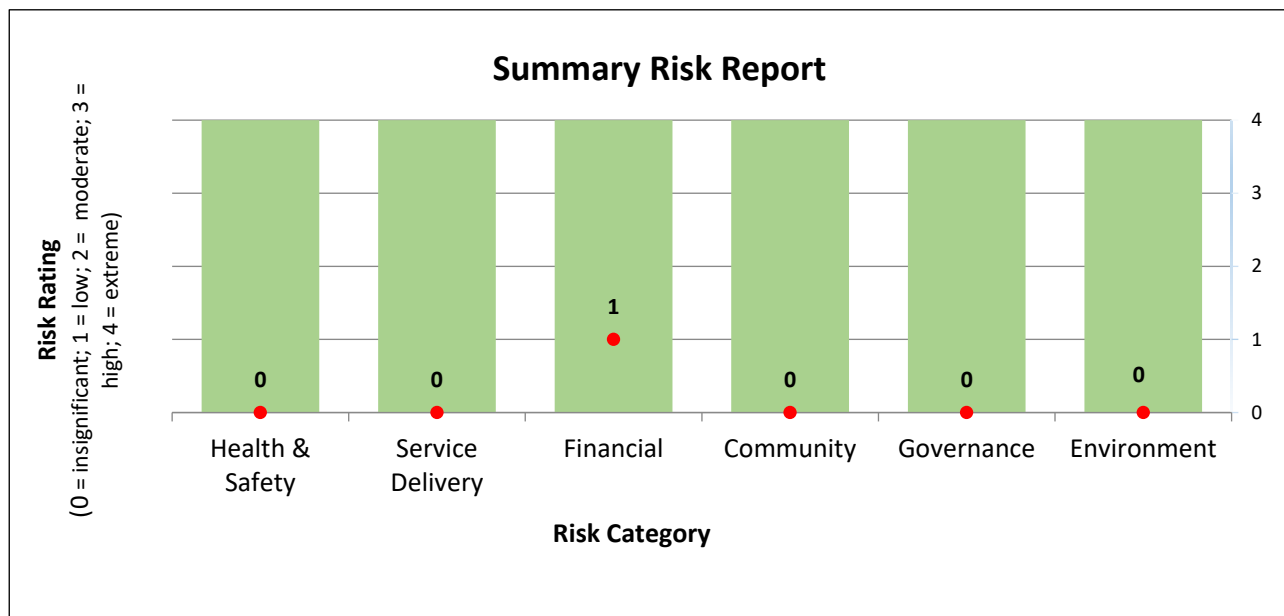
Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Nil

Risks



Financial

The SCALE funding extension granted on 21 December 2020 is the second and final extension granted for the program. Unspent grant funds as at the 31 March 2021, are to be returned to the NTG. There is a risk Council would be funding in full or in part project costs that are not complete on or before the 31 March 2021. Based on the current project expenditure and commitments, this is considered as low risk.

Community

Nil

Community Engagement

No community engagement has been completed in relation to the extension of the SCALE funding, however extensive consultation has been undertaken for some of the individual projects comprising:

- Your Say Litchfield surveys for the community to vote on playground equipment to be installed at Humpty Doo Village Green and Livingstone Recreation Reserve;
- consultation and involvement from community groups in the development of signage for McMinns Lagoon Recreation Reserve;
- discussions with the Southport Progress Association in relation to the development of Mira Square;
- consultation with the Berry Springs Recreation Reserve Committee to develop the scope for the electrical upgrades at the hall; and
- planned consultation for the development of the municipality entrance signs.



COUNCIL REPORT

Agenda Item Number:	15.2.3
Report Title:	People and Performance Monthly Report
Author	Danny Milincic, Manager People and Performance
Recommending Officer:	Arun Dias, Acting General Manager Business Excellence
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

This report provides Council with key staffing information, workplace health and safety information and proposed major policy updates and reviews.

Summary

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. The metrics provided in this report track activity and report FTE numbers, retention and Work Health and Safety performance.

Recommendation

THAT Council note the People and Performance Monthly Report for December 2020.

Background

The Litchfield Council strongly values our people, 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, their safety and policy initiatives.

