

# LITCHFIELD COUNCIL



*Community effort is essential*

## Council Meeting BUSINESS PAPER WEDNESDAY 17/05/2017

Meeting to be held commencing 6:00pm  
In Council Chambers at 7 Bees Creek Road, Freds Pass

**Kaylene Conrick, 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.



## LITCHFIELD COUNCIL MEETING

### Notice of Meeting

**To be held in the Council Chambers, Litchfield  
On Wednesday, 17 May 2017 at 6:00pm**

Kaylene Conrick  
**Chief Executive Officer**

*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.*

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### Audio Disclaimer

*An Audio recording of this meeting will be made for minute taking purposes as authorised by the Chief Executive Officer.*

### Acknowledgement of Traditional Ownership

*It is acknowledged that the meeting is held on the land of the traditional owners and Council respect the Elders past and present for their continuing custodianship of the land and the children of this land across generations.*

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## **Council Meeting Agenda**

Wednesday 17 May 2017

### **1. Open of Meeting**

#### Audio Disclaimer

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

#### Acknowledgement

The Mayor acknowledges that the meeting is held on the land of the traditional owners and pays her respect to the Elders past and present for their continuing custodianship of the land and the children of this land across generations.

### **2. Apologise and Leave of Absence**

### **3. Confirmation of Minutes**

1. THAT the minutes of the Council Meeting held 19 April 2017, 9 pages, be confirmed.
2. THAT the minutes of the Special Council Meeting held 9 May 2017, 3 pages, be confirmed.

Minutes were sent to Councillors under separate cover and available to the public on council's website [www.council@litchfield.nt.gov.au](http://www.council@litchfield.nt.gov.au) or in hard copy upon request.

### **4. Business Arising from the Minutes**

Attached for Council information is Action Sheet

## Action Sheet

Resolution Number	Resolution	Action Officer	Meeting Date	Comments to Council
15/0032/02	<b>Questionnaire (2017 Community Survey)</b> Council prepare a plan and budget for conducting a comprehensive, formal survey of residents regarding Council performance, service expectations and priorities, and regional planning, which will come back for Council consideration.	Kaylene Conrick	23-07-15	Closing date for submissions 14 May 2017
15/0175/02	<b>Meeting Procedures By-Laws</b> 2. 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.	Kaylene Conrick	19-11-15	Drafting instructions under development by Division of Local Government, Department of Housing & Community Development
16/0203	<b>Signage, Roadside Vans and Events on Council Land</b> THAT Council: <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>3. Develop policy and procedures to support any Council by-laws which are enacted; and</li> <li>4. To commence work on these by-laws, policy and procedures in 2017/18 financial year.</li> </ol>	Silke Reinhardt	21-09-16	Work to commence (by-law preparation) in 2017/18 financial year in accordance with Council's resolution

## Action Sheet

16/0208	<p><b>Reconstruction of Finn Road</b> THAT Council:</p> <p>1. endorse the funding applications for \$4,500,000 to the NT Government Regional Economic Infrastructure Fund for the reconstruction of Finn Road at an estimated total cost of \$4,650,000; and</p> <p>2. allocate \$250,000 (cash in kind) from its 2016/17 approved budget towards the project should its application be successful comprising:</p> <table><tr><td>General Consultancy</td><td>\$80,000</td></tr><tr><td>Project Management (in kind)</td><td>\$150,000</td></tr><tr><td>Infrastructure Reserve</td><td>\$20,000</td></tr><tr><td></td><td><b>\$250,000</b></td></tr></table>	General Consultancy	\$80,000	Project Management (in kind)	\$150,000	Infrastructure Reserve	\$20,000		<b>\$250,000</b>	David Kingston	21-09-16	An application to the Federal Government Building Better Regions Fund has been lodged to match NTG Funding - outcome expected by June 2017		
General Consultancy	\$80,000													
Project Management (in kind)	\$150,000													
Infrastructure Reserve	\$20,000													
	<b>\$250,000</b>													
16/0209	<p><b>Road Opening - Centre Road - Access to Freds Pass Reserve</b> THAT Council:</p> <p>1. approve proceeding with the road opening process for a new access road through Freds Pass Reserve; and</p> <p>2. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the new access road.</p>	David Kingston	21-09-16	Gazette notice to be published, PWC to be paid, and paperwork to be finalised for PWC land; Waiting on authorisation from the Minister regarding a section of Crown Land to be granted to Council										
16/0234	<p><b>Improvements Berry Springs Waste Transfer Site</b> THAT Council undertakes the following safety works at the Berry Springs waste transfer site to improve public and staff safety at the estimated costs outlined below:</p> <table><tr><td>Video surveillance</td><td>\$9,882.40</td></tr><tr><td>1km of new fence &amp; gates</td><td>\$44,297.00</td></tr><tr><td>Installation of waste performance boards</td><td>\$6,000.00</td></tr><tr><td>Improved facilities for staff</td><td>\$10,000.00</td></tr><tr><td></td><td><b>\$70,179.40</b></td></tr></table>	Video surveillance	\$9,882.40	1km of new fence & gates	\$44,297.00	Installation of waste performance boards	\$6,000.00	Improved facilities for staff	\$10,000.00		<b>\$70,179.40</b>	David Kingston	19-10-16	Video surveillance, fence, gates and waste boards installed; improved facilities to be determined once waste strategy is complete
Video surveillance	\$9,882.40													
1km of new fence & gates	\$44,297.00													
Installation of waste performance boards	\$6,000.00													
Improved facilities for staff	\$10,000.00													
	<b>\$70,179.40</b>													

## Action Sheet

16/0252/01	<b>Rating Strategy</b> THAT Council undertakes a review of Council's rating system.	Kaylene Conrick	16-11-16	Rating system review commenced November 2016
17/0030/3	<b>Flooding Issue - Stockwell Road Blackmore</b> THAT Council requests an urgent meeting with Deputy Chief Minister Nicole Manison, Minister for Infrastructure, Planning and Logistics to seek an update on how and when the Territory Government intends to progress Item 14 of the Statements of Policy in the Litchfield Subregional Plan 2016 relating to battle-axe private roads	David Kingston	15-02-17	Letter being prepared for sending this week
17/0030/7	<b>Flooding Issue - Stockwell Road Blackmore</b> THAT Council review Private Road Policy LC29 as matter of urgency	David Kingston	15-02-17	Preparing a brief to engage a quantity surveyor to look at life-cycle costs of private roads
17/0030/8	<b>Flooding Issue - Stockwell Road Blackmore</b> THAT Council receive a report no later than June 2017 Council Meeting, on the Private Road Policy	David Kingston	15-02-17	Preparing a brief to engage a quantity surveyor to look at life-cycle costs of private roads
17/0032	<b>Roadwork Safety Upgrade – Stuart Highway Coolalinga</b> THAT Council notes the report and advises the Department of Infrastructure, Planning and Logistics that Council seeks a briefing on the proposed plans as a matter of urgency and prior to works undertaken.	David Kingston	15-02-17	Works underway and briefing by DPL on 9 May 2017
17/0036/4	<b>Litchfield Aquatic Facility Needs Analysis Report</b> 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	Kaylene Conrick	15-02-17	Pending Minister's meeting 18 April 2017

## Action Sheet

<b>Queens Baton Relay</b>				
17/0051/05	<p>THAT Council contact NT Tourism and Culture Minister for special grant funding to cover all costs of the Queens Baton Relay and explore opportunities for lasting community benefit.</p>	Silke Reinhardt	15-03-17	In progress
<b>Business Arising from the Minutes</b>				
17/0058	<p>THAT the Action Plan be received and noted with the following changes:</p> <p><b>Signage, Roadside Vans and Events on Council Land</b></p> <p>THAT officers report to Council with options to ensure community events can be held, in view of the recent request from Scouts to hold a car boot sale on the car park opposite the Humpty Doo Village.</p>	Silke Reinhardt	19-04-17	Complete - Report provided in May 2017 agenda
<b>2017 National General Assembly of Local Government</b>				
17/0065	<p>THAT Council:</p> <ol style="list-style-type: none"> <li>notes the upcoming 2017 National General Assembly of Local Government in Canberra from 18-21 June; and</li> <li>approves the Mayor and Chief Executive Officer attending the event.</li> </ol>	Kaylene Conrick	19-04-17	Complete - Registration finalised



## Action Sheet

17/0066	<p><b>Animal Management By-laws – Consideration of Public Submissions</b></p> <p>THAT Council approve the following amendments to the Animal Management By-laws that have resulted after consideration of all public submissions:</p> <ol style="list-style-type: none"> <li>1. <b>By-laws 27(4)(c)(i) and 28(4)(c)(i)</b> provide a defence in the case of a dog attack or menace that occurs on private property where the person who was attacked or menaced <b><i>'was not proceeding by the shortest practical route from the boundary of the premises to the door of the premises...'</i></b>. This is the same wording used in the Summary Offences Act but it is not practical in the rural area, where properties are larger and there is often no clear path to the front door. It is recommended that this wording be amended so it reads, <b><i>'at the time of the attack (or menace), the person was on the premises without reasonable excuse'</i></b>. This is the wording that is used in the City of Darwin By-laws and the onus is then on the person who is attacked (or menaced) to prove that they had reasonable excuse to be on the property at the time.</li> <li>2. <b>By-law 21(1)</b> outlines registration conditions for dangerous dogs and it is recommended that the condition, <b><i>'erect signage on the premises where the dog is usually or regularly kept with the words "Warning Dangerous Dog" clearly visible and legible from the front boundary of the premises'</i></b> is included as a condition.</li> <li>3. <b>By-law 23(1)(b)(iii)</b> refers to <b><i>'all or more than a specified number of dogs of a specified breed'</i></b> being prohibited in an area that Council declare a dog restriction area. This should be changed to, <b><i>'all or more than a specified number of dogs of a specified class'</i></b> as the NT does not have any breed restrictions and Council may want to prohibit a 'class' of dogs such as declared dangerous dogs from dog restriction areas.</li> <li>4. <b>By-law 23(4)</b> states, <b><i>'The Council must consider any response from members of the public to the notice mentioned in clause (2) before declaring</i></b></li> </ol>	Silke Reinhardt	19-04-17	Complete - Public Submissions considered in April/May meeting agenda
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## Action Sheet

17/0068/01	<p><b>Carveth and William Road Upgrade</b></p> <p>THAT Council:</p> <p>Rescind the 4-part resolution of the September 2016 Council meeting, namely: <i>THAT a special rate scheme be prepared for the properties that abut Carveth and Williams Roads to contribute an amount per property of \$4,010 towards the sealing of these roads in 2017-18. THAT the property owners in Carveth and Williams Rd be advised in writing of Council's decision. THAT the Developer provide a Bank Guarantee for the sum of \$709,852 to the Litchfield Council being the monies payable under its Developer Contribution Plan. THAT an amount of \$470,000 be provided in the Litchfield Council's 2017-18 Budget for the construction of Carveth and William Road.</i></p>	Kaylene Conrick	19-04-17	Complete - Notation made in Council Minutes September 2016
17/0068/02	<p><b>Carveth and William Road Upgrade</b></p> <p>THAT Council:</p> <p>Request Council officers explore upgrade options and identify funding options for the proposed upgrade work to Carveth Road and William Road, Berry Springs</p>	David Kingston	19-04-17	Work underway
17/0068/03	<p><b>Carveth and William Road Upgrade</b></p> <p>THAT Council:</p> <p>Write to all stakeholders and inform them of Council's resolutions in regards to the project.</p>	David Kingston	19-04-17	Letter being prepared

## **Council Meeting Agenda**

Wednesday 17 May 2017

### **5 Conflict of Interest**

### **6 Presentations**

### **7 Petitions**

### **8 Public Forum**

### **9 Accepting or Declining Late Items**

### **10 Notices of Motion**

### **11 Mayors Report**

The Mayor presents a verbal report on monthly activities.

### **12 Reports from Council Appointed Representatives**

Council appoints Council representatives to external committees. *Council Appointed Representatives* provide a verbal update on activities over the past month relating to the committees to which the Councillor has been formally appointed.

Council has appointed the following Councillors to the following external Committees:

Cr Barden - AACo Community Reference Group

Cr Wright - Howard Springs Reserve Committee

- Knuckey Lagoon Reserve Committee

Cr Osborn - Freds Pass Sport & Recreation Management Board



## **Council Meeting Agenda**

Wednesday 17 May2017

### **13 Finance Report**

13.1 Finance Report April 2017



## COUNCIL REPORT

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**Agenda Item Number:** 13.1  
**Report Title:** Council Finance Report – April 2017  
**Meeting Date:** 17/05/2017  
**Attachments:**

### Purpose

The purpose of this report is to present the monthly finance report for the period ended 30 April 2017.

### Recommendation

THAT Council receives the Litchfield Council Finance report for the period ended 30 April 2017.

### Background

The Finance Report for April 2017 is attached.

The results to the end of April are as expected since reporting last month. The forecast amounts reported in March 2017 Finance Report vary slightly.

Total Revenue expected for the year ended 30 June 2017 is \$3,107,685 less than budget. Forecast reduction mainly due to the Freds Pass Reserve Infrastructure Upgrade grant totalling \$3,000,000 received and recognised in the 2015/16 financial year, not the 2016/17 year as budgeted and a reduction of \$723,376 Roads to Recovery funding for this financial year as a result of the Road Reseal Program costing less than budget.

Total revenue currently tracking at 92% of forecast, in line with expectation.

Total Expenses expected for the year ended 30 June 2017 is \$300,088 less than budget. Forecast savings is mainly associated with Darwin City Council Shoal Bay disposal fees and the transportation of waste to Shoal Bay from all three waste transfer stations and other operational savings across all departments.

Total expense currently tracking at 76% of forecast, below expectation of 83%. This is as a result of new initiatives ie. Developer Contribution Plan, Waste Management Strategy, IT Improvement Plan yet to be expended and other contractors' expenditures yet to be invoiced.

# Finance Report

April 2017

**LITCHFIELD  
COUNCIL**



*Community effort is essential*

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# 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*, reported in Litchfield Council's Annual Report, for greater transparency.

The statements include total revenue, both operational and capital but only operational expenditure. Capital expenditure is capitalised as Infrastructure, Property, Plant & Equipment in the Balance Sheet upon completion of the projects.

## CONSOLIDATED OPERATING STATEMENT

	2016/17 YTD Actual	2016/17 Budget	30 April 2016/17 Forecast	Forecast Variance +ve (-ve)	Note
<b>REVENUE</b>					
Rates	9,675,611	9,492,370	9,675,611	183,241	
Statutory Charges	30,756	41,500	33,282	(8,218)	1
User Charges	1,020,954	1,192,860	1,160,671	(32,189)	2
Grants, subsidies & contributions	5,727,003	10,835,755	6,998,341	(3,837,414)	3
Investment Income	665,712	505,000	753,823	248,823	4
Reimbursements	13,154	0	13,154	13,154	
Other Income	24,830	0	24,830	24,830	
<b>TOTAL REVENUE</b>	<b>17,158,020</b>	<b>22,067,485</b>	<b>18,659,712</b>	<b>(3,407,773)</b>	
<b>EXPENSES</b>					
Employee Costs	4,414,102	5,650,888	5,623,899	26,988	
Auditor Fees	27,603	39,000	40,840	(1,840)	5
Bad and doubtful Debts	13,474	-	13,474	(13,474)	6
Elected Member Expenses	159,664	250,691	243,787	6,904	
Election Expenses	-	-	-	-	
Cemetery Operations	243,566	309,600	287,833	21,767	
Contractors	3,426,710	4,925,650	4,628,307	297,343	7
Energy	111,791	192,800	166,800	26,000	
Insurance	219,885	226,633	219,899	6,734	
Maintenance	396,652	486,950	455,262	31,688	



Legal Expenses	133,667	138,000	181,000	(43,000)	8
Donations and Community Support	72,221	108,000	108,250	(250)	
Computer / IT Costs	228,839	272,500	266,894	5,606	
Parts, accessories & consumables	157,453	215,500	207,718	7,785	
Professional Services	356,904	675,700	750,408	(74,708)	9
Sundry	279,882	367,330	364,783	2,547	
<b>TOTAL EXPENSES</b>	<b>10,242,413</b>	<b>13,859,242</b>	<b>13,559,154</b>	<b>300,088</b>	
<b>RESULT</b>	<b>6,915,607</b>	<b>8,208,243</b>	<b>5,100,558</b>	<b>3,107,685</b>	

**Note 1** – Regulatory Services forecasts a reduction in expected fees and charges to be received from dog infringements.

**Note 2** - Majority variance as a result of forecast reduction in Thorak Cemetery's expected income from burials.

**Note 3** - Forecast reduction mainly due to the Freds Pass Reserve Infrastructure Upgrade grant totalling \$3,000,000 received and recognised in the 2015/16 financial year, not the 2016/17 year as budgeted. In addition, there will be a reduction of \$723,376 Roads to Recovery funding for this financial year as a result of the Road Reseal Program costing less than budget. Council receives this funding quarterly on program submissions.

**Note 4** - Forecast increase as a result of accumulated interest received both from investments and late rate payments.

**Note 5** - This budget item relates to External Auditors and the chairperson of the Risk Management & Audit Committee. Only two meetings were budgeted for based on prior year's performance. Council is required to hold four meetings each financial year as per policy.

**Note 6** - Additional expenditure not previously budgeted, as a result of animal infringements no longer recoverable. The procedures have now been corrected to ensure this does not happen in the future.

**Note 7** – Forecast savings of \$297,343 is mainly associated with Darwin City Council Shoal Bay disposal fees and the transportation of waste to Shoal Bay from all three waste transfer stations and concrete waste crushing.

**Note 8** - Increase in debt collection costs as a result of additional legal charges amounting to \$75,000 from 100 rate payers referred to NTCAT small claims court. This is offset against legal charges on-costed to the specific rate payer.

**Note 9** - Additional expenditure not previously budgeted as a result of 2015/16 valuations of properties from Department of Lands & Planning costs (on-charged to Council) totalling \$64,970 and inclusion of \$10,000 under Community forecast expenses to reflect the total amount to be spent on

the Aquatic Facility Community Needs Analysis of \$40,000. Additional savings in other projects have lessened the effect to \$74,708.

## CONSOLIDATED OPERATING STATEMENT COUNCIL/THORAK CEMETERY SEPARATION

The relationship between the Consolidated Financial Statements of Litchfield Council and Thorak Regional Cemetery's Finance Report is summarised below.

	2016/17 YTD Actual	2016/17 Budget	Forecast	Forecast Variance
<b>REVENUE</b>				
Operational - Council	12,554,037	12,815,178	13,426,349	611,171
Capital – Council*	3,917,882	8,409,857	4,454,299	(3,955,558)
Operational - Thorak	686,101	842,450	779,064	(63,386)
Capital – Thorak*	0	0	0	0
<b>TOTAL REVENUE</b>	<b>17,158,020</b>	<b>22,067,485</b>	<b>18,659,712</b>	<b>(3,407,773)</b>
<b>EXPENSES</b>				
Council	9,603,191	12,981,383	12,709,312	272,071
Thorak	639,222	877,859	849,842	28,017
<b>TOTAL EXPENSE</b>	<b>10,242,413</b>	<b>13,859,242</b>	<b>13,559,154</b>	<b>300,088</b>
<b>RESULT</b>	<b>6,915,607</b>	<b>8,208,243</b>	<b>5,100,558</b>	<b>3,107,685</b>

\* Please note, the capital income amounts exclude the proceeds on sale of assets as these amounts are offset against the written down value of each asset recognised in the Balance Sheet.

## CONSOLIDATED BALANCE SHEET at 30 April 2017

	31 March 2017	30 April 2017	Movement +ve (-ve)
<b>CURRENT ASSETS</b>			
Cash & Cash Equivalents	779,495	117,106	(662,389)
Trade and Other Receivables	2,708,002	2,625,054	(82,948)
Other Financial Assets	21,038,137	20,631,740	(406,397)
<b>TOTAL CURRENT ASSETS</b>	<b>24,525,634</b>	<b>23,373,900</b>	<b>(1,151,734)</b>
<b>NON CURRENT ASSETS</b>			
Infrastructure, Property, Plant & Equipment	269,847,247	268,448,296	(1,398,951)
Other Non-Current Assets	6,336,221	6,467,171	130,950

<b>TOTAL NON CURRENT ASSETS</b>	<b>276,183,468</b>	<b>274,915,467</b>	<b>(1,268,001)</b>
<b>TOTAL ASSETS</b>	<b>300,709,102</b>	<b>298,289,367</b>	<b>(2,419,735)</b>
<b>CURRENT LIABILITIES</b>			
Trade and Other Payables	949,278	962,203	12,925
Provisions	580,005	487,840	(92,165)
<b>TOTAL CURRENT LIABILITIES</b>	<b>1,529,283</b>	<b>1,450,043</b>	<b>(79,240)</b>
<b>NON CURRENT LIABILITIES</b>			
Provisions	321,239	320,261	(978)
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>321,239,</b>	<b>320,261</b>	<b>(978)</b>
<b>TOTAL LIABILITIES</b>	<b>1,850,522</b>	<b>1,770,304</b>	<b>(80,218)</b>
<b>NET ASSETS</b>	<b>298,858,579</b>	<b>296,519,063</b>	<b>(2,339,516)</b>
<b>EQUITY</b>			
Accumulated Surplus	41,134,231	38,794,715	(2,339,516)
Asset Revaluation Reserve	243,311,730	243,311,730	-
Other Reserves	14,412,618	14,412,618	-
<b>TOTAL EQUITY</b>	<b>298,858,579</b>	<b>296,519,063</b>	<b>(2,339,516)</b>

Cash and equivalents have decreased by \$662,389 due to operating payments such as the recreation reserves' quarterly payments.

Trade and Other Receivables balance has reduced by \$82,948 from 31 March 2017 due to the collection of rates and general accounts receivable.

Other Financial Assets, i.e. Investments has reduced by \$406,397 as a result of payments to creditors for the period.

### ***Estimate of Net Cash position and Current ratio***

The current ratio measures the liquidity of an entity. It observes the ability to pay short-term liabilities (debt and payables) with its short-term assets (cash and receivables). If the ratio is less than 1:1 Council is unable to pay its liabilities. Best practice is for the ratio to be between 1.5 and 3.

As identified in Section 5 of this report, Litchfield Council's liquidity KPI is easily met with 30 April 2017 current ratio equalling 16.12.

Current ratio = 
$$\frac{\text{Current Assets (less: Provision for Doubtful debt)}}{\text{Current Liabilities}}$$

= 
$$\frac{23,373,900}{1,450,043} = 16.12$$

Net Cash Position = 
$$23,373,900 - 1,450,043 = \$21.9 \text{ million}$$

## SECTION 2

### OPERATING POSITION BY DEPARTMENT

The 2016/17 rates and charges have been applied to properties which is reflected in both Finance and Waste Management year to date revenue totals.









	2016/17 YTD Actual	2016/17 Budget	30 April 2016/17 Forecast	Forecast Variance +ve (-ve)
<b>REVENUE</b>				
Council Leadership	1,117	0	1,117	1,117
Finance	7,654,701	7,492,434	7,866,730	374,296
Information Services	22,491	37,909	25,000	(12,909)
Works	1,860,697	2,372,391	2,477,394	105,003
Planning	40,993	41,000	42,320	1,320
Waste Management	2,895,636	2,826,844	2,932,673	105,829
Community	46,536	1,100	46,725	45,625
Mobile Workforce	225	0	225	225
Regulatory Services	31,639	43,500	34,165	(9,335)
<b>TOTAL REVENUE</b>	<b>12,554,035</b>	<b>12,815,178</b>	<b>13,426,349</b>	<b>611,171</b>
<b>EXPENSES</b>				
Council Leadership	630,548	923,742	913,173	10,569
Corporate	265,714	420,850	344,255	76,595
Information Services	375,986	463,841	458,305	5,536
Finance	1,143,931	1,200,920	1,397,386	(196,466)
Works	2,277,163	3,381,699	3,336,789	44,910
Planning	507,604	807,192	801,319	5,873
Waste Management	1,902,655	2,824,048	2,508,303	315,745
Community	1,274,695	1,282,230	1,298,620	(16,390)
Mobile Workforce	896,119	1,240,314	1,223,532	16,782
Regulatory Services	328,776	436,547	427,630	8,917
<b>TOTAL EXPENSES</b>	<b>9,603,191</b>	<b>12,981,383</b>	<b>12,709,312</b>	<b>272,071</b>
<b>OPERATING RESULT</b>	<b>2,902,008</b>	<b>(166,205)</b>	<b>711,905</b>	<b>878,110</b>











Forecast variances include:

- Federal Government Financial Assistance (FAG) higher than budgeted \$107,691, comprising \$91,190 roads grant (Works) and \$16,501 general purpose grant (Finance);
- Revenue from user group at Howard Park \$45,000 greater than budget (Community);
- 2015/16 cost of valuations of properties from Department of Lands & Planning costs (on-charged to Council) not budgeted for totalling \$64,970.
- Increase in forecast for debt collection costs, including an additional NTCAT legal charge of \$75,000. This is offset against legal charges on-costed to the specific rate payer.
- Overall savings of \$315,745 mainly attributed to costs associated with the Darwin City Council Shoal Bay disposal fees and the transportation of waste to Shoal Bay from all three waste transfer stations and concrete waste crushing; and
- Inclusion of \$10,000 in Community forecast expenses to reflect the total amount to be spent on the Aquatic Facility Community Needs Analysis of \$40,000. This project is fully funded by NT Government Department of Sport & Recreation.

## NEW INITIATIVES

In addition to Council's year-on-year operating expenses Council resolved to undertake the following New Initiatives in 2016/17. The new initiatives expenditure is included in the operating result above. The table below highlights the expenditure compared to budget to the end of April 2017.

	2016/17 YTD Actuals	2016/17 Budget	2016/17 Forecast	Comments
Free Micro-chipping	5,050	6,000	5,050	 Free Micro-chipping day to be held in June 2017.
Feral Dog Management Program	31,850	40,000	31,850	 Completed.
Animal Management Initiative	4,499	30,000	30,000	 De-sexing vouchers commence this month.
Southport Mira Square Centre	-	20,000	5,000	 Southport Progress Association has been unsuccessful in securing a NTG grant to date. Council resolved to allocate \$5,000 to Southport Progress Association for the purchase of a weather proof Community Notice Board.
Freds Pass Show Donation	40,000	40,000	40,000	 Completed.
Aquatic Facility Study	40,000	40,000	40,000	 Completed.
Schools Community Service Award	2,000	2,000	2,000	 Completed.
Palmerston & Rural Seniors Group	5,000	5,000	5,000	 Completed.

	2016/17 YTD Actuals	2016/17 Budget	2016/17 Forecast	Comments
Women's Business Network	6,767	12,000	12,000	 Women's Business Network Committee established.
Additional Community Support	2,500	10,000	10,000	 The Community Grants Scheme is currently being advertised.
IT System – clean for space reduction	1,400	12,000	12,000	 Commenced - List of priorities still under discussion.
IT Improvement Plan	-	25,000	25,000	 Commenced -Quotations under review.
Developer Contribution Plan Review	27,607	160,000	160,000	 Update to Development Guidelines is underway. Developer Contribution Plan Review to follow.
Road Formation for Battle-axe Roads	565	50,000	50,000	 Under consideration.
Waste Management Plan	27,937	50,000	55,437	 In final stages.
Additional operator at Berry Springs WTS	-	81,950	81,950	 Council is currently undertaking a Waste Management Strategy which will consider the results of the Berry Springs WTS Audit and make whole of Council recommendations.
Council Office – maintenance of roof & poles	16,710	18,000	16,710	 Completed.
Mobile Work Force Study/Design of new shed	-	40,000	40,000	 Work to commence shortly. Council is successful in securing NTG Special Purpose Grant \$225,000 to construct shed.
<b>TOTAL</b>	<b>220,976</b>	<b>641,950</b>	<b>621,997</b>	



- On Budget



- Watch Budget



- Outside Budget

## CAPITAL POSITION

The table below compares capital revenue and expenditure to budget to the end of April 2017.

	2016/17 YTD Actuals	2016/17 Budget	30 April 2016/17 Forecast	Forecast Variance +ve (-ve)	Note
<b>REVENUE</b>					
Finance	-	9,500	9,500	-	
Works	3,099,260	4,753,656	3,568,938	(1,184,718)	1
Waste Management	428,060	419,700	438,060	18,360	
Community	-	3,000,000	-	(3,000,000)	2
Planning	214,483	293,000	293,000	-	
Mobile Workforce	300,654	80,000	300,654	220,654	3
Regulatory Services	17,244	11,000	17,244	6,244	
<b>TOTAL REVENUE</b>	<b>4,059,701</b>	<b>8,566,856</b>	<b>4,627,396</b>	<b>(3,939,460)</b>	
<b>EXPENSES</b>					
Finance	-	35,000	35,000	-	
Planning	38,102	48,000	38,102	9,898	
Regulatory Services	42,937	48,000	42,937	5,063	
Community	1,364,506	3,075,000	3,633,756	(558,756)	4
Works	4,860,152	5,460,628	7,070,372	(1,609,744)	5
Waste Management	269,990	280,000	342,137	(62,137)	6
Mobile Workforce	151,113	176,000	151,113	24,887	
<b>TOTAL EXPENSES</b>	<b>6,726,800</b>	<b>9,122,628</b>	<b>11,313,417</b>	<b>(2,190,789)</b>	
<b>CAPITAL RESULT</b>	<b>(2,667,099)</b>	<b>(555,772)</b>	<b>(6,686,021)</b>	<b>(6,130,249)</b>	



#### Note 1

(A) Freds Pass Road Upgrade grant totalling \$1,220,500 was included in 2016/17 budget. An amount of \$500,000 was received and recognised in the 2015/16 financial year. This has resulted in forecast capital revenue reduced by \$500,000 in 2016/17.

(B) Additional revenue of \$30,751 for Road Levies were invoiced with the Rate Instalment Notices for the Brougham, Byers and Manton Valley Roads properties as approved by Council at the September 2016 Council Meeting.

(C) As highlighted in Capital Projects 2016/17 below, savings of \$854,603 is made in the Road Reseal Program. Majority of the funding for the Road Reseal Program was using Roads to Recovery Funding with the remaining funded by Developer Contributions. Therefore, the savings will result in Council rolling over the additional Roads to Recovery funding of \$723,376 to the 2017/18 financial year to future Capital Works Projects with the balance remaining in the Developer Contributions Reserve.

(D) Additional proceeds from vehicle replacements within Works of \$7,907.

Both (A), (B), (C) and (D) has resulted in forecast capital revenue reduced by \$1,184,718 in 2016/17.

#### Note 2

Freds Pass Reserve Infrastructure Upgrade grant totalling \$3,000,000 was included in 2016/17 budget, however the total amount of \$3,000,000 was received and recognised in the 2015/16 financial year. Therefore, Council's forecast for grant revenue is reduced by \$3,000,000 in 2016/17.

#### Note 3

Council has been successful in obtaining and received a special purpose grant of \$225,000 towards the construction of a purpose-built depot for the Mobile Workforce at the Humpty Doo Waste Transfer Station.

#### Note 4

Grant funding for the Recreational Reserve Capital Projects (outlined below) was received in prior financial years. The capital project expenditure was not budgeted for in 2016/17 financial year, therefore Council's forecast for Recreational Reserve Capital Project expenditure increases by \$558,756.

- Berry Springs Reserve - Caretakers Dwelling	\$204,991
- Howard Park Reserve – Scout Hall Upgrade	\$119,043
- Livingstone Reserve – Pony Club	\$204,322
- Berry Springs Tree Removal	\$30,400

#### Note 5

Grant funding for the Capital Works Projects (outlined below) was received in 2015/16 financial year. The capital works expenditure was not budgeted for in 2016/17 financial year, increasing the forecast expenditure by \$2,645,000:

- Anzac Parade Upgrade	\$1,800,000
- Freds Pass / Krichauff Road Intersection	\$815,000
- Elizabeth Valley Bridge Design	\$30,000

The Freds Pass / Krichauff Road Intersection project total forecast expenditure is \$1,149,170, increased from \$915,000 as previously forecast (\$815,000 from 2015/16 and \$100,000 from 2016/17). Projecting an overspend of \$234,170.

Overall capital projects are better off by \$1,092,725. This is highlighted in Capital Projects 2016/17 below.

The forecast for Works expenditure (\$7,070,372) includes capital projects of \$6,986,903 and motor vehicle replacements of \$83,469.

#### Note 6

Additional expenditure for safety works totalling \$70,179 at the Berry Springs Waste Transfer Station Site (Council Report Number 16/0234) to improve public and staff safety as outlined below:

- Video Surveillance	\$9,882
- Fencing & Gates	\$44,297
- Installation of Waste Performance Boards	\$6,000
- Improved staff facilities	\$10,000





The actual expenditure for Berry Springs Waste Transfer Station Site totalling \$68,074 to date is allocated as follows:


- Video Surveillance	\$9,484
- Fencing & Gates	\$48,860
- Installation of Waste Performance Boards	\$6,390
- Surveying for fencing	\$3,340
- Improved staff facilities	\$10,000

#### **CAPITAL PROJECTS 2016/17 - WORKS**

The table below summarises Council's capital works program for the 2016/17 financial year in accordance with the budget and Municipal Plan. Council is continuing to work towards completing projects from 2015/16 financial year and the 2016/17 works program is underway.

The overall savings from Capital Works to date is \$1,092,725.

Infrastructure Expenditure	Estimated Date of Completion	2016/17 Budget	2016/17 YTD Actuals	30 April 2016/17 Forecast	Forecast Variance +ve (-ve)	Comment
<b>Projects commenced in 2015/16</b>						
Anzac Parade Upgrade	Completed	-	1,063,230	1,800,000	(1,800,000)	 Awaiting Stage 2
Freds Pass Road Upgrade	30/06/2017	1,220,500	84,750	1,220,500	-	 Design stage
Freds Pass Road / Krichauff Road Intersection	Completed	100,000	1,112,190	1,149,170	(1,049,170)	 Awaiting Invoices
Elizabeth Valley Bridge Design	Completed	-	13,775	30,000	(30,000)	 Awaiting Invoices

Infrastructure Expenditure	Estimated Date of Completion	2016/17 Budget	2016/17 YTD Actuals	30 April 2016/17 Forecast	Forecast Variance +ve (-ve)	Comment
<b>Projects commencing in 2016/17</b>						
Road Reseal Program	Completed	2,624,128	1,769,525	1,769,525	854,603	 Completed
Cycle Path Works	30/06/2017	230,000	32,142	230,000	-	 Design stage
Shoulder Widening	30/06/2017	300,000	207,931	291,874	8,126	 In Progress
Freds Pass Road Shoulder Widening	Completed	180,000	71,234	71,234	108,766	 Completed
Leonino Road Culvert Extension	Completed	400,000	304,672	304,672	95,328	 Completed
Ringwood Street Culvert	Completed	50,000	27,632	27,632	22,368	 Completed
Survey & Design of Southport Roads	31/03/2017	50,000	45,460	45,460	4,540	 Completed
Geotechnical Investigations	Completed	60,000	21,420	21,420	38,580	 Completed
Wig Wag Warning Lighting	Completed	150,000	22,722	25,416	124,584	 Awaiting invoices
<b>TOTAL</b>		<b>5,364,628</b>	<b>4,776,683</b>	<b>6,986,903</b>	<b>(1,622,275)</b>	



- On Budget



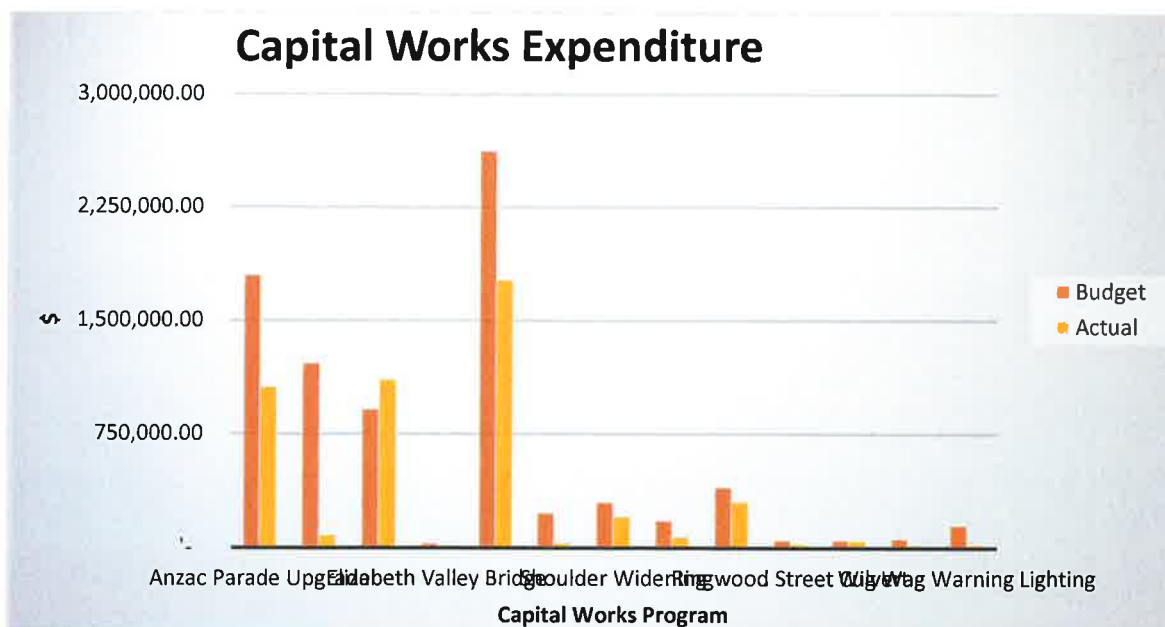
- Watch Budget



- Outside Budget

#### Forecast Variance






Capital revenue and expenses have been reviewed to the end of April 2017. The forecast for the Road Reseal Program has been reduced by \$854,603 as a result of the timing of Council's tender process in conjunction with Department of Infrastructure. No other major changes have been made to the forecast result as reported last month.





## CAPITAL PROJECTS 2016/17 – RECREATION RESERVES

The table below is a new inclusion to summarise Council's capital projects for Recreation Reserves for the 2016/17 financial year in accordance with the Budget and Municipal Plan.

Council has now completed all projects from 2015/16 financial year and the 2016/17 works program is well underway.

Recreation Reserve Expenditure	Estimated Date of Completion	2016/17 Budget	2016/17 YTD Actuals	30 April 2016/17 Forecast	Forecast Variance +ve (-ve)	Comment
<b>Projects commenced in 2015/16</b>						
HPR – Scout Hall Roof Replacement	Completed	-	119,043	119,043	(119,043)	 Completed
LR – Pony Club Improvements	Completed	-	204,322	204,322	(204,322)	 Completed
BSR – Tree Removal	Completed	-	30,400	30,400	(30,400)	 Completed
<b>Projects commenced in 2016/17</b>						
BSR – Caretakers Building	Completed	25,000	229,991	229,991	(204,991)	 Completed
FPR - Improvements	30/09/2017	3,000,000	780,750	3,000,000	-	 In Progress

Recreation Reserve Expenditure	Estimated Date of Completion	2016/17 Budget	2016/17 YTD Actuals	30 April 2016/17 Forecast	Forecast Variance +ve (-ve)	Comment
All Reserves – Building Certifications	Ongoing	50,000	-	50,000	-	 Quotations been sought
<b>TOTAL</b>		<b>3,075,000</b>	<b>1,364,506</b>	<b>3,633,756</b>	<b>(558,756)</b>	

 - On Budget

 - Watch Budget

 - Outside Budget

## SECTION 3

### CASH ON HAND & INVESTMENTS

The table below represents a summary of the Cash on Hand & Investments held by Council at 30 April 2017 and compares the balance to the balance at 31 March 2017.

	<b>31 MARCH 2017</b>	<b>30 APRIL 2017</b>	<b>VARIANCE</b>	<b>COMMENT</b>
Investments (Incl. Trust Account)	20,631,740	20,631,740	0	New and reinvested term deposit
Business Maxi Account	665,167	1,363	(663,804)	Monies for new term deposit
Operating Account	96,931	75,203	(21,728)	Monies for new term deposit
<b>TOTAL</b>	<b>21,393,838</b>	<b>20,708,306</b>	<b>(685,532)</b>	

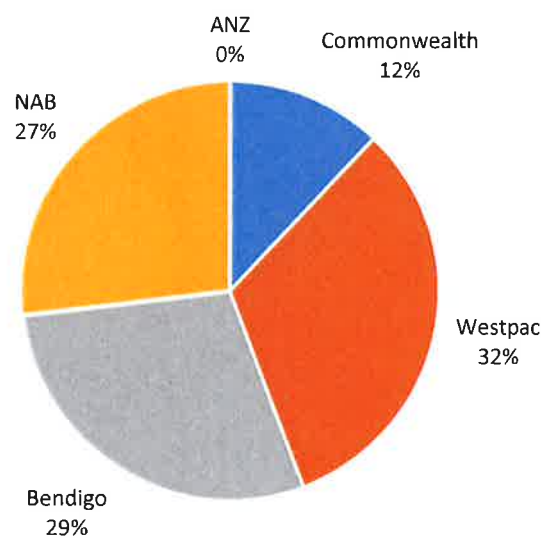
#### Investments

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

<b>Date Invested</b>	<b>Invested Amount</b>	<b>Days Invested</b>	<b>Invested with</b>	<b>Interest Rate</b>	<b>Due Date</b>	<b>Expected return to Maturity Date</b>
31/10/2016	1,527,263	181	Westpac	2.70%	30/04/2017	20,449
20/05/2016	1,500,000	365	Bendigo	3.00%	20/05/2017	45,000
09/12/2016	1,500,000	181	NAB	2.69%	08/06/2017	20,009
10/12/2016	2,500,000	182	Westpac	2.73%	10/06/2017	34,032
17/06/2016	220,508	365	Bendigo	2.95%	17/06/2017	6,505
16/08/2016	1,550,000	365	Westpac	3.00%	16/08/2017	46,500
20/02/2017	1,044,927	182	NAB	2.57%	21/08/2017	13,390
26/08/2016	1,000,000	365	CBA	3.00%	26/08/2017	30,000

Date Invested	Invested Amount	Days Invested	Invested with	Interest Rate	Due Date	Expected return to Maturity Date
21/09/2016	1,500,000	365	CBA	3.00%	21/09/2017	45,000
23/03/2017	1,522,761	210	NAB	2.57%	16/10/2017	22,516
24/02/2017	1,000,000	270	Westpac	2.60%	24/11/2017	19,233
04/12/2016	1,226,128	365	Bendigo	2.75%	04/12/2017	33,719
19/12/2016	1,040,000	365	Bendigo	2.80%	14/12/2017	29,120
30/03/2017	1,500,000	365	NAB	2.58%	30/03/2018	38,700
27/03/2017	1,000,000	365	Bendigo	2.65%	27/03/2018	26,500
28/03/2017	1,000,000	365	Bendigo	2.65%	27/03/2018	26,500
23/07/2015	1		Bendigo			Minimum balances in savings account to holding investments
23/07/2015	152		ANZ			
<b>TOTAL INVESTMENTS</b>	<b>20,631,740</b>					<b>457,172</b>

TOTAL FUNDS BY INSTITUTION



## FINANCIAL RESERVES

No movement from 30 June 2016.

	Balance at 1 July 2016	Transfer TO	Transfer FROM	Net Movement	Balance at 31 March 2017
Property Reserve	508,902	-	-	-	508,902
Plant and Equipment Reserve	137,446	-	-	-	137,446
Infrastructure Reserve	2,334,793	-	-	-	2,334,793
Developer Contribution Reserve	855,766	-	-	-	855,766
Waste Management Reserve	3,344,062	-	-	-	3,344,062
Election Reserve	25,044	-	-	-	25,044
Disaster Recovery Reserve	790,388	-	-	-	790,388
Strategic Initiatives Reserve	1,374,139	-	-	-	1,374,139
Unexpended Grants and Contributions	4,850,050	-	-	-	4,850,050
<b>TOTAL</b>	<b>14,220,590</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>14,220,590</b>



## SECTION 4

### DEBTORS

#### SUNDRY DEBTORS

Total Sundry Debtors at 30 April 2017 is \$102,466 compared to \$51,936 at 31 March 2017, an increase of \$50,530. This is mainly due to Planning invoicing a developer for development in progress.