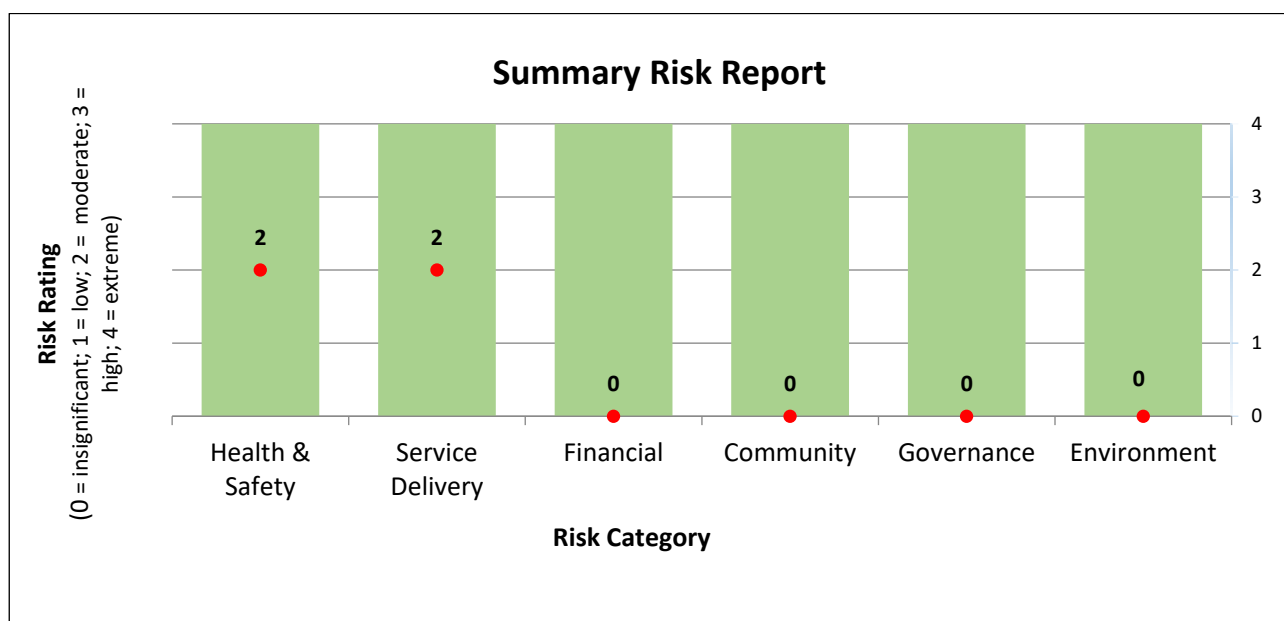
Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Nil

Risks



Key risks Council is facing which are being mitigated through various measures and initiatives as stated below:

Health & Safety

Public Liability issues as a result safety breaches by residents at Council's Waste Transfer Stations. Risk registers and SOPS and implementation of safety measures (e.g. education, signage etc) are used to reduce hazard during tasks and operations.

Service Delivery

Talent Acquisition and capacity-related talent risks include difficulty filling key positions and a continued loss of critical staff. Risks being managed through innovative HR practices to attract and retain talent.

Financial Implications

Nil

Community Engagement

N/A

PEOPLE AND PERFORMANCE MONTHLY REPORT

December 2020

People

Internal Appointments

Position	Department	Commenced	Permanent/Temporary
Manager Communication and Engagement	Council Leadership	21 December 2020	Contract

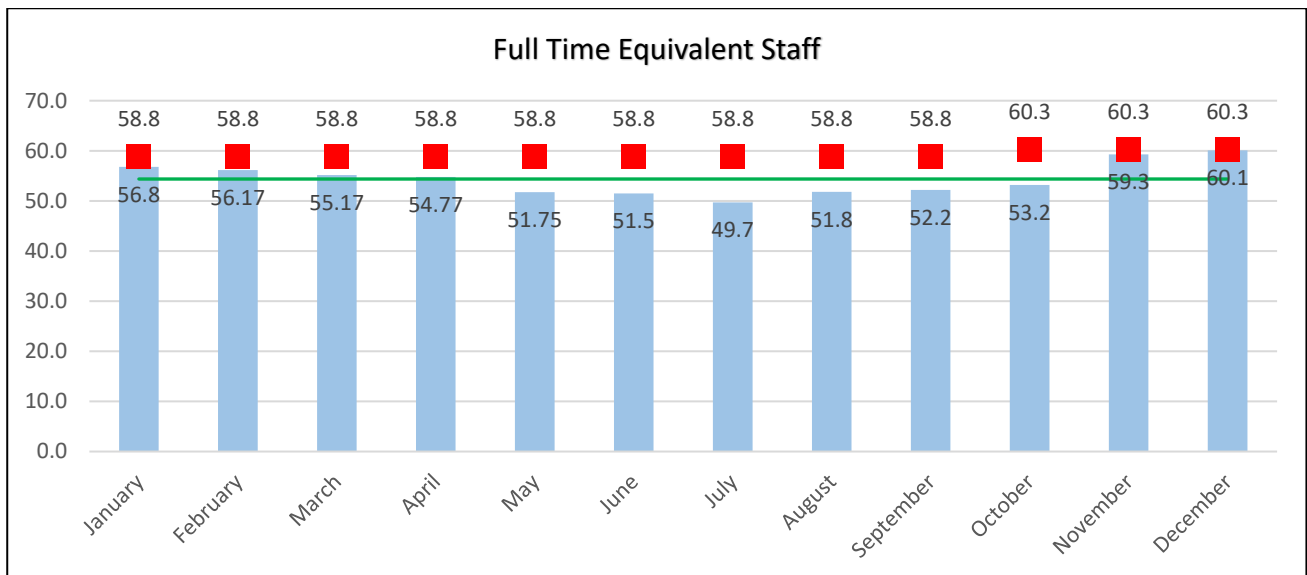
External Appointments

Position	Department	Commenced	Permanent/Temporary
Project Support Officer	Infrastructure and Assets	14 December 2020	Temporary
Customer Service Officer Trainee	Corporate Services	14 December 2020	Temporary