Category	Current	30 Days	60 Days	90 Days and over	Balance
Waste	\$0.00	\$5,819	\$0	\$575	\$6,394
Infrastructure	\$56,565	\$20,821	\$0	\$11,132	\$88,518
Recreational Reserves	\$2,564	\$1,760	\$1,540	\$1,690	\$7,554
<b>TOTAL</b>	<b>\$59,129</b>	<b>\$28,400</b>	<b>\$1,540</b>	<b>\$13,397</b>	<b>\$102,466</b>
% of total sundry debtors	57.7%	27.7%	1.5%	13.1%	

#### Action summary of 90 Days Debtors:

Company under Administration – further advice regarding payment status to be received from Administrators	\$5,907
Debtor sent to Debt Collectors	\$2,301
Debtor on Payment Plan	\$2,792
Contact has been made with debtor awaiting payment	\$132
Contact has been made with debtor awaiting payment	\$500
Contact has been made with debtor awaiting payment	\$75
Debtors to be sent a reminder invoice	\$220
Debtors to be sent a reminder invoice	\$40
Debtors to be sent a reminder invoice	\$80
Debtors to be sent a reminder invoice	\$800
Debtors to be sent a reminder invoice	\$200
Debtors to be sent a reminder invoice	\$350
<b>TOTAL</b>	<b>\$13,397</b>

*Please note, Sundry debtors exclude rate debtors and infringements.*

## FINES AND INFRINGEMENTS

At 30 April 2017 Council has 93 infringements outstanding with a balance of \$29,336, an increase of \$2,607 in outstanding infringements at 31 March 2017.

	September 2016	October 2016	November 2016	December 2016	January 2017	February 2017	March 2017	April 2017
Number of Infringements outstanding	78	74	66	74	88	94	88	93
Balance of Infringements outstanding	\$28,986	\$27,809	\$23,715	\$25,013	\$29,275	\$32,091	\$26,729	\$29,336

Seventy- five (75) infringements have been sent to the Fines Recovery Unit (FRU), fifteen (15) infringements have been sent a reminder letter, one (1) infringement has been placed on-hold under dispute and two (2) infringements notices fall within the 14-day payment period. All infringement courtesy letters have been sent in accordance with Council's policy.

## OUTSTANDING RATES

The table below is a summary of current year rates raised, collected and outstanding as at 30 April 2017.

	Rates Raised	Rates Collected	Outstanding	% Outstanding
2016/2017	\$9,596,830	\$8,508,820	\$1,088,010	11.3%

Points to note:

- Total current year outstanding rates has reduced by 1.1% compared to last month.
- 50% of Council's ratepayers paid all their rates upfront with the others choosing payment by instalments.
- \$257,544 remains outstanding from Instalment 1 notices, which were due 31 August 2016. This has reduced by \$17,676 compared to last month.
- \$342,067 remains outstanding from Instalment 2 notices, which were due 30 November 2016. This has reduced by \$22,308 compared to last month.
- \$488,399 remains outstanding from Instalment 3 notices, which were due 28 February 2017. This has reduced by \$57,859 compared to last month.

The below table illustrates the split of outstanding rates:

	PRIOR YEAR ARREARS	INSTALMENT 1	INSTALMENT 2	INSTALMENT 3	BALANCE
COMMERCIAL	\$18,438	\$6,774	\$9,536	\$10,624	\$45,372
MINING	\$37,107	\$4,908	\$5,187	\$7,672	\$54,874
NON-RATEABLE MINING	\$526	\$ -	\$ -	\$ -	\$526

	<b>PRIOR YEAR ARREARS</b>	<b>INSTALMENT 1</b>	<b>INSTALMENT 2</b>	<b>INSTALMENT 3</b>	<b>BALANCE</b>
NON-RATEABLE WASTE	\$19,274	\$761	\$761	\$761	\$21,558
GENERAL	\$1,376,379	\$223,191	\$302,673	\$439,134	\$2,341,376
URBAN RESIDENTIAL	\$69,771	\$21,910	\$23,910	\$30,207	\$145,798
<b>TOTAL</b>	<b>\$1,521,494</b>	<b>\$257,544</b>	<b>\$342,067</b>	<b>\$488,399</b>	<b>\$2,609,504</b>

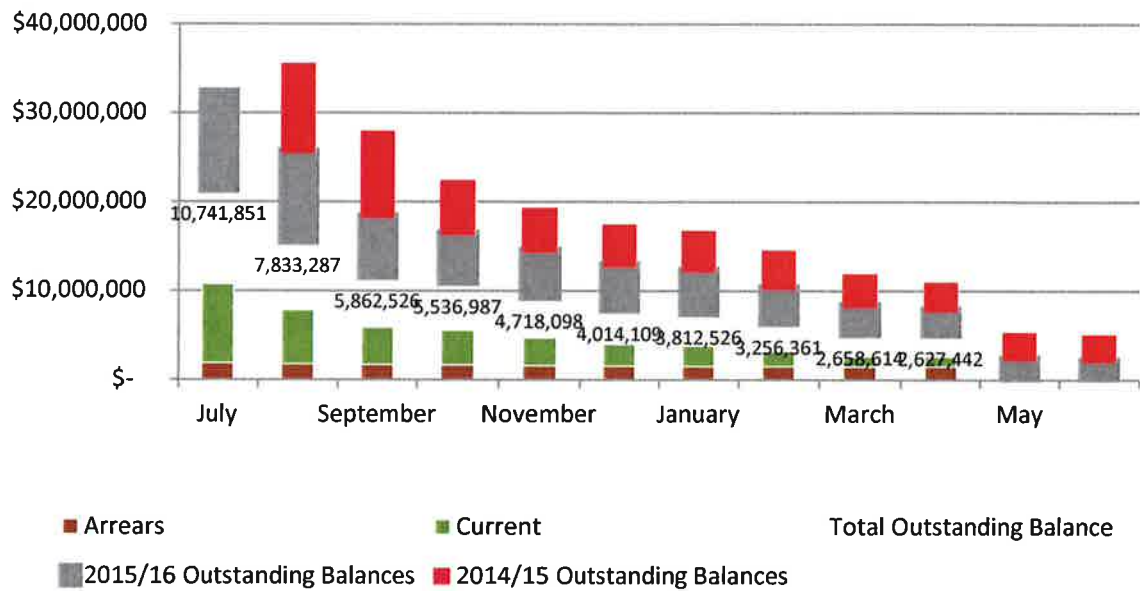
The collection of rates continues to be Council's focus in line with its Debt Recovery Policy FIN05. The initial Rates Notices were sent in late July 2016 with the second instalment reminder notice sent in late August 2016. Letters of Demand were sent to ratepayers with outstanding rates from prior years on 13 January 2017. The reminder notice for the third instalment was sent in late January 2017. Since the last instalment due date, 28 February 2017 all prior years outstanding rates not on suitable payment plans are in the process of being sent to the Debt Collection Agency. Finally, another round of Letters of Demand have been sent to all ratepayers with current year outstanding rates. These assessments have 14-days to pay outstanding rates, before referring onto the Debt Collection Agency.

There has been an increase of \$52,355 or 0.7% in the rates in prior year arrears when compared to the same time last year. The reason for the increase is the inclusion of \$75,000 NTCAT legal fees added to 100 ratepayer assessments. With the exclusion of \$75,000 the value of prior year arrears rates collected during April was \$22,645, the total prior years outstanding rates and charges as at 30 April 2017 is \$1,446,494.

A Special Rate was struck in the 2009/10 financial year to generate the \$3,000,000 to fund the infrastructure upgrade at the Humpty Doo Waste Transfer Station. In the 2016/17 financial year the \$3,000,000 funding will be reached. Outstanding rates for the Waste Transfer Station Special Rate as at 30 April is \$105,387.

The graph below tracks the total rates owing for the 2016/17 financial year by month and compare outstanding rates to the same time in the previous two financial years i.e. 2014/15 and 2015/16.

## Rates and Charges Outstanding Balance as at 30 April 2017



### Note




A significant reduction in rates owing at 31 August 2016 when compared to the same time last year is due to the change in due date of the first instalment to 31 August compared to 30 September.

## SECTION 5

### FINANCE KEY PERFORMANCE INDICATORS (KPI)

Council's 2016/17 Municipal Plan includes a number of KPI's for the Finance area to meet; these are listed and reported on in the table below.

Key Performance Indicator	Target	Status	Comment
Compliance with management, statutory and regulatory budgeting and reporting	100%		Council has implemented a Regulatory Compliance Checklist.
Prior year rates arrears	<5%		Officers have implemented Debt Collection Policy and continue to analyse prior years debts for further actions.
Current years rates outstanding as at 28 February 2017	<5%		Letters of demand have been sent from mid April 2017
Rates to operating expense ratio	60-70%		
Liquidity ratio	>1:1		Current Ratio equals 16.12

-  KPI met
-  KPI in progress, on track
-  KPI not met

## SECTION 6

### CREDITORS PAID

Creditor accounts paid in April 2017 are listed in below.

Cheque No.	Chq Date	Payee	Description	Amount
Payroll 21	12/04/2017	LC Staff	Payroll Fortnight ending	\$134,002.00
Payroll 22	26/04/2017	LC Staff	Payroll Fortnight ending	\$138,283.11
777.1126-01	06/04/2017	TS Constructions NT	RFT16-145 Ablution block at Freds Pass (40%)	\$99,273.24
779.319-01	20/04/2017	ALDEBARAN CONTRACTING PTY LTD	RFT17 147 - Shoulder repairs to various roads	\$82,295.00
779.374-01	20/04/2017	AUSTRALIAN TAXATION OFFICE (ATO)	March 17 - BAS	\$60,547.00
March 17	04/04/2017	STATEWIDE SUPERANNUATION PTY LTD	March 17 Superannuation	\$43,582.21
780.68-01	27/04/2017	KERRY'S AUTOMOTIVE GROUP	Holden Colorado Crew Cab - Director of Infrast.	\$42,495.99
777.268-01	06/04/2017	BYRNE CONSULTANTS	3 Projects - Design Anzac Pde/Southport Study	\$37,070.22
778.709-01	13/04/2017	STERLING PROPERTY SERVICES PTY LTD	Construction of the retaining wall P.P.1	\$32,518.48
780.514-01	27/04/2017	VEOLIA ENVIRONMENTAL SERVICES	Mar 17 - RFT 103 Transfer of waste to Shoal Bay	\$25,381.37
780.87-01	27/04/2017	TOP END LINEMARKERS PTY LTD	RFT 126 - Road line marking	\$17,686.78
780.414-01	27/04/2017	TOTAL EXCAVATIONS	Emergency works - Clean drains & trenching	\$17,466.90
777.414-01	06/04/2017	TOTAL EXCAVATIONS	Clean drains, culverts and re-establish footpath	\$16,484.60
779.849-01	20/04/2017	WEX AUSTRALIA (PUMA CARD)	Mar 17 - Fuel account	\$15,820.71
780.16-01	27/04/2017	BERRY SPRINGS RESERVE	4th QTR Operational and R&M Payment	\$15,757.50
777.930-01	06/04/2017	COLEMAN'S CONTRACTING & EARTHMOVING	RFT 119 - Roads Maintenance Grade	\$14,284.80
778.183-01	13/04/2017	CHRIS'S BACKHOE HIRE PTY LTD	Concrete Beams new Section B at Cemetery	\$12,100.00
778.176-01	13/04/2017	ASAP TREE SERVICE	Cut back and remove trees as required	\$12,089.00
779.971-01	20/04/2017	MUGAVIN CONTRACTING PTY LTD	195 metres of insitu layback gap Kerb	\$9,500.00

Cheque No.	Chq Date	Payee	Description	Amount
777.1065-01	06/04/2017	Mrs M H BREDHAUER	Mar 17 - Mayor Allowances	\$7,747.71
779.409-01	20/04/2017	F & J BITUMEN SERVICES PTY LTD	Profile out area & fill with asphalt	\$7,590.00
780.180-01	27/04/2017	AURECON AUSTRALIA P/L	Development Guidelines Review 100%	\$7,031.64
780.1145-01	27/04/2017	FYFE PTY LTD	Freds Pass Reserve Upgrade - Subdivision survey	\$6,825.00
777.1099-01	06/04/2017	DAVE'S MINI DIGGA HIRE	Clean drain & cut drain to creek	\$6,600.00
778.1099-01	13/04/2017	DAVE'S MINI DIGGA HIRE	Clean drains & remove excess soil	\$6,490.00
778.956-01	13/04/2017	IRONWOOD CONSULTING	Mar 17 - Freds Pass Res Upgrade Project	\$6,187.50
778.971-01	13/04/2017	MUGAVIN CONTRACTING PTY LTD	Excavate & pour drop structure	\$6,160.00
779.414-01	20/04/2017	TOTAL EXCAVATIONS	Clean drains & remove excess soil	\$6,072.00
777.162-01	06/04/2017	CIVICA PTY LTD	Apr 17 - Authority Program - Licence Fee	\$6,050.86
778.1076-01	13/04/2017	TDC (NT) PTY LTD - T/AS TERRITORY DEBT	10% Commission on direct payments	\$5,971.44
779.1099-01	20/04/2017	DAVE'S MINI DIGGA HIRE	Clean either side of head walls, drains & culverts	\$5,885.00
779.7-01	20/04/2017	ALLTOOLS NT	2 x Dual Grade Rotating Laser Kits (Insurance)	\$5,398.00
779.119-01	20/04/2017	SHADE & PLAY PTY LTD	S & I Shade Screen for HSWTS	\$4,820.00
778.924-01	13/04/2017	OUTBACK TREE SERVICE	Removal of trees & grind stumps	\$4,730.00
780.75-01	27/04/2017	MCMINNS LAGOON RESERVE ASSOCIATION	4th QTR Operational and R&M Payment	\$4,675.00
777.850-01	06/04/2017	HUMPTY DOO DEVELOPMENTS PTY LTD	Apr 17 - MWF shed lease	\$4,570.00
777.176-01	06/04/2017	ASAP TREE SERVICE	Removal of numerous dead trees	\$4,069.00
779.801-01	20/04/2017	KING DIESEL & MAINTENANCE PTY LTD	Service ute at BSWTS and repair aircon	\$4,015.85
778.1082-01	13/04/2017	MICHELLE READ	Review of proposed development	\$3,630.00
777.1076-01	06/04/2017	TDC (NT) PTY LTD - T/AS TERRITORY DEBT	Letters of demand fee & postage	\$3,597.00
777.183-01	06/04/2017	CHRIS'S BACKHOE HIRE PTY LTD	Mar 17 - Grave Digging	\$3,432.00
778.170-01	13/04/2017	NT RECYCLING SOLUTIONS (NTRS)	Mar 17 - Empty LC recycle bins	\$3,190.00

Cheque No.	Chq Date	Payee	Description	Amount
777.132-01	06/04/2017	AIRPOWER NT PTY LTD	Parts for Bobcat tracks and mower	\$3,072.61
780.1088-01	27/04/2017	TALENT PROPELLER	Vacancy adverts - Customer Service Office	\$3,069.00
780.176-01	27/04/2017	ASAP TREE SERVICE	Cut back trees for clearance	\$2,959.00
779.144-01	20/04/2017	ORIGIN	LP Gas Delivery	\$2,863.30
779.1076-01	20/04/2017	TDC (NT) PTY LTD - T/AS TERRITORY DEBT	10% Commission on direct payments	\$2,848.32
778.806-01	13/04/2017	ZIPPY CLEANING & MAINTENANCE SERVICES	Mar 17 - Cleaning Litchfield Council Office	\$2,844.88
778.409-01	13/04/2017	F & J BITUMEN SERVICES PTY LTD	RFT 127 - Pothole & edge patching	\$2,733.39
777.1062-01	06/04/2017	Mrs L WRIGHT	Mar 17 - Councillor/Deputy Mayor Allowances	\$2,340.38
777.1064-01	06/04/2017	Mrs C M OSBORN	Mar 17 - Deputy Mayor/Councillor Allowances	\$2,331.04
780.1099-01	27/04/2017	DAVE'S MINI DIGGA HIRE	Clean out drain & remove excess soil	\$2,255.00
779.1097-01	20/04/2017	DUNBAR, FIONA	Municipal Plan 2017/2018 Development	\$2,250.00
779.1088-01	20/04/2017	TALENT PROPELLER	Vacancy advertising - Cemetery Manager	\$2,225.41
778.1239-01	13/04/2017	VicRoads (Roads Corporation)	Road Safety Training registration fee	\$2,145.00
780.1053-01	27/04/2017	CSG BUSINESS SOLUTIONS PTY LTD	Mar 17 - Rental charges for Photocopiers	\$2,127.94
780.290-01	27/04/2017	AUSTENG ENGINEERING SOLUTIONS	Cremator Parts	\$2,026.57
779.360-01	20/04/2017	ACE TRAFFIC CONTROL	Traffic Management - Fatal Accident	\$2,014.66
778.282-01	13/04/2017	TOP END TYRE RECYCLING	Remove tyres from Humpty Doo WTS	\$1,944.27
778.522-01	13/04/2017	FARMWORLD NT PTY LTD	100HR service & repairs on Kioti buggy/tractor fix	\$1,877.49
778.1234-01	13/04/2017	Impact Environmental Conferences	Waste 2017 Conference Registration	\$1,875.00
778.132-01	13/04/2017	AIRPOWER NT PTY LTD	Blades, bolts, covers & switch for mower	\$1,834.09
777.1068-01	06/04/2017	Mr D S BARDEN	Mar 17 - Councillors Allowances	\$1,827.05
777.384-01	06/04/2017	Ms C VERNON	Mar 17 - Authority Consulting	\$1,771.00
778.801-01	13/04/2017	KING DIESEL & MAINTENANCE PTY LTD	Service and repairs to Case backhoe	\$1,709.60



Cheque No.	Chq Date	Payee	Description	Amount
777.1063-01	06/04/2017	Miss K J HUNT	Mar 17 - Councillor Allowances	\$1,685.64
778.930-01	13/04/2017	COLEMAN'S CONTRACTING & EARTHMOVING	RFT 119 - Road Maintenance Grade	\$1,672.00
778.1088-01	13/04/2017	TALENT PROPELLER	Recruitment - Cemetery Manager Shortlist	\$1,534.50
778.111-01	13/04/2017	STICKERS AND STUFF	3m x 3m Marquee - Printed Canopy	\$1,479.00
780.49-01	27/04/2017	DEPARTMENT OF LANDS PLANNING & THE	Aerial Photography of Council Reserves	\$1,393.88
780.971-01	27/04/2017	MUGAVIN CONTRACTING PTY LTD	S & I Post and bollards	\$1,351.00
777.801-01	06/04/2017	KING DIESEL & MAINTENANCE PTY LTD	Repair tracks on Bobcat	\$1,338.90
779.731-01	20/04/2017	AMCOM PTY LTD	May 17 - Supply of Amcom fibre to Litch.	\$1,329.41
779.926-01	20/04/2017	JACANA ENERGY	Mar 17 - Cemetery Power	\$1,311.79
779.596-01	20/04/2017	AREA9 IT SOLUTIONS - HARDWARE	Mar 17 - IT support & assistance	\$1,309.00
779.176-01	20/04/2017	ASAP TREE SERVICE	Emergency call out - Cut back tree	\$1,177.00
780.162-01	27/04/2017	CIVICA PTY LTD	Consultancy - Half day training	\$1,146.75
780.22-01	27/04/2017	IRON MOUNTAIN AUSTRALIA PTY LTD	Mar 17 - Record Management	\$1,119.01
780.596-01	27/04/2017	AREA9 IT SOLUTIONS - HARDWARE	Mar 17 - IT support & assistance	\$924.00
778.78-01	13/04/2017	POWER & WATER CORPORATION	L.C. Water account 16/2 to 16/3/17	\$891.47
778.795-01	13/04/2017	Mr D I WARBOYS	Rates Refund - Overpaid	\$800.00
777.522-01	06/04/2017	FARMWORLD NT PTY LTD	LH front lower quarter window for tractor	\$797.50
777.326-01	06/04/2017	EYESIGHT SECURITY P/L	Feb 17 Security and patrol - Thorak Cemetery	\$743.91
778.1052-01	13/04/2017	JAYCAR PTY LTD	Speaker PA System	\$729.00
780.801-01	27/04/2017	KING DIESEL & MAINTENANCE PTY LTD	4750 hr service on Hyundai Loader	\$713.10
777.512-01	06/04/2017	SELTOR SHAW PLUMBING PTY LTD	Repair damaged water main	\$702.90
778.51-01	13/04/2017	SOUTHERN CROSS PROTECTION	Mar 17 - Security services for L/Council	\$701.23
778.1130-01	13/04/2017	Mair's Only Cleaning	Caretaking at Howard Park Reserve 10/4 t	\$700.00

Cheque No.	Chq Date	Payee	Description	Amount
780.1130-01	27/04/2017	Mair's Only Cleaning	Caretaking at Howard Park Reserve 24/4	\$700.00
780.97-01	27/04/2017	CLEANAWAY	Mar 17 - Weekly Clearance of Cemetery Bi	\$691.13
778.130-01	13/04/2017	MOBILE LOCKSMITHS	Replace 2 door locks with compliant locks	\$654.60
779.560-01	20/04/2017	JOBFIT HEALTH GROUP PTY LTD	Pre-Employment Medical Check	\$609.40
777.110-01	06/04/2017	JAPE FURNISHING SUPERSTORE	2 Office Chairs	\$598.00
778.928-01	13/04/2017	RSEA PTY LTD	Respirators, earplugs & gloves	\$583.25
777.1023-01	06/04/2017	AUSLINE ENGINEERING	Press off & re-install gear and bearings	\$473.00
778.187-01	13/04/2017	NORSIGN	Road sign	\$471.90
777.820-01	06/04/2017	CONSOLIDATED BEARING COMPANY ( CBC )	2 X trigger grease guns & cable ties	\$449.03
780.7-01	27/04/2017	ALLTOOLS NT	Soldering iron & 8 drawer tool box	\$434.97
777.995-01	06/04/2017	WILDCAT HOLDINGS (NT) PTY LTD	Cutting edges for Bobcat	\$429.00
779.455-01	20/04/2017	MINI-TANKERS AUSTRALIA PTY LTD	Mar 17 - Diesel Fuel for Cemetery	\$424.70
780.220-01	27/04/2017	THE BIG MOWER	Repairs to ride on mower - Knuckey Lagoon	\$410.70
778.14-01	13/04/2017	AUSTRALIA POST	Postage Stamps	\$400.00
779.367-01	20/04/2017	BUNNINGS GROUP LIMITED	Mar 17 - Hardware account	\$379.77
777.111-01	06/04/2017	STICKERS AND STUFF	National Youth Week - student gifts	\$379.00
780.187-01	27/04/2017	NORSIGN	RFT 125 - Road signs	\$376.71
780.776-01	27/04/2017	HME AIRCONDITIONING & ELECTRICAL	Correct electrical fault at H/Springs WT	\$364.40
777.690-01	06/04/2017	TOTAL HYDRAULIC CONNECTIONS (NT) PTY	Reseal hydraulic ram on slasher	\$357.32
779.770-01	20/04/2017	HAYS SPECIALIST RECRUITMENT (AUST.)	Customer Service Temp 27/03/2017	\$354.34
778.671-01	13/04/2017	BURSON AUTOMOTIVE PTY LTD (COOLALINGA)	Truck wash, grease & wrench	\$343.43
779.995-01	20/04/2017	WILDCAT HOLDINGS (NT) PTY LTD	Cutting edge for Hyundai loader	\$331.76
780.436-01	27/04/2017	DELTA ELECTRICS NT PTY LTD	Check/Repair generator fault	\$311.30
778.7-01	13/04/2017	ALLTOOLS NT	7 draw toolbox - MWF	\$299.00

Cheque No.	Chq Date	Payee	Description	Amount
778.1186-01	13/04/2017	Advanced Safety Systems Australia Pty Ltd	Apr 17 - ASSA Membership	\$273.90
779.1118-01	20/04/2017	One Plus One Solutions Pty Ltd	Easy FBT 2017 Express - Order #100000509	\$273.90
APR17	26/04/2017	SE RENTALS PTY LTD	April 17 - Cemetery Copier Lease	\$260.79
779.3-01	20/04/2017	COMM8 (COMBINED COMMUNICATIONS	Apr 17 - Tracking System Data Access	\$255.20
780.886-01	27/04/2017	Mr R J FREEMAN	Remove tyres from rims	\$255.00
780.690-01	27/04/2017	TOTAL HYDRAULIC CONNECTIONS (NT) PT	Fit new coupling to Bobcat	\$251.49
778.608-01	13/04/2017	HITACHI CONSTRUCTION MACHINERY	Air & oil filters for tractors	\$250.81
780.411-01	27/04/2017	KENNARDS HIRE PTY LTD	Hire of 5 tonne tip truck	\$249.00
778.599-01	13/04/2017	WELDING & MAINTENANCE SERVICES NT	Replace roofing iron on bin at HSWTS	\$240.00
779.599-01	20/04/2017	WELDING & MAINTENANCE SERVICES NT	Repair bin at HDWTS	\$240.00
779.110-01	20/04/2017	JAPE FURNISHING SUPERSTORE	CITI "Clamp On" Screen	\$239.00
778.860-01	13/04/2017	INTECH NT	Repair green waste camera at Humpty Doo	\$236.50
778.61-01	13/04/2017	GREENTHEMES INDOOR PLANT & HIRE	Mar 17 - Indoor plant hire	\$233.50
780.1023-01	27/04/2017	AUSLINE ENGINEERING	Repair slasher and supply thread rod	\$231.00
778.1173-01	13/04/2017	Hughes Nursery	Plants for Australian Citizenship	\$205.00
780.1157-01	27/04/2017	RICHMOND WHEEL & CASTOR	4 swivel castor wheels	\$201.38
780.189-01	27/04/2017	HD ENTERPRISES P/L (HD PUMP SALES	AA batteries/20m retracted hose/irrigation items	\$180.32
778.828-01	13/04/2017	HOWARD SPRINGS VETERINARY CLINIC	Dog hospitalisation and 1 x dog boarding	\$175.00
780.608-01	27/04/2017	HITACHI CONSTRUCTION MACHINERY	Oil filters & 4 air filters	\$168.33
780.995-01	27/04/2017	WILDCAT HOLDINGS (NT) PTY LTD	Chain and shackles for Humpty Doo WTS	\$149.95
778.874-01	13/04/2017	FIN BINS	Mar 17 - Howard Park Rubbish Removal	\$147.60
780.941-01	27/04/2017	EVERLON BRONZE	Plaque - 120 x 150mm	\$146.85
777.671-01	06/04/2017	BURSON AUTOMOTIVE PTY LTD (COOLALINGA)	20lt Hydraulic oil	\$141.80

Cheque No.	Chq Date	Payee	Description	Amount
777.1040-01	06/04/2017	SUPER CHEAP AUTO	20 lt of gear oil & ass wiper blades	\$141.10
B-Pay162	06/04/2017	SENSIS PTY LTD	Mar 17 - Sensis Advertisement	\$138.38
777.1228-01	06/04/2017	Vision Global Solutions Pty Ltd	2 Gallup Assessment Codes/e-books	\$132.00
779.512-01	20/04/2017	SELTHER SHAW PLUMBING PTY LTD	Repair emergency shower at HDWTS	\$121.00
777.1142-01	06/04/2017	OfficeMax Australia Ltd	Stationery	\$116.30
778.886-01	13/04/2017	Mr R J FREEMAN	Remove tyres from rims	\$105.00
778.876-01	13/04/2017	NT ICE	37 bags of ice	\$101.75
780.836-01	27/04/2017	ASHDOWN-INGRAM	Stop/Tail/Indicator trailer lights	\$98.45
780.928-01	27/04/2017	RSEA PTY LTD	1 bag of rags	\$89.75
778.968-01	13/04/2017	NT FASTENERS PTY LTD	1 box (500) 32mm fine thread tek screws	\$83.44
778.1133-01	13/04/2017	NT Water Filters	8 bottles of water for foyer	\$83.20
780.61-01	27/04/2017	GREENTHEMES INDOOR PLANT & HIRE	Hire of 6 plants - Woman in Business Din	\$66.00
780.1143-01	27/04/2017	WorkPro ( Risk Solutions Australia )	National Police history Checks for Mark	\$60.50
779.30-01	20/04/2017	TERRITORY SPRINGWATER PTY LTD	5 x 15 Litre Water Bottles	\$52.50
779.968-01	20/04/2017	NT FASTENERS PTY LTD	Shaft locking pin	\$47.32
777.30-01	06/04/2017	TERRITORY SPRINGWATER PTY LTD	4 x 15 Litre Water Bottles	\$42.00
780.300-01	27/04/2017	DARWIN OFFICE TECHNOLOGY P/L	Mar 17 - Thorak Photocopier Charges	\$37.03
779.25-01	20/04/2017	RTM INTEGRATED LAND INFORMATION SYS	Mar 17 - Land search	\$27.40
<b>TOTAL</b>				<b>\$1,047,249.05</b>

## CREDIT CARD TRANSACTIONS

Credit card transactions for April 2017 are listed in the table below.

STAFF MEMBER	COST CODE	DETAILS	GROSS	GST
Kaylene Conrick CEO	3400.300.342	Conference airfare for D Kingston - Environment Transport Reference Group	\$730.38	\$66.39
	W4084.302	DCC Parking	\$1.80	\$0.16
	3020.375.527	Lecturn - Executive Podium Stand	\$1,561.07	\$143.15
	W4084.302	DCC Parking	\$5.00	\$0.45
	3020.330.644	Waste Conference Package - D Barden	\$2,208.30	\$200.76
	3020.330.644	Waste Conference Package - Mayor	\$2,208.30	\$200.76
	W4084.302	Airfare Credit for March 17	\$(206.71)	\$(18.79)
	3020.330.645	Airfare - Mayor DWN to Brisbane	\$434.59	\$39.50
	3020.330.645	Airfare - Mayor Brisbane to DWN	\$337.39	\$30.67
	3400.300.342	Airfare - D Kingston DWN to Brisbane Return	\$683.74	\$62.16
	3020.330.645	Car Rental (to be refunded)	\$514.82	\$46.80
	3121.355.638	Amnet Internet Connection	\$59.99	\$5.45
Deborah	3700.341.669	Catering - Woman's Business Network	\$234.20	\$21.28
Branson	3020.330.620	8GB USB & Headset	\$89.95	\$8.18
Executive	W4450.301	Life App Survey	\$165.00	\$15.00
Assistant	3410.355.528	5 Wall Chargers	\$105.00	\$9.55
	3130.350.500	AA & AAA Batteries	\$19.64	\$1.78
	3020.330.500	Media Recording	\$20.00	\$1.82
	3020.340.674	Council Leadership Survey	\$358.44	\$ -
	W4450.301	Life App Survey	\$165.00	\$15.00
	370.350.602	Facebook Ad	\$26.96	\$ -
	3020.330.620	Catering - Council Briefing	\$68.31	\$6.21
	3020.330.620	Catering - Council Briefing	\$5.44	\$ -
	3020.340.673	Catering - Dreaming Big with the Mayor	\$40.00	\$3.64
	3020.340.673	Catering - Dreaming Big with the Mayor	\$5.75	\$ -
	3020.340.672	Catering - Citizenship Ceremony	\$30.80	\$2.80
	3020.340.672	Catering - Citizenship Ceremony	\$23.78	\$ -

STAFF MEMBER	COST CODE	DETAILS	GROSS	GST
	3130.350.515	Kitchen wrap	\$2.99	\$0.27
	W4450.301	Life App Survey	\$165.00	\$15.00
	3700.341.671	2 Anzac Day Wreaths	\$215.00	\$19.55
	370.350.602	Facebook Ad	\$18.23	\$ -
	W4334.182	Facebook Ad	\$7.22	\$ -
	3020.340.674	Facebook Ad	\$5.45	\$ -
	W4084.301	Taxi Fare	\$47.51	\$4.32
<b>Herbert Backers</b>	3050.360.344	Flu Vaccination Program	\$638.00	\$58.00
Road Network Manager				
<b>Justin Dunning</b>	3800.350.560	8 Metal ball cups	\$8.80	\$0.80
MWF Manager				
<b>Glen Byrnes</b>	W4450.302	Lunch for EBA Meeting	\$57.00	\$5.18
Waste Manager	W4323.70	Signs for Waste Transfer Stations	\$858.18	\$78.02
	3410.310.644	Airfare - Waste Conference	\$444.34	\$40.39
	3410.310.644	Car Rental - Waste Conference	\$460.38	\$41.85
	3410.350.515	Staff amenities - Cleaning products	\$39.75	\$3.61
	3410.350.515	Staff amenities - Coffee, tea & milk	\$33.90	\$ -
	3410.350.515	Staff amenities - Cleaning products	\$34.09	\$3.10
<b>TOTAL</b>			<b>\$12,932.78</b>	<b>\$1,132.82</b>

**Recommending Officer:** **Silke Reinhardt, Acting Director Community and Corporate Services**

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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 of 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 Meeting Agenda**

Wednesday 17 May 2017

### **14 Officers Reports**

- 14.1 Media Policy
- 14.2 FIN26 Related Party Disclosure
- 14.3 May 2017 Summary Planning and Mining Report
- 14.4 Adoption of Dog Management By-laws
- 14.5 The Meathouse Coolalinga – Application for Liquor Licence
- 14.6 Litchfield Council Development and Subdivision Standards



## COUNCIL REPORT

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<b>Agenda Item Number:</b>	14.1
<b>Report Title:</b>	COR01 Media Policy
<b>Meeting Date:</b>	17/05/2017
<b>Attachments:</b>	DRAFT COR01 Media Policy

### Purpose

This report presents for Council adoption the new policy COR01 Media Policy.

### Summary

The media plays an important role in disseminating information to the public.

This Policy provides a framework for Elected Members and staff to interact with the media.

This Policy also provides information to assist with timely responses to media and to also provide the public with information that supports Council's vision.

### Recommendation

THAT Council adopt COR01 Media Policy.

### Background

Council does not currently have a Media Policy. A media policy ensures that information disclosed is timely, accurate, comprehensive, authoritative and relevant.

The Media Policy will provide an effective and efficient framework to Elected Members and staff to facility the timely dissemination of information.

### Links with Strategic Plan

Engage our Community

### Legislative and Policy Implications

Nil

### Risks

The Media Policy provides a comprehensive framework to mitigate risks associated with Council's brand and reputation.



## Financial Implications

Nil.

## Community Engagement

Not applicable to this report.

**Recommending Officer:** Kaylene Conrick, Chief Executive Officer

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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.*



Name	COR01 Media Policy
Policy Type	Council
Responsible Officer	Chief Executive Officer
Approval Date	1/02/2017
Review Date	7/02/2018
Document ID	LITCHFIELD-1844278000-1

## 1. Policy Purpose

This policy outlines a framework for guiding Elected Members and staff in interactions with the media to ensure consistent messaging, brand and reputation management and the appropriate use of social media.

## 2. Policy Scope

This Policy applies to Elected Members and staff for any media interaction, including social media use.

## 3. Policy Definitions

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

'Social Media'	<ul style="list-style-type: none"> <li>All online media forums, for example, Facebook, Twitter, Instagram etc.</li> </ul>
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## 4. Policy Statement

4.1 This Policy provides a framework for Elected Members and staff to interact with the media.

4.2 Media activities assist Council in delivering information to the public. Media activities may be generated proactively by Council or may be produced in response to an enquiry or request from a media organisation or stakeholder.

4.3 This Policy also outlines procedures for Elected Members and Council staff who, acting as an appointed representative of Litchfield Council, make public comment or provide information to the media about Council activities.

4.4 Public comment includes public speaking engagements; speaking on radio or television, views expressed to newspapers, magazines, websites, social media, books, journals, notices or other such forum where it might be expected that the publication of the comment will be accessible to part or all of the Litchfield or Local Government community.

**5. Policy****5.1 Speaking on Behalf of Council**

- 5.1.1. The Mayor is the primary spokesperson for Litchfield Council when addressing strategic and Council policy matters.
- 5.1.2. The Mayor may delegate to the Deputy Mayor to make public comment to the media if unavailable, on a case by case basis.
- 5.1.3. The Chief Executive Officer is the principle spokesperson for Litchfield Council when addressing operational matters.
- 5.1.4. The Chief Executive Officer may delegate this authority to make public comment to the media on specific matters relating to administration or Council activities on a case by case basis.

**5.2 Media Contact Point**

- 5.2.1 The Community Engagement Advisor, in the Office of the Chief Executive, is the first point of contact to liaise with media, provide information and arrange for the preparation of media releases and briefings prior to interviews.

**5.3 Council staff**

- 5.3.1 Litchfield Council employees are not authorised to speak to the media on any Council issue unless specifically authorised to do so by the Chief Executive Officer.
- 5.3.2 Staff members should not talk to the media on any Council matter including personal social media communications which directly relate to issues arising from operations at Litchfield Council.
- 5.3.3 Employees must refer media enquiries directly to the Community Engagement Officer.

**5.4 Elected Members**

- 5.4.1 Elected Members are encouraged to inform the Chief Executive Officer if they are seeking media attention for themselves.
- 5.4.2 When seeking media attention, Elected Members should make it clear that they are speaking for themselves and not on behalf of Litchfield Council.
- 5.4.3 When Elected Members are approached directly by media to comment on any issue to do with Litchfield Council operations, they should in the first instance attempt to notify the Community Engagement Advisor which will assist them with relevant key messages and accurate information before releasing any details to the media.

5.4.4 As representatives of the community, Elected Members need to be responsive to community views whilst communicating the decisions of Council. Elected Members should:

- Show respect for Council's decision making processes
- Ensure confidential information is not to be communicated until it is no longer treated as confidential
- Ensure all information concerning Council decisions, policies and operational matters is conveyed accurately
- Take care when expressing personal views that they do not show disrespect for the Council, its decisions, decision making process or other elected members and staff.

5.4.5 Media responses will be forwarded to the Elected Members along with the details of the media enquiry for their information.

## **5.5 General Media**

5.5.1 When responding to media enquiries it is important to respond in a timely manner. Where practical, a response by the close of business on the day of the enquiry is required. If not practical, the owner of the media request should be contacted and advised of the delay.

5.5.2 Media responses will be forwarded to the Elected Members along with the details of the media enquiry for their information.

## **5.6 Social Media**

5.6.1 Social media is an immediate method of communicating with stakeholders, media and the general public.

5.6.2 Ensuring information is correct and consistent is paramount when posting on social media sites.

5.6.3 Litchfield Council website is the primary internet presence for the dissemination of information to stakeholders and the community. Social media use should fall into the following categories:

- A channel for broadcasting time-sensitive information as quickly as possible (e.g. cyclone preparedness and emergency situations)
- A medium to engage with the community
- A form of marketing to increase Council's ability to distribute messages to the widest possible audience

- 5.6.4 When Elected Members post on social media regarding Council operational matters they are encouraged to communicate with the Chief Executive Officer or the Community Engagement Advisor.
- 5.6.5 Elected Members do not need to contact Council when posting on their personal pages; however, if the comments or posts are regarding operational matters or decisions of Council, it should be clear that they are speaking for themselves and not on behalf of Litchfield Council.
- 5.6.6 Litchfield Council staff must not engage in social media as a representative of Council unless prior authorisation has been sought.
- 5.6.7 Litchfield Council staff must not post or comment on any material that might otherwise cause damage to Litchfield Council's reputation or bring it into disrepute.

## **5.7 Media Releases**

- 5.7.1 All Council media releases must be signed off by the Chief Executive Officer.
- 5.7.2 Media releases will only be distributed to media outlets by the Community Engagement Advisor or the Office of the Chief Executive.
- 5.7.3 All media releases will be placed on the Council website and provided to Elected Members as soon as practicable.

## **6 Associated Documents**

Code of Conduct (Employees)

Code of Conduct for Elected Members

## **7 References and Related Legislation**

Nil

## **8 Review History**

Date Reviewed	Description of changes (Inc Decision No. if applicable)




## COUNCIL REPORT

<b>Agenda Item Number:</b>	14.2
<b>Report Title:</b>	FIN26 Related Party Disclosure Policy
<b>Meeting Date:</b>	17/05/2017
<b>Attachments:</b>	A DRAFT FIN29 Related Party Disclosure B DRAFT Related Party Disclosure Privacy Collection Notice C DRAFT Related Party Disclosure Form

### Purpose

This report presents for Council adoption the new policy FIN26 Related Party Disclosure in line with the amendment of Australian Accounting Standards Board (AASB) 124

### Summary

On 1 January 2016, the Australian Accounting Standards Board amended AASB 124 Related Party Disclosures to include not for profit entities across Australia, including local governments. The purpose of AASB 124 is to require:

*“disclosure of related party relationships, transactions and outstanding balances, including commitments, in the consolidated and separate financial statements of a parent or investors with the joint control of, or significant influence over, an investee presented in accordance with AASB 10 Consolidated Financial Statements or AASB 17 Separate Financial Statements.”*

The attached Policy has been developed for Council’s approval to ensure compliance with AASB 124 as of this financial year.

The policy will:

- identify related parties, information and transactions about those parties
- establish a system to capture and record transactions and information about those transactions
- identify circumstances in which a disclosure is required
- determine the disclosures to be made about those items in the Annual Financial Statements for complying with AASB 124

### Recommendation

THAT Council adopt FIN26 Related Party Disclosure Policy.

### Background

Council has a legislative requirement under the Local Government Act to follow the Australian Accounting Standards. The Australian Accounting Standards Board has made AASB 124 a mandatory reporting requirement for Local Government as of 1 July 2016. Council will be required to include related party disclosure information in its financial statement for 2016/17.

### Links with Strategic Plan

An effective and sustainable Council

### Legislative and Policy Implications

Section 131(3) of the Local Government Act and Section 12(3) of the Local Government (Accounting) Regulations require that Council's financial records conform with the accounting standards.

### Risks

The adoption of the Policy will ensure that Council is in line with current legislation.

### Financial Implications

There are no additional costs associated with the adoption or implementation of this Policy. The deployment of this Policy will be covered under current administrative expenses.

### Community Engagement

Not applicable

### Recommending Officer:

Silke Reinhardt, Acting Director of Community and Corporate Services

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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.*





Name	FIN26 Related Party Disclosure
Policy Type	Council
Responsible Officer	Chief Executive Officer
Approval Date	[Approval Date]
Review Date	[Review Date]
Document ID	

## 1. Policy Purpose

This policy assists Council in complying with the disclosure requirements under AASB 124 Related Party Disclosures.

This policy will:

- Identify related parties, information and transactions about those parties;
- Establish a system to capture and record transactions and information about those transactions;
- Identify circumstances in which a disclosure is required;
- Determine the disclosures to be made about those items in the Annual Financial Statements for complying with AASB 124.

## 2. Principles

Section 131 Local Government Act Northern Territory and Section 12 of the Local Government (Accounting) Regulations require Council to prepare financial statements for each financial year in line with the accounting standards. For annual periods beginning on or after 1 July 2016 Council will comply with the Related Party Disclosures under AASB 124.

## 3. Policy Definitions

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

Arm's length terms	Terms between parties that are reasonable in the circumstance of the transaction, where both parties have acted in their own interest, in the absence of the parties being related or influenced by the other.
Close family members or close members of the family	Are those family members who may be expected to influence, or be influenced by that key management person in their dealings with Council and include: <ul style="list-style-type: none"> <li>- That person's children and spouse or domestic partner;</li> <li>- Children of that person's spouse or domestic partner; and</li> <li>- Dependants of that person or that person's spouse or domestic partner.</li> </ul>

	For the purpose of the AASB 124 close family members can include extended members of a family, if they could be expected to influence, or be influenced by, the key management person in their dealings with Council.
Control	Control of an entity is present when there is: <ul style="list-style-type: none"> <li>- Power over the entity; and</li> <li>- Exposure or rights to variable returns from involvement with the entity; and</li> <li>- The ability to use power over the entity to affect the amount of returns received.</li> </ul>
Joint Control	The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
Key management personnel or key management person (KMP)	Person(s) having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly. Specifically, KMP of Council are: <ul style="list-style-type: none"> <li>- The mayor;</li> <li>- Elected members;</li> <li>- The chief executive officer;</li> <li>- The directors;</li> <li>- Other officers with delegations under Section 102 Local Government Act.</li> </ul>
Ordinary Citizen Transactions	Transactions that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities. (e.g. Paying rates or other charges, using Council's public facilities as an individual)
Related party	Is a person or entity that is related to the reporting entity. <ol style="list-style-type: none"> <li>Council subsidiaries;</li> <li>Entities who are associates of Council and Council subsidiaries;</li> <li>Joint ventures in which Council or a Council subsidiary is a joint venturer;</li> <li>Council's KMP;</li> <li>A close family member of a KMP of Council;</li> <li>Entities controlled by a KMP of Council;</li> <li>Entities controlled or jointly controlled by a close family member of a KMP of Council;</li> <li>Other entities as specified in AASB 124, paragraph 9(b)(iii),(iv),(v) and (viii).</li> </ol>
Related party transaction	Is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.
Reporting entity	Is the entity that is preparing its financial statements.

## 4. Policy Statement

### 4.1. Disclosure Requirements under AASB 124

To comply with AASB 124, for annual period beginning on or after 1 July 2016, Council will make the following disclosures in its General Purpose Financial Statements.

#### 4.1.1. Key management personnel (KMP) compensation in total and for each of the following categories<sup>1</sup>:

- Short-term employee benefits;
- Post-employment benefits;
- Other long-term benefits; and
- Termination benefits.

#### 4.1.2 Amounts incurred by Council for the provision of KMP services that are provided by a separate management entity<sup>2</sup>.