Resignations / Terminations

Position	Department	Commenced	Permanent/Temporary
Manager Infrastructure & Assets	Infrastructure & Assets	2 December 2020	Temporary

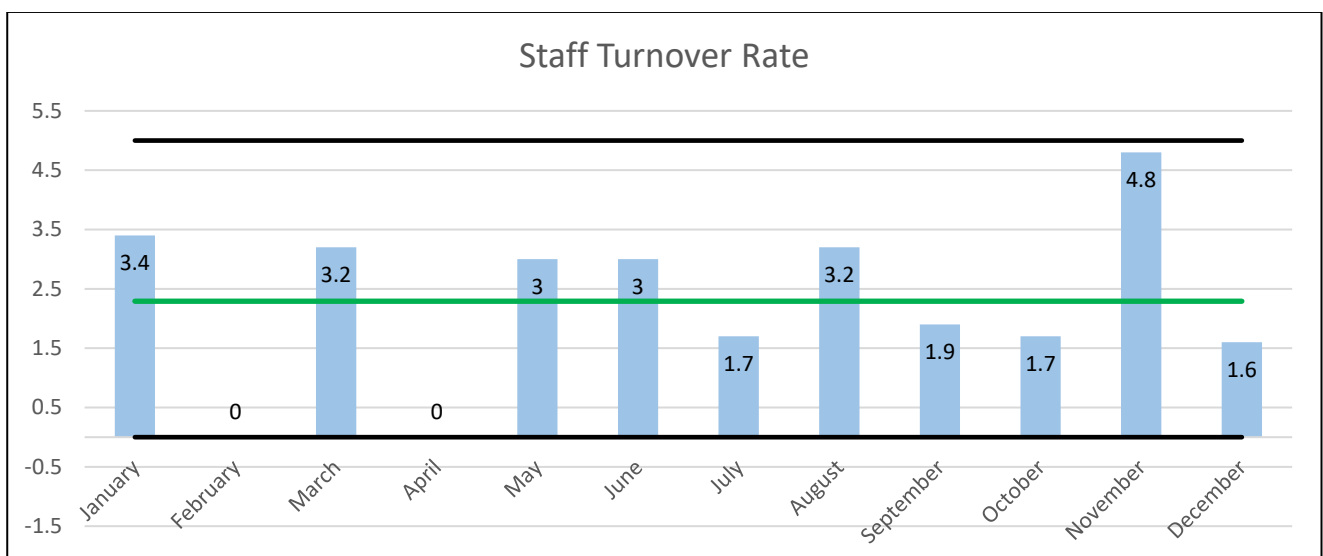
	Approved	Actual	Difference
Full Time Equivalent	52	50	-2
Part-time	0.5	4.1	3.6
Contract	7.8	6	-1.80
Total	60.3	60.1	-0.2



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)



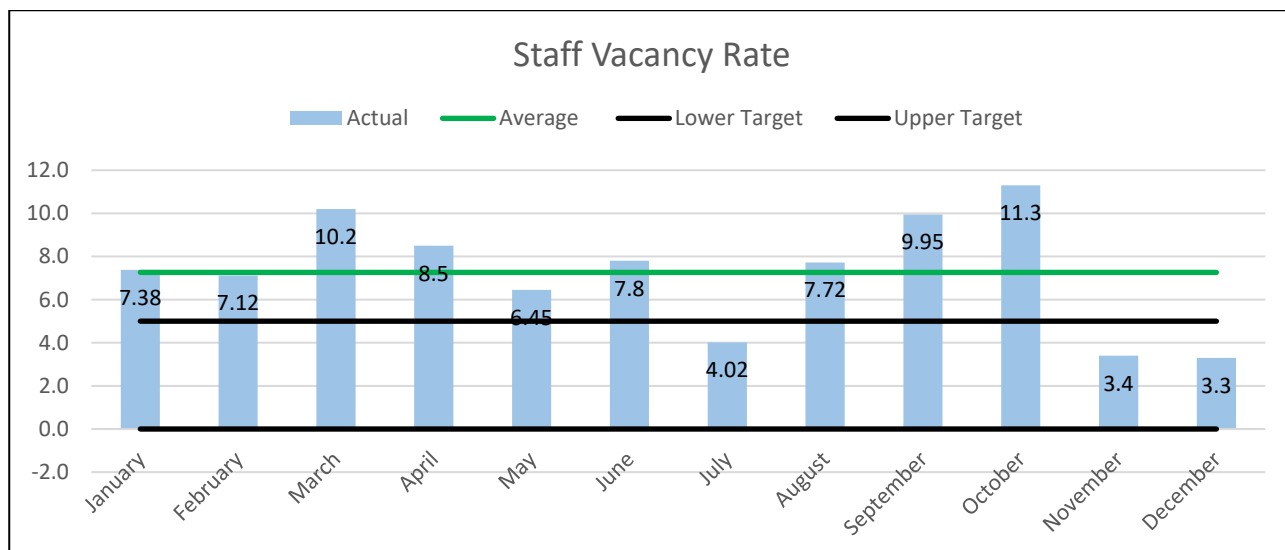
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Average
3.4%	0%	3.2%	0%	3%	3%	1.7%	3.2%	1.9%	1.7%	4.8%	1.6%	2.29%

Target Average: Between 0% - 5%

Staff Vacancy Rate:

The number of vacant positions during the reporting period.

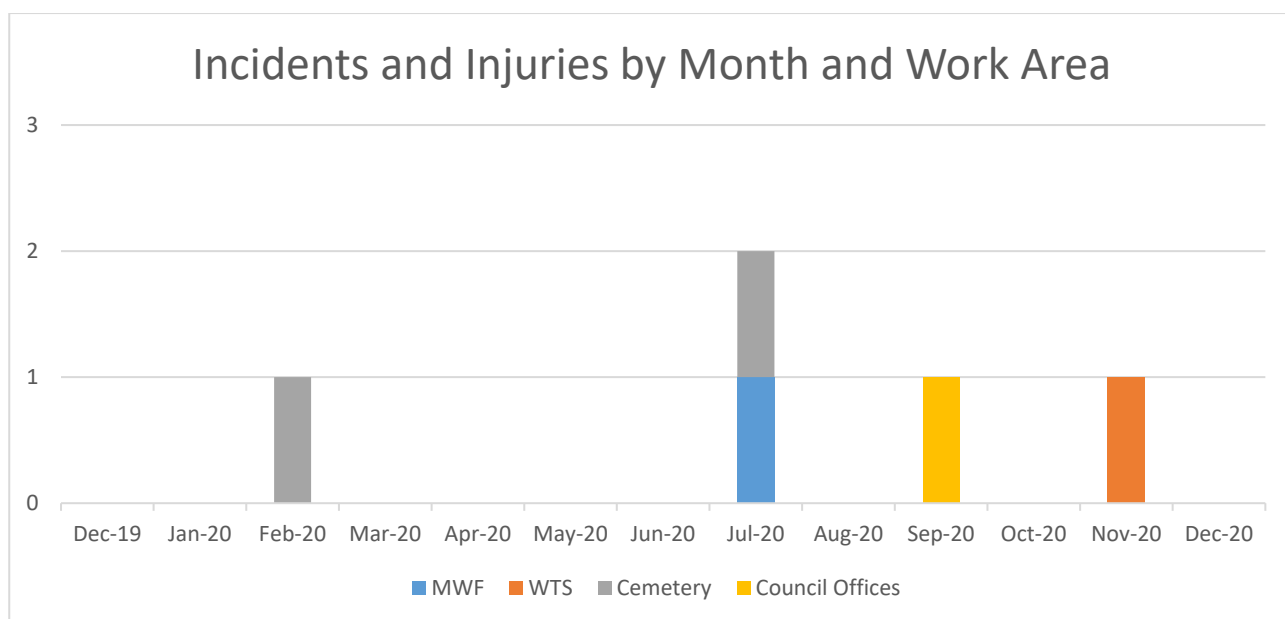
(Vacant positions, divided by total FTE, multiplied by 100)



Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Average
7.38%	7.12%	10.2%	8.5%	6.45%	7.8%	4.02%	7.72%	9.95%	11.3%	3.4%	3.3%	7.26%

Target: 0% - 5%

Workplace Health and Safety



Zero incidents target was achieved in December 2020.



COUNCIL REPORT

Agenda Item Number:	15.3.1
Report Title:	Summary Planning and Development Report January 2021
Author:	Wendy Smith, Strategic Projects Advisor
Recommending Officer:	Leon Kruger, General Manager Infrastructure & Operations
Meeting Date:	28/01/2021
Attachments:	A: Letter of Comment on PA2019/0329 B: Letter of Comment on PA2018/0348 C: Letter of Comment on PA2020/0423 D: Letter of Comment on PA2020/0389 E: Letter of Comment on PA2020/0428 F: Letter of Comment on Liquor Licence Ref 2020/9008 G: Letter of Comment on Liquor Licence Ref 2020/9009

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 21 November 2020 to 31 December 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
Liquor Licence Applications	2
Clearances for Development Conditions	2
Stormwater/Driveway Plan Reviews	24
Works Permits	7

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

Recommendation

THAT Council:

1. receives the January 2021 Summary Planning and Development Report, and
2. notes for information the responses provided to relevant agencies within Attachments A-G 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	2
Development applications not supported/objected to for reasons related to Council issues	0
Development applications objected to for reasons not directly related to Council issues	0
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
PA2019/0329 Section 1902 and Section 1905 (1000) Channel Island Road, Wickham, Hundred of Ayers Attachment A	Variation of Subdivision to Create 6 Lots to increase the Width of the Eastern Component of Proposed Lot 1 from 10 metres to 22 metres The application proposes to expand a portion of one lot from 10m in width to 22m in width. The lot is the proposed site of a products/services corridor that will remain in ownership of Land Development Corporation. There are not expected to be any impacts upon amenity or Council infrastructure.
PA2018/0348 Section 2413 (160) William Road, Berry Springs, Hundred of Cavenagh	Variation to Intensive Animal Husbandry (Sea Cucumber Hatchery and Grow-Out Facility) The application proposes to amend the current Development Permit to allow for staging of the

Attachment B	development. There are not expected to be any impacts upon amenity or Council infrastructure.
PA2020/0423 Section 5361 and Section 5362 (65 and 75) Akers Road, Humpty Doo, Hundred of Strangways Attachment C	Subdivision to Create Two Lots (Boundary Realignment) The application proposes to realign the boundary between two adjacent lots. There are not expected to be any impacts upon amenity or Council infrastructure.