#### 4.1.3 For each category of transactions with a related party (as defined in this policy), Council will disclose the following information in Litchfield Council's General Purpose Financial Statements:

- The nature of the related party relationship;
- The amount of the transactions;
- The amount of outstanding balances, including commitments, and:
  - Their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
  - Details of any guarantees given or received;
- Provisions for doubtful debts related to the amount of outstanding balances; and
- The expense recognised during the periods in respect of bad or doubtful debts due from related parties.

#### 4.1.4 For each related party category specified in the definition of this policy, Council will disclosure information specified in Section 4.1.3 for related party transactions of similar nature in aggregate except when separate disclosure is necessary for an understanding of the effects of related party transactions on the Financial Statements of Council having regards to the following criteria:

- The nature of the related party relationship;
- The significance of the transaction (individually or collectively) in terms of size or value;
- Whether the transaction is carried out on non-arm's length terms;
- Whether the nature of the transaction is outside normal day-to-day business operations.

<sup>1</sup> See AASB 124, paragraph 17 and 17A

<sup>2</sup> See AASB 124, paragraph 18A

Decision on disclosure in aggregate or separate will be made in consultation with the Council's external auditor.

#### 4.2. Identifying Council Related Party Relationships and Transactions

- 4.2.1. The Finance Manager is responsible for identifying Council subsidiaries, associates and joint ventures (incorporated and unincorporated).
- 4.2.2. To determine whether Council has control or joint control of an entity, the Finance Manager is responsible for applying AASB 10 and AASB 11.
- 4.2.3. To determine whether an entity is an associate of, or in a joint venture with Council or a Council subsidiary the Finance Manager is responsible for applying AASB 128.
- 4.2.4. Related party transactions are identified through Council's electronic business system and the Finance Manager is responsible to extract the information specified in Section 4.1.3 for the register of related party transactions. Furthermore, the Finance Manager is responsible to investigate any related party transactions as specified in Section 4.1.3 that are not kept in the electronic business system through manual investigation.

#### 4.3. Identifying Related Party Transactions with KMP and their Close Family Members

KMP must provide a related party disclosure, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members to the Chief Executive Officer,

##### 4.3.1. Related Party Disclosure Form

At least 30 days before a specified notification period, the Finance Manager will provide KMP with a Related Party Disclosure Form (Attachment A) and a Privacy Collection Notice (Attachment B).

##### 4.3.2. Suspected Related Party Transaction

If a KMP suspects that a transaction may constitute a related party transaction, the KMP should provide a related party disclosure on the appropriate form to the Chief Executive Officer.

##### 4.3.3. Specified Notification Periods

KMP have to provide a Related Party Disclosure Form in the following periods during a financial year:

- 30 days after initial approval of this policy;
- 30 days after a KMP commences their term of employment with Council;
- 30 November each year;
- 30 June each year.

##### 4.3.4. Other Notifications

The notification requirements under Section 4.3 are in addition to notifications a KMP must make to comply with other existing policies of Council.

#### 4.3.5. Exclusions

The notification requirements under Section 4.3 do not apply to:

- (For staff) transactions disclosed under Section 4.1.1 (e.g. Salary and other employee benefits)
- (For elected members) transactions governed by Council policy EM05 *Elected Members Benefits and Support Policy*
- Transactions classified as ordinary citizen transactions as defined in this policy.

#### 4.3.6. Information Extraction

Related party transactions are identified through Council's electronic business system and the Finance Manager is responsible to extract the information specified in Section 4.1.3 for the register of related party transactions. Furthermore, the Finance Manager is responsible to investigate any related party transactions as specified in Section 4.1.3 that are not kept in the electronic business system through manual investigation.

#### 4.3.7. Other Sources of Information

To ensure all related party transactions are captured and recorded, the Finance Manager is responsible for reviewing, if required, other sources of information held by Council including, but not limited to:

- A register of interests of a KMP and of persons related to the KMP;
- Minutes of Council and committee meetings;
- Council's Contracts' Register
- Council's Tender Register
- Gifts and Benefits Register

### 4.4. Register of Related Party Transactions

The Finance Manager is responsible for maintaining and keeping up to date a register of related party transactions that captures and records information specified in Section 4.1.3 for each existing or potential related party transaction during a financial year.

#### 4.4.1. Contents of the Register

The contents of the register of related party transactions must detail for each related party transaction:

- The description of the related party transaction;
- The name of the related party;
- The nature of the related party's relationship with Council;
- Whether the notified related party transaction is existing or potential;
- A description of the transactional documents subject to the related party transaction;
- The information specified in Section 4.1.3 of this policy.

#### 4.5. Information Privacy

##### 4.5.1. Confidential

The following information is classified as confidential and is not available for inspection by or disclosure to the public. Disclosure will only occur where required under the Information Act.

- Information (including personal information) provided by a KMP in a related party disclosure; and
- Personal information contained in a register of related party transactions.

##### 4.5.2. When Consent is Required

Except as specified in this Policy, Council and other permitted recipients will not use or disclose personal information provided in a related party disclosure by a KMP or contained in a register of related party transactions for any other purpose or to any other person except with the prior written consent of the subject KMP.

##### 4.5.3. Permitted Recipients

The following persons are permitted to access, use and disclose the information (including personal information) provided in a related party disclosure or contained in a register or related party transactions for the purpose specified in Section 4.5.4:

- the Chief Executive Officer;
- the Director of Corporate and Community Services;
- the Finance Manager;
- an Auditor of Council
- other officers as delegated by the Chief Executive Officer.

##### 4.5.4. Permitted Purposes

A person specified in Section 4.5.3 may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of related party transactions for the following purposes:

- to assess and verify a notified related party transaction;
- to reconcile identified related party transactions against those notified in a related party disclosure or contained in a register or related party transactions;
- to comply with the disclosure requirements of AASB 124;
- to verify compliance with the disclosure requirements of AASB 124.

## 5. Associated Documents

5.1. Attachment A to Policy FIN29– Related Party Disclosure by KMP form

5.2 . Attachment B to Policy FIN29 – Privacy Collection Notice Related Party Disclosures by KMP

5.3. Litchfield Council Policies

## **6. References and Related Legislation**

- 6.1. Information Act
- 6.2. Northern Territory Local Government Act
- 6.3. Northern Territory Local Government (Administration) Regulations
- 6.4. Northern Territory Local Government (Accounting) Regulations
- 6.5. Australian Accounting Standards
- 6.6. Ministerial Guidelines
- 6.7. Local Government General Instructions

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# Privacy Collection Notice

RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL FIN26

## 1. PURPOSE OF COLLECTION, USE AND DISCLOSURE

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements, in order to comply with Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124).

Related parties include Council's Key Management Personnel (KMP), their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction.

For more information about Council's disclosure requirements under AASB 124, please refer to Council's Related Party Disclosure Policy.

## 2. NOTIFICATIONS BY KEY MANAGEMENT PERSONNEL

In order to comply with AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Finance Manager or Chief Executive Officer of any existing or potential party transaction between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

To this end, each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the Finance Manager by no later than the following periods during a financial year:

- 30 days after initial approval of Policy FIN29
- 30 days after a KMP commences their term or employment with Council
- 30 November (each year); and
- 30 June (each year).

Note: These related party disclosure requirements are in addition to the notifications KMP's are required to make to comply with other Council policies.



This includes disclosures relating to Conflicts of Interest and Gifts and Benefits. Council's auditors may audit related party information as part of the annual external audit.

For privacy and right to information status of this information, please refer to Council's Related Party Disclosure Policy.

### 3. WHO ARE KMPS?

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly and indirectly.

For Council, KMPs include:

- Mayor
- Elected Members
- Chief Executive Officer
- Directors
- Other Officers with delegations under Section 103 Local Government Act

Close family members, or close members of the family of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:

- (a) That person's children and spouse or domestic partner;
- (b) Children of that person's spouse or domestic partner; and
- (c) Dependants of that person or that person's spouse or domestic partner.

Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc.) if they could be expected to influence, or be influenced by the KMP in their dealings with Council.

The following table may assist with identifying close family members:

<b><i>Definitely a close family member</i></b>	<b><i>Maybe a close family member</i></b>
Your spouse/domestic partner	Your brother and sisters, if they could be expected to influence, or be influenced by you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced by you in their dealings with Council

#### 4. CONTROL & ENTITIES

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have:

- Power over the entity;
- Exposure, or rights to variable returns from your involvement with the entity; and
- The ability to use your power over the entity to affect the amount of your returns.

**Example of Control:**

*May is the Mayor of XY Council and owns 100% of the ordinary share in XY Company Pty Ltd (the Company). The ordinary shares are the only shares in the company that have voting rights. May controls the company because she has the power to affect the company's decisions and the return he will get from the company. May will need to include the company on her Related Party Disclosure Form.*

To jointly control an entity, there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

**Example of Joint Control:**

*May is the Mayor of XY Council and owns 50% of the ordinary share in XY Company Pty Ltd (the Company). May's sister, Peta, owns the other 50% of the ordinary shares. May and Peta are the only Directors of the company and have equal voting rights on the board. May and Peta have joint control of the company because any decisions require the unanimous consent of them both. May will need to include the company on her Related Party Disclosure Form and the entity's related party relationship with May and Peta.*

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases, it will be less clear.

If you are unsure whether you, or a close family member has control or joint control of an entity then you should contact the Finance Manager for a confidential discussion.

## RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL

THIS DOCUMENT IS CONFIDENTIAL

See Council's Related Party Disclosure Policy FIN26

Name of Key Management Personnel:	
Position of Key Management Personnel:	

Please read the Privacy Collection Notice provided with this notification, which explains what a related party transaction is and the purposes for which Council is collecting and will disclose, the related party information provided by you in this notification.

Please complete the table below for each related party transaction with Council that you, or a close member of your family, or an entity related to you or close member of your family:

- Has previously entered into and which will continue in the [Insert relevant financial year] financial year; or
- Has entered into, or is reasonable likely to enter into, in the [Insert relevant financial year] financial year.

Description of Related Party Transaction	Is Transaction Existing/Potential?	Related Party's Name (Individual's or Entity's Name)	Related Party's Relationship/Reasons why Related	Description of Transaction Documents of Changes to the Related Party Relationship

See Council's Related Party Disclosure Policy FI29

Notification

I, \_\_\_\_\_ (name) \_\_\_\_\_ (position) \_\_\_\_\_.

Notify that, to the best of my knowledge, information and belief as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the [Insert relevant financial year] financial year.

I make this notification after reading the Privacy Collection Notice provided by Litchfield Council, which details the meaning of the words "related party", "related party transaction", "close members of the family of a person" and in relation to any entity "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Finance Manager and other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interest of me and persons related to me and to use the information for the purposes specified in policy FIN29

Signature of named Key Management Personnel: \_\_\_\_\_.

Dated: \_\_\_\_\_.



## COUNCIL REPORT

<b>Agenda Item Number:</b>	14.3
<b>Report Title:</b>	May 2017 Summary Planning and Mining Report
<b>Meeting Date:</b>	17/05/2017
<b>Attachments:</b>	Attachment A: Letters of support for Development Applications, subject to normal Council conditions. Attachment B: Letters of support for Development Applications, subject to specific issues being adequately addressed.

### Purpose

The purpose of this report is to provide to Council a summary of planning and mining applications received and comments provided for the period of 07 April 2017 to 12 May 2017.

### Summary

For the noted period, Council provided comments on four planning applications, all of which are summarised in this report; two applications were supported subject to normal Council conditions and two applications were supported subject to specific issues being adequately addressed.

For the noted period, Council provided comments on 0 mining applications.

All letters of comment are provided for information in Attachments A and B.

### Recommendation

THAT Council

1. Receive the May 2017 Summary Planning and Mining Report.
2. Notes for information the responses provided to Development Assessment Services within Attachments A and B.

### Background and Discussion

#### **PLANNING APPLICATIONS**

The following is a summary of all planning applications received and comments provided for the period of 07 April 2017 to 12 May 2017.

<b>Council Outcome on Development Applications</b>	<b>No. Applications</b>
Development applications supported, subject to normal Council conditions	2
Development applications supported, subject to specific issues being adequately addressed	2
Development applications not supported/objectioned to for reasons related to Council issues	0
Development applications objectioned to for reasons not directly related to Council issues	0

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

#### **Development Applications supported, subject to normal Council conditions**

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

Responses to these Development Applications are provided as Attachment A to this report.

<b>Application Number and Address</b>	<b>Purpose and Summary</b>
PA2017/0150  Section 3237 (105) and 3279 (115) Farrar Road, Knuckey Lagoon	Subdivision and consolidation to create two lots (boundary realignment)  The application proposes to subdivide and consolidate a 13m <sup>2</sup> section with the neighbouring property.  The subdivided section is located adjacent road reserve for Stevens Road. Stevens Road in this location is not a formed road and is currently blocked at Brandt Road. Council will not be upgrading this portion of Stevens Road to a formed road; therefore, a driveway in this location will not be approved by Council. If it is determined that Council assets are being damaged through use of this road reserve, Council may take steps to protect its assets.
PA2017/0144  Portion 1409 (465) Howard Springs Road, Howard Springs	Clearing of native vegetation in 5 stages to create adequate car parking.  The NT Government is proposing to upgrade car parking at Howard Springs Nature Park and some minor clearing of land is required.

#### **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.

Responses to these Development Applications are provided as Attachment B to this report.

<b>Application Number and Address</b>	<b>Purpose and Summary</b>	<b>Specific Issues to be Addressed</b>
PA2017/0167  Section 6190 (4) Mathew Hopkins Road and Section 6193 (142) Thorngate Road, Holtze	Excavation and Fill  The application proposes to fill a portion of the site to a depth of 2m to facilitate the development of a laydown storage area.	Council requires a stormwater management plan that includes a retaining wall around the filled area.

PA2017/0142  Section 4545 (25) Stevens Road, Knuckey Lagoon, Hundred of Bagot	Excavation and fill  The application proposes to excavate and fill an existing man-made lake on the site, in order to restore the lake's side walls.	Council requires a stormwater management plan to ensure the works do not adversely affect stormwater runoff to adjacent properties.
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### Links with Strategic Plan

Priority # 2 – A great place to live

### Legislative and Policy Implications

Not applicable to this report

### Risks

Not applicable to this report

### Financial Implications

Not applicable to this report

### Community Engagement

Not applicable to this report

### Recommending Officer:

Wendy Smith, Acting Director Infrastructure and Operations

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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 of 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.*

## Attachment A

Responses to Development Applications supported, subject to normal Council conditions



21 April 2017

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

**RE: Letter of Comment Development Application**

**PA2017/0150**

**Section 3237 (105) and 3279 (115) Farrar Road Knuckey Lagoon, Hundred of Bagot  
Subdivision and consolidation to create two lots (boundary realignment)**

Thank you for the Development Application referred to this office on 07/04/2017, 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 with the following comments:**

- a) Council supports the minimum lot size requirements of the NT Planning Scheme. However, Council notes that in this instance, it appears that Lot 3237 is already short of the minimum required 2 hectares of land in Zone RL (Rural Living). As this is an existing condition and the variation of 23m<sup>2</sup> is considered minor, Council can support a variation to the minimum lot size for land in Zone RL (Rural Living).
- b) There are not expected to be any adverse effects to the neighbourhood amenity.
- c) There are not expected to be any negative effects upon Council's stormwater infrastructure, however there is important information to note about Councils road infrastructure.
- d) Stevens Road in this location is not a formed road and is blocked off at Brandt Road. Council will not be upgrading this portion of Stevens Road to a formed road. Therefore, a new driveway crossover in this location will not be approved by Council. If it is determined that Council assets are damaged through any use of the road reserve, Council may elect to take steps to protect Council assets by further blocking access to this area.

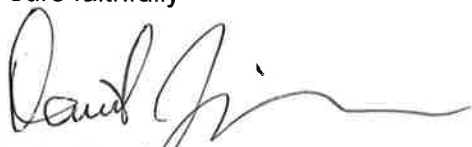
**Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:**

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at [www.litchfield.gov.nt.au](http://www.litchfield.gov.nt.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 street network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

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

Yours faithfully



David Kingston  
Director Infrastructure and Operations

21 April 2017

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

**RE: Letter of Comment Development Application**

**PA2017/0144**  
**Portion 1409 (465) Howard Springs Road, Howard Springs, Hundred of Bagot**  
**Clearing of Native Vegetation in 5 stages**

Thank you for the Development Application referred to this office on 07/04/2017, 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 has no objections to the clearing of land to facilitate the upgrade of the existing car park.
- b) There are not expected to be any effects upon Council infrastructure as a result of this proposal.

**Should the application be approved, the following conditions 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 owner shall collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, and at no cost to Litchfield Council.
- b) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

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

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at [www.litchfield.gov.nt.au](http://www.litchfield.gov.nt.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 street network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

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

Yours faithfully



David Kingston  
Director Infrastructure and Operations

## Attachment B

Responses to Development Applications supported, subject to specific issues being adequately addressed

28 April 2017

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

**RE: Letter of Comment Development Application**

**PA2017/0167**

**Section 6190 (4) Mathew Hopkins Road and Section 6193 (142) Thorngate Road Holtze,  
Hundred of Bagot.  
Excavation and Fill**

---

Thank you for the Development Application referred to this office on 13/04/2017, 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 purpose of the excavation and fill is suitable to support the proposed subdivision of the site.
- b) There are not expected to be any negative effects upon Council's road reserve or waste services as a result of this proposal.

**provided the following issues are adequately addressed:**

- a) Council requires an amended stormwater management plan to show a retaining wall around the relevant property boundaries that retains the proposed fill.

The batters proposed are not an acceptable solution as the structures will not suitably contain the fill over time and the works related to the excavation and fill must be contained within the proposed new lot.

**Should the application be approved, the Council requests the following conditions be included as Conditions Precedent in any Development Permit issued by the consent authority:**

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

- i. The plan shall demonstrate how all stormwater is to be collected on the site and discharged underground to Litchfield Council's stormwater drainage system.
- ii. It is necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.
- iii. The plan shall demonstrate that the drainage system is designed to cater for both initial storm events (Q5) and major storm events (Q100).
- iv. The applicant's plans shall demonstrate that no contaminated water shall enter any waterway or Litchfield Council's drainage system.

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

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, and at no cost to Litchfield Council.
- b) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

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

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at [www.litchfield.gov.nt.au](http://www.litchfield.gov.nt.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 street network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

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

Yours faithfully



David Kingston  
Director Infrastructure and Operations





21 April 2017

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

**RE: Letter of Comment Development Application**

**PA2017/0142  
Section 4545 (25) Stevens Road, Knuckey Lagoon, Hundred of Bagot  
Excavation and fill**

Thank you for the Development Application referred to this office on 07/04/2017, 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 purpose of excavation and fill seems reasonable for the existing use on the site
- b) There are not expected to be any negative effects upon Council's road reserve or waste services as a result of this proposal.

**provided the following issues are adequately addressed:**

- a) A stormwater management plan for the site that does not result in stormwater adversely affecting any neighbouring properties as detailed below.

**Should the application be approved, the Council requests the following conditions be included as Conditions Precedent in any Development Permit issued by the consent authority:**

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council. The plan shall include details of site levels and Council's stormwater drainage connection point(s).
  - i. The plan shall demonstrate that stormwater run-off is capable of being discharged across the lot surface to the main drainage system or to an approved alternate connection.
  - ii. Litchfield Council stormwater discharge guidelines do not allow concentrated discharge of stormwater from rural lots to adjoining properties or the road



reserve. All stormwater is to be channelled, piped or dispersed via sheet flow to the road reserve.

- iii. The plan shall demonstrate that the drainage system is designed to cater for both initial storm events (Q5) and major storm events (Q100).
- iv. The plan shall demonstrate that no contaminated water shall enter any waterway or Litchfield Council's drainage system.

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

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, and at no cost to Litchfield Council.
- b) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

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

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at [www.litchfield.gov.nt.au](http://www.litchfield.gov.nt.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 street network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

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

Yours faithfully



David Kingston  
Director Infrastructure and Operations



## COUNCIL REPORT

<b>Agenda Item Number:</b>	14.4
<b>Report Title:</b>	Adoption of Dog Management By-laws
<b>Meeting Date:</b>	17/05/2017
<b>Attachments:</b>	Litchfield Council Dog Management By-laws Litchfield Council Dog Management By-laws – submissions table

### Purpose

This report presents the Litchfield Council Dog Management By-laws for adoption by Council.

### Summary

The Dog Management By-laws are being presented to Council for adoption by special resolution as required under section 190 of the Local Government Act. Once the By-laws are adopted by Council they must be signed by the CEO, indicating that Council has resolved to make the By-laws.

A signed copy of the adopted By-laws will be forwarded to the Department of Housing and Community Development with the following:

1. A request by Council to the Minister to gazette the By-laws;
2. A copy of the Council resolution;
3. Full details and results of the consultation undertaken on the By-laws; and
4. Copies of the Office of Parliamentary Counsel certification documents.

Once gazetted, the new Dog Management By-laws will be enforceable.

### Recommendation

THAT Council:

1. Adopts the Litchfield Dog Management By-laws, as certified by the Office of Parliamentary Counsel, by special resolution;
2. notes that the Chief Executive Officer has delegation to sign the Litchfield Dog Management By-laws on behalf of Council;
3. Provides the Minister for Housing and Community Development with a copy of the Litchfield Dog Management By-Laws for gazettal; and
4. Note that the Dog Management By-laws will be enforced once gazetted.

### Background

The need for changes to the current Dog Management By-laws were identified in 2013. A committee was formed and several community meetings were held in 2014 with the amended Draft By-laws

being adopted by Council and forwarded to the then Minister for Local Government in mid 2014. Further amendments to the Draft By-laws were subsequently recommended by both the Department of Local Government and the Office of the Ombudsman and, in January 2015, Council sought legal advice in preparation of a new draft of the Animal Management By-laws, which were to include a number of strengthening provisions.

The final draft of the Litchfield Council (Animal Management) By-laws was released for public comment in March 2017 for a period of 30 days, with submissions closing on 19 March 2017. A total of 41 submissions were received, with the main issues of concern being:

- restrictions on the number of dogs permitted to be kept without a licence;
- the introduction of registration fees (preference for a rate increase);
- preference for using microchipping as dog registration;
- the proposed By-laws not addressing the feral dog issue in the community;
- the proposed By-laws being modelled on 'urban' By-laws and not relevant for our rural community;
- the 72 hour holding time for impounding dogs should be extended;
- Council's pound facility not being adequate;
- dumped dogs; and
- puppy farms.

Of the 41 submissions that were received, five of them were supportive of the proposed changes. Responses to the main areas of concern, most of which are not determined by the By-laws, are provided in Appendix 1.

After consideration of all public submissions (Appendix 2), Council resolved at its meeting held 19 April 2017 that the following amendments be made by the Office of Parliamentary Counsel:

1. **By-laws 27(4)(c)(i) and 28(4)(c)(i)** provide a defence in the case of a dog attack or menace that occurs on private property where the person who was attacked or menaced ***'was not proceeding by the shortest practical route from the boundary of the premises to the door of the premises...'***.  
This has been amended to:  
***'the person who was attacked was not able to establish that he or she was on the premises for a lawful purpose.'*** This is the wording that has been recommended by the Office of Parliamentary Counsel;
2. **By-law 21(1)** the condition, ***'erect signage on the premises where the dog is usually or regularly kept with the words "Warning Dangerous Dog" clearly visible and legible from the front boundary of the premises'*** has been added to the registration conditions for dangerous dogs.
3. **By-law 23(1)(b)(iii)** refers to ***'all or more than a specified number of dogs of a specified breed'*** being prohibited in an area that Council declare a dog restriction area.  
This has been amended to:  
***'all or more than a specified number of dogs of a specified class'*** as the NT does not have any breed restrictions and Council may want to prohibit a 'class' of dogs such as declared dangerous dogs from dog restriction areas;
4. **By-law 23(4)** ***'The Council must consider any response from members of the public to the notice mentioned in clause (2) before declaring the area to be a dog restriction area'***.

The clause that 23(4) refers to has been amended so it now reads '**clause (3)**'; and

5. **By-laws 22(2) and 23(3)** that deal with the declaration of dog exercise areas and dog restriction areas, have been amended upon advice from DHCD to include the requirement for Council to '**publish on its website**' their intention to declare a dog exercise or restriction area (in addition to the existing requirement to publish in a newspaper).

Further, The By-laws are now titled '**Litchfield Council (Dog Management) By-laws**' upon advice from the Office of Parliamentary Counsel, as they do not regulate any other animal apart from dogs.

For these By-laws to be considered for gazettal by the Minister they must be approved by special resolution being a resolution supported by the votes of at least three-quarters of the total number of members of the council.

#### **Links with Strategic Plan**

Priority # 2 – A great place to live

#### **Legislative and Policy Implications**

Council will need to update the following policies to reflect the new By-laws once they are gazetted and prior to the date they become effective:

1. Destruction of Impounded Dogs – REGPOLICY/DID/2011/V001;
2. Dog Identification Devices – REGPOLICY/DOGID/2011/V001; and
3. Working Dogs – REGPOLICY/WD/2011/V001.

#### **Risks**

Nil.

#### **Financial Implications**

Registration fees and terms are still to be set once the By-laws are gazetted.

#### **Community Engagement**

The period for public comment for the proposed Animal Management By-laws was advertised in the NT News, on Council's website and Facebook page.

During the public comment period, a total of six pop-up information stalls were conducted at local shopping centres with the Ranger Supervisor and Community Engagement Advisor speaking with members of the public about the proposed changes. Of the 59 people that staff engaged with, 53 expressed support for the proposed changes to the by-laws, including registration and fees. Of the six negative interactions, three were not related to the proposed By-laws.

The proposed By-laws gained a lot of exposure which was generated through Council's social media and website pages, scheduled radio interviews, the Mayor's column in the Sun newspaper and media enquiries which resulted in articles being printed in the Sun and NT News. A Frequently Asked Questions (FAQ) information sheet was developed in response to queries from local member for Nelson, Gerry Wood and the public.

In addition, Mayor Bredhauer and Councillor Osborn attended the Freds Pass Rural Markets on five consecutive Saturdays during the public comment period to speak with constituents about the proposed By-laws.

Further to the most recent consultation that was undertaken by Council, there were a total of six community meetings held between 27 August and 11 September 2013 at different locations throughout the municipality. A draft copy of the amended Rural Dog Management By-laws was released for public comment on 20 March 2014 for a period of 21 days and one submission was received in support of the By-laws.

**Recommending  
Officer:**

Silke Reinhardt, Acting Director of Community and Corporate Services

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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.*

# APPENDIX 1

## **Restrictions on the number of dogs permitted to be kept without a licence**

The By-Laws state that 'Council may determine a maximum number of dogs permitted to be kept on premises without a licence.' This provides Council to determine a maximum permitted number of dogs should they identify the need to do so in the future.

Litchfield Council now has an estimated population of 23,600 with an increase in density in specific activity centres (Howard Springs, Coolalinga and Humpty Doo) with multiple dwellings a common occurrence on many properties. Council receives on average over 800 complaints/reports regarding dog related incidents each year.

Allowance for the restriction of dog numbers into the future is in response to the rapid population growth and increase in subdivisions into smaller block sizes

The inclusion of this provision in the By-Laws will enable Council to regulate the number of dogs kept on smaller properties within the municipality. If Council resolves to limit the number of dogs permitted to be kept without a licence, this will be based on evidence and include public consultation as part of the decision-making process.

## **The introduction of registration fees (preference for a rate increase)**

Council sets fees and charges annually published in the Municipal Plan. Fees and charges that are not associated specifically to a parcel of land may be set at any time throughout the year.

## **Preference for using microchipping as dog registration**

Microchipping is not registration and cannot be considered a substitute. Currently, all dogs in the Litchfield municipality are required to be microchipped under the current by-laws. Microchipping means that the dog and owners details are recorded in one of several microchip databases. Whilst it is compulsory to microchip, the provision of the details to council is not.

Registration underpins the enforcement of all aspects of the By-laws. It empowers Authorised Officers to act against irresponsible dog owners through issuing of infringements, refusal of registration, conditions being placed on the dog's registration and/or cancellation of registration and subsequent removal of a problem dog from the municipality. A dog that has been involved in a proven dog attack/menace incident can also be declared dangerous, which is a category of registration with strict requirements to ensure community safety. If registration conditions are breached, the dog's registration can then be cancelled.

Registration will also assist Council in tailoring its programs and initiatives to best promote responsible dog ownership through the collection and maintenance of accurate data.

## **Proposed By-laws do not address the feral dog issue in the community**

The By-Laws aim to protect the amenity and safety of the municipality. The By-Laws do not directly deal with feral or wild dogs as laws cannot be developed to control the behaviour of wild dogs. However, indirectly the By-Laws establish laws for owners of dogs, such as a dog must be kept on premises, which contribute to better identifying wild dog behaviour versus domestic dog behaviour.

Council's Regulatory Services is working on a program to address the impact of wild dog including developing a long term wild dog strategy. It is anticipated that this should be completed during the 2017/2018 financial year. There is a current budget allocation for wild dog control identified in the 2016/2017 and DRAFT 2017/2018 Municipal Plan.

#### **Proposed By-laws being modelled on 'urban' By-laws and not relevant for our rural community**

The By-Laws were developed from scratch with Parliamentary Counsel responsible for researching and drafting the laws in accordance with Council's intent. In drafting the By-Laws, it would be reasonable that Parliamentary Counsel researched appropriate laws elsewhere, however the Litchfield context was considered in drafting to ensure successful application.

The nature of By-laws/legislation that regulates the keeping of domestic animals is very similar across all Council areas in the Northern Territory and throughout Australia, regardless of whether the area is predominantly urban or rural. Council's Ranger Supervisor holds a position on the Australian Institute of Animal Management (AIAM) as the representative for the Northern Territory and advises that one of their main goals is to achieve consistency in legislation and regulative processes across municipal and state boundaries in Australia. Rural councils can adapt animal management legislation to suit their demographic with associated animal management policies and plans which can determine things such as the number of animals permitted to be kept.

#### **Holding time for impounded dogs should be extended**

Benchmarking with councils of a similar size and rural nature indicate that 72 hours is standard for most council pounds and it is an increase from the existing 1 day for unidentified dogs and 2 days for identified dogs.

#### **Inadequate pound facility**

The current pound facility is adequate to deal with the number of dogs that are impounded on a daily/weekly and annual basis. It is anticipated that the introduction of the new By-laws will have a minimal impact on the number of dogs impounded or Council's ability to house them for the required time.

#### **Puppy farming not addressed**

The breeding of domestic animals, including puppy farming, is generally regulated in accordance with state/territory domestic animal management legislation. All states/territories apart from the Northern Territory have legislation in place which regulates the keeping of domestic animals (cats and dogs). Recent amendments to legislation which address puppy farming/breeding have recently been introduced in Queensland, Victoria and South Australia. Until the Northern Territory Government introduce domestic animal legislation, the responsibility for the management of domestic animals falls solely upon local Councils who are unable to directly address issues around breeding.

#### **Dumping of dogs/puppies not addressed**

There is little that can be done about people dumping animals unless there is sufficient evidence to implicate an offender, in which case the matter may be dealt with under Section 31 of Council's Dog Management By-laws, or at a higher level in accordance with the Animal Welfare Act. If a person is found guilty of abandoning a dog by Council, the By-laws will enable Council to refuse any future applications for dog registration, preventing the person from owning a dog within the municipality.

# NORTHERN TERRITORY OF AUSTRALIA

## LITCHFIELD COUNCIL (DOG MANAGEMENT) BY-LAWS

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Subordinate Legislation No. [ ] of 2017

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# NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. [ ] of 2017\*

## ***Litchfield Council (Dog Management) By-laws***

Litchfield Council, at a meeting held on 2017, made the following by-laws under section 188(1) of the *Local Government Act* and, for section 63(2)(a) of the *Interpretation Act*, authorised Kaylene Maree Conrick, the chief executive officer, to sign them.

Dated 2017

.....

The common seal of Litchfield Council is affixed in the presence of:

.....  
Mayor

.....  
Chief Executive Officer

OFFICE OF THE PARLIAMENTARY COUNSEL

Settled by RE on 2 May 2017

## **Part 1 Preliminary matters**

### **1 Citation**

These By-laws may be cited as the *Litchfield Council (Dog Management) By-laws*.

### **2 Definitions**

In these By-laws:

***abandon***, in relation to a dog, includes:

- (a) deliberately leaving the dog at premises or in a public place;  
and
- (b) failing to obtain the release of the dog from a pound.

***animal*** means an animal that is kept on private premises in the Council area, and includes dogs, cats, birds and reptiles.

***approved*** means approved by the Council.

***attack***, in relation to the actions of a dog, means an action of a dog that involves:

- (a) the dog rushing at, biting, chasing or menacing a person or another animal; and
- (b) the dog actually touching the person or animal, or the clothing or other property in the immediate possession or under the immediate control of the person, whether or not any injury or damage occurs to the person, animal or property.

***authorised person*** means a person appointed under section 112(1) of the Act by the Council to be an authorised person.

***CEO*** means the Chief Executive Officer of the Council.

***Council*** means the Litchfield Council.

***Council area*** means the Litchfield local government area.

***dangerous dog*** means a dog declared under by-law 19 to be a dangerous dog.

***determined*** means determined by the Council by resolution.

***dog*** means an animal of the genus *Canis*.

**dog exercise area** means an area declared under by-law 22.

**dog restriction area** means an area declared under by-law 23.

**former By-laws**, see by-law 49.

**infringement notice**, see by-law 39.

**infringement notice offence**, see by-law 38(1).

**licence**:

- (a) means a licence granted under these By-laws for the keeping of dogs on the premises in respect of which the licence is granted; and
- (b) includes a licence that has been renewed.

**menace**, in relation to the actions of a dog, means an action that creates a reasonable apprehension in a person:

- (a) that the dog is likely to attack:
  - (i) the person; or
  - (ii) an animal owned or in the control of the person; or
  - (iii) another person; or
- (b) that the dog may escape or be released from restraint to attack a person or animal as mentioned in paragraph (a).

**microchip** means an identification device:

- (a) that complies with the following Australian Standards:
  - (i) AS 5018 – 2001 Electronic Animal Identification – National coding scheme;
  - (ii) AS 5019 – 2001 Electronic Animal Identification – Radiofrequency methods; and
- (b) that can be implanted in a dog; and
- (c) that is designed to record information in a way that it can be electronically retrieved.

**officer** means any of the following:

- (a) an authorised person;

- (b) an officer or employee of the Council.

**owner**, in relation to:

- (a) a dog, means:
  - (i) the registered owner of the dog; or
  - (ii) the person for the time being in control of the dog; and
- (b) an animal (other than a dog) – means the person for the time being in control of the animal, unless another person is established to be the owner of the animal.

**pound** means a pound established or maintained in accordance with Part 2, Division 9.

**premises** includes:

- (a) a building; and
- (b) land (whether built on or not).

**prescribed amount**, see by-law 38(2).

**properly contained**, in relation to a dog, means the dog is:

- (a) kept within a fenced area from which the dog is unable to escape; or
- (b) kept inside a building or other enclosure from which the dog is unable to escape; or
- (c) confined or restrained on a property in an appropriate manner.

**public place** includes:

- (a) every place to which free access is permitted to the public, with the express or tacit consent of the owner or occupier of the place; and
- (b) every place to which the public are admitted on payment of money, the test of the admittance being the payment of the money only; and
- (c) every road, street or pathway that the public are allowed to use, even if the road, street or pathway is formed on private property; and
- (d) land reserved under a law of the Territory for use by the public or members of the public.

**register** means a register kept under by-law 3.

**registered**, in relation to a dog, means registered under these By-laws.

**registered owner**, in relation to a dog, means the person specified in the appropriate register as the owner of the dog.

**vehicle** means a conveyance or other device designed to be propelled or drawn by any means and includes a bicycle, tricycle, motor vehicle, wheelchair or mobility device and, where the context allows, an animal being driven or ridden.

**veterinarian** means a registered veterinarian within the meaning of the *Veterinarians Act*.

*Note for by-law 2*

*The Interpretation Act contains definitions and other provisions that may be relevant to these by-laws.*

### **3 Registers**

- (1) The CEO must keep the registers as determined by the Council.
- (2) A register may be kept in any form, including electronic form.
- (3) The following information must be recorded in an appropriate register:
  - (a) all dogs registered by the Council;
  - (b) all licences granted by the Council;
  - (c) all offences against these By-laws:
    - (i) of which a registered owner of a dog has been found guilty by a court; or
    - (ii) in respect of which a registered owner of a dog has paid the prescribed amount under an infringement notice.

### **4 Matters of evidence**

- (1) An extract from, or copy of an entry in, a register, purportedly signed by the CEO is evidence of the details contained in the entry without requiring the production of the register, unless a court otherwise orders.



- (2) A statement purportedly signed by the CEO in relation to the details contained in an entry in a register, including the following, is evidence of those details without requiring the production of the register, unless a court otherwise orders:
  - (a) whether the name of a person was entered in a register in relation to an animal, matter or thing;
  - (b) whether a licence or registration had been issued in relation to premises or an animal.

## **5 Application of Criminal Code**

Part IIAA of the Criminal Code applies to an offence against these By-laws.

*Note for by-law 5*

*Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.*

## **Part 2 Control of dogs**

### **Division 1 Preliminary matters**

#### **6 Interpretation**

- (1) A reference in this Part to the owner of a dog (other than to the registered owner) includes:
  - (a) the person for the time being in control of the dog; and
  - (b) the occupier of premises, or a part of premises, where the dog is usually kept; and
  - (c) if the owner is under the age of 17 years, a parent or guardian of the owner.
- (2) A reference in this Part to the owner of a dog does not include a person controlling or keeping a dog under Division 9.

#### **7 General exemption for assistance dogs**

- (1) By-law 23(5) and (8) do not apply in relation to:
  - (a) an assistance dog; or
  - (b) any other dog that the Council determines is exempt from those provisions.

(2) In this by-law:

***assistance dog*** means a dog:

- (a) trained by an assistance dog training institution recognised by the Council; and
- (b) used as an assistance dog by a person who:
  - (i) is wholly or partially blind or deaf; or
  - (ii) has another form of disability requiring the use of an assistance dog.

## **Division 2            Registration of dogs**

### **8            Special considerations in determination of application for registration**

- (1) The Council must, not later than 14 days after receiving an application for the registration of a dog:
  - (a) register the dog, either conditionally or unconditionally; or
  - (b) refuse to register the dog and refund to the applicant the fee that accompanied the application.
- (2) The Council may refuse to register a dog if:
  - (a) within the period of 12 months before the date of the application the owner of the dog has been found guilty by a court of more than 2 offences against these By-laws; or
  - (b) the dog is a dangerous dog and, within the period of 12 months before the date of the application, the owner of the dog has contravened by-law 21(1) more than once; or
  - (c) within the period of 12 months before the date of the application the dog has been impounded under these By-laws on more than 2 occasions; or
  - (d) the Council is satisfied that the dog is destructive, dangerous, savage or consistently the cause of nuisance to members of the public; or
  - (e) the premises on which the dog is usually kept are not secured to a degree that is satisfactory to the Council.

- (3) The Council must refuse to register a dog if:
  - (a) in keeping the dog on the premises on which the dog is usually kept, the applicant would contravene by-law 13; or
  - (b) the dog is usually kept on premises within a dog restriction area and is not a dog mentioned in by-law 23(7).
- (4) The Council must also refuse to register a dog that is not implanted with a microchip.
- (5) If the Council refuses to register a dog or imposes conditions on the registration of a dog, the Council must give the applicant a statement in writing of the reasons for its decision.
- (6) For clause (2)(a), a reference to a finding of guilt for an offence includes the payment of a prescribed amount under an infringement notice given to a person under these By-laws.
- (7) In this by-law:  
  
**register**, or **registration** of a dog, includes renewal of the registration of the dog.

## **9 Unregistered dogs**

- (1) A person commits an offence if:
  - (a) the person keeps a dog in the Council area for a period of 3 months or longer; and
  - (b) the dog is not registered.

Maximum penalty: 20 penalty units.
- (2) An offence against clause (1) is an offence of strict liability.
- (3) Clause (1) does not apply to:
  - (a) a Council employee or contractor keeping a dog in a pound; or
  - (b) an approved incorporated body that provides services relating to animal welfare keeping a dog in a refuge maintained by it; or
  - (c) a veterinarian keeping a dog for the purposes of treatment.

**10 Failure to comply with a condition of registration**

- (1) A registered owner of a dog commits an offence if:
  - (a) the dog has been registered subject to conditions; and
  - (b) a condition of the registration is contravened by the owner.Maximum penalty: 20 penalty units.
- (2) An offence against clause (1) is an offence of strict liability.
- (3) It is a defence to a prosecution for an offence against clause (1) if the defendant has a reasonable excuse.

**11 Change of ownership**

- (1) A person who acquires ownership of a registered dog must, not later than 14 days after acquiring ownership, notify the CEO of:
  - (a) the person's name and address; and
  - (b) the name of the registered owner from whom the person acquired the dog; and
  - (c) the registration number of the dog.
- (2) A person who contravenes clause (1) commits an offence.  
Maximum penalty: 10 penalty units.
- (3) An offence against clause (2) is an offence of strict liability.
- (4) It is a defence to a prosecution for an offence against clause (2) if the defendant has a reasonable excuse.
- (5) The CEO must, on being notified of a change of ownership under clause (1), amend the register accordingly.

**12 Change of address**

- (1) The registered owner of a dog who changes the owner's address must, not later than 14 days after the change, notify the CEO of the new address.
- (2) A person who contravenes clause (1) commits an offence.  
Maximum penalty: 10 penalty units.
- (3) An offence against clause (2) is an offence of strict liability.

- (4) It is a defence to a prosecution for an offence against clause (2) if the defendant has a reasonable excuse.
- (5) The CEO must, on being notified of a change of address under clause (1), amend the register accordingly.

### **Division 3          Licensing of premises**

#### **13            Requirement for licence**

- (1) The Council may determine a maximum number of dogs, or dogs of a class of dog, that may be kept on premises without a licence.
- (2) An occupier of premises commits an offence if the occupier keeps dogs on the premises in contravention of a determination under clause (1).

Maximum penalty:      20 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.
- (4) It is a defence to a prosecution for an offence against clause (2) if:
  - (a) the defendant has a reasonable excuse; or
  - (b) the defendant establishes that the dogs, or the dogs of the class of dog, had not been usually kept on the premises:
    - (i) for a period of 3 months or more immediately before the date of the alleged offence; or
    - (ii) for periods totalling 3 months or more during the 6 month period immediately before the date of the alleged offence.

#### **14            Licensing of premises**

- (1) The Council must, not later than 14 days after receiving an application for the licensing of premises for the keeping of dogs:
  - (a) grant a licence in respect of the premises, either conditionally or unconditionally; or
  - (b) refuse to grant a licence in respect of the premises and refund to the applicant the fee accompanying the application.

- (2) In considering an application under clause (1), the Council may take into account any matter that it considers relevant, including the following:
  - (a) the facilities for controlling dogs at the premises specified in the application;
  - (b) the number of dogs kept or to be kept at the premises;
  - (c) the likely impact on residents in the locality where the premises are situated if the licence is granted.
- (3) If the Council has determined the manner in which premises are to be fenced, the Council must not grant a licence in respect of premises if the premises are not fenced in accordance with the determination.
- (4) The Council may renew a licence without considering the application in the manner specified in clauses (2) and (3) if:
  - (a) the application is for the renewal of a licence; and
  - (b) to the Council's knowledge no matters have arisen that, if taken into account at the time the licence was granted, would have caused the Council to refuse to grant the licence or to grant the licence subject to conditions other than those specified in the licence; and
  - (c) the Council has not, since the grant of the licence, made a determination as mentioned in clause (3) that affects the premises.
- (5) If the Council refuses to grant a licence, grants a licence subject to conditions or renews a licence subject to conditions not imposed on the original licence, the Council must give the applicant a statement in writing of the reasons for its decision.

## **15 Failure to comply with a condition of licence**

- (1) An occupier of premises commits an offence if:
  - (a) a licence has been granted subject to conditions in respect of the premises; and
  - (b) a condition of the licence is contravened by the occupier.

Maximum penalty: 20 penalty units.
- (2) An offence against clause (1) is an offence of strict liability.

- (3) It is a defence to a prosecution for an offence against clause (1) if the defendant has a reasonable excuse.

**Division 4                      Cancellation, variation or suspension of registration or licence**

**16                      Cancellation, variation or suspension of registration or licence by request**

The Council may, on the written request of the registered owner of a dog or the holder of a licence, by notice in writing given to the registered owner or holder:

- (a) cancel the registration of the dog or the licence; or
- (b) vary the conditions to which the registration of the dog or the licence is subject; or
- (c) in the case of a licence – suspend the licence for the period specified in the notice.

**17                      Cancellation, variation, or suspension of registration or licence otherwise than by request**

- (1) The Council may, by written notice given to the registered owner of a dog or the holder of a licence, require the person given the notice to show cause why the Council should not:

- (a) cancel the registration of the dog or the licence; or
- (b) vary, in the manner specified in the notice, the conditions to which the registration or the licence is subject; or
- (c) in the case of a licence – suspend the licence for the period specified in the notice.

- (2) The Council must consider any response by the registered owner of a dog before deciding to take an action mentioned in clause (1)(a) to (c).

- (3) The Council may, not less than 14 days after the date of service of a notice under clause (1), by another written notice given to the registered owner or the holder of the licence to whom the notice was given under clause (1):

- (a) cancel the registration of the dog or cancel the licence; or
- (b) vary, in the manner specified in the notice, the conditions to which the registration of the dog or the licence is subject; or

- (c) in the case of a licence – suspend the licence for the period specified in the notice (which is not to be longer than the period specified in the notice given under clause (1)).

## **18 Operation of notice of cancellation**

A notice given by the Council under by-law 16 or 17(3) takes effect on the expiry of 14 days after the notice is given.

## **Division 5 Dangerous dogs**

### **19 Dangerous dog**

- (1) An authorised person may declare a dog to be a dangerous dog if:
  - (a) the dog attacks a person or animal; or
  - (b) the dog menaces a person or animal; or
  - (c) the authorised person believes on reasonable grounds that the dog is destructive, dangerous, savage or a threat to the safety of the community.
- (2) If an authorised person declares a dog to be a dangerous dog, the Council must serve a notice of the declaration on the owner of the dog.

### **20 Revocation of declaration**

- (1) The owner of a dangerous dog may apply to the Council for the revocation of the declaration of the dog.
- (2) The Council may:
  - (a) revoke the declaration; or
  - (b) refuse to revoke the declaration.
- (3) The Council must give written notice of a decision under clause (2) to the owner of the dog.
- (4) A revocation under clause (2)(a) takes effect from the date the Council notifies the owner of the revocation.
- (5) If the Council refuses an application made under clause (1), the CEO is not required to consider an application made under clause (1) in relation to the same dog within 6 months of the refusal.



## **21 Registration of dangerous dog**

- (1) As a condition of registration of a dangerous dog, the owner of the dog must:
  - (a) ensure the dog is properly contained when the dog is at the premises where the dog is usually kept; and
  - (b) erect signage on the premises where the dog is usually kept, with the words "Warning Dangerous Dog" clearly visible and legible from the front boundary of the premises; and
  - (c) when the dog is outside the premises where the dog is usually kept:
    - (i) ensure the dog is under the control of a person who is at least 18 years of age and competent to restrain the dog; and
    - (ii) ensure the dog is controlled by a suitable leash, and muzzled; and
  - (d) if the owner intends to keep the dog at a different location to the premises where the dog is usually kept for a period exceeding 14 days – notify the Council of the new address within 24 hours after the dog is relocated; and
  - (e) if the dog attacks, or is alleged to have attacked, a person or animal – notify the Council of the attack, or alleged attack, within 24 hours:
    - (i) after the attack, or alleged attack; or
    - (ii) of a later time when the owner is made aware of the attack, or alleged attack.
- (2) It is also a condition of registration of a dangerous dog that the owner must:
  - (a) if the dog is missing – notify the Council within 24 hours after the owner becomes aware the dog is missing; and
  - (b) if the dog dies – notify the Council within 14 days after its death.
- (3) It is a further condition of registration of a dangerous dog that the owner must:
  - (a) inform a prospective purchaser or owner of the dog that it is a dangerous dog; and

- (b) if ownership of the dog is transferred – notify the Council of the name and address of the new owner within 24 hours after the transfer.
- (4) The owner of a dangerous dog must also comply with any other condition imposed by the Council on the registration of the dog.
- (5) If the owner of a dangerous dog contravenes any of clauses (1) to (4) more than once in a 12 month period, the Council may, by notice served on the owner of the dog, require the owner to show cause why the Council should not cancel the registration of the dog.
- (6) The Council must consider any response by the registered owner of a dog before deciding to cancel the registration of the dog.
- (7) The Council may, not less than 14 days after the day a notice under clause (5) is served, by written notice served on the owner, do one or both of the following:
  - (a) cancel the registration of the dog;
  - (b) impose additional conditions on the registration of the dog.

## **Division 6          Dog exercise areas and dog restriction areas**

### **22          Dog exercise areas**

- (1) The Council:
  - (a) may declare an area within the Council area to be a dog exercise area; and
  - (b) must specify:
    - (i) the times when a dog may be exercised in the area; and
    - (ii) any other conditions applying to the exercising of a dog in the area.

*Example for clause (1)(b)(ii)*

*The Council may impose a condition that female dogs in oestrus are not permitted in a dog exercise area, or are permitted only at certain times.*

- (2) The Council must publish on its website and in a newspaper circulating in the Council area a notice of its intention to declare a dog exercise area not less than 28 days before making the declaration.

- (3) The Council must consider any response from members of the public who reside in the Council area to the notice mentioned in clause (2) before declaring the area to be a dog exercise area.

## **23 Dog restriction areas**

- (1) The Council may:
  - (a) declare an area to be a dog restriction area; and
  - (b) prohibit the keeping in the area of:
    - (i) all dogs; or
    - (ii) more than a specified number of dogs; or
    - (iii) all or more than a specified number of dogs of a specified class.
- (2) The Council may also prohibit the taking of a dog into a dog restriction area.
- (3) The Council must publish on its website and in a newspaper circulating in the Council area a notice of its intention to declare a dog restriction area not less than 28 days before making the declaration.
- (4) The Council must consider any response from members of the public who reside in the Council area to the notice mentioned in clause (3) before declaring the area to be a dog restriction area.
- (5) A person commits an offence if the person keeps a dog in a dog restriction area where keeping the dog is prohibited.

Maximum penalty: 20 penalty units.
- (6) An offence against clause (5) is an offence of strict liability.
- (7) It is a defence to a prosecution for an offence against clause (5) if the defendant proves that, at the date of the declaration of the dog restriction area, the dog:
  - (a) was owned by the person; and
  - (b) was usually kept at premises in the dog restriction area; and
  - (c) if required by these By-laws to be registered, was registered.

- (8) A person commits an offence if the person takes a dog into a dog restriction area where the taking of the dog is prohibited.

Maximum penalty: 20 penalty units.

- (9) It is a defence to a prosecution for an offence against clause (8) if the person has a reasonable excuse.

## **Division 7            Offences**

### **24            Containment of dog**

- (1) An owner of a dog commits an offence if the dog is not properly contained when the dog is on the premises where the dog is usually kept.

Maximum penalty: 20 penalty units.

- (2) An offence against clause (1) is an offence of strict liability.

- (3) For clause (1), the following matters are immaterial:

- (a) the time for which the dog is not properly contained;
- (b) the ability of the owner to contain the dog.

### **25            Dog at large**

- (1) An owner of a dog commits an offence if the dog is at large in the Council area.

Maximum penalty: 20 penalty units.

- (2) An offence against clause (1) is an offence of strict liability.

- (3) It is a defence to a prosecution for an offence against clause (1) if the defendant establishes that another person had, without the defendant's permission, enticed the dog to become at large.

- (4) It is also a defence to a prosecution for an offence against clause (1) if the defendant establishes that:

- (a) the dog was in a dog exercise area; and
- (b) the dog was not in contravention of any conditions applying in relation to the dog exercise area.

(5) In this by-law:

**at large**, in relation to a dog, means:

- (a) the dog is in a place other than the premises where the dog is usually kept; and
- (b) the dog is not under effective control.

**under effective control**, in relation to a dog, means the dog is:

- (a) restrained by a leash, cord, chain or similar device that:
  - (i) is no longer than 3 metres; and
  - (ii) is held by a person who is over the age of 12 years and competent to restrain the dog; or
- (b) enclosed in a vehicle (which includes being in or on the back of a flat-topped, tray-backed or well-bodied vehicle) in such a manner that no part of the dog is projecting from the vehicle; or
- (c) in a dog exercise area in accordance with the conditions, if any, to which use of the area is subject.

## **26 Enticement**

A person commits an offence if:

- (a) the person intentionally engages in conduct; and
- (b) the conduct results in the owner of a dog being liable to prosecution for an offence against these By-laws; and
- (c) the person is reckless in relation to that result.

Maximum penalty: 20 penalty units.

## **27 Dog menacing person or animal**

- (1) An owner of a dog must ensure that the dog does not menace a person or animal.
- (2) An owner of a dog commits an offence if the owner contravenes clause (1).

Maximum penalty: 20 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.

- (4) It is a defence to a prosecution for an offence against clause (2) if the defendant establishes any of the following:
  - (a) another person had, without the defendant's permission, enticed the dog to menace the person or animal;
  - (b) the animal that was menaced was menaced on premises owned or occupied by the defendant;
  - (c) the person who was attacked:
    - (i) was attacked on premises owned or occupied by the defendant; and
    - (ii) was not able to establish that he or she was on the premises for a lawful purpose.
- (5) If a court finds a person guilty of an offence against clause (2), the court may make one or both of the following orders:
  - (a) if the dog was impounded as a result of the offence – an order that the person pay the costs and expenses of, and incidental to, the impounding;
  - (b) an order for the destruction of the dog in addition to, or instead of, the penalty for the offence.

## **28 Dog attacking person or animal**

- (1) An owner of a dog must ensure that the dog does not attack a person or animal.
- (2) An owner of a dog commits an offence if the owner contravenes clause (1).

Maximum penalty: 20 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.
- (4) It is a defence to a prosecution for an offence against clause (2) if the defendant establishes any of the following:
  - (a) another person had, without the defendant's permission, enticed the dog to attack the person or animal;
  - (b) the animal that was attacked was attacked on premises owned or occupied by the defendant;

- (c) the person who was attacked:
  - (i) was attacked on premises owned or occupied by the defendant; and
  - (ii) was not able to establish that he or she was on the premises for a lawful purpose.
- (5) If a court finds a person guilty of an offence against clause (2), the court may make one or both of the following orders:
  - (a) if the dog was impounded as a result of the offence – an order that the person pay the costs and expenses of, and incidental to, the impounding;
  - (b) an order for the destruction of the dog in addition to, or instead of, the penalty for the offence.

## **29 Dog chasing vehicle**

- (1) An owner of a dog must ensure the dog does not chase a vehicle.
- (2) An owner of a dog commits an offence if the owner contravenes clause (1).

Maximum penalty: 20 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.
- (4) It is a defence to a prosecution for an offence against clause (2) if the defendant establishes that another person had, without the defendant's permission, enticed the dog to chase the vehicle.

## **30 Dog causing nuisance**

- (1) An owner of a dog must ensure that the dog, either by itself or in concert with other dogs, is not a nuisance.
- (2) An owner of a dog commits an offence if the owner contravenes clause (1).

Maximum penalty: 20 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.
- (4) It is a defence to a prosecution for an offence against clause (2) if the defendant has a reasonable excuse.

- (5) For this by-law, a dog is a nuisance if it is injurious or dangerous to the health of the community or an individual, or behaves repeatedly in a manner contrary to the general interest of the community or an individual.
- (6) Without limiting clause (5), a dog is a nuisance if it:
  - (a) creates a noise, by barking or otherwise, that persistently occurs or continues to a degree or extent that has a disturbing effect on the state of reasonable mental, physical or social well-being of a person; or
  - (b) repeatedly barks when people or vehicles use a public place in the vicinity of the premises where the dog is kept; or
  - (c) repeatedly defecates in a place causing annoyance to a person other than the owner of the dog.
- (7) The owner of a dog does not commit an offence against this by-law by reason of the actions of the dog mentioned in clause (6)(c) if the owner immediately removes the faeces and disposes of them in a public garbage receptacle or on the owner's own property.

### **31 Abandoning dog**

- (1) A person commits an offence if the person abandons a dog in the Council area.  
  
Maximum penalty: 20 penalty units.
- (2) An offence against clause (1) is an offence of strict liability.
- (3) It is a defence to a prosecution for an offence against clause (1) if the defendant has a reasonable excuse.

## **Division 8 Enforcement**

### **32 Seizure of dogs**

- (1) An authorised person may seize:
  - (a) an apparently diseased, injured, savage, destructive, stray or unregistered dog; or
  - (b) a dog that is at large; or
  - (c) a dangerous dog, if the owner of the dog has not complied with the conditions of the dog's registration.



- (2) The authorised person may destroy the dog if:
  - (a) the dog is diseased, injured, savage or destructive; and
  - (b) in the opinion of the authorised person, it is necessary to do so.
- (3) Otherwise, the authorised person must as soon as practicable:
  - (a) deliver the dog to a pound; or
  - (b) return the dog to its owner.

## **Division 9       Pounds**

### **33       Pounds**

The Council may, whether within the Council area or otherwise:

- (a) establish a pound; or
- (b) make arrangements it considers appropriate for the use of premises for impounding dogs under this Division.

### **34       Notice of impounding**

- (1) If a registered dog with a microchip is delivered to a pound, the CEO must give the registered owner a notice of the impounding of the dog.
- (2) If a dog with a collar on which an address is displayed is delivered to a pound, the CEO may give, at the address, a notice of the impounding of the dog.
- (3) Except as mentioned in clause (1) or (2), the CEO is not obliged to notify the owner of a dog of the impounding of the dog.

### **35       Release of dogs from pounds**

- (1) Subject to by-law 37(1)(b), an impounded dog is not to be released from a pound:
  - (a) unless it is registered; and
  - (b) other than to the owner of the dog or a person authorised to act as the owner's agent; and
  - (c) unless there is paid to the Council the appropriate release fees.

- (2) A person who is collecting a dog from a pound must satisfy the council employee at the pound that the person is the owner of the dog, or is authorised to act as the owner's agent.

### **36       Diseased dogs**

- (1) This by-law applies if a dog has been seized under these By-laws and:
  - (a) a council employee notices or suspects that the dog is diseased; or
  - (b) the CEO receives advice from a veterinarian that the dog is, or is suspected of being, diseased.
- (2) If clause (1)(a) applies, the employee must notify the CEO of the dog's condition.
- (3) The CEO must arrange for the dog to be isolated from other dogs in the pound.
- (4) The CEO must give the owner, if known, of a dog isolated under clause (3) written notice that the dog is, or is suspected of being, diseased and that the Council:
  - (a) requires the dog to undergo a course of treatment specified in the notice; or
  - (b) requires the dog to be destroyed.
- (5) In a notice under clause (4), the CEO may require the owner of the dog to produce to the Council, within the time specified in the notice, a report prepared by a veterinarian or other person specified in the notice relating to:
  - (a) if the dog is not required to be destroyed – the disease of the dog; or
  - (b) all other dogs usually kept at the premises where the dog was kept.
- (6) A dog the subject of a notice under this by-law may be released from the pound in accordance with by-law 35 or 37(1)(b) subject to any conditions the Council considers appropriate.
- (7) The CEO may arrange for a dog in a pound to be destroyed if the dog is so diseased or injured that it is humane to destroy it.
- (8) The cost of treatment reasonably provided by the Council to a diseased dog, and to any other dog in the pound that was infected

or was at risk of being infected by the diseased dog before the dog could reasonably be isolated, is a debt due and payable by the owner of the diseased dog to the Council.

- (9) An owner of a dog commits an offence if the owner:
- (a) fails to comply with a requirement of a notice under clause (4); or
  - (b) contravenes a condition imposed under clause (6).

Maximum penalty: 20 penalty units.

- (10) An offence against clause (9) is an offence of strict liability.
- (11) It is a defence to a prosecution for an offence against clause (9) if the defendant has a reasonable excuse.

### **37 Disposal of impounded dogs**

- (1) The CEO may, after a dog has been impounded for 72 hours:
- (a) arrange for the destruction of the dog; or
  - (b) pass the property in the dog to an approved incorporated body that provides services relating to animal welfare, and dispose of the dog as agent for that body.
- (2) Despite clause (1), if an investigation is initiated in relation to a dog that is impounded (for example, if the dog is alleged to have attacked a person or another animal), the dog must not be destroyed or disposed of until the investigation is complete.
- (3) A dog in a pound is not to be destroyed other than:
- (a) by a veterinarian or another person who is, in the opinion of the CEO, qualified to destroy the dog; and
  - (b) in a manner that is approved by the Australian Veterinary Association.

## **Part 3 Infringement notice offences**

### **38 Infringement notice offence and prescribed amount payable**

- (1) An ***infringement notice offence*** is an offence against a provision specified in the Schedule.

- (2) The **prescribed amount** for an infringement notice offence is the amount equal to the monetary value of the number of penalty units specified for the offence in the Schedule.

**39 When infringement notice may be given**

If an authorised person believes on reasonable grounds that a person has committed an infringement notice offence, the authorised person may give a notice (an ***infringement notice***) to the person.

**40 Contents of infringement notice**

- (1) The infringement notice must specify the following:
- (a) the name and address of the person, if known;
  - (b) the date the infringement notice is given to the person;
  - (c) the date, time and place of the infringement notice offence;
  - (d) a description of the offence;
  - (e) the prescribed amount payable for the offence;
  - (f) the enforcement agency, as defined in the *Fines and Penalties (Recovery) Act*, to which the prescribed amount is payable.
- (2) The infringement notice must include a statement to the effect of the following:
- (a) the person may expiate the infringement notice offence and avoid any further action in relation to the offence by paying the prescribed amount to the specified enforcement agency within 28 days after the notice is given;
  - (b) the person may elect under section 21 of the *Fines and Penalties (Recovery) Act* to have the matter dealt with by a court instead of under that Act by completing a statement of election and giving it to the specified enforcement agency;
  - (c) if the person does nothing in response to the notice, enforcement action may be taken under the *Fines and Penalties (Recovery) Act*, including (but not limited to) action for the following:
    - (i) suspending the person's licence to drive;
    - (ii) seizing personal property of the person;
    - (iii) deducting an amount from the person's wages or salary;

- (iv) registering a statutory charge on land owned by the person;
  - (v) making a community work order for the person and imprisonment of the person if the person contravenes the order.
- (3) Also, the infringement notice must include an appropriate form for making the statement of election mentioned in clause (2)(b).

#### **41 Electronic payment and payment by cheque**

- (1) If the person uses electronic means to pay the prescribed amount, payment is not effected until the amount is credited to the Council's bank account.
- (2) If the person tenders a cheque in payment of the prescribed amount, payment is not effected unless the cheque is cleared on first presentation.

#### **42 Withdrawal of infringement notice**

- (1) The Council may withdraw an infringement notice by written notice given to the person.
- (2) The withdrawal notice must be given:
  - (a) within 28 days after the infringement notice is given to the person; and
  - (b) before payment of the prescribed amount.

#### **43 Application of Part**

- (1) This Part does not prejudice or affect the start or continuation of proceedings for an infringement notice offence for which an infringement notice has been given, unless the offence is expiated.
- (2) Also, this Part does not:
  - (a) require an infringement notice to be given; or
  - (b) affect the liability of a person to be prosecuted in a court for an offence for which an infringement notice has not been given; or
  - (c) prevent more than one infringement notice for the same offence being given to a person.

- (3) If more than one infringement notice for the same offence has been given to a person, the person may expiate the offence by paying the prescribed amount in accordance with any one of the notices.

## **Part 4                      Miscellaneous matters**

### **44                      Removal or disposal of animal remains**

- (1) The Council may arrange for the remains of a dead animal that is found in a public place to be removed or disposed of.
- (2) If the Council incurs expense in removing or disposing of a dead animal, the Council may recover the expense from the owner of the animal as a debt due and payable to the Council.

### **45                      Obstruction of officers**

- (1) A person commits an offence if:
  - (a) the person intentionally obstructs another person; and
  - (b) the other person is one of the following:
    - (i) an officer;
    - (ii) an employee of a contractor or subcontractor of the Council; and
  - (c) the other person is acting in an official capacity and the person has knowledge of that circumstance.

Maximum penalty:        20 penalty units.

- (2) Strict liability applies to clause (1)(b).
- (3) In this by-law:

***acting in an official capacity***, in relation to a person mentioned in clause (1)(b), means the person is exercising powers or performing functions under, or otherwise related to the administration of, these By-laws.

***obstruct*** includes hinder and resist.

### **46                      Misleading information**

- (1) A person commits an offence if:
  - (a) the person intentionally gives information to another person; and

- (b) the other person is an officer; and
- (c) the information is misleading and the person has knowledge of that circumstance; and
- (d) the officer is acting in an official capacity and the person has knowledge of that circumstance.

Maximum penalty: 20 penalty units.

(2) A person commits an offence if:

- (a) the person intentionally gives a document to another person; and
- (b) the other person is an officer; and
- (c) the document contains misleading information and the person has knowledge of that circumstance; and
- (d) the officer is acting in an official capacity and the person has knowledge of that circumstance.

Maximum penalty: 20 penalty units.

(3) Strict liability applies to clauses (1)(b) and (2)(b).

(4) Clause (2) does not apply if the person, when giving the document:

- (a) draws the misleading aspect of the document to the officer's attention; and
- (b) to the extent to which the person can reasonably do so – gives the officer the information necessary to remedy the misleading aspect of the document.

(5) In this by-law:

***acting in an official capacity***, in relation to an officer, means the officer is exercising powers or performing functions under, or otherwise related to the administration of, these By-laws.

***misleading information*** means information that is misleading in a material particular or because of the omission of a material particular.

#### **47 Exemption for events**

- (1) The Council may, by notice in writing, exempt a person or body from either or both of by-laws 24 or 25:
  - (a) for the purposes of a dog race, dog trial or dog show; or
  - (b) while taking part in the activities of a dog obedience club; or
  - (c) while using a dog to drive cattle or stock on a road; or
  - (d) for any other purpose or event as the Council may determine.
- (2) An exemption under clause (1):
  - (a) may relate to a particular event or to a class of events; and
  - (b) may be subject to any conditions the Council considers appropriate.

#### **48 Council may charge fee for service**

- (1) The Council may charge a fee for any service provided under these By-laws.

*Examples for clause (1)*

*A fee for registering a dog, licensing of premises, inspecting a register, keeping a dog in a pound.*

- (2) If the Council considers it appropriate, the Council may waive, reduce or refund a fee charged under clause (1).

### **Part 5 Repeals and transitional matters**

#### **Division 1 Repeals**

##### **49 Repeals**

The following By-laws (the **former By-laws**) in relation to the Litchfield local government area that were in force immediately before the commencement of these By-laws are repealed:

- (a) all By-laws made under section 188 of the *Local Government Act*,
- (b) all By-laws continued in force under section 262(2) of the *Local Government Act*.



## **Division 2            Transitional matters for Litchfield Council (Dog Management) By-laws**

### **50            Dogs taken to be registered**

If, under the former By-laws, the owner of a dog provided the Council with details of an approved microchip implanted in the dog, the dog is taken to be registered under these By-laws.

### **51            Offence provisions – before and after commencement**

- (1) The offence provisions apply only in relation to offences committed after the commencement of these By-laws (the **commencement**).
- (2) The offence provisions under the former By-laws, as in force before the commencement, continue to apply in relation to offences committed before the commencement.
- (3) For this by-law, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.
- (4) In this by-law:

**offence provisions** means the provisions of these By-laws that create or relate to offences (including in relation to criminal responsibility, defences and penalties).

**Schedule      Infringement notice offences and prescribed amounts**

by-law 38

<b>Provision</b>	<b>Prescribed amount in penalty units</b>
by-laws 9(1), 10(1), 11(2), 12(2), 13(2), 23(5) and (8) and 25(1)	1
by-laws 15(1), 24(1), 29(2), 30(2) and 31(1)	2
by-law 27(2)	3
by-law 28(2)	6

## APPENDIX 2 : Submissions Table

PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS				
Date	Name	Key Issues	Response	
17/02/17	Michael O'Sullivan	<ul style="list-style-type: none"> <li>Previous meetings held show no support for new laws</li> <li>Number of dogs permitted</li> <li>Wording of By-laws could be misinterpreted</li> </ul>	<ul style="list-style-type: none"> <li><i>Was support for registration but not registration fees</i></li> <li><i>Not determined by By-laws</i></li> <li><i>Nature of legislation, drafted by the Office of Parliamentary Counsel (OPC)</i></li> </ul>	
21/02/17	Maree Lousick	<ul style="list-style-type: none"> <li>No detail of fees, number of dogs permitted</li> <li>Does not reduce number of wild dogs</li> <li>No evidence that registration prevents people from being bad dog owners</li> </ul>	<ul style="list-style-type: none"> <li><i>Not defined by By-laws</i></li> <li><i>Wild dogs a separate issue</i></li> <li><i>Registration provides Council greater powers to deal with irresponsible dog owners</i></li> </ul>	
23/02/17	Ellen Walshe	<ul style="list-style-type: none"> <li>City laws will not stop wild dog issues</li> </ul>	<ul style="list-style-type: none"> <li><i>Wild dogs a separate issue</i></li> </ul>	
23/02/17	Kay Lowery	<ul style="list-style-type: none"> <li>How many dogs are permitted per property?</li> <li>What does registration and licensing achieve?</li> <li>Rangers should be patrolling at night</li> <li>Revenue raising</li> </ul>	<ul style="list-style-type: none"> <li><i>Not defined by By-laws</i></li> <li><i>Allows Council to better manage dogs in the community</i></li> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> </ul>	
27/02/17	Alice Donne	<ul style="list-style-type: none"> <li>Will cost responsible dog owners more</li> <li>Hinder ability to enjoy rural lifestyle</li> <li>Will not address issue of wild dogs</li> <li>Legislation difficult to read</li> <li>Does not agree with By-law 24 – Fail to contain dog</li> <li>Restricting number of dogs will not help roaming dog issue</li> <li>Dog exercise areas are a joke</li> <li>Does not agree that 'obedient' dogs need to be restrained by leash in public</li> <li>Does not agree with restricted areas</li> </ul>	<ul style="list-style-type: none"> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> <li><i>Wild dogs a separate issue</i></li> <li><i>Nature of legislation, drafted by OPC</i></li> <li><i>Has misinterpreted By-law</i></li> <li><i>Exercise areas not defined by By-laws</i></li> </ul>	

## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

		<ul style="list-style-type: none"> <li>Revenue raising</li> <li>Council provide very little service to community</li> <li>By-laws should be re-written so public can understand them</li> </ul>	<ul style="list-style-type: none"> <li><i>Not defined by By-laws</i></li> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> <li><i>Nature of legislation, drafted by OPC</i></li> </ul>	
27/02/17	Carol Cook	<ul style="list-style-type: none"> <li>Will not address dog issues and irresponsible dog owners</li> <li>Revenue raising</li> <li>By-laws don't specify number of dogs permitted</li> <li>Registration fees not included in By-laws</li> </ul>	<ul style="list-style-type: none"> <li><i>Provide Council with more powers to enforce By-laws. Irresponsible dog owners will have dog registration refused, conditional or cancelled</i></li> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> <li><i>Not defined by by-laws</i></li> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> </ul>	
28/02/17	Charlotte Cook	<ul style="list-style-type: none"> <li>By-laws will not address feral dog issue</li> <li>By-laws will result in increase in dumped dogs because people won't be able to afford fees</li> <li>Responsible dog owners being punished for irresponsible dog owners</li> <li>People will be forced to give up their dogs if Council restrict numbers</li> <li>Fears that pig hunters' dogs will be targeted</li> <li>What do we get for our money?</li> <li>No fees or number of dogs permitted included in By-laws</li> <li>Inadequate advertising to allow for feedback</li> </ul>	<ul style="list-style-type: none"> <li><i>Feral dogs are a separate issue</i></li> <li><i>Irresponsible dog owners will have dog registration refused, conditional or cancelled</i></li> <li><i>Animal management service</i></li> <li><i>Not defined by By-laws</i></li> </ul>	
2/03/17	Pauline Cass	<ul style="list-style-type: none"> <li>'Abandon' should refer to all animals, not just dogs</li> </ul>	<ul style="list-style-type: none"> <li><i>These By-laws only regulate dogs</i></li> <li><i>Standard term in legislation of this nature</i></li> </ul>	

## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

		<ul style="list-style-type: none"> <li>• Remove 'purported' from section 4, could be misconstrued</li> <li>• 6(1)(b) refers to 'occupier of premises where the dog is usually kept' as owner of dog – wants to change it to 'person who has control or shared responsibility for the dog'</li> <li>• Disagrees with 8(2)(e) '....premises not secured to a degree that is satisfactory to Council' when Council considering application for registration. Would dogs that are chained up be refused registration because fencing not adequate?</li> <li>• Maximum number of dogs should be defined in By-laws and should be exemptions for registered breeders and boarding kennels</li> <li>• 14(3) – need to include specific fencing requirements and allow time for people to make required fence repairs/modifications</li> <li>• Do not understand why Council would suspend registration</li> <li>• Dangerous dog sign and collar should be a condition when dog declared dangerous</li> <li>• 23(1)(b) 'all or more than a specified number of dogs of a specified breed' in relation to dog restriction areas. Should not be breed specific.</li> <li>• 24 Containment of dog – 'time for which the dog is not properly contained' and 'ability of owner to contain a dog' are immaterial. Need to include defence of 'reasonable excuse' if tree falls on fence etc while owner not at home</li> <li>• Should be exemption for attacks that occur on your own property regardless of the 'route taken to the door'</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Occupier is deemed to be owner – this is standard in legislation of this nature</i></li> <li>• <i>There are other containment options other than fencing and Council will accept these if deemed suitable</i></li> <li>• <i>Boarding kennels regulated by NTG</i></li> <li>• <i>If Council makes a determination in regards to fencing the specific requirements and timeframe will be included in the written advice to the dog owner</i></li> <li>• <i>Signage should be a condition of Dangerous Dog registration – <b>signage now included as a condition</b></i></li> <li>• <i>Should read 'dogs of a specific class' ie Dangerous Dogs - <b>this has been amended</b></i></li> <li>• <i>Aggravating/mitigating circumstances taken into consideration such as contractors leaving gate open, tree falling on fence etc</i></li> <li>• <i>Should read '....the person was on the property without reasonable excuse' – <b>this wording has been amended</b></i></li> <li>• <i>Operational. Does not need to be included in By-laws</i></li> </ul>	<p style="text-align: center;">*</p> <p style="text-align: center;">*</p> <p style="text-align: center;">*</p>
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## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

		<ul style="list-style-type: none"> <li>Disagrees with wording in 34 regarding issuing a notice of impounding. Should include 'notify on social media'</li> <li>36(a) should read '.....the disease <i>and treatment</i> of the dog</li> <li>72 hours not long enough to find owner or rehome dog. Should be a week.</li> <li>What are registration fees? Will there be concessions/discounts for pensioners, desexed dogs?</li> </ul>	<ul style="list-style-type: none"> <li><i>Council do not provide treatment for dogs, they are taken directly to vet</i></li> <li><i>Council operate a pound, not an animal shelter</i></li> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> </ul>	
6/03/17	Lee Hammerberg	<ul style="list-style-type: none"> <li>Does not think By-laws address main concerns which include dumped dogs and cats, wild dogs, irresponsible dog owners</li> </ul>	<ul style="list-style-type: none"> <li><i>By-laws will address irresponsible dog owners. Dumped animals &amp; wild dogs cannot be addressed with By-laws</i></li> </ul>	
7/03/17	Sharon Taylor	<ul style="list-style-type: none"> <li>Owens 9 dogs and strongly objects to by-laws</li> <li>Council have no right to make her register her dogs or tell her how many dogs he can keep</li> <li>Revenue raising for past mistakes</li> <li>By-laws and Council are a disgrace, Council are dictators who should mind their own business</li> </ul>	<ul style="list-style-type: none"> <li><i>No valid/constructive comments about the proposed By-laws are made in this submission</i></li> </ul>	
7/03/17	Tracey Duldig	<ul style="list-style-type: none"> <li>General letter of support for By-laws</li> </ul>		
9/03/17	Mark Lowe	<ul style="list-style-type: none"> <li>Supportive of By-laws &amp; registration</li> </ul>		

## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

10/03/17 10/03/17 12/03/17 12/03/17 13/03/17  13/03/17 14/03/17 14/03/17 14/03/17 20/03/17	Carol Beckett Melissa Foster Merrilyn Robb Craig & Emma Carter  Mel & Mandy Hammett Charlene Savy Klayton Robb Sandy Irlam Margaret Adams Nicolle Smith	<ul style="list-style-type: none"> <li>• Lack of public consultation</li> <li>• At public meetings held previously there was no support for changes to By-laws</li> <li>• Do not suit rural demographic</li> <li>• Existing By-laws have ample powers to deal with problem dogs</li> <li>• Revenue raising</li> <li>• By-laws do not address roaming feral dogs</li> <li>• People move here because there are no dog restrictions</li> <li>• Charging registration &amp; licensing fees is against Council's mandate of flat rate scheduling</li> <li>• Would support small increase in rates to assist with animal management costs</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Consultation was held in 2013/14</i></li> <li>• <i>There was support for changes to By-laws but NOT registration fees and NOT restrictions on numbers of dogs – neither of which are dealt with in the By-laws</i></li> <li>• <i>Cannot enforce requirement for people to provide dog details to Council (ie registration)</i></li> <li>• <i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> <li>• <i>Separate issue</i></li> <li>• <i>Laws are required to enable Council to manage the 10,000 dogs in the municipality</i></li> <li>• <i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> </ul>	
11/03/17	Melissa Haken	<ul style="list-style-type: none"> <li>• No mention of registration fees in By-laws</li> <li>• No factoring in foster dogs</li> <li>• Wants discount on registration as Council already have her dogs microchip details</li> <li>• Can't see By-laws helping with dog attacks</li> <li>• Concerned that Council rangers can enter her property</li> <li>• Wants public forum to discuss concerns</li> <li>• Confused with points system?</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> <li>• <i>Can be done via Council policy if warranted</i></li> <li>• <i>By-laws include dog attacks</i></li> <li>• <i>Standard for authorised officers but our policy is to obtain a warrant</i></li> <li>• <i>Public meetings have already been held</i></li> <li>• <i>Assume the submitter is talking about penalty units which are standard and are set by DHCD annually</i></li> </ul>	

## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

12/03/17	Christine Habel	<ul style="list-style-type: none"> <li>Does not agree with registration fees</li> <li>People walking dogs in public should have dogs on lead</li> <li>Dangerous dogs found roaming or on someone else's property should be euthanized asap</li> <li>Dangerous dogs that harm other people's pets on their own property – owners should receive hefty penalty not just a warning</li> </ul>	<ul style="list-style-type: none"> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> <li><i>Dogs are required to be on lead in public in both current &amp; proposed By-laws</i></li> <li><i>Any incident needs to be investigated &amp; proven before action is taken in line with Council's enforcement guidelines</i></li> <li><i>As above</i></li> </ul>	
12/03/17	L & B Bartholdt-Green	<ul style="list-style-type: none"> <li>No fees mentioned in By-laws</li> <li>Are there discounts for pensioners and is fee structure based on no. of dogs?</li> <li>No explanation for penalty units</li> <li>Who determines what breeds are classified as dangerous breeds?</li> <li>Concerned that if max no. of dogs determined, people will have to have existing pets put down</li> <li>Concern re removal &amp; disposal of animal remains, no mention of notifying owner</li> </ul>	<ul style="list-style-type: none"> <li><i>Fees are not part of the By-laws adoption process. Once By-laws are gazetted Council will consider what fees, if any, will apply.</i></li> <li><i>As above</i></li> <li><i>Penalty units are standard and are set by DHCD annually</i></li> <li><i>No breed specific legislation. Dogs may be declared dangerous as result of proven attack/menace</i></li> <li><i>This is dealt with in our SOPs. If microchipped, owners are contacted</i></li> </ul>	
12/03/17	Andrea Finn	<ul style="list-style-type: none"> <li>People should have a licence to breed dogs as there are too many mixed breed mutts for sale or dumped each week</li> <li>Any dogs/puppies sold should have to be microchipped &amp; desexed prior to being sold</li> <li>Make registration for entire dogs expensive and desexed dogs cheap to encourage desexing</li> <li>Give huge fines to owners of wandering dogs</li> </ul>	<ul style="list-style-type: none"> <li><i>Would require consultation if it was going to be considered as an addition to By-laws</i></li> <li><i>As above – normally would be included/considered in Govt legislation rather than By-laws</i></li> <li><i>Fines are issued for proven incidents of dog at large (2<sup>nd</sup> offence)</i></li> </ul>	



## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

14/03/17	Matt Geering	<ul style="list-style-type: none"> <li>• Council needs more power to deal with problem dogs</li> <li>• Council needs to appoint several people to deal with stray &amp; problem dogs</li> <li>• People who keep problem dogs should be issued hefty fines</li> <li>• People need to be encouraged to fence properties &amp; close gates</li> <li>• If the money isn't available for dog control we need dog registration</li> </ul>	<ul style="list-style-type: none"> <li>• <i>By-laws &amp; registration will provide Council with additional powers to deal with problem dogs</i></li> <li>• <i>People are issued fines for proven incidents involving their dogs</i></li> <li>• <i>Registration will be able to be cancelled or refused where containment is inadequate</i></li> </ul>	
14/03/17	Gerry Wood	<ul style="list-style-type: none"> <li>• Cost of administering dog control should be done through rates not registration fees</li> <li>• Microchipping should be the only registration required</li> <li>• Existing By-laws should remain with amendments if required</li> <li>• Existing dog at large By-law 30 makes more sense than proposed By-law 25</li> <li>• Issues in rural area are dangerous and wild dogs and registration won't address these</li> </ul>	<ul style="list-style-type: none"> <li>• <i>No fees have been set by Council</i></li> <li>• <i>Cannot enforce requirement for registration in current By-laws</i></li> <li>• <i>By-law has same intent, reworded by OPC</i></li> <li>• <i>Will address dangerous dogs but wild dogs are separate issue</i></li> </ul>	
14/03/17	Jenny Nixon	<ul style="list-style-type: none"> <li>• Proposed By-laws are a Council money grab</li> <li>• Council already has adequate powers to deal with roaming ownerless dogs, menacing/savage dogs and/or feral dogs</li> <li>• By-laws are a clone of Palmerston By-laws, not suitable for rural area</li> <li>• Members of public previously rejected Council telling them how many dogs they are allowed to have</li> </ul>	<ul style="list-style-type: none"> <li>• <i>No fees have been set by Council</i></li> <li>• <i>Some of current By-laws are not enforceable</i></li> <li>• <i>By-laws are not the same as Palmerston and there are not different laws for urban/rural areas.</i></li> <li>• <i>Number of dogs permitted will reflect rural demographic</i></li> </ul>	
15/03/17	Alan Davies	<ul style="list-style-type: none"> <li>• Accepting of registration but it should be for life, not an annual fee</li> </ul>	<ul style="list-style-type: none"> <li>• <i>No fees/terms have been set by Council</i></li> </ul>	

## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

18/03/17	Dogs NT	<ul style="list-style-type: none"> <li>Remove Part 2 Division 3 – Licensing of premises as it is in conflict with what the public want</li> <li>Proposed By-laws do nothing to address unregistered dogs or dogs at large</li> <li>Part 2 Division 8 – CEO and rangers not qualified to administer By-laws</li> <li>Authorised officers should not be making decision to destroy dogs</li> <li>Need for dog exercise areas</li> <li>Impoundment facilities inadequate and not addressed in By-laws</li> <li>No provisions for boarding kennels</li> <li>Encourage discounted fees for responsible dog owners</li> <li>Council should consider lifetime registration</li> </ul>	<ul style="list-style-type: none"> <li><i>Required for smaller lots in the municipality</i></li> <li><i>By-laws require dogs to be registered and contained</i></li> <li><i>Unclaimed impounded dogs are property of Council and can be disposed of accordingly – current practice is to transfer to shelter where possible to reduce euthanasia rate</i></li> <li><i>Provision in new By-laws for exercise areas</i></li> <li><i>Nothing to do with By-laws</i></li> <li><i>Boarding kennels regulated by NTG</i></li> <li><i>Fees have not yet been set by Council</i></li> <li><i>As above</i></li> </ul>	
18/03/17	May Leitch (partner of Will Green)	<ul style="list-style-type: none"> <li>Proposed By-laws unclear, unnecessary, unfair and difficult to enforce</li> <li>Supports requirement for microchip</li> <li>Acknowledges benefits of compulsory registration</li> <li>Concerned about introduction of fees for registration</li> <li>Concerned about restrictions of number of dogs permitted</li> <li>By-laws will not improve issue of feral dogs</li> </ul>	<ul style="list-style-type: none"> <li><i>Easier to enforce than existing By-laws</i></li> <li><i>Fees have not yet been set by Council</i></li> <li><i>Not defined by By-laws</i></li> <li><i>Separate issue</i></li> </ul>	
18/03/17	RSPCA Darwin	<ul style="list-style-type: none"> <li>No regulation of cats</li> </ul>	<ul style="list-style-type: none"> <li><i>Difficult to enforce cat regulations in rural area. Need has not been identified at this point in time.</i></li> <li><i>There are already release fees</i></li> </ul>	

## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

		<ul style="list-style-type: none"> <li>Concerned that registration &amp; release fees will mean dogs are not collected from pound &amp; put pressure on shelters</li> <li>Vagueness about number of dogs permitted</li> </ul>	<ul style="list-style-type: none"> <li><i>Not defined by By-laws</i></li> </ul>	
18/03/17	Fiona Scott	<ul style="list-style-type: none"> <li>Money grab by Council</li> <li>Urban By-law, not rural</li> <li>Would prefer rate increase in line with Councils flat rating system</li> <li>Supports microchipping as registration</li> <li>Council unable to enforce registration</li> <li>Inadequate impounding facilities</li> <li>Holding time for dogs should be 120hrs</li> <li>Present By-laws are adequate</li> <li>No provision for boarding kennels</li> <li>No defence for dog owner when intruder enters property</li> <li>Does not address dog fights</li> </ul>	<ul style="list-style-type: none"> <li><i>No fees have been set by Council</i></li> <li><i>No difference in By-laws. Allowances for demographic may be made with decisions/policy such as no. of dogs, fees etc</i></li> <li><i>New By-laws will enable Council to enforce registration</i></li> <li><i>Holding time is in line with other Councils</i></li> <li><i>Some By-laws not enforceable</i></li> <li><i>Boarding Kennels regulated by NTG</i></li> <li><i>Included for dog attack/menace when person on property without reasonable excuse</i></li> <li><i>Animal Welfare/Police issue</i></li> </ul>	
19/03/17	Diana Rickard & Greg Chapman	<ul style="list-style-type: none"> <li>What about other animals such as cattle, cats, horses, crocodiles?</li> <li>Council should include other animal agency contacts as a schedule to the By-laws</li> <li>What about wandering dogs that are visiting the municipality?</li> <li>By-law 27 duplicated by By-law 28</li> <li>By-laws do not address puppy farms</li> <li>Dogs should have to be neutered</li> <li>Without registration fees there are no incentives for people to desex dogs</li> <li>By-laws should be called 'dog' management By-laws as they only deal with dogs</li> </ul>	<ul style="list-style-type: none"> <li><i>This info could be included on Council's website</i></li> <li><i>Dog at large applies to ANY dog at large in the municipality</i></li> <li><i>27 is dog menace, 28 is dog attack</i></li> <li><i>Council promotes desexing but it is not mandatory</i></li> </ul>	

## PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS

		<ul style="list-style-type: none"> <li>• Non-residents opposing regulations at public meetings</li> </ul>		
19/03/17	Graham Doyle	<ul style="list-style-type: none"> <li>• By-laws do not represent views of residents</li> </ul>		
19/03/17	Helen Gordon	<ul style="list-style-type: none"> <li>• Registration fees will only affect responsible dog owners</li> <li>• Council already has the authority to place conditions on dogs, cancel or refuse registration</li> <li>• Objects to Council telling her how many dogs she can have</li> <li>• Classification of dangerous dogs unclear</li> </ul>	<ul style="list-style-type: none"> <li>• <i>No fees have been set by Council</i></li> <li>• <i>Not enforceable in current form</i></li> <li>• <i>Not defined by By-laws</i></li> <li>• <i>Dogs MAY be declared dangerous as a result of a proven dog attack/menace incident</i></li> </ul>	
19/03/17	Marlene & Allan Watt	<ul style="list-style-type: none"> <li>• Lack of public consultation</li> <li>• Recommend that Council review its current By-laws and only make positive changes</li> <li>• Mandatory registration will not address feral dog issue</li> <li>• Responsible dog owners will be impacted</li> <li>• Revenue raising, would prefer rate increase</li> <li>• Concerned about experience/qualifications of staff administering By-laws</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Was conducted in 2013/14</i></li> <li>• <i>The proposed By-laws are as a result of the existing ones being reviewed</i></li> <li>• <i>Separate issue</i></li> <li>• <i>No fees have been set by Council</i></li> <li>• <i>As above</i></li> </ul>	
20/03/17	Diane Coe	<ul style="list-style-type: none"> <li>• Owns 12 working dogs and is concerned about fees, restrictions on number of dogs permitted</li> <li>• Should be a one off kennel registration fee</li> </ul>	<ul style="list-style-type: none"> <li>• <i>No fees or number of dogs permitted have been set by Council</i></li> <li>• <i>Breeders/working dogs will be considered when setting fees. Commercial kennel licences managed by NTG</i></li> </ul>	
20/03/17	Mary Walshe	<ul style="list-style-type: none"> <li>• Current By-laws work well in dealing with feral dogs</li> <li>• Licence/Registration must be approved/refused within 14 days...not long enough, should be 28 days (same as COD)</li> <li>• The word 'rural' should be in title of By-laws</li> <li>• Identify 'village' blocks in By-laws and restrict numbers of dogs accordingly</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Current By-laws do not address feral dogs</i></li> <li>• <i>14 days is adequate</i></li> <li>• <i>Not defined by By-laws</i></li> </ul>	

PROPOSED LITCHFIELD COUNCIL ANIMAL MANAGEMENT BY-LAWS - PUBLIC SUBMISSIONS				
		<ul style="list-style-type: none"> <li>Disagrees with wording '<i>proceeding by the most practical route to the front door...</i>'</li> <li>How will dog restriction areas be marked?</li> <li>By-law 23(4) refers to clause (2)...should refer to clause (3)</li> <li>Does By-law 25(1) apply to any dog?</li> <li>No penalties for registration of dangerous dogs</li> </ul>	<ul style="list-style-type: none"> <li><b>27(4)(c)(ii) and 28(4)(c)(ii) have been amended</b></li> <li><i>Signage</i></li> <li><i>This is an error</i> By-law 23(4) refers to clause (2)...should refer to clause (3) – <b>this has been amended</b></li> <li><i>Yes</i></li> <li><i>If a person fails to register their dog as a dangerous dog they will be required to remove the dog</i></li> </ul>	<p>*</p> <p>*</p>
20/03/17	Department of Housing & Community Development	<ul style="list-style-type: none"> <li>By-laws 22 and 23 that deal with declaration of areas as dog exercise and/or dog restriction areas should include requirement for Council to publish on their website in addition to a newspaper</li> </ul>	<ul style="list-style-type: none"> <li><b>Requirement for Council to publish on its website their intention to declare an area an exercise or restriction area has been included in By-laws 22(2) and 23(2)</b></li> </ul>	

\*Indicates amendments made to By-laws



## COUNCIL REPORT

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<b>Agenda Item Number:</b>	14.5
<b>Report Title:</b>	The Meathouse at Coolalinga, an application for a liquor licence at Shop T39, Section 6493 (425) Stuart Highway, Coolalinga, Hundred of Bagot
<b>Meeting Date:</b>	17/05/2017
<b>Attachments:</b>	Attachment A: Liquor Licence Application Attachment B: Council's letter of comment

### Purpose

To present to Council for endorsement, the draft letter of comments on a liquor licence application for a new restaurant - The Meathouse at Coolalinga.