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
PA2020/0389 Section 6104 (100) Mulgara Road, Berry Springs, Hundred of Strangways Attachment D	Subdivision to Create Two Lots The application proposes to subdivide the site into two new lots. The application provides limited information on land suitability and the presence of one hectare of unconstrained land on each site.	The application contends there is a minimum of one hectare of unconstrained land per lot. Council supports the protection of constrained land within the municipality and supports full assessment of constrained and unconstrained land by suitably qualified professionals. Additional information is required on stormwater drainage and driveways for the subject site.
PA2020/0428 Section 1931 (7) Finn Road, Berry Springs, Hundred of Ayers Attachment E	Child Care Centre The application proposes to construct a child care centre on a currently vacant and undeveloped Rural Living parcel with access off Finn Road between Cox Peninsula Road and Oxford Road. The application proposes to construct a 105-place child care centre and a single dwelling with ancillary sheds. The site proposes to access bore water and will have water storage tanks to service the site. Twenty-four car parking spaces are	The NT Planning Scheme requires child care centres to be located: adjacent to or within other community facilities such as shopping centres, schools and health services; at or near the entrance to a residential suburb; or in or near employment areas. It is questionable whether the proposed site is suitable to meet the above requirements given its current separation from shopping centres, schools, and employment areas; however, there may be some merits to the location given the uncertainty over the ultimate boundaries of the Berry Springs Rural Activity Centre.

	proposed along with a loading bay and shuttle bus parking. The idea of the child care centre is to provide access to animals (chickens and ducks) in a rural setting.	Should the application be approved, Council would require additional information on stormwater drainage, waste management, traffic management for construction, and traffic impacts for the final design of the site entry.
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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
2020/9008 Section 5368 (1801) Stuart Highway, Noonamah, Hundred of Strangways Attachment F	Noonamah Tavern - Australia Day Ute Run The application proposes to expand the area of alcohol service for the Australia Day Ute Run event from 10am to 6pm on Australia Day.	The application is supported, noting that 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.
2020/9009 Section 5467 (20) Bees Creek Road, Freds Pass, Hundred of Strangways Attachment G	Southern Districts Football Club – Christmas Party The application proposes to serve alcohol at the family Christmas party for the Southern Districts Football Club on Sunday, 20 December 2020 from 3:00pm to 6:00pm.	The application is supported, noting that 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.

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
24

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
7

Links with Strategic Plan

A Great Place to Live - Development and Open Space

Legislative and Policy Implications

Not applicable to this report

Risks



No identified risks applicable to this report

Community Engagement

Not applicable to this report



17 December 2020

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

RE: Letter of Comment Development Application

PA2019/0329

**Section 1902 and Section 1905 (1000) Channel Island Road, Wickham, Hundred of Ayers
Variation of Subdivision to Create 6 Lots to increase the Width of the Eastern Component of
Proposed Lot 1 from 10 metres to 22 metres**

Thank you for the Development Application referred to this office on 16/12/2020, 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 proposed amendment should not have any effect upon Council's proposed infrastructure.

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) A monetary contribution may be required to be paid to Litchfield Council in accordance with relevant Council development contribution plan(s) for the upgrade of infrastructure.
- b) Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense.

Note: Design drawings shall be approved by Litchfield Council prior to construction of the works.

- c) All existing or proposed easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to, and in favour of, Litchfield Council and/or neighbouring property owners.

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) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Interim Development Control Order 29.

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



Hasan Karatas
Development Engineer



9 December 2020

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

RE: Letter of Comment Development Application

PA2018/0348

**Section 2413 (160) William Road, Berry Springs, Hundred of Cavenagh
Variation to Intensive Animal Husbandry (Sea Cucumber Hatchery and Grow-Out Facility)**

Thank you for the Development Application referred to this office on 25/11/2020, 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 proposed variations are minor in nature and are not expected to have a negative impact upon Council infrastructure or neighbourhood amenity.
- b) Council can support the requested variations for the conditions to Council to be applicable to the proposed Stage 2 of development. Otherwise, Council requests conditions consistent with correspondence on the original application.

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 Interim Development Control Order 29.

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



Hasan Karatas
Development Engineer



9 December 2020

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

RE: Letter of Comment Development Application

PA2020/0423

**Section 5361 and Section 5362 (65 and 75) Akers Road, Humpty Doo, Hundred of Strangways
Subdivision to Create Two Lots (Boundary Realignment)**

Thank you for the Development Application referred to this office on 27/11/2020, 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 appears to meet the minimum lot size requirements and minimum areas of unconstrained land required by the NT Planning Scheme.
- b) There are not expected to be any negative effects upon Council infrastructure as a result of this proposal.

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) **A monetary contribution is required to be paid to Litchfield Council in accordance with its development contribution plan.** The contribution payable is in accordance with that for Catchment Area 13A, in which the site falls within the Council's *Developer Contributions Plan for Roads and Drainage*.
- b) Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense.