### Summary

The proposal is for a liquor licence application, included at Attachment A, which requires an application through Licensing NT, Department of Business, which is required to seek comments from the local Council.

The report presents an overview of the proposed licencing times and presents for Council endorsement a draft Letter of Comment for provision to Licensing NT, included as Attachment B. The restaurant is proposed to be located in the complex with the new Coles and Kmart.

This report concludes that Council should provide comments back to Licensing NT supporting the application.

### Recommendation

THAT Council endorse Attachment B, Council's Letter of Comment for a liquor licence application at The Meathouse at Coolalinga.

### Background

The subject site is a restaurant tenancy – The Meathouse at Coolalinga – within the new Coolalinga Central shopping complex with the new Coles and Kmart. The applicant, Char Management Pty Ltd, who also own The Meathouse at Berrimah (within the Quest apartments), will be providing breakfast, lunch, and dinner options to its customers. The hours of service for food and alcohol will be Monday to Sunday from 9:30am to 11:30pm. A full-time manager will be responsible for the day to day operations of the business. The restaurant is proposing a fully licenced bar where guests can purchase both alcoholic and non-alcoholic beverages. There will be limited seating at the bar for guests that are waiting

for a table. The restaurant will be focused on local seafood and meats and the applicants envision that the restaurant will seat 80 people, pending confirmation by the Fire Authorities. There are no outdoor seating or service areas.

Planning approval for the restaurant was granted as part of the overall shopping complex.

Objections may be made on a liquor licence application in accordance with Section 47(f) of the Liquor Act as follows:

*“The objection may only be made on the ground that the grant of the licence, variation of conditions, substitution of other premises or material alteration may or will adversely affect:*

- (a) the amenity of the neighbourhood where the premises the subject of the application are or will be located; or*
- (b) health, education, public safety or social conditions in the community.”*

Given the proposed use of the site primarily as a restaurant with no outdoor service areas and the proposed cessation of the liquor licence at 11:30pm, there are not expected to be any unacceptable negative impacts on the amenity of the neighbourhood due to noise and negative social behaviour.

#### Conclusion

It is recommended that Council support the application as there are not expected to be any unacceptable negative impacts on the amenity of the neighbourhood due to noise and negative social behaviour.

#### **Links with Strategic Plan**

Priority # 2 – A great place to live

#### **Legislative and Policy Implications**

Not applicable to this report.

#### **Risks**

Not applicable to this report.

#### **Financial Implications**

Not applicable to this report.

## Community Engagement

Not applicable to this report.

**Recommending Officer:** Wendy Smith, Acting Director of Infrastructure and Operations

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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 of 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.*



18 May 2017

Licensing NT  
Department of Business  
GPO Box 1154  
Darwin NT 0800

**RE: Letter of Comment**

**The Meathouse at Coolalinga  
Shop T39, Section 6493 (425) Stuart Highway, Coolalinga, Hundred of Bagot  
request for stakeholder comment regarding a liquor licence application**

Thank you for the opportunity to comment on the application for the Grant of a Liquor Licence referred to this office on 03/04/2017, 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.

**Council supports the granting of this application for the following reasons:**

- a) There are not expected to be any unacceptable negative impacts on the amenity of the neighbourhood, due to noise and negative social behaviour as the trading hours cease at 11:30pm and there are no outdoor service areas.

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

Yours faithfully

Wendy Smith  
Planning and Development Manager



## COUNCIL REPORT

---

<b>Agenda Item Number:</b>	14.6
<b>Report Title:</b>	Litchfield Council Development and Subdivision Standards
<b>Meeting Date:</b>	17/05/2017
<b>Attachments:</b>	Attachment A: Draft Litchfield Council Development and Subdivision Standards (PDF) Attachment B: Draft Form F - Value of Assets Spreadsheet (Excel document)

### Purpose

This report presents to Council the draft Litchfield Council Development and Subdivision Standards (hereafter, “Standards”) for endorsement for release for public consultation.

### Summary

This report presents to Council for consideration the draft Development and Subdivision Standards, found in Attachments A and B.

The consultation period will run from 20 May 2017 through 16 June 2017. To promote the consultation period Council will:

- place advertisements in the public notices section of the NT News,
- promote it on Facebook, and
- make the draft Standards available on the Council website and in hard copy at the Council office.

After consultation, feedback received will be reviewed and incorporated, as appropriate, into the document. Once the final version is compiled, it will be presented to Council with a recommendation to adopt the Standards.

### Recommendation

THAT Council endorses the release of the draft Litchfield Council Development and Subdivision Standards for public consultation for 28 days.

### Background

A review of the current Litchfield Council Planning - Development Guidelines determined that there were some areas within the Guidelines that were in some cases unclear and not presented in a user-friendly format. Additionally, since the establishment of the existing guidelines, there

are now new development realities that are not covered by the existing document, such as Council ownership and management for street lights and public open space areas.

The new Standards:

- Accurately capture Council's current requirements and practices,
- Are presented in a user-friendly format, and
- Address all areas of Council responsibility, including existing and new asset classes, such as waste, street lights, and public open space.

#### **Links with Strategic Plan**

Priority # 2 – A great place to live

#### **Legislative and Policy Implications**

Not applicable to this report.

#### **Risks**

Not applicable to this report.

#### **Financial Implications**

Not applicable to this report.

#### **Community Engagement**

The community will be engaged through the 28 day public consultation period.

**Recommending Officer:** Wendy Smith, Acting Director of Infrastructure and Operations

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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.*



# **Development and Subdivision Standards - DRAFT**

**10 May 2017**

# REVISION TABLE

Document Control		
Revision	Date	Revision Details/Status
A	10/05/2017	Draft

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# 1 INTRODUCTION

The Litchfield Council – Development and Subdivision Standards (Standards) have been prepared to provide developers and other stakeholders (engineers, planners, contractors etc.) with the minimum standards acceptable to Litchfield Council for design, construction, and maintenance when developing or subdividing land within Litchfield Municipality.

## 1.1 Structure of the Standards

The Standards are structured to set out clear information on the design and approval process and detail the design criteria and technical requirements for all aspects of development and subdivision managed by Council within Litchfield Municipality.

## Litchfield Council - Development and Subdivision Standards



Figure-1: Structure of the Standards

## 1.2 Key Terminology

### 1.2.1 Urban Areas and Rural Areas

For the purposes of these Standards, the following definitions apply:

Urban areas include:

- Residential areas where the median lot size for single dwelling developments is  $\leq 4,000\text{m}^2$  and/or that include multiple dwelling developments.
- Commercial and industrial precincts.

Rural areas include:

- Residential areas where the median lot size is  $> 4,000\text{m}^2$ , not including multiple dwelling developments.
- Large scale commercial or industrial ventures located amongst larger lot rural residential development (i.e. mango farms).

## 1.2.2 Commonly Used Terms/Abbreviations and Definitions

*Table 1: Commonly Used Terms/Abbreviations and Definitions*

<b>Term/Abbreviation</b>	<b>Definition</b>
ALD	Averaged Leased Dimension
ARI	Average Recurrence Interval
Approved	The approval given by Litchfield Council
Clearance of General Conditions	Clearance of Council conditions included as general conditions on a Development Permit
Council	For these Standards, Council shall refer to a Council officer employed by Litchfield Council
Council's email address	council@litchfield.nt.gov.au
CPTED	Crime Prevention Through Environmental Design
DAS	Development Assessment Services (assessment section of the Department of Infrastructure, Planning and Logistics)
DCA	Development Consent Authority
DIPL	Department of Infrastructure, Planning and Logistics
Developer	The person or company responsible for the land to be developed or subdivided
Development Application	A formal plan and documentation identifying the proposed development lodged with Development Assessment Services. The plans and documentation should contain sufficient information to assess the merits and compliance of the proposal with the NT Planning Scheme and these Standards.
Development Permit (DP)	Documentation issued by a consent authority of the NT Government.  The Development Permit will have various conditions specified, which may be to the satisfaction of the Council and service authorities. These conditions must be complied with either prior to or during construction or through the life of the development.
Defects Liability Period (DLP)	A 24-month period from the initial handover of assets to Council wherein the Developer will be responsible for the rectification of any defects

Drainage Easement	Under General Rights within Law of Property Act (LPA) for drainage easement, Council has the right to break the surface of, dig, open up and use the land under easement to construct, lay down, take up, use, maintain, repair, relay or inspect drains or drainage pipes for the purpose of draining stormwater and to enter the land under easement at any time (with or without a vehicle or equipment) to do so
Driveway Crossover	The point of access to a property within the road reserve, ceasing at the property boundary
Environment	The natural and built environment and all aspects of surroundings including physical, biological, and aesthetic aspects
ESA	Equivalent Standard Axle
NEMA	US National Electrical Manufacturers Association
NT EPA	Northern Territory Environmental Protection Authority
NTG	Northern Territory Government
Nominated Developer's Representative	The person appointed to represent the Developer. For the purposes of these Standards, once a Developer's Representative has been nominated, that individual may be referred to as the Developer.
Services	Includes water, sewerage, power, gas, or telecommunications, whether below, on, or above ground
Standards	The Litchfield Council – Subdivision and Development Standards
Pollution	An incident where there is a leak, spill, or escape of harmful substances to the environment
WSUD	Water Sensitive Urban Design

### 1.3 Disclaimer

The developer shall inform themselves fully of all circumstances and conditions relating to the information provided in these Standards and read them in conjunction with relevant legislation.

A developer who has any doubts as to the meaning of any part of the Standards shall seek clarification from Council.

Council reserves the right to vary the Standards for a specific development or subdivision where Council deems the variation to be reasonable or required due to specific site conditions.

Council may amend these Standards, at the discretion of the Director, by publication of a written amendment to these Standards.

Although care has been taken in preparing the information contained in the Standards, Council shall have no liability for or in connection with any indirect, economic, special or consequential loss or damage including without limitation; loss of actual or anticipated profit or revenue, business interruption or shutdown, loss of production, delay costs, loss of opportunity, income or rent, financial and holding costs in connection with these Standards.

## 2 DESIGN AND APPROVAL PROCESS

### 2.1 Overview of Development and Subdivision in Litchfield Council

For new developments and subdivisions, Litchfield Council is primarily responsible for approving design of road reserves and works within Council owned road reserves (including landscaping, footpaths and cycle paths, and lighting), stormwater drainage, and waste management.

The Northern Territory Government is responsible for approval of all developments and subdivisions requiring Development Applications, with input provided by various agencies and service authorities on topics of their responsibility. Litchfield Council is one such agency, who will provide advice on the above areas of Council responsibility, as well as comments on the potential effect upon the amenity of Council's residents as a result of the proposal.

In the Northern Territory, developments not requiring Development Applications may require certification by a registered Building Certifier. For these developments, the certifier should seek approval from Council for compliance with Council requirements in relation to the above areas of Council responsibility.

The following section details the development and subdivision process for Litchfield Council. Important considerations that apply throughout the entire process include:

#### 2.1.1 Communication with Council

- For each development or subdivision, the Developer will be required to submit to Council *Form A – Nominated Developer's Representative*. This form is used to nominate a single point of contact for the duration of the development process. It is important that Council liaise with just one person for each development in order to control direction and the flow of information throughout the development process. If the Developer wishes to change the nominated contact during the course of the development, a new form must be submitted to Council. Once *Form A* has been accepted, Council will communicate only with the Nominated Developer's Representative.
- All requests to Council should be submitted in writing to Council's email address – [council@litchfield.nt.gov.au](mailto:council@litchfield.nt.gov.au). Submissions to other Council email addresses, or verbal requests, will not be accepted.
- Typically, Council will take a maximum of 10 working days to provide comment on each individual submission to Council.

### **2.1.2 Fees and Charges**

- Fees and charges may apply at various stages during the development and subdivision process. These fees are set annually by Council and can be found on Council's website – [www.litchfield.nt.gov.au](http://www.litchfield.nt.gov.au). Fees for subdivisions shall be paid prior to commencement of the Defects Liability Period. Fees for all other developments shall be paid as the fee is incurred.

## **2.2 Development and Subdivision Process**

The following chart outlines the application and construction process for developments and subdivisions in Litchfield Municipality.

For developments requiring a Development Application, Sections 2.2.1 – 2.2.7 should be followed.

For developments not requiring a Development Application, Sections 2.2.5 – 2.2.6 should be followed.

For subdivisions, Sections 2.2.1 – 2.2.8 should be followed.





*Figure-2: Application and Construction Process*

### **2.2.1 Pre-Application Stage**

It is recommended that Developers meet with Council to discuss a proposed development or subdivision prior to submitting an application to Development Assessment Services (DAS). In this meeting, Council will confirm the development process and ensure the Developer is aware of Council's requirements for both application assessment and construction. Meetings should be arranged by emailing or calling Council's Planning and Development division.

### **2.2.2 Development Application Process**

Developers are required to lodge Development Applications with DAS and DAS will advertise the application to Council. Council will assess the application, which may include conducting a site

visit, and will provide a Letter of Comment to DAS. The letter may also be provided for information at the next Council meeting.

Should additional information be required by Council in order to make an adequate assessment of the application, a request for the information will be provided in the Letter of Comment. If additional information is provided to DAS by the applicant, Council will conduct a revised assessment of the application and provide additional comments.

DAS will coordinate the Development Application assessment process and the consent authority (either the Litchfield division of the Development Consent Authority, their delegated appointee, or the Minister) will make a decision on the application.

Should an application be refused, the development process will end at this point.

### **2.2.3 Development Permit Issued**

If the Development Application is approved, a Development Permit will be issued by the Northern Territory Government.

The Development Permit may contain conditions to which the development or subdivision must comply.

If any conditions are noted as being to the satisfaction of Litchfield Council, clearances are required to be sought from Council.

Conditions Precedent are conditions that must be satisfied prior to endorsement of plans and/or prior to commencement of works on site.

General Conditions are conditions that must be satisfied either during the construction process or by finalisation of the development.

### **2.2.4 Clearance of Conditions Precedent**

If a Developer wishes to clear a Condition Precedent subject to Council satisfaction, the Developer should submit a request to Council including the following items:

- Stated request to clear Conditions Precedent
- Development Permit Number
- *Form B – Application for Plan/Report Review* (if applicable to conditions being cleared)
- All plans/reports required to satisfy the relevant conditions (with information as required in *Form B*, if applicable)

If Council fees are applicable for the review of the materials submitted, Council will issue an invoice to the Developer. Review of the materials will not commence until the invoice is paid.

Upon notification to Council by the Developer of the receipt number for the paid invoice, or upon receipt of the request if no invoice is required, Council will organise a pre-start meeting with the Developer and will commence review of the materials submitted. Should Council require additional information to satisfy the condition, the Developer will be notified.

Once Council is satisfied that the conditions have been met to Council's standards, Council will issue a Letter of Clearance of Conditions Precedent.

Due to the nature of Conditions Precedent, there may be a necessity to seek a series of clearances for different Conditions Precedent on the same application. This situation will be identified during the pre-start meeting.

### 2.2.4.1 Pre-Start Meeting

The purpose of the pre-start meeting is to confirm a joint understanding of all requirements to satisfy Council's standards throughout the development process.

Following this meeting, the Developer will be expected to complete and return *Form A – Nominated Developer's Representative* to Council and Council will issue the Developer an Information Pack containing all forms and a breakdown of the various fees and charges required for the development.

## 2.2.5 Design Stage

Prior to the commencement of works, the Developer shall have all required engineering works, whether driveway access, road, or stormwater drainage works, approved by Council. The Developer may utilise Council's Standard Drawings or engage a professional engineer to complete detailed design drawings. The drawings must be submitted to Council for approval.

If there are Council fees applicable for review of the materials submitted, Council will issue an invoice to the Developer. Upon notification to Council by the Developer of the receipt number for the paid invoice, or upon receiving the request if no invoice is required, Council will organise a pre-start meeting with the Developer, if no pre-start meeting was previously required at a Conditions Precedent stage. Details of the pre-start meeting are contained in Section 2.2.4.1.

Council will review the drawings for adherence to these Standards and provide comments to the Developer. If the Developer has proposed any variations to the Standards, it is incumbent upon the Developer to draw Council's attention to those variations. If amendments are required, the above design stage process will be repeated (including administration of additional fees as applicable) until the drawings meet all Council requirements and can be approved. Approved drawings will be stamped and signed by Council.

All approvals will expire if construction work has not commenced within one year of the date of Council's approval or if the Developer has not, a minimum of 10 days prior to the expiry date, sought written approval from Council to extend the approval past one year.

Council may request reasonable amendments to the approved drawings if Council requirements have changed between the approval period and construction period.

It is important to note that for any approval granted, the Developer or engineer is not absolved from full responsibility for the correctness and accuracy of the design, drawings, and documents provided.

## 2.2.6 Construction Stage

No construction works (including earthworks) may commence until all of the following conditions have been met:

- All relevant drawings and specifications have been approved by Council.
- All Conditions Precedent on the Development Permit noted as requiring completion "prior to commencement of works" must be signed off by the relevant authority.
- If works are to take place within Council's road reserve, *Form C – Works Permit – Works Associated with a Development Permit* must be sought from Council.

Construction works should be completed in accordance with the requirements of these Standards, including adherence to all required hold points as addressed in the following sections. Throughout the construction stage, in particular at all hold points, inspections will be required. To book an inspection with Council, the Developer shall submit *Form D – Inspection Request* to Council a minimum of 48 hours in advance of the desired inspection time.

All inspections will be undertaken in conjunction with the Developer. Council will provide a copy of inspection notes agreed upon by both Council and the Developer at the conclusion of the inspection. A formal report will be issued after each inspection hold point and Council will notify the Developer whether or not works may proceed on the site or if rectification works are required.

Fees may apply to the inspection stage, as detailed in Council's Fees and Charges.

#### 2.2.6.1 Works within a Council Road Reserve

Where works are to be carried out within an existing Council road reserve, *Form C – Works Permit for Works Associated with a Development Permit* shall be submitted and approved.

To obtain the above permit, the following documentation must be provided for Council's approval:

- Approved "For-Construction" drawings
- Public liability insurance certificate
- Copy of the site supervisor's White Card
- Traffic Management Plan and/or Traffic Control Guidance Plan
- Workers compensation insurance certificate.

The permit should nominate the time period requested for the works. Council's standard assessment time for a *Works Permit for Work Associated with a Development Permit* is 5 days after all required documentation is submitted to Council and payment is received. Works cannot commence until approval is granted by Council. The Developer should be aware of the required timing and plan accordingly.

#### 2.2.6.2 Naming of Roads

Should new roads be created as part of the subdivision, approval for proposed road names is required from the NT Place Names Committee. Prior to issuing approval for a road name within Litchfield Municipality, the Place Names Committee must seek the view of Council.

Any proposed road name must be reviewed and accepted at a Council meeting. Council supports the Place Names Committee's guidelines for naming of places and naming rules and will review the proposed name in line with those directives. The Developer shall submit the proposed road name and supporting information as noted in the NT Place Names Committee directives in writing to Council.

To avoid delays in the naming process, it is recommended that the Developer seek Council's approval a minimum of 8 weeks prior to submission of the proposed road name to the NT Place Names Committee.

### 2.2.7 Clearance of General Conditions

After all works required by Council are completed, the Developer shall submit *Form E – Clearance from General Conditions/Release from Defects Liability Period* and request to Council a clearance of general conditions of the Development Permit.

Council will review the Development Permit and any associated materials submitted for compliance with conditions relevant to Council.

For most developments and subdivisions, an inspection will be required. Thus, an inspection request can be submitted at the same time as the request for clearance of General Conditions. Council must receive the inspection request a minimum of 48 hours in advance of the desired inspection time.

Should any issues with or defects in the works be identified, Council will notify the Developer in the inspection report and the Developer shall undertake all necessary steps for rectification of works prior to clearance being issued.

Should no inspection be required, Council will review the General Conditions and provide comments as applicable.

Once all works have been completed to Council's satisfaction, the Developer will be required to submit *Form F – Value of Assets*. For minor developments where driveway crossovers are the only new Council asset, the Developer shall also submit Council's standard drawing(s). For all other developments, the Developer shall also submit the following:

- "As-Constructed" drawings in PDF format
- Auto-CAD version of "As-Constructed" drawings
- Completed georeferencing section of *Form F – Value of Assets* for all new Council assets in GDA94 – MGA Zone52 projection
- For subdivisions only, proposed cadastral survey plan showing all easements.

After Council receives the above assets information, Council will issue final invoices. For developments without subdivision, the Developer will be invoiced for any outstanding inspection fees. For subdivisions, the Developer will be invoiced for the following:

- Administration Fee,
- Development Contribution Plan Fee,
- Fees for additional inspections undertaken due to failure to meet hold point requirements,
- Maintenance Bond to cover the Defects Liability Period, and
- Outstanding Works/Defects Bond, if applicable.

Once payments for all invoices are made, the Developer is responsible for submitting the receipt or receipt number for the paid invoice to Council. Council will then issue the Letter of Clearance of General Conditions.

For developments not including subdivisions, this point will be the conclusion of the Development Process.

#### **2.2.7.1 Value of Assets**

The purpose of *Form F – Value of Assets* is to record the total cost of all new and affected assets received by Council as part of the development and/or subdivision. The calculations are based on the cost to Council for replacement of the asset.

#### **2.2.7.2 Administration Fees**

An Administration Fee is payable for all subdivisions to cover administrative activities undertaken by Council during the planning and development process for the subdivision. The fee is a percentage of the total Value of Assets received by Council, set each year as part of Council's standard Fees and Charges.

#### **2.2.7.3 Maintenance Bond**

The Developer provides the Maintenance Bond as a security for Council during the Defects Liability Period (DLP). The intent is that at the conclusion of the DLP, the Developer will have the opportunity to correct any defects identified prior to final handover of the assets to Council. Should the Developer not provide appropriate rectification of the identified defects to Council's satisfaction, Council may use the Maintenance Bond to rectify the defects.

The Maintenance Bond is calculated at a percentage of the total Value of Assets received by Council and is set each year as part of Council's standard Fees and Charges. Council will accept

cash, cheque, or a bank guarantee for the Maintenance Bond; credit cards cannot be accepted for this bond.

At the conclusion of the DLP, if all works are completed to Council's satisfaction, the Maintenance Bond will be returned to the Developer (see section 2.2.8 – Defects Liability Period).

#### **2.2.7.4 Developer Contribution Plan Fees**

Council collects a Developer Contribution Plan fee for each new lot created. Refer to the Developer Contribution Plan for more information.

#### **2.2.7.5 Additional Inspection Fees for Subdivisions**

Council's Administration Fees are calculated to cover one inspection per required hold point. During the construction process, if the works fail any required hold point, an additional inspection will be required once rectification works have been undertaken. These fees for additional inspections will be tabulated and charged at the conclusion of the subdivision.

#### **2.2.7.6 Outstanding Works Bond**

At the discretion of Council, the Developer may be required to provide an additional bond for any works not completed by the Developer to Council's satisfaction prior to commencement of the DLP. Typically, acceptable outstanding works will be limited to insufficient grass cover. Provision of the Outstanding Works Bond will allow the Developer to finalise the subdivision prior to completing the outstanding works.

The Outstanding Works Bond requires submission and approval of *Form G – Outstanding Works Bond Application* to Council. The Outstanding Works Bond will be of an amount mutually agreed by both parties but will nominally be calculated at the cost of Council completing the outstanding works. However, in the event of inability of both parties to reach an agreement, Council has the discretion to engage a quantity surveyor to estimate the value of the outstanding works. If a quantity surveyor is engaged, the cost of engaging the quantity surveyor will be further added to the bond. Council will accept a bank guarantee for the Outstanding Works Bond.

Once the outstanding works are completed to Council's satisfaction, the Outstanding Works Bond will be returned to the Developer.

### **2.2.8 Defects Liability Period**

When the Letter of Clearance of General Conditions is issued for a subdivision, the subdivision will enter a 24-month Defects Liability Period (DLP). Throughout the DLP and at the conclusion of the 24-month period, Council will inspect the works for defects. Typically, the Developer will only be asked to rectify the defects at the conclusion of the DLP; however, if an identified defect is deemed to be a safety hazard or considered to create on-going maintenance issues for Council, rectification works may be required immediately.

When the DLP is due to expire, the Developer shall again submit *Form E – Clearance of General Conditions/Release from Defects Liability Period* to Council. Council will then undertake a final inspection of the subdivision. Should the inspection identify any defects, other than normal wear and tear or vandalism, the Developer will be notified and asked to rectify the defects.

If, in the opinion of Council, the defects are not appropriately rectified, Council may draw on applicable bonds and undertake rectification works.

When all works are determined to be completed and all defects determined to be rectified to Council's satisfaction, the subdivision will be issued a Letter of Release from Defects Liability Period and any remaining funds in the Maintenance Bond will be returned to the Developer.



## 2.3 General Design Requirements

The following section provides details for the Developer on requirements of Council for development of detailed designs for developments and subdivisions in Litchfield Municipality.

### 2.3.1 Use of Qualified Consultants

All design work of assets to be gifted to Council and for works to be approved by Council shall be undertaken by a suitably qualified engineer or other professional, unless otherwise advised by Council.

### 2.3.2 Survey Plan Requirements

All surveys shall be undertaken by a certified surveyor and shall comply with the provisions of this section. All survey marks/levels relevant to the design submission shall be shown on the plans.

Permanent reference points shall be established within the proposed or existing road reserves at spacing not greater than one kilometre or as required by Council.

#### 2.3.2.1 Units of Measurement

The following units shall be adopted:

- Linear measurements shall be in metres (m)
- Vertical measurements shall be in metres (m)
- Azimuth shall be on the local plane rectangular grid system

#### 2.3.2.2 Vertical Control

All levels are to be provided in Australian Height Datum (AHD) to two decimals, unless specified otherwise by Council. The Developer shall adopt or establish a reliable benchmark by application of appropriate survey procedures from reliable survey stations.

#### 2.3.2.3 Horizontal Control

The following points shall be adopted:

- The horizontal control to two decimals, unless specified otherwise by Council, for each project shall be based on the existing survey stations.
- The contractor shall establish reliable horizontal control where none exist.
- Plans shall show the distance from the centre line of the proposed or existing road to the road reserve boundary at all road tangent points and intersections.
- The centre line shall be pegged at 25m intervals on straight sections and 12.5m intervals on curves, tangent points, and the intersection of road centre lines. Chainage is to be commenced at the intersection of road centre lines. Offset recovery pegs are to be placed left and right of the centre line at no greater than 100m intervals, at tangents and secant points.
- Boundaries of the subdivision shall be clearly pegged to avoid disputes between landowners.

Where any unacceptable discrepancies exist in control marks due to soil settlement, inundation, disturbance or other factors, a discrepancy report will be prepared by the Developer and referred to Council.

A sufficient number of benchmarks – surveyed in three coordinates in GDA94 – MGA Zone52 projection: Eastings, Northings, and Height (AHD) – to enable the works to be set out accurately in accordance with the Standard Drawings shall be provided.

### 2.3.3 Subdivision Plan Requirements

The Developer must provide a complete set of legible detailed engineering drawings with supporting specifications and reports for each subdivision. For detailed design review, the information shall be provided in PDF format; As-Constructed drawings may be provided in AutoCAD or coordinates may be provided by the Developer on *Form F – Value of Assets*.

The following requirements are applicable to subdivision plans:

- Drafting standards must comply with the provisions of Australian Standard 'Technical Drawing General Principles' AS1100.101-1992 or superior.
- The drawings must show sufficient detail to allow Council to accurately ascertain the feasibility of the design and compliance with Council's Standards in all areas and to allow contractors to confidently construct the works.
- All engineering drawings must include a scale and north arrow and must be legible on A3 print.
- The drawings shall show the location of the site in relation to existing named roads.
- The set of drawings must include:
  - General notes.
  - General details.
  - Site plan with road works and drainage layout.
  - Earthwork management plan.
  - Stormwater management plan.
  - Pavement design.
  - Cross sections.
  - Longitudinal sections.
  - Intersection setout plan.
  - Signs and line-marking arrangement plan.
  - Street light design.
  - Drainage easement arrangement plan.
  - Bus route and bus stop plan, if applicable.
  - Public open space master plan, if applicable.
  - Staging plan, if applicable.
- Where land is developed in stages, each stage must include a drawing showing how that particular stage relates to the project as a whole. The drawing must clearly define the boundaries or limits of the subdivision.
- Although Council does not control reticulated services (sewer, water, gas, power, and telecommunications), this information is required to be shown on plans to prevent conflict with Council infrastructure. All network utility services, including easements, must be located at offsets shown on Council's Standard Drawings, unless an alternative location has been approved by Council.

### 2.3.4 Driveway Access Plan Requirements

When new driveways are proposed for a development, a driveway access plan will be required. For subdivisions, the driveway access plan may be combined with other required drawings. The plan illustrating the new driveway access shall:

- Be drawn to scale.
- Include a north arrow.
- Clearly demonstrate the location of all driveway access points to the site, including dimensions from the property boundaries.



- Show the proposed material type, material thickness/preparation, and width of all driveways, as well as identifying whether the crossover will be an invert or require a culvert. The sizes and technical specifications for driveways shall be in accordance with these Standards, including Standard Drawings.
- Illustrate any potential obstacles (e.g. power poles, stormwater pits, sewer pits, and trees) and distances from these obstacles to the proposed driveway.
- Show dimensions between each driveway access if multiple driveways are proposed.
- Show the distance from the edge of the driveway to any intersection or any other driveway within 100m of that driveway.

### **2.3.5 Stormwater Management Plan Requirements**

For most developments and subdivisions within Litchfield Municipality, a stormwater management plan will be required. The stormwater management plan shall:

- Be drawn to scale.
- Include a north arrow.
- Be prepared by a suitably qualified professional engineer.
- Include details of site levels (e.g. indicative levels or contour lines). Both existing site levels and designed site levels are required. Contour lines should be provided at an appropriate height difference to clearly show how the existing land and the developed land rises and falls. Typically, a contour height difference of 0.2 m for existing levels and 0.1 m for design levels will be acceptable; however, Council may require greater detail to be shown.
- Show the flood level lines (ARI 100) defining the areas of inundation.
- Include hydrologic calculations.
- Show direction of stormwater flow.
- Show details of surfaces across the lot (e.g. paved, concreted, bituminised, grassed, gravelled and asphalted etc.).
- Show how the stormwater is collected to the extent of the lot boundaries, including all proposed stormwater infrastructure (e.g. open channels, underground pipe, pits, concrete invert, detention and/or detention basins, kerb and gutters, etc.). The sizes and technical specifications for the proposed stormwater infrastructure shall be in accordance with these Standards.
- Show cross-sections of the proposed stormwater infrastructure features.
- Show the location and details of the point of discharge. If an underground connection is used, the Developer shall use the NT Department of Infrastructure, Planning and Logistic's (DIPL) standard drawing for connection details. Where DIPL's Standard Drawings are not applicable, design criteria for stormwater connections shall comply with Australian Standards and best industry practices and must be designed by a professional engineer.
- Show all proposed drainage easements and responsibility for each.

### **2.3.6 Construction and Environmental Management Plan**

For potentially environmentally sensitive uses, such as motor repair stations and service stations, Litchfield Council may request a Construction and Environmental Management Plan (CEMP) for the management and operation of the use. The use must at all times be conducted in accordance with the plan. The CEMP shall:

- Be prepared by an independent qualified professional person and/or organization.
- Include overall environmental objectives for the operation of the use and techniques for their achievement.
- Include procedures to ensure that no significant adverse environmental impacts occur as result of the use.

- Include proposed monitoring systems.
- Identify all possible risks of operational failure and response measures to be implemented.
- Include day to day management requirements for the use, including waste management.

### **2.3.7 Traffic Impact Assessment**

For developments and subdivisions determined by Council to result in a significant change to the existing traffic flow in the area, Council may require a Traffic Impact Assessment be completed that shall:

- Be prepared by a registered traffic engineer.
- Clearly reference all the source of data used in the report and analysis software used.
- Be undertaken in accordance with Austroads Guideline: Guide to Traffic Management – Part 12: Traffic Impacts of Developments.

### **2.3.8 Traffic Management Plan**

For all developments and subdivisions that will result in work being undertaken on or disruptions to the normal traffic flow within Council road reserves, a Traffic Management Plan (TMP) will be required. The TMP shall:

- Be prepared by a person who holds a valid WZ1 certificate, and include the certificate number.
- Be prepared in accordance with Austroads Guidelines standard format.
- Include a risk analysis matrix.
- Include the traffic control diagram.

### **2.3.9 Road Safety Audit**

For developments and subdivisions where Council has identified potential concerns with the proposed road design or impact upon the existing road design as a result of the new development, a Road Safety Audit (RSA) may be required. The RSA shall:

- Be prepared by an independent licenced road safety auditor, and must include the licence number of the auditor.
- Reference all risks identified in the report in accordance with relevant Austroads Guidelines and/or Australian Standards.
- Include photos and/or site plan for each identified risk.
- Include a risk analysis matrix and recommended remediation method.
- Include developer's responses to each recommended remediation method including a timeframe.

# 3 ROADS AND PATHWAYS

## 3.1 Design Criteria

This section sets out the standards required by Council for the design and construction of roads and pathways in urban, rural, and industrial/commercial developments and subdivisions. The following standards are to be used:

- This Litchfield Council – Development and Subdivision Standards, which includes Standard Drawings as well as relevant Council policies.
- Austroads Guidelines including:
  - Guide to Road Design
  - Guide to Traffic Management
  - Guide to Pavement Technology
- Relevant Australian Standards.
- Department of Infrastructure, Planning and Logistics (DIPL) standards and specifications.

The Litchfield Council – Development and Subdivision Standards, including Standard Drawings, take precedence over all other guidelines and standards. These Standards are designed with consideration for the environment, safety, and future maintenance requirements. When Council documents do not cover the works to be constructed, then other designs may be adopted with the approval of Council.

Design outside of these Standards may be considered if supporting documentation is provided that addresses Council's concerns for the environment, safety, and future maintenance, including all engineering aspects of the design and risk analysis. This assessment shall be included in the design report submitted with the initial plans. It is recommended that the applicant organise a meeting with Council prior to developing any designs that are not adequately covered by Council's documents.

## 3.2 Road Hierarchy

The Developer shall take into account the general context of the surrounding area. The proposed roads must be adequate to the surrounding environment and infrastructure.

A road hierarchy is to be established for the proposed development that adheres to Council's Standards.

The allocation of road hierarchy will depend on the road's intended use and functionality, which will then determine the design requirements in accordance with Council's Standards.

Table 2 provides information for determination of road hierarchy.

Table 2: Road Hierarchy

Road Class	Function
<b>Arterial</b>	Primarily traffic movement function. Primary network of strategic links between important centres in a city, town or rural area. No direct access to abutting properties is permitted.
<b>Distributor</b>	Combined traffic movement and access function. Connects arterial roads to areas of development and distributes traffic to local street systems. Limited direct access may be permitted to abutting properties.
<b>Collector</b>	Provides access between Local roads/streets and Distributor roads. Direct access is permitted to abutting properties.
<b>Local</b>	Used primarily for direct access to abutting properties.

### 3.3 Road Cross Sections

All road designs must be developed with the objectives of providing roads to the standard widths required by Council complete with stormwater drainage and services corridors. Urban roads must additionally consider the need for on street parking, shade street trees, pedestrian footpaths and shared pathways, bus stops and appropriate disabled access to these facilities.

Table 3 indicates minimum widths for each road type. Refer to Council's Standard Drawings for each road type. Council reserves the right to make appropriate adjustments to individual items where a larger road reserve is provided. Refer to Council's Standard Drawings LC-200 and LC-201 for details.

Table 3: Minimum Road Cross Section Widths

Development Area			Road Hierarchy	Road Reserve Width (m)	Carriageway Width (m)	Landscaped Verge Width* (m)	Footpath Width* (m)
Rural Area			Distributor Collector Local	30	10	10	N/A
Urban Area	Residential	All Areas	Distributor	22	10	4	2
		Single dwelling lots $\leq 1,000\text{m}^2$ and/or multiple dwelling lots	Collector Local	20	10.4**	3	1.8
		Single dwelling lots $> 1,000\text{m}^2$ to $\leq 4,000\text{m}^2$	Collector Local	20	8	4.2	1.8
	Industrial/Commercial		Distributor	22	10	4	2
			Collector Local	22	10.4**	4	1.8

\*Required on both sides of the road.

\*\*Intention is to provide an on-street car parking lane 2.5m in width.

### 3.4 Design Speed

The Developer must consider the speed environment when designing a new subdivision and make recommendations of appropriate treatments.

The design of roads within the subdivision shall conform to the following desirable operating speed requirements. The minimum design speed for road design is to be 10km/h above the operating speed.

Table 4: Maximum Design Speeds

Development Area		Road Hierarchy	Maximum Desirable Operating Speed* (km/hr)
Rural Area		Collector, Local	80
		Distributor, Arterial	As advised
Urban Area	Residential	Arterial, Distributor	As Advised
		Collector	60
		Local	50
	Industrial/ Commercial	Arterial, Distributor	As advised
		Collector	60
		Local	50
*As defined in Austroads Guideline: Guide to Road Design – Part 3 “Geometric Design”			

The following should be considered and included as required:

- A 50km/hr default speed limit applies to built up areas within the Northern Territory.
- A master plan shall be provided showing the proposed speed limits on all new roads.

A Traffic Impact Assessment may be required for developments or subdivisions where Council has concerns about the ability of the existing network to accommodate the increased traffic from the proposed development or subdivision. Community consultation at the Developer's expense may be required under these circumstances.

The Traffic Impact Assessment should nominate all required traffic measures to provide a safe thoroughfare for traffic. All upgrades required as a result of the new development must be constructed by the Developer at the time the road is built, at no cost to Council.

A Road Safety Audit (RSA) will be required for subdivisions or developments where Council identifies potential concerns with the proposed design.

### 3.5 Design Vehicle

Roads are to be designed to accommodate the maximum vehicle configuration that is likely to utilise the roads. Design vehicles are to adhere to the Austroads Guideline: Austroads Design Vehicles and Turning Path Templates Guide.

Design vehicle turning paths templates should be applied to ensure that:

- The outside edge of the swept path remains within the paved area.
- A minimum clearance of 0.6m shall be provided between the inside swept path and face of kerb or pavement edge.
- A minimum clearance of 0.6m shall be provided between the outside swept path to objects such as road furniture (e.g. traffic islands) and utility poles.

- A minimum clearance of 2m is to be provided between the outside swept paths of any adjacent vehicles.

The 0.6m offset may not be required for local streets in urban areas, where space is restricted for local access/minor roads in rural areas where the shoulder is partly sealed. In that case, the Developer shall seek written approval from Council. Nevertheless, the vehicle swept path should not cross the centreline of a rural road.

In situations where space is restricted and turning speed is low, Council may approve the swept path of the design vehicle to encroach into a verge or traffic island with the wheel paths remaining on the pavement. This may occur when designing for a large bus to use a local street or when checking that a design layout can accommodate an occasional vehicle larger than the design vehicle.

However, in both cases, while restrictive intersection geometry may be desired to meet traffic management and environmental objectives on local roads, it is necessary to check the layout using the next larger design vehicle template to ensure that occasional use by vehicles larger than the chosen design vehicle is viable.

The above are the minimum requirements for design of intersections; however, Council reserves the right to nominate superior design requirements if deemed appropriate.

An interconnected street network is encouraged throughout the Municipality. Cul-de-sacs are not encouraged, especially within urban areas. However, where such a design cannot be avoided, minimum radii shall be 9m for urban residential streets and 11m for industrial and commercial streets.

### 3.5.1 Rural Intersections

Intersections must be designed according to the Council Approved Standard Intersections Type 1, 2, and 3, in accordance with the Standard Drawings, as follows:

*Table 5: Rural Road Intersection Types*

Intersection Type	Local	Collector	Arterial
Local	Type 1	Type 1/Type 2*	Type 3
Collector	Type 1/Type 2*	Type 2	Type 3
*To be assessed case by case			

## 3.5.2 Urban intersections

Table 6: Urban Road Intersection Types

Intersection Type	Local	Collector	Arterial
<b>Local</b>	12.5m Single Unit Truck/Bus	12.5m Single Unit Truck/Bus	12.5m Truck or 19m articulated*
<b>Collector</b>	12.5m Single Unit Truck/Bus	19m single articulated	19m articulated or 25m articulated*
<b>Industrial/ Commercial (All roads)</b>	19m single articulated	25m single articulated	25m single articulated
*To be assessed case by case			

## 3.6 Road Geometry

### 3.6.1 Pavement Crossfall

Two way crossfall is preferred for all roads as per Council's Standard Drawings. However, one way cross fall may be permitted when specific conditions are met and will be approved at the discretion of Council.

In rural areas, pavement crossfall and superelevation shall be designed in accordance with Austroads Guidelines.

In urban areas, pavement crossfall shall be designed with consideration of the following design requirements:

- A nominal 3% crossfall.
- Two way cross fall is preferred. One way cross fall may be permitted when the adjacent property is a dedicated drainage reserve or public reserve with specifically designed stormwater infrastructure to cater for the stormwater. All medians shall be designed with appropriate crossfall to accommodate stormwater drainage.
- Drainage from all properties on the 'high side' of a one way cross fall road must be connected to Council's underground system and all internal flows must be collected internally and discharged at this point.
- One way crossfall will not be permitted where private properties are adjacent to the low side.
- Superelevation must be in accordance with Austroads Guidelines.

### 3.6.2 Verges

Verge widths are specified in Section 3.3, Table 3.

The verge gradient is indicated on Council's Standard Drawings.

When designing verges, the following factors should be considered:

- Driveways, signs, street furniture, landscaping, and footpaths.
- Bus stop locations and design.



- All services are to be located in accordance with Council's Standard Drawings.
- In rural areas, cut and fill batters may be extended into the lot where the design cross section cannot be contained within the road reserve. In these cases, the batter slope should not exceed 1 in 4 unless, in special cases, geotechnical testing indicates that steeper slopes are sustainable and maintainable.

### 3.6.3 Gradients and Radii

Roads are to be designed to provide grades in accordance with Table 7 and with consideration for the natural/existing ground and conditions and best practice lot layout. Grades are to comply with the object and intent of the Disability Discrimination Act and the requirement and provisions of relevant standards.

*Table 7: General Maximum and Minimum Longitudinal Grades*

Grade Percentage, Location		Residential		Industrial
		Local	Collector/Distributor	All Roads
Desirable Maximum %		10	8	6
Absolute Maximum %		12	10	8
Desirable Minimum %		1.00	1.00	1.00
Absolute Minimum %	Straight alignment down to 60m radius bends	0.50	0.50	0.50
	All kerb returns and kerbs in the cul-de-sac head	0.75	0.75	0.75

The developer shall seek written approval from Council to design under the absolute values. These considerations will be approved only in special cases and must be addressed in the design report.