Note: Design drawings shall be approved by Litchfield Council prior to construction of the works.

- c) All existing or proposed easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to, and in favour of, Litchfield Council and/or neighbouring property owners.

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 Interim Development Control Order 29.

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



Hasan Karatas
Development Engineer



27 November 2020

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

RE: Letter of Comment Development Application

PA2020/0389

**Section 6104 (100) Mulgara Road, Berry Springs, Hundred of Strangways
Subdivision to Create Two Lots**

Thank you for the Development Application referred to this office on 13/11/2020, 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 proposed subdivision is not likely to have any adverse effects upon the amenity of the surrounding area, provided that a minimum of one hectare of unconstrained land is provided per new lot and suitable driveway crossovers and stormwater management are provided.

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

- a) The application contends there is a minimum of one hectare of unconstrained land per lot. Council supports the protection of constrained land within the municipality and supports full assessment of constrained and unconstrained land by suitably qualified professionals, including the Department of Environment and Natural Resources.
- b) Council requires additional information on stormwater drainage for the subject site; a Condition Precedent for a stormwater management plan is required.
- c) The exact proposed location of the new driveway is unclear and Council requires the driveway crossovers to both lots to be upgraded to Council's standards. A

Condition Precedent is required to illustrate the location of the driveways in relation to the site, the width of the driveways, and the construction requirements.

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 crossover and driveway shall meet Litchfield Council's requirements, and the following changes to the proposed plans are required:
 - i. Council requires the location of the driveway crossovers for both lots to be shown on any endorsed plans, with dimensions from boundaries specified.
 - ii. Council requires the driveway crossovers for both lots to be 4m in width and constructed to Litchfield Council standards.
- 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 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) **A monetary contribution is required to be paid to Litchfield Council in accordance with its development contribution plan.** The contribution payable is in accordance with that for Catchment Area 12B, in which the site falls within the Council's *Developer Contributions Plan for Roads and Drainage*.
- b) Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense.

Note: Design drawings shall be approved by Litchfield Council prior to construction of the works.

- c) All existing or proposed easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to, and in favour of, Litchfield Council and/or neighbouring property owners.

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 Interim Development Control Order 29.

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



10 December 2020

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

RE: Letter of Comment Development Application

PA2020/0428
Section 1931 (7) Finn Road, Berry Springs, Hundred of Ayers
Child Care Centre

Thank you for the Development Application referred to this office on 27/11/2020, 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 can support the development of child care centres in the rural area; however, there are some concerns regarding the proposed location of the site, particularly in relation to traffic management off Finn Road and amenity of neighbouring residents.

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

- a) It is noted that the NT Planning Scheme states that child care centres should *be located*:
 - a. *adjacent to or within other community facilities such as shopping centres, school and health services;*
 - b. *at or near the entrance to a residential suburb; or*
 - c. *in or near employment areas.*

It is questionable whether this centre meets those criteria. The consent authority should carefully consider balancing the desire for a child care centre incorporating rural uses with protection of the amenity of neighbouring rural dwellings.

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.
- b) 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.
- c) A Traffic Management Plan for the construction phase of the development shall be submitted to and approved by Litchfield Council. The plan must address traffic control and haulage routes proposed for the development.
- d) A Traffic Impact Assessment Report, prepared by a suitably qualified traffic engineer in accordance with the AustRoads Document Guide to Traffic Management Part 12: Traffic Impacts of Developments, in the report structure provided as Appendix C of that document, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities shall be submitted to and approved by Litchfield Council. The Traffic Impact Assessment report is to also include swept paths for any vehicles Class TB2 or larger (as defined in AustRoads 94) entering and exiting the site.

The report should identify any necessary upgrades to the surrounding street network as a result of the implications of the development to the requirements of Litchfield Council. The developer will be required to institute all required upgrade measures at no cost to 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 approval under Interim Development Control Order 29.

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



Hasan Karatas
Development Engineer



15 December 2020

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

RE: Application for a Special Event Authority Liquor Licence

2020/9008

**Section 5368 (1801) Stuart Highway, Noonamah, Hundred of Strangways
Noonamah Tavern - Australia Day Ute Run**

Thank you for the Special Event Authority Liquor License application referred to this office on 10/12/2020, 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, a special event authority liquor licence for an extended service area from 10am to 6pm for the Australia Day Ute Run at the Noonamah Tavern is 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
Strategic Projects Advisor



17 December 2020

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

RE: Application for a Special Event Authority Liquor Licence

**Section 5467 (20) Bees Creek Road, Freds Pass, Hundred of Strangways
Southern Districts Football Club**

Thank you for the Special Event Authority Liquor License application referred to this office on 15/12/2020, 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, a special event authority liquor licence for a Christmas Party on Sunday 20 December 2020 from 3:00pm to 6:00pm is 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
Strategic Projects Advisor



COUNCIL REPORT

Agenda Item Number:	15.3.2
Report Title:	Selection of Projects for Phase 2 of LRCI and 2020/21 LGPIF Funding
Author & Recommending Officer:	Leon Kruger, General Manager Infrastructure & Operations
Meeting Date:	28/01/2021
Attachments:	Nil

Executive Summary

The report seeks a resolution from Council on the selection of projects to be submitted with the grant application for Phase 2 of the Local Roads and Community Infrastructure Program (LRCI) and the 2020/21 Local Government Priority Infrastructure Fund (LGPIF).

Recommendation

THAT Council select the following:

1. for the 2021/22 LGPIF grant application
 - a) Irrigation installation at Thorak Cemetery
 - b) Solar panels installation at Thorak Cemetery
 - c) Solar panels installation at Humpty Doo Waste Transfer Station; and
2. for the LRCI Phase 2 grant application:
 - a) Mira Square project
 - b) New Community Room at Council's main building.

Background

A discussion paper was tabled at the Strategic Discussion and Briefing Session held on 2 Dec 2020 to obtain direction from Council about the preferred type of projects for inclusion under the Local Roads and Community Infrastructure Program (LRCI) Phase 2 grant application.

Subsequent to the 2 Dec 2020 Strategic Discussion and Briefing Session, Council had been notified that another funding source will become available in early 2021, called the 2020/21 Local Government Priority Infrastructure Fund (LGPIF). Considering that some of the grant conditions and eligible projects are similar between the LRCI and the LGPIF programs, it was decided to prepare this report with recommended projects in one report, because a decision on the selection of projects for one program could affect the other.

The two funding sources and recommended projects are discussed in more detail as follows.

2020/21 Local Government Priority Infrastructure Fund (LGPIF)

The Northern Territory Minister for Local Government has recently approved the new 2020/21 Local Government Priority Infrastructure Fund (LGPIF). The LGPIF program is managed by the Department of the Chief Minister and Cabinet. The purpose of the LGPIF program is to allow recognised local governing bodies and other incorporated organisations providing local government services the opportunity to apply for funding for local government infrastructure related projects that are designed to boost amenity and community development.

The funding pool under this program is \$4 Million and at this stage it is unknown what portion may be granted to Litchfield Council. The Department will only consider up to two projects from each organisation under this program. Co-contributions from councils, collaborative funding proposals and joint applications with other councils are strongly encouraged by the Department and will be considered favourably in the grant assessment process. Eligible projects include the following.

- Parks, playgrounds, sporting and recreational areas establishment/upgrades.
- Roadworks on council managed or controlled roads.
- Storm water management.
- Waste management sites establishment/upgrades.
- Plant and equipment to improve local government service delivery.
- Cemetery infrastructure establishment/upgrades.
- Community communications infrastructure establishment/upgrades.
- Council facilities repairs /maintenance.
- Staff housing renovations/upgrades in regional and remote communities.
- Swimming pool repairs and maintenance.

There is an expectation that councils would be in a position to commence delivery of projects as soon as funding has been approved. Grant applications close on 12 Feb 2021 and projects are to be completed by 31 Oct 2021. Applications are to include quotations, a project plan and a cost estimate.

The following proposed projects fits the eligibility criteria well and should therefore have a favourable chance of being selected. Due to the limited time available to prepare and submit two applications under this program, it is recommended that the following two projects be selected for this grant application.

Project	Estimated cost	Comments
Irrigation installation at Thorak Cemetery	\$160,000 (excl GST)	Being a regional cemetery, this project would fit the criteria of 'collaborative' and to the benefit of more than one council and it is anticipated that this application would be favourably considered. There are few other grant funding programs that will make this project fit the selection criteria. A successful application will reduce Council's ongoing maintenance and renewal costs.
Solar installation at Thorak Cemetery	\$61,755 (excl GST)	This will result in significant cost savings on electricity costs. For Thorak the annual power bill

and Humpty Doo Waste Transfer Station		is about \$16k and for Humpty Doo Transfer Station is about \$8k. It is expected that the solar panels will produce most of the electricity requirements throughout the year.
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Even though Council co-funding will probably contribute towards a more favourable chance of being successful with the grant application, it is assumed that the applications will be submitted without offering Council co-contribution due to the fact that there is no budget allowance for such co-funding.

Local Roads and Community Infrastructure Program (LRCI) Phase 2

Council has recently received correspondence from the Hon M McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development and the Hon M Coulton, Minister for Regional Health, Regional Communications and Local Government, announcing an extension to the LRCI program in the 2020-21 Budget.

Litchfield Council will be awarded a further \$1,460,870 under this LRCI Phase 2 program extension. Funding will be available from 1 Jan 2021 with construction to be completed by 31 Dec 2021.

Eligible projects under this LRCI Phase 2 program include the following.

- Local road projects that involve the construction or maintenance of roads managed by local governments.
- Community infrastructure 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.

At the 2 Dec 2020 Strategic Discussion and Briefing Session there was clear direction that the completion of the Mira Square project is to be a preferred project, while there was inconclusive direction about the other potential projects listed in the discussion paper.