## 3.7 Pavement Design

Pavement design should be in accordance with these Standards, Austroads Guidelines: Guide to Pavement Technology and NT Government Standard Specification for Roadworks, unless otherwise specified. The Developer shall submit pavement design calculations for Council's approval prior to commencing construction. Refer to NT Government Roadworks Specifications for testing standards and requirements.

### 3.7.1 Pavement Design Loading

The Developer shall undertake an analysis of design traffic and is responsible for determining design traffic loadings and appropriate pavement structure. The minimum requirements for design loading and wearing course according to the road classification are shown in Table 8.

Table 8: Minimum Requirements for Design Loading and Wearing Course

Road Classification	Minimum Design Loading (ESA)	
	Residential	Industrial
Rural – Arterial/Collector	$5.0 \times 10^5$	-
Rural – Local	$5.0 \times 10^4$	-
Urban – Arterial	$1.0 \times 10^6$	$5.0 \times 10^6$
Urban – Collector	$5.0 \times 10^5$	$1.0 \times 10^6$
Urban – Local	$5.0 \times 10^4$	$5.0 \times 10^5$

Assessment of construction traffic shall include consideration of subdivision staging and construction vehicles and associated access for construction of infrastructure for new stages of development and construction vehicles through completed stages.

The minimum pavement design life is 40 years.

### 3.7.2 Wearing Surface

The minimum wearing surfaces on Litchfield Council roads are specified in the following tables. It is the responsibility of the Developer to provide a wearing surface design that accommodates the design loading, including construction traffic.

Table 9: Minimum Wearing Surface for Rural Areas

Asset Type	Minimum Wearing Surface Design
All Rural Road Types	Prime and single seal coat with 14/20mm aggregate (50/50 mix)
Intersections	Prime and single seal coat with 14/20mm aggregate (50/50 mix)
Cul-de-sac	Prime and 40mm compacted thickness asphalt to the end of the tangent point
Driveways	Prime and single seal coat with 10mm aggregate

*Table 10: Minimum Wearing Surface for Urban Areas*

<b>Asset Type</b>	<b>Minimum Wearing Surface Design</b>
Arterial and Collectors	Prime and 40mm compacted thickness asphalt
Local Roads	Prime and 25mm compacted thickness asphalt
Intersections	Prime and 40mm compacted thickness asphalt to the end of tapers
Cul-de-sac	Prime and 25mm compacted thickness asphalt

*Table 11: Minimum Wearing Surface for Industrial/Commercial Areas*

<b>Asset Type</b>	<b>Minimum Wearing Surface Design</b>
All road types and intersections	Prime and 40mm compacted thickness asphalt

### 3.7.3 Pavement Composition

The minimum pavement composition shall adhere to Table 12.

*Table 12: Minimum Pavement Composition*

Layer	Minimum Compacted Thickness	Material*	Compaction
Base	200mm	Fine Crushed Rock (FCR)	100% MMDD
Sub-Base (where applicable)	200mm	Naturally occurring gravel or FCR	98% MMDD
Sub-Grade	150mm	In Situ	95% MMDD
*Refer to NT Government Standard Specification for Roadworks for material specification			

## 3.8 Lot Truncation

Lot truncation is required at all corner blocks and shall be designed in accordance with Austroads Guideline: Guide to Road Design – Part 3 “Geometric Design”. The minimum truncation is 2m by 2m but may be increased to allow for intersection sight distances, verge width, and footpath installation.

## 3.9 School Sites

Council considers that parking, set down and pick up at school sites is a core requirement of the school design and should be accommodated on the school site. The design of subdivision roads abutting school sites must incorporate provision for safe routes to schools and crossing facilities as required.

## 3.10 Bus Routes and Bus Stops

Where the NT Government Public Transport Division requires bus routes and bus stops, the Developer shall provide an approved master plan developed at the planning stage in liaison with the Public Transport Division. This plan must show the ultimate and interim locations of proposed bus routes, nominated sheltered bus stops, and/or where bus stops include other types of street furniture (e.g. bus shelters, seats, bins, timetable totems, etc.).

## 3.11 Traffic Control Devices

### 3.11.1 Traffic Signs and Line Marking

All warning, regulatory, and direction signs are to conform to current Australian road rules and current versions of the Australian Standards, including:

- Austroads Guidelines:
  - Guides to Traffic Control Devices
  - Guide to Traffic Engineering Practice – Part 13 – Pedestrians.
  - Guide to Traffic Engineering Practice – Part 14 – Bicycles.
- AS1742.1 and 1742.2 Manual of Uniform Traffic Control Devices.
- Design for Access and Mobility (AS 1428 Parts 1 & 2).
- Other relevant publications and standards.

A Sign and Line Marking Plan is required and must indicate:

- The location and type of street name signs.
- All regulatory signs including speed signs where the default speed limit does not apply.
- All other hazard, warning and advisory signs.
- Line marking and pavement markers.
- Bicycle and shared path signage and line marking.

### 3.11.2 Street Name Signs

Council's Standard Drawings are to be used for the design of street name signs. The preferred location for street name signs is on the through road adjacent to the centreline of the intersecting road. Refer to Section 2.2.6.2 and Council policy "TS03 Place Names Policy" for further details on naming of new roads.

In addition, Litchfield Council's special intersection sign shall be used at each intersection in conjunction with the street name signs.

## 3.12 Service Conduits

Service conduits shall be designed and constructed by a suitably qualified individual. Service conduits includes communication, irrigation, and electrical cables or pipes under roadways, footpaths, access strips, and elsewhere as required. Design of these services is to be in consultation with the appropriate authority or as directed by Council. Conduits shall be constructed at the time of subdivision construction.

All conduit locations are to be marked on As-Constructed drawings and on site. Installation of conduits should not adversely impact the pavement compaction.

### 3.13 Kerbing

The choice of kerbing is dependent on the road use and stormwater requirements. All designs must comply with Australian Standards and Council's Standard Drawings.

Barrier kerb and gutter shall be used in the following urban areas:

- Residential distributors,
- Residential areas with single dwelling lots  $\leq 1,000\text{m}^2$  in area and/or multiple dwelling lots,
- Industrial and commercial areas.

Layback kerb and gutter shall be used in the following urban areas:

- Residential areas with single dwelling lots  $> 1,000\text{m}^2$  to  $\leq 4,000\text{m}^2$  in area.

Gap kerbing shall be used in the following rural areas:

- At intersections.

### 3.14 Driveway Crossovers

All driveway crossovers must be designed and constructed in accordance with Council's Standard Drawings.

Council will determine the acceptable location or relocation of all driveway crossovers in accordance with the following criteria:

- The driveway location shall be positioned in consultation with Austroads Guidelines and is subject to Council approval.
- One driveway access may serve a maximum of 2 lots.
- Driveways shall be located to have minimal impact to on-street parking.
- Driveway locations must take into consideration the location of other services, including stormwater infrastructure, streetlights, and other service pits that may exist in the verge. Any changes to infrastructure to accommodate driveways are to be approved by and at no cost to Council. The alteration must also be approved by the Authority that owns the service infrastructure.
- Where footpaths exist, the material of that section of the driveway must be the same as the footpath.
- Council will only maintain one driveway crossover per lot. However, a second driveway crossover may be permitted subject to Council's approval. Construction and maintenance of a second driveway will be at the owner's expense.
- Should a box culvert be used as driveway crossover, the culvert must be 1200mm x 450mm or larger.
- Should concrete invert be used as driveway crossover, the approach to the invert shall have maximum gradient of 1:10 (Vertical:Horizontal).

Table 13 and Table 14 summarise Council's driveway requirements.

Table 13: Driveway Crossover in Urban Areas

Land Use and Access Type	Width	Driveway Material
Residential single access	3.5m	100mm concrete, SL82 mesh
Residential shared access	6.0m	150mm concrete, SL82 mesh
Commercial/Industrial*	6.0m	200mm concrete, SL82 mesh
*Wider driveways may be approved by Council subject to consideration of vehicle design and/or development requirements.		

Table 14: Driveway Crossover in Rural Areas

Land Use and Access Type	Width	Driveway Material
Residential single access	4.0m (4.88m*)	Prime and single coat seal 10mm nominal aggregate. 150mm Type 2 gravel base compacted to 100% MMDD. 150mm subgrade compacted to 95% MMDD.**
Residential shared access	8.0m (9.76m*)	
Commercial/Industrial	8.0m (9.76m*)	200mm concrete (with invert profile or finished surface as applicable to driveway type), reinforced with SL82 mesh. The minimum concrete driveway strength is 25MPa, broom finished concrete.
*Wider width is required where the driveway must accommodate a box culvert. **Gravel driveway crossovers for lots accessed from a gravel road may be approved by Council.		

### 3.15 Access for New Lots

Council prefers each new lot to have individual, unconstrained access.

Council does not support additional accesses for new lot(s) where an existing right-of-way currently serves a single lot.

Council does not support new right-of-way access arrangements where the right-of-way provides access for multiple lots.

However, upon review of individual circumstances, Council may support additional accesses for new lot(s) where an existing right-of-way currently serves multiple lots.

Council does not support adjacent battleaxe access design for new lots and Council will not approve driveway access for lots designed with two or more adjacent battleaxes.

Where single battleaxe designs are proposed in urban subdivisions, Council prefers the battleaxe width to be a minimum of 10m. Where single battleaxe designs are proposed in rural subdivisions, Council prefers the battleaxe width to be a minimum of 15m.

## 3.16 Pathways

In urban areas, pathway design and construction must comply with Council's Standard Drawings. All pedestrian accesses must meet or exceed Australian Standards for access and mobility.

### 3.16.1 Footpaths

Footpaths with Litchfield Municipality are to be made of concrete with a minimum compressive strength of 25MPa, broom finish, 100mm minimum thickness and SL82 reinforcement. Footpaths must be provided within the road reserve in accordance with the table in Section 3.3.

Grading of footpaths and shared paths is to be designed in accordance with relevant disabled access legislation and standards, including AS 1428 Design for Mobility and Access.

### 3.16.2 Shared Paths and Cycle Paths

The need for any form of shared path, cycle path, or on-road cyclist facility is to be determined by Council, in discussion with the Developer, prior to preparation of the construction drawings. Specifications for construction will be determined based on the requirements of the individual path.

### 3.16.3 Laneways

Laneways are prohibited within Litchfield Municipality.

## 3.17 Street Furniture

To enhance public amenity, the Developer shall ensure that adequate street furniture is placed at appropriate sites within the streetscape of a new development or subdivision. Such places may be at bus stops, near shops, or at busy pathway intersections. Items may include seating, rubbish bins, bollards, signs, and shelters.

In general, street furniture shall be provided in accordance with the following requirements:

- Items should be robust and vandal proof, built of durable materials, and, in the case of seating, either placed under shade trees or built from materials that do not overheat (e.g. aluminium).
- The colour palette of proposed street furniture is to be submitted and approved by Council.
- All seating is to have a concrete pad under each seat with a clearance of 1200mm from the front extremity of the seat and 1200mm each from the sides and back for wheelchair access. Paved access shall be provided between seats and adjoining footpaths and streets.
- All furniture installation is to conform to the relevant local and national building codes.

## 3.18 Hold Points

Hold points are points in the construction process where an inspection and clearance from Council is required prior to the Developer moving forward with the works.

Council must attend every hold point and is responsible for reviewing all information submitted by the Developer.

The Developer must give 48 hours advance written notice to Council by submitting an inspection request form to [council@litchfield.nt.gov.au](mailto:council@litchfield.nt.gov.au).



### 3.18.1 Urban Areas - Roads

Table 15: Road Construction Hold Points – Urban Areas

Hold Point	Developer Shall Provide	Council Will Review
<b>Road Works</b>		
1. Once sub-grade is completed	<ul style="list-style-type: none"> <li>• Certified geotechnical report.</li> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Grades.</li> <li>• Compaction.</li> <li>• Formation.</li> </ul>
2. Once sub-base is completed	<ul style="list-style-type: none"> <li>• Certified geotechnical report.</li> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Grades.</li> <li>• Compaction.</li> <li>• Formation.</li> </ul>
3. Once base-course is completed	<ul style="list-style-type: none"> <li>• Certified geo-technical report.</li> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Grades.</li> <li>• Compaction.</li> <li>• Formation.</li> </ul>
<b>Sealing</b>		
1. Prior to sealing or asphaltting	<ul style="list-style-type: none"> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> <li>• Design for asphalt mix.</li> </ul>	<ul style="list-style-type: none"> <li>• Pavement dry back.</li> <li>• Ball penetration.</li> <li>• ALD for aggregate.</li> <li>• Proposed application rate and/or asphalt design (<b>note that this information is required prior sealing</b>).</li> </ul>

### 3.18.2 Rural Areas - Roads

Table 16: Road Construction Hold Points - Rural Areas

Hold Point	Developer Shall Provide	Council Will Review
<b>Road Works</b>		
1. Once sub-grade is completed	<ul style="list-style-type: none"> <li>• Certified geotechnical report.</li> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Grades.</li> <li>• Compaction.</li> <li>• Formation.</li> </ul>
2. Once sub-base is completed	<ul style="list-style-type: none"> <li>• Certified geo-technical report.</li> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Grades.</li> <li>• Compaction.</li> <li>• Formation.</li> </ul>
3. Once base-course is completed	<ul style="list-style-type: none"> <li>• Certified geo-technical report.</li> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Grades.</li> <li>• Compaction.</li> <li>• Formation.</li> </ul>
<b>Sealing</b>		
1. Prior to Sealing or Asphaltting	<ul style="list-style-type: none"> <li>• Conformance test report in accordance with NTG roadworks specifications.</li> <li>• Design for asphalt mix.</li> </ul>	<ul style="list-style-type: none"> <li>• Pavement dry back.</li> <li>• Ball penetration.</li> <li>• ALD for aggregate.</li> <li>• Proposed application rate and/or asphalt design (<b>note that this information is required prior sealing</b>).</li> </ul>

### 3.18.3 Driveway Crossovers

Table 17: Driveway Crossover Construction Hold Points

Hold Point	Developer Shall Provide	At Inspection, Council Will Review
<b>Concrete Invert</b>		
1. Prior to pouring the concrete	<ul style="list-style-type: none"> <li>Adequate site access.</li> </ul>	<ul style="list-style-type: none"> <li>Subgrade compaction.</li> <li>Installation of reinforcement steel.</li> <li>Thickness and width of the driveway.</li> </ul>
<b>Concrete Flat</b>		
1. Prior to pouring the concrete	<ul style="list-style-type: none"> <li>Adequate site access.</li> </ul>	<ul style="list-style-type: none"> <li>Subgrade compaction.</li> <li>Installation of reinforcement steel.</li> <li>Thickness and width of the driveway.</li> </ul>
<b>Driveway with Box Culvert</b>		
1. Prior to pouring the concrete for the bottom slab	<ul style="list-style-type: none"> <li>Adequate site access.</li> </ul>	<ul style="list-style-type: none"> <li>Subgrade compaction.</li> <li>Installation of reinforcement steel.</li> <li>Thickness and width of the slab.</li> </ul>
2. Prior to pouring the concrete for headwalls and wingwalls	<ul style="list-style-type: none"> <li>Adequate site access.</li> </ul>	<ul style="list-style-type: none"> <li>Installation of reinforcement mesh.</li> <li>Dimensions and thickness.</li> </ul>
3. After the installation of culverts, prior to backfill	<ul style="list-style-type: none"> <li>Adequate site access.</li> <li>Adequate visibility for the culvert, headwalls and wingwalls.</li> </ul>	<ul style="list-style-type: none"> <li>Culvert joints.</li> <li>Headwall and wingwall joints.</li> <li>Alignment of the culvert.</li> </ul>
4. After the backfill, prior to sealing	<ul style="list-style-type: none"> <li>Conformance test for base-course material in accordance with NTG guidelines</li> <li>Undertake proof-roll using adequate vehicles in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>Check compaction of base-course</li> <li>Check formations and grades</li> <li>Proposed application rate and/or asphalt design (<b>note that this information is required prior sealing</b>).</li> </ul>
<b>Rural Flat Driveway</b>		
1. Prior to sealing or asphaltting	<ul style="list-style-type: none"> <li>Conformance tests for Base-course material in accordance with NTG guidelines</li> <li>Undertake proof-roll using adequate vehicles in accordance with NTG roadworks specifications.</li> </ul>	<ul style="list-style-type: none"> <li>Check compaction of base-course</li> <li>Check formations and grades</li> <li>Proposed application rate and/or asphalt design (<b>note that this information is required prior sealing</b>).</li> </ul>

# 4 STORMWATER DRAINAGE

## 4.1 Design Criteria

This section sets out the standards required by Council for the design and construction of stormwater drainage systems in urban, rural, and industrial/commercial developments and subdivisions. The following standards are to be used:

- This Litchfield Council – Development and Subdivision Standards, which includes Standard Drawings as well as relevant Council policies.
- Austroads Guidelines, including Guide to Road Design – Part 5: Drainage.
- Australian Rainfall and Runoff.
- Queensland Urban Drainage Manual.
- Relevant Australian Standards.

The Litchfield Council – Development and Subdivision Standards, including Standard Drawings, take precedence over all other guidelines and standards. These Standards are designed with consideration for the environment, safety, and future maintenance requirements. When Council documents do not cover the works to be constructed, then other designs may be adopted with the approval of Council.

Design outside of these Standards may be considered if supporting documentation is provided that addresses Council's concerns for the environment, safety, and future maintenance, including all engineering aspects of the design and risk analysis. This assessment shall be included in the design report submitted with the initial plans. It is recommended that the applicant organise a meeting with Council prior to developing any designs that are not adequately covered by Council's documents.

## 4.2 Hydrology

For all developments that will have impacts on upstream or downstream flow, and for all subdivisions, hydrological calculations will be required.

Council requires Fraction Impervious, Coefficient of Runoff, and Time of Concentration design parameters to be used to develop Intensity Frequency Duration (IFD). IFDs shall be derived in accordance with the Australian Rainfall and Runoff database for the particular catchment and shall be used to determine design flow rates. Flow rates will be used to design the drainage system for minor and major storm events.

### 4.2.1 Fraction Impervious

Hydraulic calculations shall be based on fraction impervious parameters in Table 18.

Table 18: Fraction Impervious Parameters

Item	Land Use	Fraction Impervious
1	Normal Residential Lot $\leq 1,000\text{m}^2$	0.60
2	Normal Residential Lot $> 1,000\text{m}^2$	0.40
3	Normal Residential Lot including half road	0.65
4	Road Reserve	0.85
5	Medium Density Residential Lots	0.85
6	High Density Residential Lots	0.90
7	Commercial Areas	1.00
8	Industrial Areas	0.90
9	Public Recreational Areas	0.50
10	Parkland, Public Reserve	0.10

#### 4.2.2 Coefficient of Runoff

The Coefficient of Runoff shall be determined in accordance with the Australian Rainfall Runoff Standards. Full details of coefficients used shall be provided in calculation documents.

The effects of the fraction impervious areas on the coefficient of runoff "C" shall be consistent with Table 19.

Table 19: Coefficient of Runoff

Fraction Impervious	C for ARI 5	C for ARI 20	C for ARI 100
0.0 – 0.10	0.41	0.46	0.52
0.20	0.46	0.51	0.58
0.30	0.51	0.56	0.65
0.40	0.56	0.62	0.71
0.50	0.61	0.67	0.77
0.60	0.66	0.73	0.83
0.70	0.71	0.78	0.89
0.80	0.76	0.84	0.96
0.90	0.81	0.89	1.00
1.00	0.86	0.95	1.00

### 4.2.3 Time of Concentration

Time of concentration must be calculated as the time required for stormwater runoff to flow from the most remote part of the catchment to the point of interest or as the time taken from the start of rainfall until all the catchment is simultaneously contributing to the point of interest. Care should be exercised in adopting a time of concentration that is reasonable for the upper reaches of the drainage system within the developed catchment.

The general maximum time of concentration in urban areas shall be 20 minutes, unless justification is provided to the contrary. Similarly, a minimum time of concentration of 5 minutes can be used for an urban standard lots.

The time of concentration in rural areas shall be calculated in accordance with Australian Rainfall Runoff. Where the flow path traverses areas having different flow characteristics or various surface types, the flow-time of each portion of the flow path shall be calculated separately.

## 4.3 Major and Minor Drainage System

Development and subdivision design must address major and minor storm events through appropriate development of major and minor stormwater drainage systems, as applicable to the individual project. These systems must be designed to control and carry all storm flows in accordance with the determined hydrologic calculations and Average Recurrence Interval (ARI).

Drainage systems must be calculated by a method that complies with current Australian hydrologic engineering practice and calculations for both major and minor drainage systems must be provided to Council. In the absence of more appropriate methods, the Rational Method can be used to determine peak flows when catchments are not greater than 500Ha in urban developments and 25km<sup>2</sup> on rural developments.

To achieve the requirements for the Major Drainage System, it may be necessary to upgrade the capacity of the Minor Drainage System above the initial criteria.

#### **4.3.1 Major Drainage System**

This system caters for a ARI100 storm event.

#### **4.3.2 Minor Drainage System**

This system caters for a ARI 5 or ARI 20 storm event, as applicable.

### **4.4 Adjacent Catchments and Drainage Networks**

Drainage systems are designed to consider all ultimate upstream and downstream characteristics to achieve a total system that does not adversely affect existing systems or properties within the stream flow path and catchment.

All post-development flows should be equal to or less than pre-development flows, to minimise the risk of flooding downstream due to a development or subdivision. The drainage system design aim is to maintain the characteristics of the pre-existing catchment by detaining and/or controlling storm flows or dispersing concentrated catchment outflows. The methods used, and the degree of outflow attenuation required, must be dependent on the magnitude of development and subdivision storm flows and the downstream watercourse characteristics.

Consideration shall be given to the impact of the proposed drainage system on existing drains, buildings, and downstream catchments.

Where a new development or subdivision is located at the upstream end of a catchment in common with existing developed land for which there is no master drainage plan, the existing Council drainage system may not have sufficient capacity to carry the design flows generated by the new development. In these circumstances, the Developer is to prepare and submit an overall drainage plan, which should examine the complete downstream drainage network and determine the maximum quantity of stormwater runoff that can be discharged into the existing network. The drainage plan shall be designed to cater for the ultimate flow from the upstream catchment.

If the capacity of the existing network is exceeded, then the surplus water shall be managed within the new development or subdivision, or the existing network shall be upgraded to the satisfaction of and at no cost to Council.

For staged developments, the trunk drainage system shall be constructed from the downstream end of the catchment at the time of development, regardless of where the actual development works commence.

The drainage easement and/or reserves downstream from the project area shall be incorporated into the design where flows are generated from the project area.

### **4.5 General Drainage Infrastructure**

Some types of drainage infrastructure occur in both urban and rural areas of the Municipality. Design specifications for these types of drainage infrastructure are detailed in the following sections.

#### **4.5.1 Roads**

Roads are primarily to cater for vehicular and pedestrian traffic, as well as providing access to abutting properties. Roads may be used to convey stormwater drainage; however, roads are not

considered primary drains or floodways. Public amenity, usability, risk, and safety are to be paramount considerations in drainage design.

Roads within Litchfield Municipality must be designed to cater for ARI 100 storm events.

Stormwater flow may not exceed a maximum overtopping depth of 150mm above the crown of the road, nor should Depth x Velocity exceed 0.32.

Where the depth of flow particularly within road reserves can be effectively reduced by the introduction of more underground drainage and/or capture points, then these features will be required.

### **4.5.2 Detention Basins**

Council discourages the use of detention basins where other stormwater drainage methods are possible. However, where another drainage infrastructure measure is not available, detention basins may be permitted and are recommended in combination with other WSUD features. Public amenity, usability, risk, and safety are to be paramount considerations in drainage design.

Detention basins must be designed to cater for ARI 100 storm events.

Stormwater flow depth in detention basins that abut a road should not rise above subgrade level. For detention basins that do not abut a road, a 150mm freeboard from the top of batter shall be maintained at all times.

In addition, all batters shall be constructed with a maximum 1:4 (vertical:horizontal) slope. If a property fence is to be installed on private property adjacent to batters of Council's table drain, Council requires a minimum 1.5m offset between the top of the batter and the property fence.

With the exception of natural ornamental lakes and wetlands, all other detention basins are to be designed to detain water only during storm conditions and for no more than 7 days. To avoid mosquito breeding and associated issues, all drainage systems and associated structures should be designed in consultation with the NT Environmental Protection Authority (NT EPA) and NT Department of Health – Medical Entomology Section.

## **4.6 Urban Drainage**

Stormwater drainage in urban areas is required to be collected within the lot and connected underground into Council's stormwater drainage system of pipes, pits, drains, and the road network.

Drainage in urban areas shall be designed to cater for ARI 5 or ARI 20 storm events, depending upon the specific type of infrastructure, as detailed in the following sections.

Drainage shall not be directed from one lot to another lot in any form of discharge.

Council prefers to maintain native vegetation and avoid clear cutting of sites wherever possible. Where regrading of the lot can be easily achieved (less than 5% cross slope), the lot shall be graded towards the adjacent road reserve, open space, or drainage reserves. In other cases, runoff shall be captured within the lot and conveyed underground into Council's drainage system.

Sediment and erosion control measures shall be put in place on all lots until the lots are fully developed and landscaped.



## 4.6.1 Pipes

All pipes must meet the following requirements:

- The minimum pipe diameter for a drain located within the road reserve is 375mm or a size that caters for an ARI 5 storm event, whichever is larger.
- The minimum pipe strength is Class 2 reinforced concrete pipe or equivalent.
- Sealed joints are to be used for all drainage lines – external bands or rubber ring joints.

## 4.6.2 Pits

All pits must be designed to cater for an ARI 5 storm event.

All pit designs must be in accordance with Council's Standard Drawings. However, regardless of standard details, internal dimensions for all drainage pits shall be in accordance with AS3500.3.2 and work health requirements for access into drainage structures.

All access covers and grates are to be Class D AS3996. Alternatives, including precast concrete inlet structures, may be used, subject to approval by Council.

Grates are to be avoided as they are susceptible to being blocked; if they are included, then an alternative means for the flow to enter the system must be incorporated in the design. Cyclists, pedestrians, and vehicles must also be able to safely traverse the system.

All pits deemed to be at high-risk of vehicles driving over the pits must be designed to withstand the expected loads.

To avoid mosquito breeding and associated issues, all drainage systems and associated structures should be designed in consultation with the NT EPA and NT Department of Health – Medical Entomology Section.

### 4.6.2.1 Side Entry Pits

Side entry pits are to be designed with the following criteria:

- May be either side entry or combined grated/side entry. Grated entry shall only be installed if no other options are available.
- Placed at low points located immediately upstream from intersections on the side road of the intersection.
- Placed on the upstream sides of pedestrian crossings to limit the flow to 500mm maximum width for the minor design storm in these locations.
- Include the use of deflectors within the gutter.
- Each drainage structure shall have a minimum fall across the bottom as indicated in Council's Standard Drawings.
- Spacing and size designed to ensure minimum flow widths and depths as specified are achieved.
- Located to avoid conflict with driveways on all new lots.
  - To avoid such conflicts, an overall plan shall be produced prior to commencement of works that shall show the nominated location for driveways in each new lot.
  - Where a conflict occurs, any stormwater pit relocations shall be undertaken by the Developer at no cost to Council.
- The clearance between the kerb invert and the underside of the lid, or lid support, where applicable, shall be a maximum of 100mm. Where the inlet clearance is greater than 100mm, a 12mm diameter bar shall be placed across the opening for safety purposes.
- Should a pre-cast pit be used, 3% stabilised sand is required for backfill.

#### 4.6.2.2 Junction Pits or Manholes

Junction pits and manholes are to be designed with the following criteria:

- When side entry pits are not suitable, junction pits or manholes are to be constructed at all pipe junctions and where pipes change direction, diameter, or grades.
- The maximum distance between junction pits, manholes, and/or side entry pits is to be 90m. Closer spacing may be required at the discretion of Council.
- These features are discouraged within the trafficked part of the road reserve.

#### 4.6.2.3 Letterbox Pits

Letterbox pits are to be designed with the following criteria:

- Letterbox pits are to be constructed within the invert of open drains or at low points in open space reserves to contain stormwater flows.
- Appropriate erosion control measures, such as stone pitching, must be included.
- Appropriate safety measures must also be included, considering flow velocity at the pit, height of the pit opening etc.
- The clearance between the kerb invert and the underside of lid, or lid support, where applicable, shall be a maximum of 100mm. Where the inlet clearance is greater than 100mm, a 12mm diameter bar shall be placed across the opening for safety purposes.

#### 4.6.2.4 Underground (Blind) Pits

Underground or blind pits or junction chambers are not acceptable. All pits or chambers shall extend to and allow access from the surface.

#### 4.6.2.5 Grated Inlet Pits

Grated inlet pits are not acceptable within the carriageway on Council's road reserve or within Council-owned or private car parking areas. The use of grated inlet pits in other areas shall require approval of Council. Within Council land, appropriate safety measures (e.g. padlocks) shall be incorporated into the design and shall be approved by Council.

#### 4.6.2.6 Bandage Joints

Bandage joints are to be designed with the following criteria:

- Bandage joints are not acceptable for pipe joints on straight runs or at deflections.
  - Manufactured splayed joints are to be utilised for pipe deflections.
  - Pipes may be laid on curves subject to pipe manufacturer's recommendations and Council approval on the jointing.
- Bandage joints may only be used for pipe connections where a proprietary product is not available.
  - The diameter of the joining pipe must be no more than one third that of the main drainage pipe.
  - A pit/inspection opening must be located within 5m of the joint on either of the lines.

### 4.6.3 CCTV Inspection

CCTV inspections are required for all new underground stormwater drainage systems; additionally, CCTV inspections may be required for existing underground stormwater drainage systems for developments and subdivisions where Council has no record of compliance with Council's stormwater drainage standards.

The cost of inspecting the system will be the responsibility of the Developer. In the event that there are defects within the system, the Developer will be required to undertake all necessary rectification works.

Identification of defects will be dependent on the results of onsite inspections and the certified construction report. The Developer shall arrange with Council a suitable time for the inspection and the Developer must ensure the pipes are clean and accessible for the inspection.

#### **4.6.4 Subsoil Drainage and Groundwater**

##### **4.6.4.1 Subsoil Drainage**

Subsoil drains are to be provided to all road infrastructure in urban areas, including roundabouts and islands, to protect road pavements from the effects of groundwater seepage and are to be located and constructed as per Council's Standard Drawings.

The Developer shall be responsible for undertaking a detailed investigation of the site to determine the scope of subsurface drainage works required.

Where necessary, subsoil drainage shall also be incorporated into new lots, verges, pathways, drainage reserves, and open space to ensure adequate protection of buildings, structures, and public amenities from groundwater.

##### **4.6.4.2 Groundwater**

A large part of the available land for development within the Municipality is low lying and susceptible to groundwater and tidal influences. Groundwater level must be taken into consideration for drainage and all other aspects of sustainable design for the development or subdivision. The following issues shall also be taken into consideration:

- The effect of drainage measures on aquifers.
- Adequate drains for road construction and maintenance purposes.
- Adequate separation of future building floor levels from the groundwater.
- The effects of salinity and acid sulphate.
- Climate change and rising sea levels.

If groundwater seepage problems occur in the developed area within the stipulated Defects Liability Period, the Developer is responsible for carrying out remediation works to ensure that each lot remains suitable for its intended use.

Any failure resulting from high wet season groundwater levels shall be reinstated, together with any additional subsoil drainage required, by the Developer at no cost to Council.

#### **4.6.5 Urban Drainage Easements**

All attempts should be made to manage stormwater drainage flows within Council's road reserve corridor and associated underground drainage system. The use of drainage easements is not encouraged within urban areas.

Should a drainage easement be determined to be required, the minimum easement width is to be 3.0m for pipe diameters of 450mm or less and depths up to 1.5m. An increase in easement width shall be provided for larger pipes and depths as advised by Council.

In situations where the new development or subdivision is at the upstream end of privately owned land, arrangements are to be made by the Developer with the owner of the downstream land to provide drainage rights and easements as required over the route of the drain and to construct or upgrade the drainage system as required to the satisfaction of, and at no cost to, Council. These easements shall be in favour of, and at no cost to, Council.

In urban areas, Council will not take possession or accept drainage at the rear of the lot nor will it accept responsibility for easements over the drainage system.

## 4.7 Rural Drainage

Stormwater drainage in rural areas is to sheet flow across the lot into Council's stormwater drainage system of open drainage channels (which may be within the road reserve), floodways, and natural water bodies.

Drainage within individual lots shall be designed to cater for ARI 5 storm events. Other drainage infrastructure in rural areas may be required to cater for higher ARI storm events, as detailed in the following sections.

Council prefers to maintain native vegetation and avoid clear cutting of sites wherever possible.

Sediment and erosion control measures shall be put in place on all lots until the lots are fully developed and landscaped.

### 4.7.1 Table Drains

Table drains are open channel drains within Council's road reserve and should be designed to collect and control all storm flows without significant damage to road pavements and ancillary structures, property accesses, watercourses, and all constructed drains and ancillary structures.

Grassed table drains are preferred; concrete table drains are not encouraged within rural areas and must be approved by Council.

Table drains should be designed to cater for ARI 5 storm events.

Table drains are to comply with the following requirements:

- Table drains shall be trapezoidal in shape, with batter slopes not exceeding 1:4 (vertical:horizontal); however, 1:6 is desirable where this slope can be achieved.
- All batters and disturbed areas shall be stabilised compacted to 90% MMDD. Topsoil and establishment of grass is required with a minimum of 60% cover.
- If a property fence is to be installed on private property adjacent to batters of Council's table drain, Council requires a minimum 1.5m offset between the top of the batter and the property fence.
- A minimum 150mm freeboard shall be maintained in all flows. Freeboard shall be increased on bends to account for dynamic effects.
- Depth and velocity limits must be maintained at all times.
- Drop structures shall be implemented on grassed table drains to control velocities to less than 1.0m/s.
- The longitudinal slope for grassed table drains shall be between 0.6% and 1%.
- Scour protection will be required at changes of direction, at drop structures, and at the inlets and outlets to pipe or culvert structures.
- Appropriate safety measures shall be provided to protect the public from being trapped within a drain during flash flooding. Accordingly, risk assessment of the drain should be provided as part of the stormwater management plan.
- Warning Sign(s): "DANGER – WATER LEVEL MAY RISE QUICKLY DUE TO STORMS" are to be installed where required.

## 4.7.2 Culverts

Box culverts are required to convey stormwater drainage under roads and driveways in the rural area and should be designed in accordance with Council's Standard Drawings. Pipes are not accepted in rural areas.

Culverts are to be designed with the following criteria:

- Cross road culverts are to be designed to cater for ARI 20 storm events.
- Culverts under driveway crossovers are to be designed to cater for ARI 5 storm events.
- Where the road side table drain limits the size of culvert, the absolute minimum height of culvert permitted is 450mm.
- Appropriate protection measures for both upstream and downstream flows are to be installed.
- Culvert headwalls and wingwalls are to be designed with a clear zone width in accordance with Austroads Guidelines: Guide to Road Design – Part 5: Roadside Design Safety and Barriers.

## 4.7.3 Floodways

Where a natural low point exists within an existing or proposed new road, a floodway may be required to manage stormwater drainage flows across this point.

Floodways are to be designed to cater for ARI 100 storm events.

Floodways are to be designed with the following criteria:

- The floodway shall have an appropriate pavement strengthening method approved by Council.
- Appropriate upstream and downstream protection measures must be constructed.
- Concrete margins are required at both the upstream and downstream edge of pavement and seepholes are required to be installed only on the downstream margin.
- Stormwater flow may not exceed a maximum overtopping depth of 150mm above the crown of the road, nor should Depth x Velocity exceed 0.32.
- Warning sign(s) for floodways, including depth markers and "Water Over Road" signs, are to be installed where required.

## 4.7.4 Rural Drainage Easements

All attempts should be made to manage stormwater drainage flows within Council's road reserve corridor and associated table drains. The use of drainage easements is not encouraged within rural areas.

Should a drainage easement be determined to be required, the width is to be determined by the storm flow for which the drainage easement caters.

Where a direct connection between the proposed new development or subdivision and Council's existing drainage system is not available within Council's road reserve, a drainage easement may be permitted across a private lot to connect to Council's drainage system.

In situations where the new development or subdivision is at the upstream end of privately owned land, arrangements are to be made by the Developer with the owner of the downstream land to provide drainage rights and easements as required over the route of the drain and to construct or upgrade the drainage system as required to the satisfaction of, and at no cost to, Council. These easements shall be in favour of, and at no cost to, Council.

In rural areas, rear lot drainage may be permitted in special circumstances and must be approved by Council.

Drainage easements are to be designed to cater for ARI 100 storm events.

#### **4.7.5 Drainage Reserves**

Drainage reserves are parcels of land owned by Council where the sole use is for stormwater drainage. While there are some legacy parcels within the Municipality, Council does not encourage this form of drainage for new developments and subdivisions.

Should drainage reserves be approved by Council, the reserve must be designed to ensure public safety and amenity is maintained as a priority.

Drainage reserves must be designed to cater for ARI 100 storm events.

Drainage reserves must contain vegetation and cannot be lined with impervious surfaces.

#### **4.7.6 Natural Watercourses**

Council's stormwater drainage system may include natural watercourses, lagoons, perched swamps, and similar natural features. Generally, these features must be retained in their natural state in order to maintain the existing catchment outflow characteristics and groundwater aquifer inflow characteristics. However, where works are required to manage stormwater drainage in these areas, the methods must be approved by Council and the relevant NT Government Department.

### **4.8 Potentially Hazardous Land Uses**

Land uses that deal with substances that may be potentially harmful to the natural environment if captured in stormwater runoff should have a Construction and Environmental Management Plan (CEMP) in place to manage emergency situations. Typically, the CEMP will be a requirement of a Development Permit issued for the site. Example land uses include, but are not limited to, service stations and motor repair stations.

For these land uses, stormwater quality must be achieved by employing water treatment and filtration principles where possible and minimising the impacts of erosion and sediment on the environment.

### **4.9 Water Sensitive Urban Design (WSUD)**

WSUD is a holistic approach to the planning and design of urban development that aims to minimise the impacts of urban developments on the natural water cycle and protect the health of aquatic ecosystems. WSUD promotes the integration of stormwater, groundwater, water supply and wastewater management and is supported by the following principles:

- Reduce both the peak flow and total volume of stormwater runoff.
- Control pollution and minimise effect on downstream waterways and the environment.
- Collect stormwater and reuse (stormwater harvesting).
- Protect and enhance natural water systems (creeks and rivers etc.).
- Treat urban stormwater to meet water quality objectives prior to reuse and/or discharge to public infrastructure and/or natural waterways.
- Match the natural water runoff regimes as closely as possible (where appropriate).
- Reduce potable water demand through water efficient fittings and appliances, rainwater harvesting and wastewater reuse.



- Minimise wastewater generation and treat wastewater to a standard suitable for effluent reuse opportunities.
- Integrate stormwater management into the landscape, creating multiple use corridors that maximise the visual and recreational amenity of urban development.

Should WSUD requirements be identified during the assessment of the development by any party, the Developer should describe the proposed features, addressing how the WSUD targets will be achieved.

The following guidelines and strategy reports in their current form should be consulted in preparing a WSUD strategy suitable for the intended development or subdivision:

- NT EPA – A Stormwater Strategy for the Darwin Harbour Region.
- Department of Environment and Natural Resource – Darwin Harbour Water Quality Protection Plan.
- ANZECC Guidelines for Fresh and Marine Water Quality.
- Australian Guidelines for Urban Stormwater Management (ANZECC, 2000).

Compensating basins, detention basins, nutrient stripping basins, gross pollutant traps, sedimentation and erosion control, and silt basins are to be considered for incorporation where possible. These are to be designed in accordance with Australian Rainfall and Runoff and other relevant publications and are to be sited to suit the requirements of the drainage system. Council may require additional restrictions on stormwater quantity discharge, including reducing peak flows to the developed state from a catchment.

All WSUD elements that may hold water for periods of time shall be designed and located so as to ensure the safety of the public (especially children) and to restrict mosquito breeding and the impact of mosquitos on residents.

Stormwater harvesting through detention and reuse should be considered for all new developments, in particular, to irrigate reserves and open spaces. Applications of third pipe and bores are to be considered in the WSUD strategy. Where harvesting is not proposed, reasons for its omission shall be discussed in the WSUD strategy and shall be subject to the approval of Council.

Stormwater from new developments and subdivisions is to be managed within the development or subdivision boundary. Therefore, all WSUD treatments must be within the development or subdivision boundary.

Water quality is important for Council and should be suitably addressed by a qualified water quality professional and discussed with Council.

## 4.10 Hold Points – Drainage

Hold points are points in the construction process where an inspection and clearance from Council is required prior to the Developer moving forward with the works.

Council must attend every hold point and is responsible for reviewing all information submitted by the Developer.

The Developer must give 48 hours advance written notice to Council by submitting an inspection request form to [council@litchfield.nt.gov.au](mailto:council@litchfield.nt.gov.au).

## 4.10.1 Urban Areas

Table 20: Drainage Construction Hold Points – Urban Areas

Hold Point	Developer Shall Provide	Council Will Review
<b>Underground Stormwater Infrastructure</b>		
1. Prior to trench/culvert backfilling	<ul style="list-style-type: none"> <li>Adequate site access.</li> <li>Adequate visibility for the pipe and bedding material.</li> </ul>	<ul style="list-style-type: none"> <li>Trench formation and joint sealing in accordance with approved specifications.</li> <li>Bedding material in accordance with approved specifications.</li> <li>Trench depth and pipe cover.</li> <li>The conditions of the pipe to pipe joint and the pipe to pit joint.</li> <li>Integrity of the pipe and pit and the alignment of the pipes.</li> <li>Invert level of the pipe and pit.</li> </ul>
2. After subsoil drainage laid and prior to backfill	<ul style="list-style-type: none"> <li>Adequate site access.</li> </ul>	<ul style="list-style-type: none"> <li>Soil types, bedding material, and pipe conditions in accordance with approved specifications.</li> </ul>

## 4.10.2 Rural Areas

Table 21: Drainage Construction Hold Points – Rural Areas

Hold Point	Developer Shall Provide	Council Will Review
<b>Culvert/Stormwater Infrastructure</b>		
1. Prior to trench/culvert backfilling	<ul style="list-style-type: none"> <li>Adequate site access.</li> </ul>	<ul style="list-style-type: none"> <li>Trench formation and joint sealing in accordance with approved specifications.</li> </ul>



# 5 LANDSCAPING

## 5.1 Design Criteria

This section sets out the standards required by Council for the design and construction of landscaping of roads and pathways, as well as public open spaces, in urban, rural, and industrial/commercial developments and subdivisions. Landscaping works are to conform to the following publications unless specified otherwise:

- This Litchfield Council – Development and Subdivision Standards, which includes standards drawings as well as relevant Council policies.
- AS/NZS 3500 Plumbing and Drainage.
- AS 4419 Soils for Landscaping and Garden Use.
- NT Government Standard Specifications for Roadworks – Section 16 Landscaping.

## 5.2 Landscaping in Road Reserves

All road verges shall contain grass in accordance with these Standards. Additionally, road verges in urban areas shall contain trees evenly spaced along the verge, with the exact spacing between trees determined at the detailed design stage, in conjunction with Council, based on the mature canopy size of the selected tree species.

Trees shall not be planted:

- Within 5m of a light pole or side entry pit,
- Within 1.5m of a fire hydrant,
- On the truncation or within the tangent points of any intersection.
- Where the location will ultimately obscure traffic signs, signals, or other essential roadside features.

## 5.3 Landscaping in Public Open Spaces

Within public open spaces, a range of plants shall be used to create high quality spaces, with an appropriate balance and mix of upper canopy trees to provide shade, shrubs, and grass, and with existing trees retained where possible.

The designated locations of proposed new landscaping materials shall be agreed with Council at the time of public open space design, depending upon the specific requirements of the space.

The Developer shall coordinate with Council to create an approved species list prior to installing any new plants. The timing of the landscape works is critical to the achievement of a successful open space area and approved plant material will need to be ordered well in advance.

Near play equipment and seating areas, as well as along pathways, shade trees shall be grouped and provided for visual amenity and physical comfort.

Planting of trees and shrubs shall address the principles of Crime Prevention Through Environmental Design (CPTED).

African mahogany trees are not appropriate shade trees and where these trees already exist near a proposed playground and/or seating area, the trees shall be removed in accordance with any statutory requirements.

Existing native trees shall be a minimum of 3m, but may require greater distances, from built infrastructure and trenches in accordance with Australian Standard AS4970-2009 Protection of Trees on Development Sites.

## 5.4 Topsoil

Topsoil may be from the subject site or imported to the subject site.

The Developer shall strip the existing topsoil and either stockpile the soil at the location nominated in the Erosion and Sediment Control Plan or windrow the soil beside the road formation. To the maximum degree practicable, topsoil should not be mixed with subsoil during the stripping and stockpiling procedure.

The top 50mm of soil should be stockpiled separately and re-spread as the top layer. However, if the soil contains excessive weed seed, this top 50mm layer may need to be buried or otherwise treated to prevent the spread of weeds.

As it is desirable to retain the viable seed content of the soil, stockpiling should consist of long low mounds no greater than 1m to 1.5m in height. For seed viability, stripped topsoil should be used as soon as possible and preferably should not be stockpiled for more than 12 months. Long-term stockpiles may need to be mulched or temporarily vegetated to prevent weed infestation and loss of material.

Soils may need adjustment with a combination of fertilisers and ameliorants to improve both the short and long term success of vegetation establishment. Fertilisers must be applied in accordance with manufacturer's recommendations, or site specific specialist advice.

Prior to the application of the topsoil, the Developer shall lightly rip the finished earthworks to a depth of 50-100mm, ensuring ripping operations occur along the contour.

The topsoil shall be spread to a lightly compacted (i.e. firm) depth of about 40mm to 60mm where the slope exceeds 1:6 (vertical:horizontal) and 75mm elsewhere. Where it is desirable to re-establish the entrapped seed content of the soil, the topsoil should be re-spread in the reverse sequence to its removal so that the original upper 50mm soil layer is returned to the surface.

If existing stripped topsoil is limited, the Developer shall import clean, weed free topsoil as required. Imported topsoil shall conform generally to AS4419 Soils for Landscaping and Garden Use and shall meet the following requirements:

- Be free draining,
- Be red brown or black sandy loam,
- Contain no grass or weed growth,
- Have maximum stone size of 50mm.

The Developer shall utilise a pad foot roller (not vibrating) to complete one pass over the topsoil area to introduce surface roughness.

The placing of topsoil shall consider the appropriate time of the year for local weather conditions. The Developer shall re-spread stripped topsoil or spread imported topsoil prior to 30<sup>th</sup> of September of each year to allow the best opportunity for germination of seeds.

## 5.5 Grass

The Developer shall grass the site prior to 30<sup>th</sup> of September of each year to allow the best opportunity for germination of seeds.

The developer shall establish and maintain all grassed areas during the Defects Liability Period and shall reseed areas that fail to germinate and propagate after 28 days.

The developer shall ensure that an even strike of grass grows at an acceptable rate. The developer is advised to undertake soil testing to identify properties of topsoil and subsoil and any subsequent deficiencies for the intended grass species. Soils should be adjusted with a combination of fertilisers and ameliorants to improve both short and long term success of their re-vegetation.

The developer shall maintain and mow the grass to a maximum height of 150mm in rural areas and 70mm in urban areas.

### 5.5.1 Grass Seed Mix

Grass seed mix shall be applied as per the following table:

*Table 22: Grass Seed Mix*

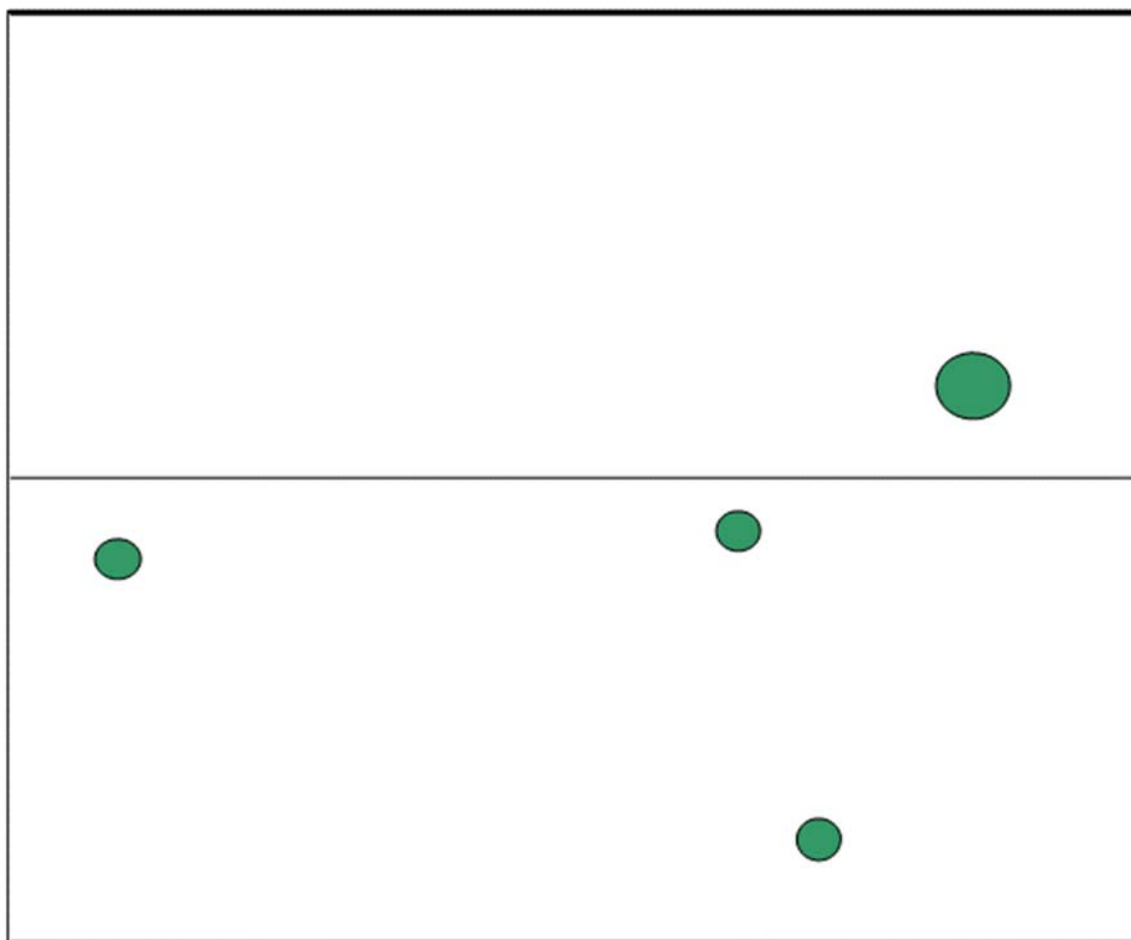
Water Regime	Seed Type	Percentage by Weight	Mixture Application Rate
Dry grassland areas	Cynadon dictylon (Couch)	30	Minimum 300 kg per hectare
	Paspalum notatum pensicola	35	
	Paspalum notatum Argentina*	35	
*If Argentina is not available at the time of construction, Bermuda Couch can be substituted.			

### 5.5.2 Grass Cover

The Developer shall meet Council's required grass cover rate, as detailed in the following table and the following schematic drawings illustrating 1%, 5%, 10%, 20%, 40%, 60%, and 80% grass cover.

*Table 23: Grass Cover Rates*

Location		Grassing Extent	Grass Cover Rate (minimum)
Urban Areas	Verges	On all verges.	100%
	Other Disturbed Areas of Site	All disturbed areas that may or will scour, plus 500mm past the affected area.	100%
	Public Open Spaces	As specified in approved for-construction drawings.	100%
Rural Areas	Verges	On all verges.	80%
	Road Shoulders	Minimum 500mm clearance to seal. Minimum 500mm wide on shoulder. The finished level of the topsoil must be the same as the shoulder with a 4% slope away from the seal edge as per Council's Standard Drawings.	80%
	Table Drains	On both sides of the drain (invert of the drain to be assessed by the Developer's engineer) plus extend to either side of the top of the drain.	80%
	Other Disturbed Areas of Site	All disturbed areas that may or will scour, plus 500mm past the affected area.	80%



*Figure-3: Schematic of 1% Grass Cover*

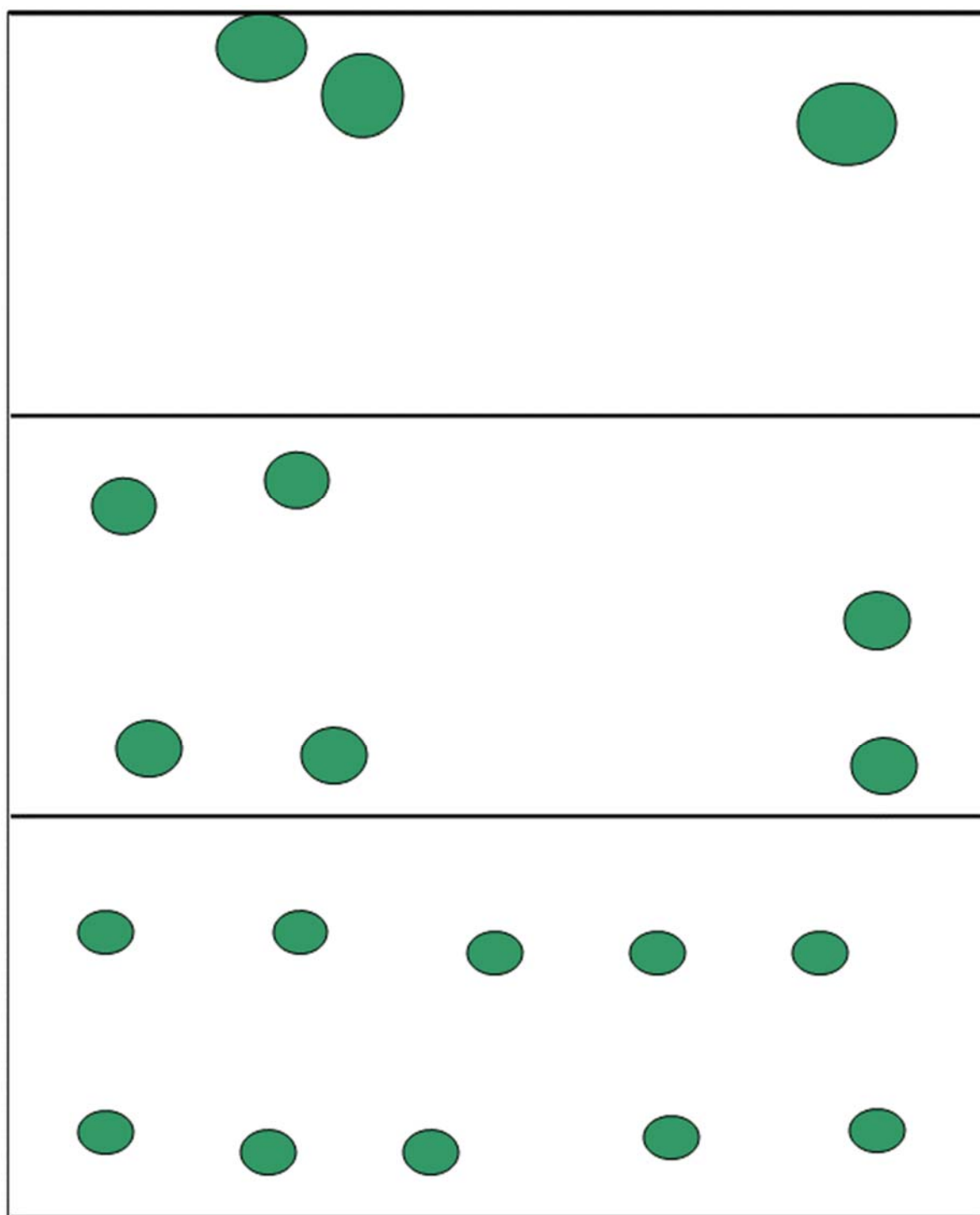


Figure-4: Schematic of 5% Grass Cover

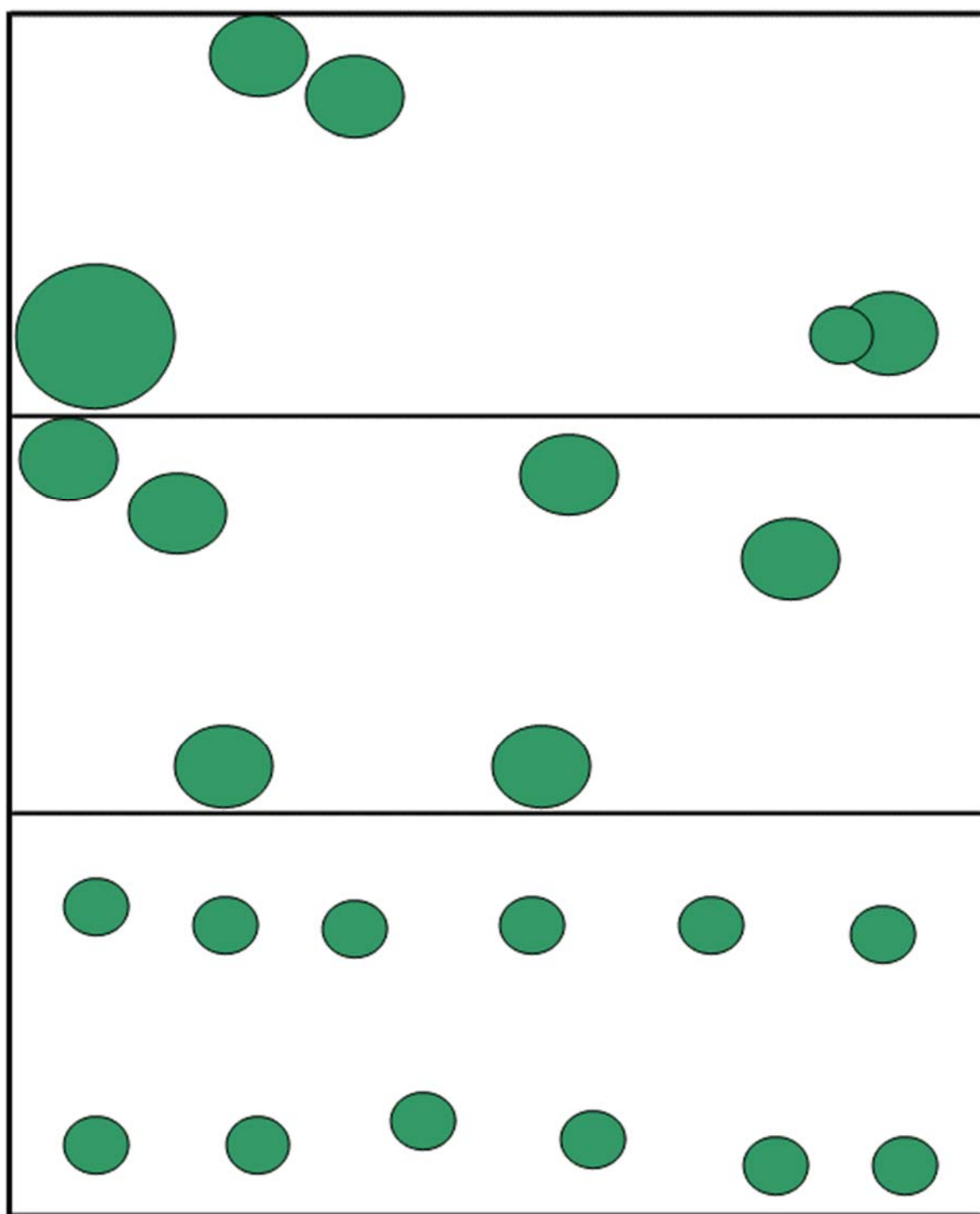


Figure-5: Schematic of 10% Grass Cover

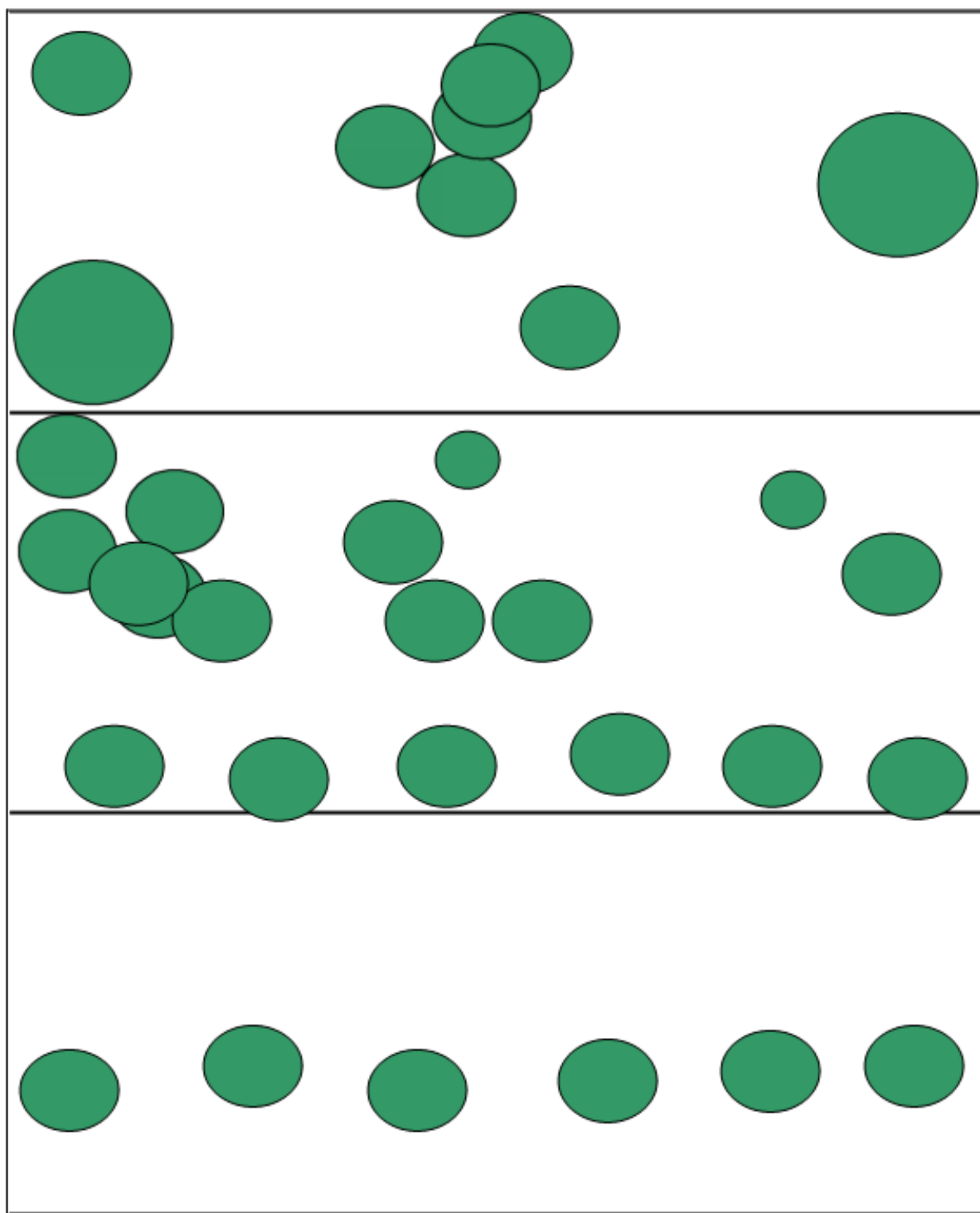


Figure-6: Schematic of 20% Grass Cover



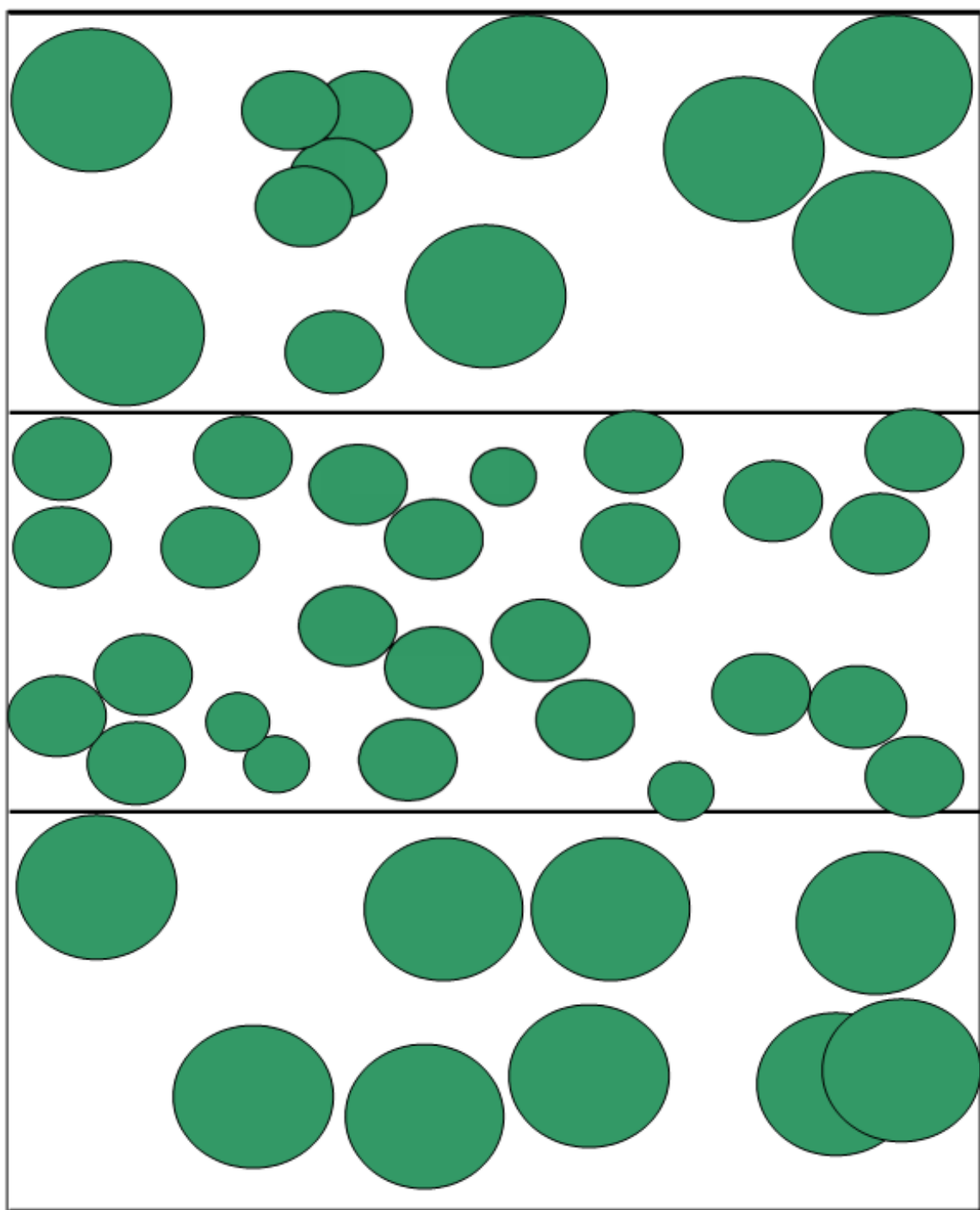
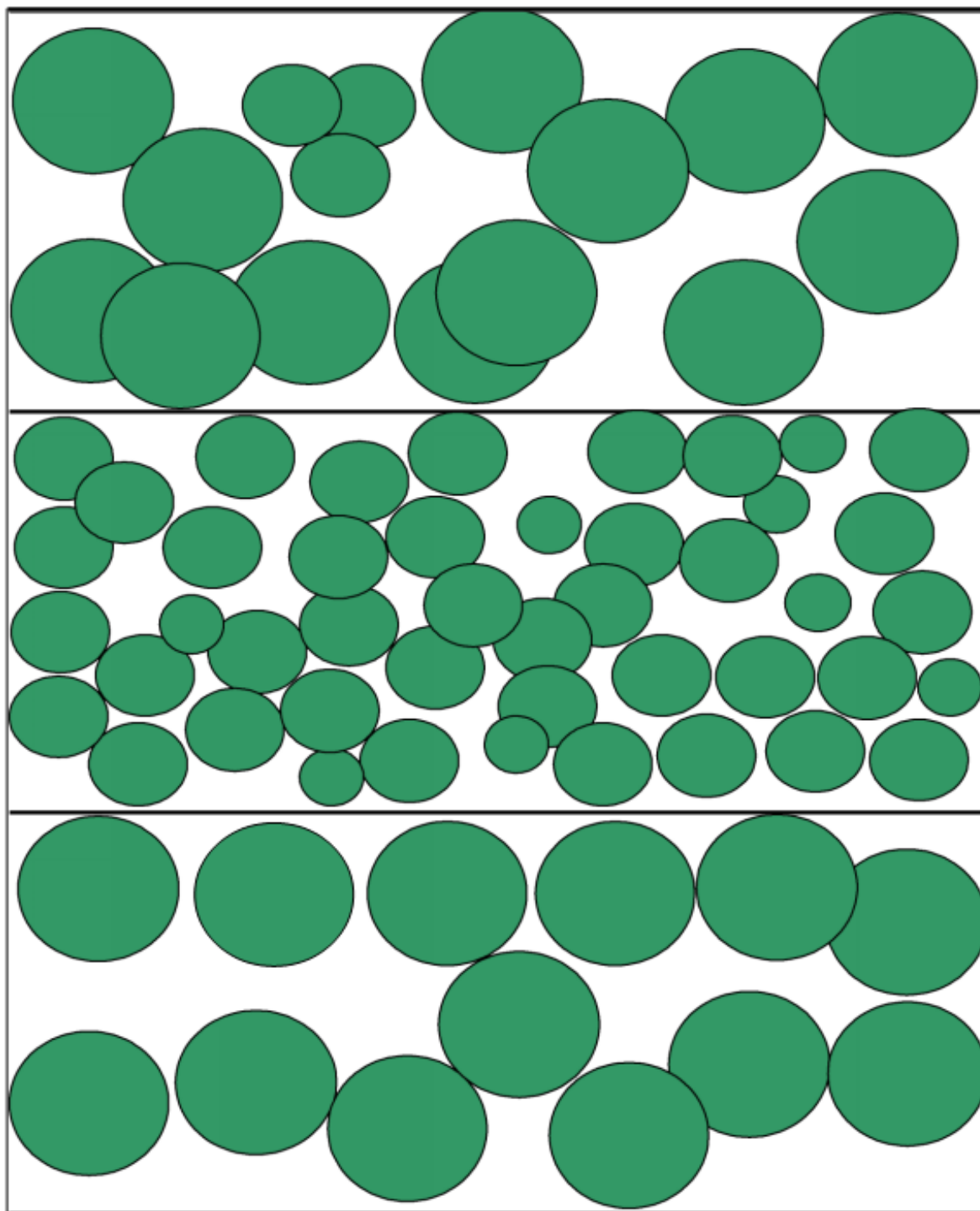
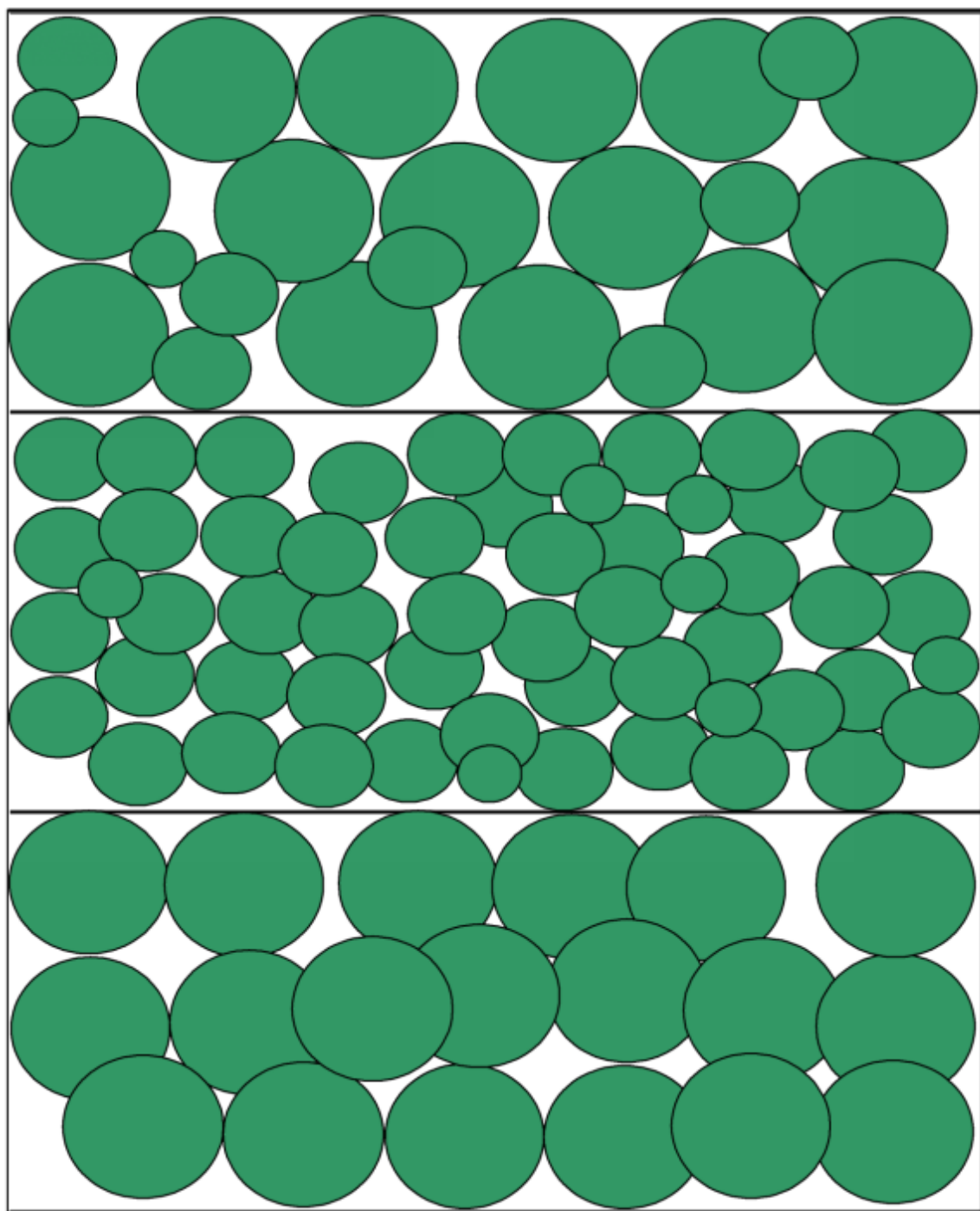


Figure-7: Schematic of 40% Grass Cover



*Figure-8: Schematic of 60% Grass Cover*



*Figure-9: Schematic of 80% Grass Cover*

### 5.5.2.1 Open Unlined Drains

For open unlined drains, grass cover is not required on the invert of any open unlined grading if the longitudinal gradient is 0.5% or less, as illustrated in the following image.

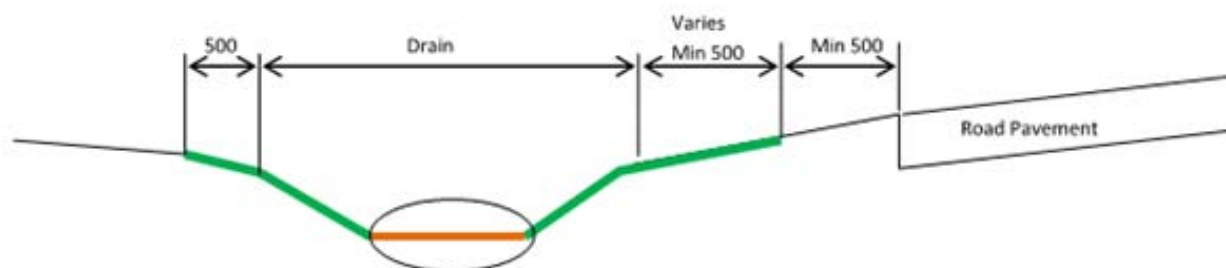


Figure-10: Schematic of Open Unlined Drain with Longitudinal Grade < 0.5%

## 5.6 Trees

Within verges in urban areas and as specified within public open spaces, the Developer is required to provide trees that have the following characteristics:

- Sturdy and well hardened trunks and/or stems,
- A well-developed and vigorous root system,
- A minimum of three months in their container,
- Obviously sound, healthy, and vigorous, and
- Free from insect pests, plant diseases, sun scalds, fresh abrasions of the bark, or other disfigurements.

### 5.6.1 Planting Requirements

The Developer shall accurately set out the locations for trees to be planted in accordance with Council's approved drawings.

The Developer is required to supply trees in accordance with Council's approved tree list, as noted in Section 5.4.3.

The Developer shall not use chemicals on site for plant treatment. Containerised plants shall be well watered prior to despatch from the nursery and shall remain in the containers until required for planting. Trees that are not immediately planted shall be stood upright on level ground, protected and maintained in good condition by the Contractor.

Developer shall immediately remove any dead, dying or diseased trees from the site and replace with new trees of approved species.

The Developer shall maintain the integrity of the tree root zone and the surrounding earth mould and shall place fertiliser in the hole adjacent to, but not in contact with, the root zone of the tree. Fertiliser shall be utilised in accordance with NT Government Standard Specification – Section 16 Landscaping.

The Developer shall backfill the hole so that the tree is contained firmly in the ground in a vertical position and shall water the backfill material immediately after surface fertilisation to ensure no air voids or loose material surround the plant root zone.

The Developer shall maintain each planting area in a moist condition to promote healthy growth during the Defects Liability Period. The Developer shall also weed and prune as required to maintain trees in a healthy condition.

The Developer shall supply organic mulch that is free from weeds, seeds, sticks, stones, insects, diseases, and other deleterious matter in a 100mm thick compacted layer for a 500mm radius from the main trunk with a gap of 50mm retained between the main trunk and the mulch.

Where trees are located less than 3m from built infrastructure (roads, pathways, shelters, buildings etc.), root barriers will be required.

## 5.6.2 Approved Tree Species

The Developer is required to select trees for road verges in urban areas from Council's approved tree species, found in the following table. Should a different tree species be proposed, a species analysis report prepared by a qualified landscaping architecture is required to be submitted for Council approval.

*Table 24: Approved Tree Species for Road Verges in Urban Areas*

Approved Tree Species for Road Verges in Urban Areas		
Botanical name	Common Name	Notes
Adansonia gregorii	Boab	Tropical Australian Native
Adenanthera pavonina	Red Beantree	Darwin Native
Albizia lebbeck	Siris	Darwin Native
Allosyncarpia ternata	An-binik	Tropical Australian Native
Alphitonia excelsa	Red Ash	Darwin Native
Alstonia actinophylla	Milkwood	Darwin Native
Calophyllum inophyllum	Indian Doomba Oil	Tropical Australian Native
Calophyllum sil	Alligatorbark	Tropical Australian Native
Casuarina equisetifolia	Horsetail Sheoak	Darwin Native
Cerbera odollam	Othallanga	Exotic
Euodia elleryana	Pink Doughwood	Darwin Native
Ficus opposita	Sandpaper Fig	Darwin Native
Ficus platypoda	Rock Fig Tree	Darwin Native
Ficus virens	Mountain Fig	Darwin Native
Flacourtia indica	Governors Plum	Tropical Australian Native
Ganophyllum falcatum	Scaly Bark Ash	Darwin Native
Horsfieldia australiana	Cape Nutmeg	Darwin Native
Leptospermum longifolium	Whitewood	Darwin Native
Maranthes corymbosa	Sea Bean	Darwin Native
Melaleuca cajuputi	White Samet	Darwin Native
Melaleuca leucadendra	Paperbark	Darwin Native
Melaleuca viridiflora	Broad-leaved Tea	Darwin Native
Mimusops elengi	Red Coondoo	Darwin Native
Myristica insipida	Australian Nutmeg	Darwin Native
Peltophorum pterocarpum	Yellow Poinciana	Darwin Native
Planchonia careya	Cocky Apple	Darwin Native
Petalostigma pubescens	Quinine Bush	Darwin Native

<b>Approved Tree Species for Road Verges in Urban Areas <i>continued</i></b>		
<b>Botanical name</b>	<b>Common Name</b>	<b>Notes</b>
Plumeria obtusa	Singapore Graveyard Flower	Exotic
Polyalthia australis	Cape Canary Beech	Darwin Native
Pongamia pinnata	Indian Beech	Darwin Native
Pterocarpus indicus	Burmese Rosewood	Exotic
Pterocarpus indicus 'Pendula'	Burmese Rosewood	Exotic
Samanea saman	French Tamarind	Exotic
Saraca indica	Ashoka	Exotic
Saraca thaipingensis	Yellow Ashoka	Exotic
Sesbania grandiflora	Australian Corkwood	Exotic
Sterculia quadrifida	Orange Fruited Sterculia	Darwin Native
Syzygium armstrongii	White Bush Apple	Darwin Native
Syzygium eucalyptoides sspeucalyptoides	Wild Apple	Darwin Native
Syzygium fibrosum	Small Red Apple	Tropical Australian Native
Syzygium forte	Watergum	Darwin Native
Syzygium nervosum	Daly River Satinash	Darwin Native
Syzygium suborbiculare	Rolypoly Satinash	Darwin Native
Tabebuia argentea	Silver Trumpet	Exotic
Tabebuia pallida	Cuban Pink Trumpet	Exotic
Tabebuia rosea	Rosy Trumpet	Exotic
Tamarindus indica	Tamarind	Tropical Australian Native
Terminalia ferdinandiana	Kakadu Plum Seed	Darwin Native
Terminalia platyphylla	Wild Plum	Darwin Native
Terminalia sericocarpa	Bandicoot	Darwin Native
Wrightia pubescens	Mentaos	Darwin Native
Xanthostemon paradoxus	Bridal	Darwin Native

## 5.7 Irrigation

Within Council road reserves, irrigation systems are not required and will not be owned or maintained by Council.

Within public open space areas, requirements for irrigation shall be confirmed with Council on a case-by-case basis at the detailed design stage.

## 5.8 Control of Weeds

The developer shall ensure all areas disturbed as a result of the development or subdivision are weed free prior to Clearance of General Conditions, and for subdivisions, these areas shall remain weed free for the duration of the Defects Liability Period. Weeds are to be identified as declared weeds listed under the NT Weeds Management Act or as otherwise agreed between the Developer and Council.

## 6 WASTE

Council is responsible for ensuring that suitable waste collection methods are provided within the boundaries of the subject site for development within the Municipality.

For smaller residential developments, it is expected that waste will be collected, stored, and transported to Council's waste transfer stations by the residents.

For commercial and industrial lots and for residential lots with four or more dwellings, it may be desirable for the site users to contract with a waste collection company to collect waste from the site. For these uses, the Developer is to provide a dedicated waste bin collection area on the site that must be reasonably sized for the development. The collection area should consider both general waste and recycling collection. All bins must be individually accessible. For residential units, the collection area should provide space for 240 litres each, per dwelling, per week for general waste and recyclables for each residential dwelling. Bins for residential lots with more than four units shall not be permitted to be lined on Council's road reserve for collection.

The Developer is to ensure that there is a sufficient space for a garbage truck to enter and exit the site in a forward gear. Council may ask that the vehicle swept path be provided to demonstrate compliance with this requirement.

# 7 LIGHTING

Council owns and maintains lighting within road reserves and public open spaces owned by Council.

In 2016, ownership of street lighting within Council's road reserve was transferred to Council from Power and Water Corporation (PWC). Responsibility for asset maintenance and replacement activities becomes Council's responsibility on 1 January 2018.

The Developer is to provide lighting of streets, traffic management treatments, parks, walkways, footpaths, shared paths, and public areas within the proposed development or subdivision in accordance with current Australian Standards for illumination and the requirements of Council and PWC for equipment, materials, installation and other issues.

Provision of new street lights may not be restricted to roads only within the development or subdivision but may be extended to include existing roads providing access to or affected by the proposed development or subdivision.

Council is responsible for the operating costs of lighting of streets and public areas only after the works have been placed under Defects Liability Period by Council and the Developer has arranged to have the works transferred into Council's name.

In the case of lighting located on Council property or land to be transferred to Council, such as a park created under a subdivision, the lighting for the space is to be separately metered. The meter is to be registered in Council's name as soon as the works are placed under Defects Liability Period.

Council will review and approve a lighting design on the basis that the designer certifies that the lighting design complies with these Standards, PWC requirements and Australian Standards. Approval of lighting design documentation by Council does not absolve the designer from compliance with these Standards, PWC requirements or Australian Standards.

## 7.1 Design and Approval

Lighting shall be designed by a suitably qualified lighting design engineer able to sign compliance certificates as per the requirements of AS1158 Lighting for roads and public spaces.

The Developer is to confirm all road and pathway classifications with Council prior to commencing lighting design as appropriate lighting design subcategories shall be selected based on the agreed road and pathway classifications.

The Developer shall submit a street and public space lighting plan that indicates the road classification and proposed lighting subcategory to Council for approval.

All documentation must be prepared using A1 sheets with drafting symbols compliant with Australian Standards.



Public space lighting designs must be documented on the Developer's drawing sheets with drawing numbers and pole and luminaire numbers provided by Council. The Developer shall coordinate this step with Council.

The Developer shall ensure that the connection to PWC infrastructure for transmission of power is compliant with PWC standards.

The Developer shall submit public space lighting design drawings to Council, together with a copy of a "Statement of Design Compliance" confirming that the lighting design for roads and public spaces complies with the nominated Australian Standards and these Standards, for approval.

The Developer shall provide certification that the constructed street and public open space lighting complies with the Australian Standards and lighting subcategories agreed with Council.

The Developer must provide PWC and Council with "As Constructed" drawings in accordance with PWC and Council requirements.

## 7.2 Design Criteria

### 7.2.1 General

This section sets out the minimum standards required by Council for the design and construction of lighting for roads and pathways in urban, rural, and industrial/commercial subdivisions. The following standards and policies are to be used:

- This Litchfield Council – Subdivision and Development Standards document, which includes Standard Drawings as well as relevant Council policies.
- AS1158.1.1 Lighting for roads and public spaces - Vehicular traffic (Category V) lighting - Performance and design requirements.
- AS1158.3.1 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
- AS4228-1997 Control of the obtrusive effects of outdoor lighting.
- AS3000 Wiring Rules.
- The technical and safety requirements imposed under the Northern Territory Electricity Reform (Safety and Technical) Regulations (Safety Regulations)
- Crime Prevention Through Environmental Design (CPTED) principles.
- Power and Water Corporation - Streetlighting design standards for connection to PWC infrastructure for transmission of power.
- NT Department of Planning, Infrastructure and Logistics (DIPL) standards and specifications

These Standards, including Standard Drawings, and Council policies take precedence over all other guidelines and standards. When Council documents do not cover the works to be constructed, then other documents may be adopted with the approval of Council. Design outside of these Standards may be considered if supporting documentation is provided, including all engineering aspects of the design and risk analysis; however, compliance with Australian Standards is mandatory. This assessment shall be included in the design report submitted with the initial plans.

It is recommended that the applicant organises a meeting with Council prior to developing any designs that are not adequately covered by Council's documents.

All lighting infrastructure must be smart ready.

When designing lighting arrangements, the Developer shall take into account the surrounding environment and lighting needs, including the possibility of nuisance light and light spill.

Consideration is to be given to complementing and integrating proposed lighting into the proposed and existing streetscape works, particularly the location with respect to the mature development of street trees. Lighting should be designed and located so that it is resistant to vandalism.

Where existing power poles are correctly sited and can be used to meet lighting design requirements, reuse of the existing arrangement is encouraged. All new or relocated poles are to be located in accordance with AS 1158.

The Developer shall use PWC standard equipment and arrangements in order to minimise future maintenance costs, as the standard equipment is consistent across the area and is familiar and readily available to local contractors.

All light poles shall be uniquely numbered. The Developer shall obtain appropriate light pole numbers from Council at the design stage.

## **7.2.2 Lighting of Road Reserves**

Design criteria for residential, commercial, and industrial street lighting are as follows:

- Lighting subcategories must be appropriate for the road classifications agreed with Council and the specifics of the situation.
- Lighting must be provided for:
  - Straight sections,
  - Curves,
  - Intersections and junctions,
  - Pedestrian refuges,
  - Cul-de-sacs,
  - Traffic management treatments, and
  - Pedestrian crossings.
- Light poles must be coordinated with all other infrastructure within the road reserve, including stormwater pits, pedestrian crossing points, or driveway crossovers.
- Lighting must be provided near bus stops and interchanges, major road intersections, municipal facilities, and public telephones.
- Light poles shall be aligned with common lot boundaries where possible.
- Non-frangible poles shall not be installed within the clear zone.
- Lighting designs shall consider surrounding areas, including adjacent development types and public safety.
- Luminaires, poles, outreaches, rag bolt assemblies, and pole foundations shall comply with the requirements of the regulatory power authority and Australian Standards.
- Luminaries shall incorporate 7 pin NEMA bases.
- All lighting shall be LED; with consideration to energy efficient and low power options considered.

For urban areas, light poles shall be a minimum of 1m from any driveway edge and underground service road crossings.

For rural areas, light poles shall be a minimum of 5m from any driveway edge and underground service road crossings.

## **7.2.3 Lighting of Public Open Space Areas**

Design criteria for public open space lighting are as follows:

- Lighting subcategories must be appropriate for the pedestrian area classifications agreed with Council and the specifics of the situation.