Staff approached the Department in Dec 2020 to gain direction on whether or not a new Council chamber which could also be utilised as a community hall, would be an eligible project. The Department responded that considering it would be generally available to the public, that such a community room would be an eligible project. The proposed community room would be 140 square metres compared to the current 76 square metres chambers and will have a meeting room, ablution facilities suitable for a community hall, meeting room, kitchenette and a small storage room. The project will also create additional car parking to the north of the main building (at the back) for staff which would make the existing car parks at the front of the main building available to the public during events. It is considered that this project would solve the following challenges.

- Limited space for the public during Council meetings.
- Limited space during future Council meetings due to an increased number of councillors.
- Insufficient space in the main building to accommodate staff numbers.

Some of the major benefits of this projects would be the following.

- Development of a community hall that could be used by organisations and community groups.
- Opportunity to hire the space for commercial purposes which will result in ongoing income.

- Installation of solar panels on the building to improve Council's environmental footprint and decrease our power bill.
- Significantly extend the useful life of the current building.

The existing chambers and reception will be rearranged and will provide opportunities for additional offices, which is not included in the scope of this proposed grant application (as it would not be eligible) and will therefore have to be funded from Council's funds or through another grant.

It is unlikely that Council would be successful in obtaining other grant funding to complete this type of project and it is considered wise to jump at this opportunity to solve the abovementioned issues.

The proposed projects for inclusion in the grant application are listed in the following table.

Project	Estimated cost	Comments
Mira Square	\$300,000 (excl GST)	Project previously prioritised by Council. Construct the rest of the infrastructure not covered under the already approved \$165k allocation in 2020/21. Scope includes the hall, installation of site services and water tank.
Community Room (incl. Council Chambers)	\$1,160,870 (excl GST)	As discussed in the paragraphs above.

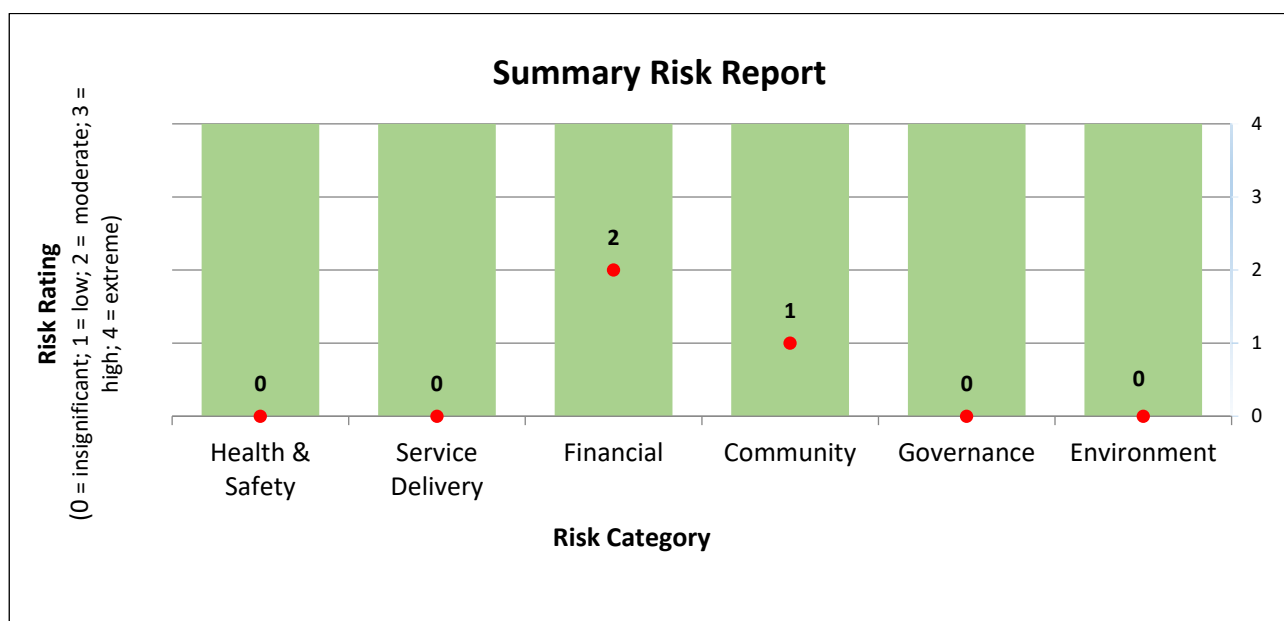
Links with Strategic Plan

Everything You Need - Community Prosperity

Legislative and Policy Implications

Council will have to comply with the conditions of the two grants which includes compliance with local government procurement practices and Council's own procurement policy.

Risks



There is a risk that Council will not be in a position to submit an application under the LGPIF by 12 Feb 2021 if a decision is delayed by Council on the preferred projects or if projects are selected for which quotations cannot be obtained by the grant application deadline. There is a risk that Council may not be able to complete the projects before the completion deadline, especially if a decision on the selection of projects is delayed. In such a case Council may be required to fund the incomplete works. This may furthermore create reputational risk for Council.

Community Engagement

No community engagement was undertaken regarding the proposed selection of projects to be included in the grant application.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Thursday 28 January 2021

16 Common Seal

17 Other Business

18 Public Questions

19 Confidential Items

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 Administration Review Committee Meeting Minutes – 24 December 2020

8(b) information about the personal circumstances of a resident or ratepayer.

20 Close of Meeting