- Lighting must be provided for intersections and changes of direction.
- The spacing of light poles must be determined based on the agreed luminaire and the agreed lighting subcategory.
- A dedicated meter panel/switchboard, in accordance with PWC requirements, is required for the lighting and controls for each Council park. The meter panel/switchboard shall be fully enclosed in a weatherproof metal enclosure with hinged escutcheon panel, a hinged lockable door for each section, and separate key operated locking mechanisms for each door with separate keys provided to Council.
- The switchboard must incorporate a fully segregated main switch lockable in the OFF position only, earthing, controls and circuit breakers for public open space lighting circuits.
- Luminaires, poles, outreaches, rag bolt assemblies, and pole foundations shall comply with the requirements of the regulatory power authority and Australian Standards.
- Luminaries shall incorporate 7 pin NEMA bases.
- All lighting shall be LED; with consideration to energy efficient and low power options considered.
- Lighting must be designed to be vandal resistant by specification and arrangement.
- All areas offering concealment must be illuminated to allow facial recognition from 15 metres.
- Entry points to pathways and cycle ways must be highlighted by placement of a street light nearby.
- Lights must be placed at each end and at each bend of a walkway and lighting must be designed in accordance with the requirements for the lighting subcategory agreed with Council.
- All public open space areas intended to be used or traversed at night should allow appropriate levels of visibility and conform to CPTED principles especially to clearly illuminate the faces of all users of public open space areas.
- Alternatives to reticulated power should be considered (e.g. solar, battery), provided that the rated service life of equipment is not less than 10 years, and shall be approved by Council.

### 7.3 Traffic and Pedestrian Considerations

The use of rigid, frangible, slip base and vehicle impact absorbing light poles (VIAC) is determined based on traffic speed, pole location and the expected level of pedestrian activity. Refer to Austroads Guide to Road Design Part 6B: Roadside Environment.

In general, the following requirements shall apply:

- Rigid poles may only be used when located outside the clear zone.
- Slip base mounted poles should be used where vehicle speeds are in excess of 70km/hr.
- VIAC poles should be used where there is a high likelihood of pedestrian activity. Slip base mounted poles shall not be used in such situations.

# 8 PUBLIC OPEN SPACE

## 8.1 Design Criteria

The consideration of landscape design issues early in the development process is important. The design of open space areas shall be undertaken to create a consistent character that integrates with surrounding neighbourhoods and existing open spaces and that creates a desirable character for future neighbourhoods.

Council will only accept ownership of useable open space. Council will not accept ownership of conservation land and will not maintain areas of conservation, service easements, or reserves on land not owned by Council.

The Developer should consult with Council prior to any detailed design to discuss the brief for the landscape design.

Modern open space planning aims to integrate parklands within a subdivision with all the other features and services at the design stage. The landscape design concept must consider the allocation, shape, and size of park areas, while considering vehicle and pedestrian access points, the adjacent streetscape, and public safety.

All public open spaces shall be designed with consideration for all other engineering works and shall actively support the principles of Crime Prevention Through Environmental Design (CPTED).

The Developer shall prepare design drawings that fully describe the treatments for all open space areas, including drains and streets within the area of development. Designs shall comply with these Standards, all relevant Australian Standards, statutory requirements, and any other specific directions issued by Council.

The Developer shall liaise with Council in determining appropriate designs for open space areas and shall consider the specific needs of the development with respect to natural landform, environmental and ecological issues, remnant vegetation, and the character of adjacent existing developments and likely future developments.

The Developer shall provide a public open space master plan that clearly demonstrates the following elements:

- The location, function, and size of the different types of open space areas, including a summary table of the total area and the proportion of the area designated to different types of open space (active, passive, drainage, etc.).
- How the proposed open space functions and coordinates with the open space in adjoining residential areas. In particular, consideration must be given to the range of recreation activities and play equipment to be provided across the open space system.
- How the proposed network of pedestrian and cycle paths in the development link to each other and adjoining development, with a clear hierarchy of pedestrian movement to key destinations such as schools, shopping centres, sporting facilities, and community facilities.
- The location of an appropriate amount of vehicle and bicycle parking to adequately service the subject space.

- A landscaping arrangement that clearly notes the location and species of existing and proposed new trees, shrubs, and grass.
- Layout of lighting, including lights required to meet CPTED requirements.
- Appropriate park furniture and access to comply with regulations for disability access.
- The type, location, and colour palette of all park furniture and any play equipment.

Landscaping requirements for public open spaces is detailed in Section 5.3.

## 8.2 Open Space Calculations for Urban Subdivisions

All urban subdivisions are required provide areas of public open space in accordance with Northern Territory Planning Scheme requirements.

In calculating the total area of private open space required, the following applies:

- Council will not accept ownership of buffer strips of land that do not provide any usable open space or environmental function and these spaces shall be excluded from the open space calculation;
- No more than 20% of the total area of public open space can be allocated for stormwater management/drainage purposes (e.g. creeks, drainage channels, wetlands, detention basins etc).
- Any drainage or detention area that does not have a recreation or natural area value all year round (e.g. concrete lined drains) cannot be included as part of the open space area calculation, and, further, these drainage or retention areas shall be designed to prevent unauthorised access by individuals to the drains.

## 8.3 Open Space Functions

Open spaces can be designed for a variety of active and passive functions. Active spaces may provide areas for informal and formal play, and may include playground equipment, formal sporting grounds, walking trails and cycling trails. Passive spaces may provide areas for seating, picnicking, and relaxing and may provide a visual relief from the urban environment by using natural features, such as remnant vegetation or wetlands. Many open spaces may combine active and passive features. The Developer shall coordinate with Council to determine the most appropriate combination of uses for each open space area prior to detailed design.

## 8.4 Open Space Hierarchy

Public open spaces can be classified in a hierarchy, depending upon their size, intended use, and catchment. Different types of spaces shall incorporate different features and shall have different requirements for park furniture.

Within Litchfield Council, three types of public open spaces are typically found:

- Pocket Parks,
- Neighbourhood Parks, and
- Regional Parks and Reserves.

### 8.4.1 Pocket Parks

Pocket parks are smaller open spaces focussed toward providing a nearby space for local community members. The catchment is generally 500m or a 10-minute walk. The space is usually

utilised for short periods of time and can provide active and passive play spaces, while not providing for organised sporting events.

### **8.4.2 Neighbourhood Parks**

Neighbourhood parks are larger open spaces that cater for a larger segment of the community than just the immediate local population, typically providing for an entire suburb. These spaces are designed to be accessed by walking, cycling, and driving. Neighbourhood parks can cater for a range of both active and passive play spaces and may include spaces for smaller organised sporting activities and/or natural areas with limited facilities.

### **8.4.3 Regional Parks and Reserves**

Regional parks and reserves are large open spaces designed to cater for the whole of community. People will travel further distances, primarily by vehicle, to access these spaces. These spaces are generally used for longer periods of time and typically cater for both active and passive play spaces at the same venue, including providing areas for organised sporting events.

### **8.4.4 Design Elements by Open Space Type**

The typical sizes, appropriate features, and standard amounts and locations of park furniture for each open space type are detailed in Table 25.

Table 25: Park Features and Furniture

Open Space Type	Size	Appropriate Features*	Park Furniture	
			Item	Minimum Amount**, Location
Pocket Parks	Minimum 2,000m <sup>2</sup> to ≤ 1Ha	<ul style="list-style-type: none"> <li>• Trees and landscaping (including irrigated grassed areas)</li> <li>• Seating</li> <li>• Shelters</li> <li>• Play spaces and equipment</li> <li>• Paths</li> <li>• Waste bins</li> <li>• Lighting</li> <li>• Disability access</li> </ul>	Sign with park name and Council logo	1
			Tables and shelters	1
			Seating	2, separate locations
			Waste bins	2, strategically located
			Water bubbler	1
			Playground features	1
			Shade structure	1, covering the playground
Neighbourhood Parks	> 1Ha to ≤ 5Ha	<ul style="list-style-type: none"> <li>• All items as per Pocket Parks</li> <li>• Drinking fountains</li> <li>• Small sporting/activity areas (e.g. half court, skate parks, ovals)***</li> <li>• Natural areas (e.g. creeks, wetlands, remnant vegetation)</li> <li>• Walking trails</li> <li>• Cycling paths</li> <li>• Wayfinding and interpretive signs</li> <li>• Public toilet facilities</li> <li>• Car parking</li> <li>• Fencing</li> </ul>	Sign with park name and Council logo	1
			Tables and shelters	2
			Seating	4, separate locations
			Waste bins	4, strategically located
			Water bubbler	2
			Play equipment, including rubber soft fall with concrete kerbing	2, junior and youth equipment
			Shade structures	2, covering the playgrounds

Regional Parks and Reserves	> 5Ha	<ul style="list-style-type: none"><li>• All items as per Pocket Parks and Neighbourhood Parks</li><li>• Barbeque facilities</li><li>• Formal gardens/landscaped event spaces</li><li>• Dog parks</li><li>• Larger sporting/activity areas (e.g. BMX, full size ovals/sporting fields, horse exercise yards)***</li></ul>	Sign with park name and Council logo	1
			Tables and shelters	5
			BBQ's	As specified by Council at detailed design stage
			Seating	8, separate locations
			Waste bins	10, strategically located
			Water bubbler	4
			Play equipment, including rubber soft fall with concrete kerbing	3, junior to youth
			Inclusive play equipment	
			Shade structures	3, covering the playgrounds

\*Features required for each public open space area shall be confirmed with Council during detailed design. Different open spaces may require different combinations of the noted appropriate features.

\*\*At the detailed design stage, consultation with Council is required to confirm the total amount of each feature required within each open space area depending upon the overall size and intended function of the individual space.

\*\*\*At the detailed design stage, consultation with Council is required to confirm additional features required to support sporting/activity areas (e.g. oval size, tiered seating, change rooms, club rooms, kiosks).



## 8.5 Park Furniture

The Developer shall ensure that a range of park furniture is placed at appropriate sites throughout all open space areas to service both passive and active pursuits. The design and location of park furniture shall be approved by Council as a part of the public open space master plan for the site.

Items should be robust and vandal proof, built of durable materials, and typically be built from materials that do not overheat.

Places where people gather (e.g. near play equipment or at park entrances) need waste bins, seating, and shade cover.

The designs for park furniture shall incorporate requirements for disability access.

### 8.5.1.1 Seating

Seating shall be placed under shade trees or shelters and shall be of a design that discourages use by vagrants.

All seats shall have paved links to all adjoining pathways. All seating shall have a concrete pad under the seat with a clearance of 1200 mm from the front extremity of the seat and 200 mm each from the sides and the back. Slabs shall extend to allow wheelchair to park near seats and move around tables.

### 8.5.1.2 Play Equipment and Features

The Developer shall provide a range of play opportunities and equipment or features for users of a variety of ages. The Developer shall liaise with Council prior to commencement of open space design to agree on necessary play equipment or features and appropriate age group areas.

The overall approach to provision of play equipment and recreation range should be outlined in the public open space master plan and approved by Council.

Play equipment shall be provided generally in accordance with the following guide:

- Open space is to be provided with play equipment/features that meet the relevant Australian Standards, including AS 4486.1-1997 and AS 4685.1-6-2004 at a rate that is consistent with Table 25 and confirmed by Council.
- All play equipment is to be installed with impact absorbing surrounds to Australian Standards. All playgrounds within Neighbourhood Parks and Regional Parks and Reserves shall have rubber impact absorbing surrounds in accordance with Australian Standards.
- All playgrounds are to include shade structures over the playground. Bins and shaded seating shall be provided nearby.
- Consideration should be given to the inclusion of youth oriented equipment (e.g. basketball hoop and hardstand area, hitting wall, adventure play equipment, skate facilities etc.).
- Playground areas shall have adequate separation from traffic conflict areas (vehicle, bike and pedestrian traffic) and large open stormwater drains.
- Adequate drainage is to be provided to all playground areas and shall include subsoil drainage.
- The design and location of play equipment is to consider the CPTED controls.

### 8.5.1.3 Shade Structures

Shade structures shall be designed and installed to meet the following criteria, in addition to all structural and legislative requirements:

- Shade sails shall have a minimum of 4.5m clearance from the ground level. The top of a fort or other structure that can be used to reach a shade structure by balancing on top shall have a minimum clearance of 3.0m to the shade structure. From the top of a swing or other equipment that cannot be stood on, the clearance to the shade structure shall be a minimum of 2.5m.
- A shade diagram shall be provided illustrating a minimum of 50% shade cover of a playground or other shaded structure between 9am and 3pm.
- All shade structures are to be cyclone rated. Shade structures that are designed to be taken down in strong winds are not permitted.

## 8.6 Access and Circulation

Access and circulation must be considered at the design stage to provide safe thoroughfare through each park, to link with external pathways, and to avoid use conflicts.

The Developer shall ensure that an adequate and safe hierarchy of links and pathways is achieved throughout the open space areas so that pedestrians and cyclists can move around and between areas of open space easily and with a high level of amenity.

Pathway construction shall be in accordance with Section 3.16 of these Design Guidelines.

Pathways in open space areas will need protection provided by planted shade trees.

Pathways shall include rest areas and/or shelters in strategic locations, such as at the junction of pathways or viewing areas.

Pathways shall be designed to comply with all requirements for disability access and CPTED principles.

## 8.7 Naming of Public Open Spaces

Should new public open spaces be created as part of a subdivision, approval for the proposed park name is required from the NT Place Names Committee. Prior to issuing approval for a park name within Litchfield Municipality, the Place Names Committee must seek the view of Council.

Any proposed park name must be reviewed and accepted at a Council meeting. Council supports the Place Names Committee's guidelines for naming of places and naming rules and will review the proposed name in line with those directives. The Developer shall submit the proposed park name and supporting information as noted in the NT Place Names Committee directives in writing to Council.

To avoid delays in the naming process, it is recommended that the Developer seek Council's approval a minimum of 8 weeks prior to submission of the proposed park name to the NT Place Names Committee.

# FORMS

**Form A – Nominated Developers Representative**

**Form B – Plan and Report Review Application**

**Form C – Works Permit – Works Associated with a Development Permit**

**Form D – Inspection Request**

**Form E – Clearance of General Conditions and Release from Defects Liability Period**

**Form F – Value of Assets Spreadsheet** (This Form Can Be Found Under Separate Cover As An MS Excel Spreadsheet)

**Form G – Outstanding Works Bond Application**

## Form A

### Nominated Developer's Representative



#### Site Information

Development Permit Number: DP...../.....

Lot/Section Number.....Hundred of:.....

Property Address: .....

#### Details of Nominated Developer's Representative

Full Name of Nominated Person: .....

Company/Organisation: .....

Postal Address: .....

Email: .....

Phone: .....Mobile: .....

#### Billing Details

Full Name: .....Phone/Mobile: .....

Company/Organisation Name: .....

Company/Organisation ABN: .....

Postal Address: .....

Email: .....

The Nominated Developer's Representative is the single person that Litchfield Council will deal with directly through the life of the development.

Nominating a single contact person will ensure there are no gaps or overlaps in communication with Council during the development process.

If you wish to change the Nominated Developer's Representative during the life of the development, please submit a new form to Council. Please note the intent is for only one person to be designated as the contact person at any time. If the nominated contact person will be temporarily away, please notify Council of a new contact person and the time period of the replacement.

## Form B

### Plan/Report Review Application



- ☐ Driveway Access Plan
- ☐ Stormwater Management Plan
- ☐ Construction and Environmental Management Plan (CEMP)
- ☐ Traffic Impact Assessment
- ☐ Traffic Management Plan
- ☐ Road Safety Audit

*Note: If approvals for driveway access and stormwater plans are required, information related to both items may be shown on the same plan. In this instance, separate fees will continue to apply for each item reviewed.*

#### Site Information

Development Permit Number: DP...../.....

Lot/Section Number.....Hundred of:.....

Property Address: .....

#### Applicant's Details

Full Name: .....Phone/Mobile: .....

Company/Organization: .....

Postal Address: .....

Email: .....

#### Billing Details (Not Applicable for Subdivisions)

Full Name: .....Phone/Mobile: .....

Company/Organisation Name: .....

Company/Organisation ABN: .....

Postal Address: .....

Email: .....

Once the application is lodged with Litchfield Council, an invoice for assessment of the plan(s) will be issued using the above "Billing Details", if applicable. Fees for plan assessment can be found on Council's website in "Fees and Charges". Once payment for the invoice is made, it is the applicant's responsibility to provide Council with a copy of the receipt and/or the receipt number. **Please note that if fees are applicable, assessment of the plans will not occur until Council has been notified of the receipt information.**

This application form is for approval of the plans or reports only. **Prior to carrying out any physical works within Council's road reserve, including installation of driveways and stormwater connections, the applicant is required to obtain a Works Permit – Works Associated with a Development Permit to carry out work within Council's road reserve.**

## **Plan/Report Requirements** (Please check all relevant items are provided):

### **All Plans/Reports shall:**

- ☐ Include the Development Permit number and the address of the property.

### **Driveway Access Plans shall:**

- ☐ Be drawn to scale.
- ☐ Include a north arrow.
- ☐ Clearly demonstrate the location of all driveway access points to the site, including dimensions from the property boundaries.
- ☐ Show the proposed material type, material thickness/preparation, and width of all driveways, as well as identifying whether the crossover will be an invert or require a culvert. The sizes and technical specifications for driveways shall be in accordance with these Standards, including Standard Drawings.
- ☐ Illustrate any potential obstacles (e.g. power poles, stormwater pits, sewer pits, and trees) and distances from these obstacles to the proposed driveway.
- ☐ Show dimensions between each driveway access if multiple driveways are proposed.
- ☐ Show the distance from the edge of the driveway to any intersection or any other driveway within 100m of that driveway.

### **Stormwater Management Plans shall:**

- ☐ Be drawn to scale.
- ☐ Include a north arrow.
- ☐ Be prepared by a suitably qualified professional engineer.
- ☐ Include details of site levels (e.g. indicative levels or contour lines). Both existing site levels and designed site levels are required. Contour lines should be provided at an appropriate height difference to clearly show how the existing land and the developed land rises and falls. Typically, a contour height difference of 0.2 m for existing levels and 0.1 m for design levels will be acceptable; however, Council may require greater detail to be shown.
- ☐ Show the flood level lines (ARI 100) defining the areas of inundation.
- ☐ Include hydrologic calculations.
- ☐ Show direction of stormwater flow.
- ☐ Show details of surfaces across the lot (e.g. paved, concreted, bituminised, grassed, gravelled and asphalted etc.).
- ☐ Show how the stormwater is collected to the extent of the lot boundaries, including all proposed stormwater infrastructure (e.g. open channels, underground pipe, pits, concrete invert, detention and/or detention basins, kerb and gutters, etc.). The sizes and technical specifications for the proposed stormwater infrastructure shall be in accordance with these Standards.
- ☐ Show cross-sections of the proposed stormwater infrastructure features.
- ☐ Show the location and details of the point of discharge. If an underground connection is used, the Developer shall use the NT Department of Infrastructure, Planning and Logistic's (DIPL) standard drawing for connection details. Where DIPL's Standard Drawings are not applicable, design criteria for stormwater connections shall comply with Australian Standards and best industry practices and must be designed by a professional engineer.
- ☐ Show all proposed drainage easements and responsibility for each.

### **Construction and Environmental Management Plans shall:**

- ☐ Be prepared by an independent qualified professional person and/or organization.
- ☐ Include overall environmental objectives for the operation of the use and techniques for their achievement.
- ☐ Include procedures to ensure that no significant adverse environmental impacts occur as result of the use.
- ☐ Include proposed monitoring systems.
- ☐ Identify all possible risks of operational failure and response measures to be implemented.
- ☐ Include day to day management requirements for the use, including waste management.

### **Traffic Impact Assessments shall:**

- ☐ Be prepared by a registered traffic engineer.
- ☐ Clearly reference all the source of data used in the report and analysis software used.
- ☐ Be undertaken in accordance with Austroads Guideline: Guide to Traffic Management – Part 12: Traffic Impacts of Developments.

### **Traffic Management Plans shall:**

- ☐ Be prepared by a person who holds a valid WZ1 certificate, and include the certificate number.
- ☐ Be prepared in accordance with Austroads Guidelines standard format.
- ☐ Include a risk analysis matrix.
- ☐ Include the traffic control diagram.

### **Road Safety Audits shall:**

- ☐ Be prepared by an independent licenced road safety auditor, and must include the licence number of the auditor.
- ☐ Reference all risks identified in the report in accordance with relevant Austroads Guidelines and/or Australian Standards.
- ☐ Include photos and/or site plan for each identified risk.
- ☐ Include a risk analysis matrix and recommended remediation method.
- ☐ Include developer's responses to each recommended remediation method including a timeframe.

Tel (08) 8983 0600 • Fax (08) 8983 1165 • Email [council@litchfield.nt.gov.au](mailto:council@litchfield.nt.gov.au)

7 Bees Creek Road, Freds Pass NT 0822 • PO Box 446 Humpty Doo NT 0836 • [www.litchfield.nt.gov.au](http://www.litchfield.nt.gov.au)

ABN: 45 018 934 501

## Form C

# Works Permit - Works Associated with a Development Permit



Period of Works From..... To .....

Description of Works: .....

.....

.....

Date Issued: ..... Permit Number: .....

Special Conditions: .....

.....

Council Use Only

The applicant agrees to the attached Conditions of Approval and any special conditions on the permit.

### Site Information

Development Permit Number: DP...../.....

Lot/Section Number.....Hundred of:.....

Property Address: .....

### Applicant's Details

Full Name: .....Phone/Mobile: .....

Company/Organisation: .....

Postal Address: .....

Email: .....

### Billing Details

Full Name: .....Phone/Mobile: .....

Company/Organisation Name: .....

Company/Organisation ABN: .....

Postal Address: .....

Email: .....

### Documents Required for Submission with this Form:

- ☐ For-construction Drawings for the Proposed Works (e.g. Dimensioned Site Plan illustrating Proposed Works)
- ☐ Public Liability Insurance Certificate
- ☐ Copy of the Site Supervisor's White Card
- ☐ Traffic Management Plan/Traffic Control Guidance Plan
- ☐ Worker's Compensation Insurance Certificate

## Conditions of Approval for Works Permit – Works Associated with a Development Permit

- It is the responsibility of the applicant to provide a minimum notice to Council of 5 working days to enable appropriate assessment of the Works Permit application.
- The Permit Holder assumes all responsibility for knowledge of and adherence to Litchfield Council's Development and Subdivision Standards and all other Council requirements.
- The issue of the Works Permit is subject to the standard conditions of approval stated on the permit and any other special terms and conditions associated with works deemed to be necessary and stated by Council.
- The Works Permit Form must clearly state the type of works being carried out and include all attachments. A plan showing location of the works, depths, and offsets in respect to the roads, drains, and fence line is to be provided to Council.
- The Developer accepts complete responsibility for determining the location of all services and equipment under the responsibility of other service authorities in the vicinity of the works described and to take all steps necessary to protect any such equipment and services which may be located within the area. (Dial before you Dig 1100).
- Should the Developer seek to install or relocate services, Council will require the for-construction drawings to be approved by the relevant authority (e.g. Power and Water Corporation) prior to the commencement of any works. The approval must contain the stamp, name, signature, and contact number of the person providing the approval.
- The Developer and all contractors must observe all necessary safety precautions and requirements relating to the use of signs, barriers, hoardings, and warning devices for works in progress as currently specified by the standards Association of Australia, Work Health and Safety and as directed by Council.
- Liability insurance for an amount not less than \$5,000,000 in the name of the permit holder and Litchfield Council will be provided with the Works Permit Application.
- The Developer shall maintain any works in a condition suitable for the safe and comfortable passage of vehicles and pedestrians at all times until the works are fully reinstated, whether the reinstatement is to be performed by Council or the permit holder.
- Traffic/Pedestrian Management Plan & Diagrams shall comply with AS 1742.3 – 2009 and shall be issued by a person with Level 1 Work Zone Traffic Management Accreditation. This plan must be submitted with the Works Permit Form for all requested works. All persons setting up and operating traffic control must have Level 2 & 3 Work Zone Traffic Management Accreditation.
- Council shall at all times be indemnified against claims of all types as a result of actions by the Permit Holder. Permits will be issued to applicants on an individual job basis.
- No trees or vegetation on the verge/drainage area are to be damaged in any way. No trees or vegetation are to be permanently removed without the express permission of Council. Should permission for permanent tree or vegetation removal be provided, it shall be confirmed in writing on the permit.
- Authorisation is given for Council to deduct charges incurred by the Council as a result of Council being required to undertake any reinstatement works or any part thereof for any cause whatsoever from any security deposits.
- The permit to access may be revoked if weather conditions do not permit trafficable vehicular or pedestrian use within any given area.



## Form D

### Inspection Request



Proposed Inspection Date: ..... Time: .....

Date Request Submitted: ..... (minimum 48 hours prior to above date)

#### Roads

- ☐ Sub-grade completion
- ☐ Sub-base completion
- ☐ Base-course completion
- ☐ Prior to sealing/asphalting

#### Driveway Crossover – Concrete Invert

- ☐ Prior to pouring concrete
- #### Driveway Crossover – Box Culvert
- ☐ Prior to pouring concrete for bottom slab
- ☐ Prior to pouring concrete for headwalls
- ☐ After installation of culvert, prior to backfill
- ☐ After backfill, prior to sealing

#### Driveway Crossover - Rural Flat

- ☐ Prior to sealing/asphalting

#### Urban Area - Underground Stormwater

- ☐ Prior to trench/culvert backfilling
- ☐ After subsoil drainage, prior to backfill

#### Rural Area – Culvert/Stormwater

- ☐ Prior to trench/culvert backfilling

#### Site Information

Development Permit Number: DP...../.....

Lot/Section Number..... Hundred of:.....

Property Address: .....

#### Applicant's Details

Full Name: ..... Phone/Mobile: .....

Company/Organisation: .....

Postal Address: .....

Email: .....

#### Billing Details (Not Applicable for Subdivisions)

Full Name: ..... Phone/Mobile: .....

Company/Organisation Name: .....

Company/Organisation ABN: .....

Postal Address: .....

Email: .....

## Form E

### Clearance of General Conditions/ Release from Defects Liability Period

#### Clearance of General Conditions

- ☐ Final Inspection (Developments)
- ☐ Defects Liability Period Inspection (Subdivisions)

#### Release from Defects Liability Period

- ☐ Final Inspection (Subdivisions)

Application Date: ..... Inspection Date: .....

#### Site Information

Development Permit Number: DP...../.....

Lot/Section Number..... Hundred of:.....

Property Address: .....

#### Applicant's Details

Full Name: ..... Phone/Mobile: .....

Company/Organisation: .....

Postal Address: .....

Email: .....

#### Billing Details

Full Name: ..... Phone/Mobile: .....

Company/Organisation Name: .....

Company/Organisation ABN: .....

Postal Address: .....

Email: .....

**For Clearance of General Conditions for a development, please also submit the As-Constructed Drawings in PDF format.**

**For Clearance of General Conditions for a subdivision, please also submit the As-Constructed Drawings in PDF format, a completed Form F – Value of Assets, and the proposed cadastral survey plan including all easements.**

## Form F

### Value of Assets Spreadsheet

This form can be found under separate cover as an MS Excel Spreadsheet.

## Form G

### Outstanding Works Bond Application

#### Site Information

Development Permit Number: DP...../.....

Lot/Section Number.....Hundred of:.....

Property Address: .....

#### Applicant's Details

Full Name: .....Phone/Mobile: .....

Company/Organisation: .....

Postal Address: .....

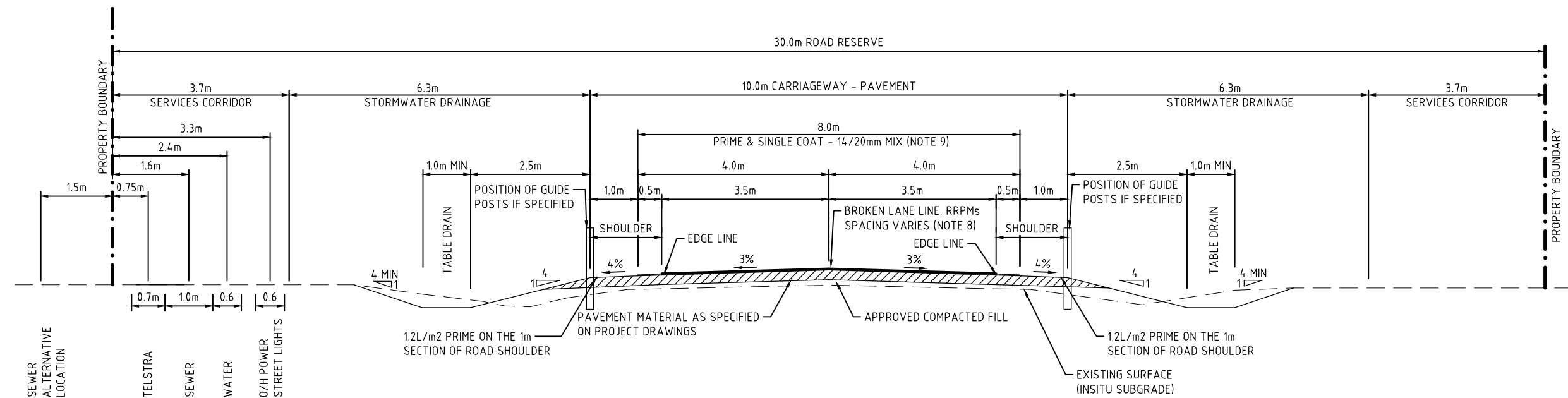
Email: .....

I understand that Litchfield Council typically requires all works to be completed in accordance with Litchfield Council's Development and Subdivision Standards prior to the Clearance of General Conditions being issued. By the submission of this document, I am requesting Council to allow a provision of a bond in lieu of outstanding works/defects considering the following details:

#### Description of Outstanding Works/Defects

Item	Description	Location	Reason	Amount of Bond
1				
2				
3				
<b>Total</b>				

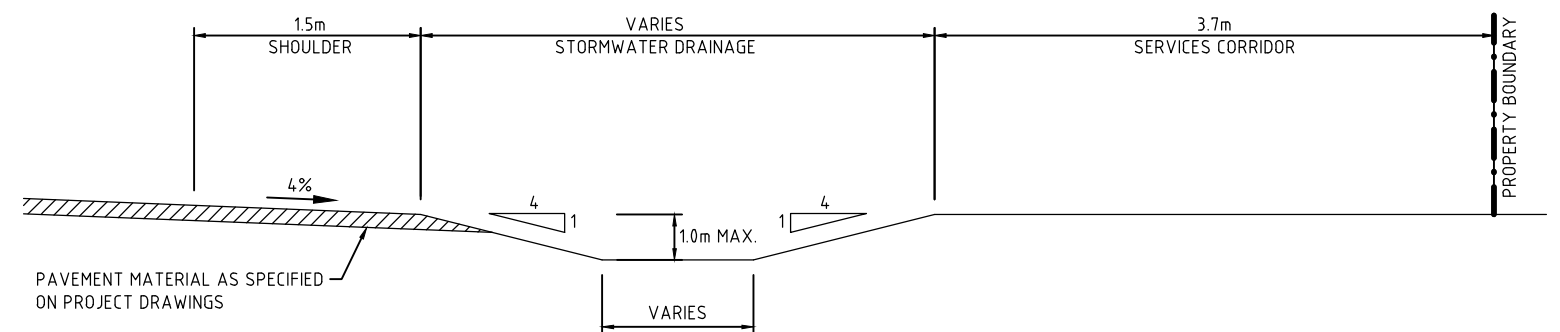
# STANDARD DRAWINGS




TYPICAL CROSS SECTION  
NTS

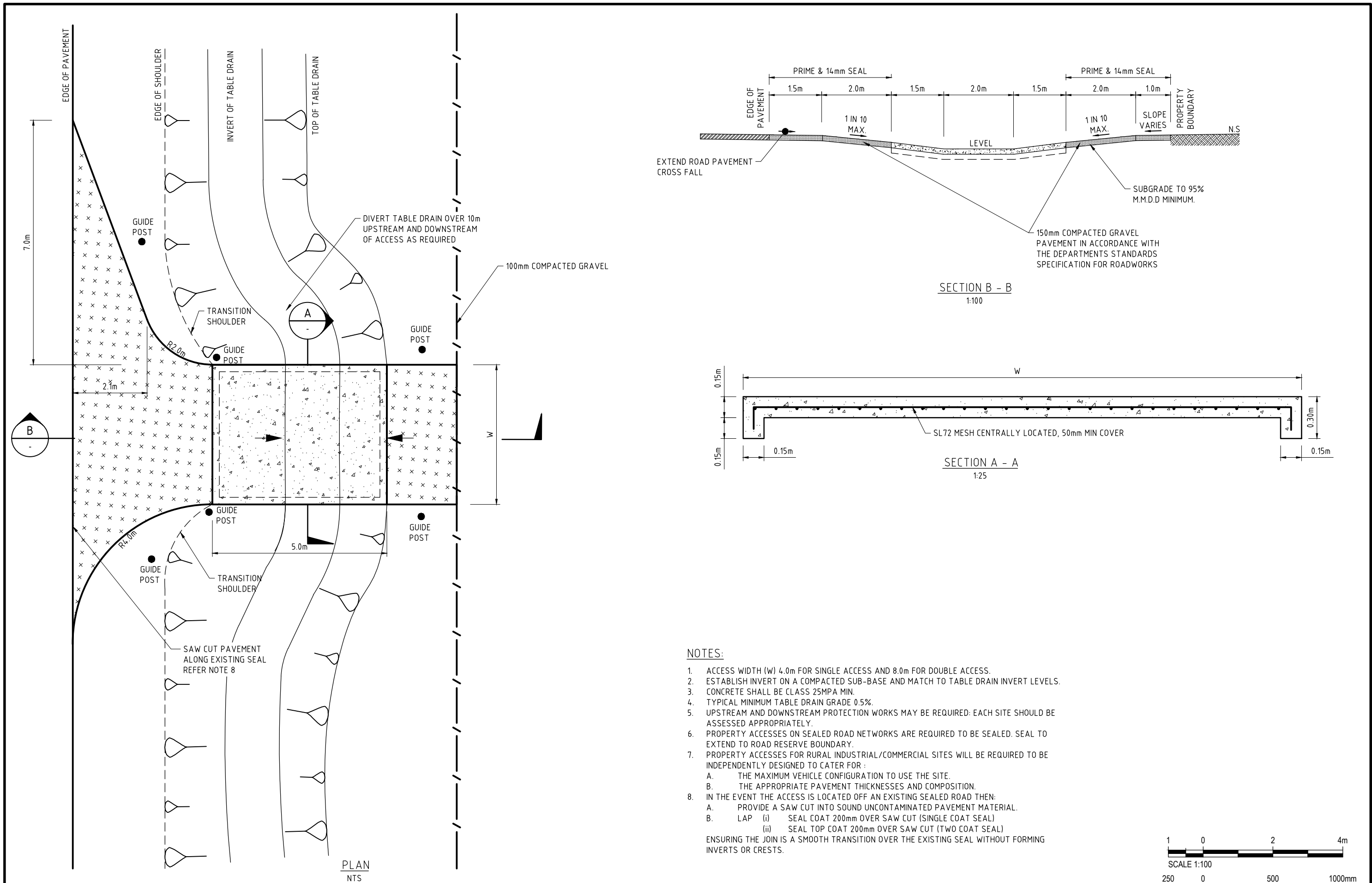
### GENERAL NOTES

- BATTER SLOPES**  
SUBJECT TO SOIL STABILITY THE MAXIMUM BATTER SLOPE PERMISSIBLE IN ALL SITUATIONS (INCLUDING OPEN UNLINED DRAIN BATTERS) SHALL NOT EXCEED 1 IN 4. UNSTABLE SLOPES TO BE PROTECTED.
- POSITION OF DRAIN (OTHER THAN TABLE DRAINS)**  
TO MAXIMISE CLEARANCE TO THE EDGE OF CARRIAGEWAY, OPEN DRAINS SHALL BE POSITIONED IMMEDIATELY ADJACENT TO THE SERVICES CORRIDOR.
- EMBANKMENT & CUTS**  
EMBANKMENT AND CUT SITUATIONS BEYOND THE SCOPE OF THIS CROSS SECTION SHALL BE PERMISSIBLE AND SHALL CONFORM AS NEAR AS POSSIBLE TO THIS CROSS SECTION.
- TABLE DRAIN/EDGE OF SHOULDER LEVEL**  
TABLE DRAIN BANK LEVEL SHALL BE WHERE POSSIBLE AT THE LEVEL OF THE ADJACENT SHOULDER EDGE.
- ROAD RESERVE WIDTHS**  
ROAD RESERVE WIDTHS GREATER THAN 30.0m MAY BE REQUIRED TO ACCOMMODATE MAJOR TRUNK DRAINAGE.
- EXTENT OF PAVEMENT MATERIAL**  
THE PAVEMENT MATERIAL SHALL EXTEND THE FULL WIDTH OF THE CARRIAGEWAY.
- GRASSING**  
TOPSOIL AND GRASS TABLE DRAIN AND VERGE TO FULL ROAD RESERVE WIDTH. USE TEMPORARY IRRIGATION UNTIL GRASS IS ESTABLISHED.
- RAISED RETROREFLECTIVE PAVEMENT MARKERS (RRPM)**  
RRPM's TO BE USED SUPPLEMENT LINE MARKING. COMPLY WITH THE REQUIREMENTS OF AS1742.2
- SEAL TO BE A SINGLE COAT WITH 50% $\times$ 14mm STONE AND 50% $\times$ 20mm STONE MIX



TYPICAL OPEN UNLINED DRAIN SECTION  
NTS

				 PO Box 446, Humpty Doo NT 0836 PH 08 8983 0600 FAX: 08 8983 1165	DESIGNED	LC	<h2>STANDARD DRAWING</h2> <h3>RURAL ROAD RESERVE</h3>	SCALE NOT TO SCALE	
					DRAWN	AURECON			
					SHIRE ENGINEER	DATE			
0	DRAFT	APR'17	RC				DRAWING No.		AMDT.
ADMT	DESCRIPTION	DATE	AUTH				LC-100		0



NOTE: THIS DRAWING IS ADAPTED FROM CS1206-7

0	DRAFT	APR'17	RC
ADMT	DESCRIPTION	DATE	AUTH



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PH 08 8983 0600 FAX: 08 8983 1165

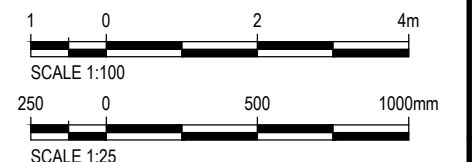
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DRAWN	AURECON
SHIRE ENGINEER	DATE

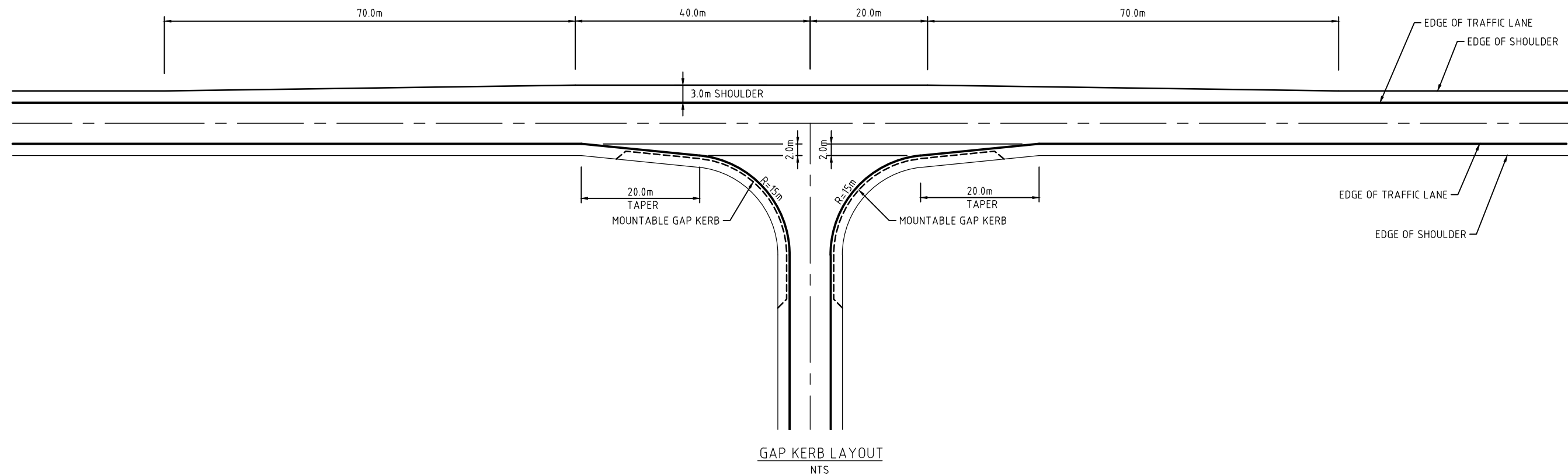
Page 228 of 257

## STANDARD DRAWING

RURAL RESIDENTIAL PROPERTY ACCESS  
WITH CONCRETE INVERT

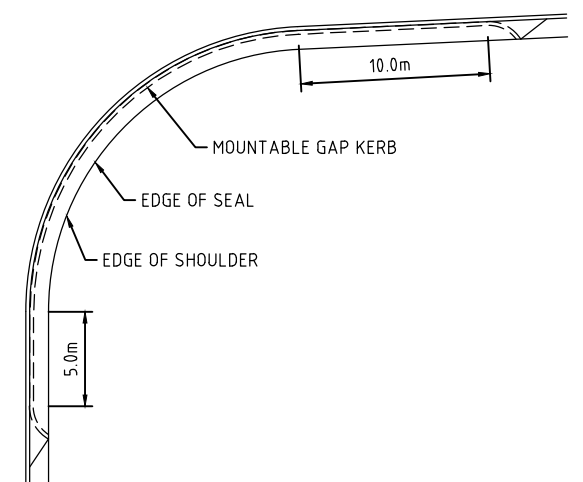
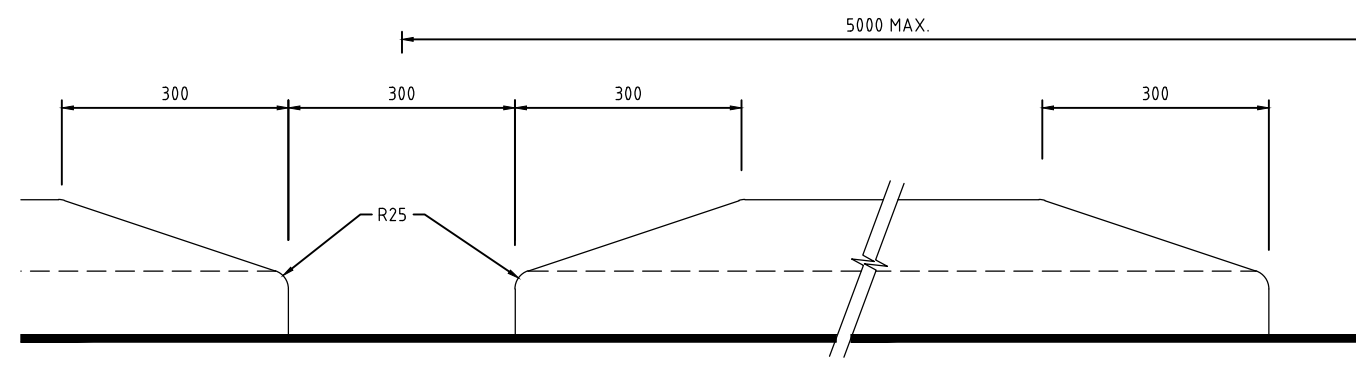
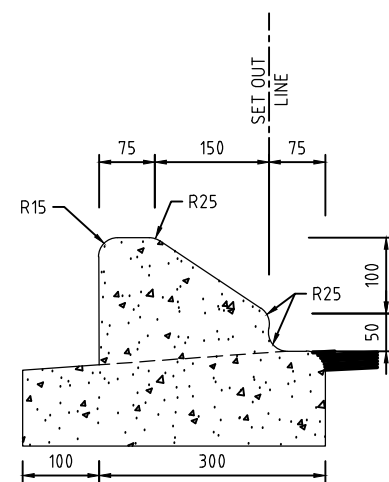
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DRAWING No.	AMDT.
LC-101	0





**GENERAL NOTES:**

1. DIMENSIONS SHOWN ARE TO BE REGARDED AS MINIMUM DESIRABLE TREATMENT.
2. EACH INTERSECTION MAY HAVE SPECIAL REQUIREMENTS NECESSITATING DEVIATION FROM THESE STANDARDS.
3. SINGLE SEAL (14/10MIX) ON INTERSECTIONS TO COVER THE FULL CARRIAGEWAY TO END OF TAPERS.



0	DRAFT	APR'17	RC
ADMT	DESCRIPTION	DATE	AUTH



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PH 08 8983 0600 FAX: 08 8983 1165

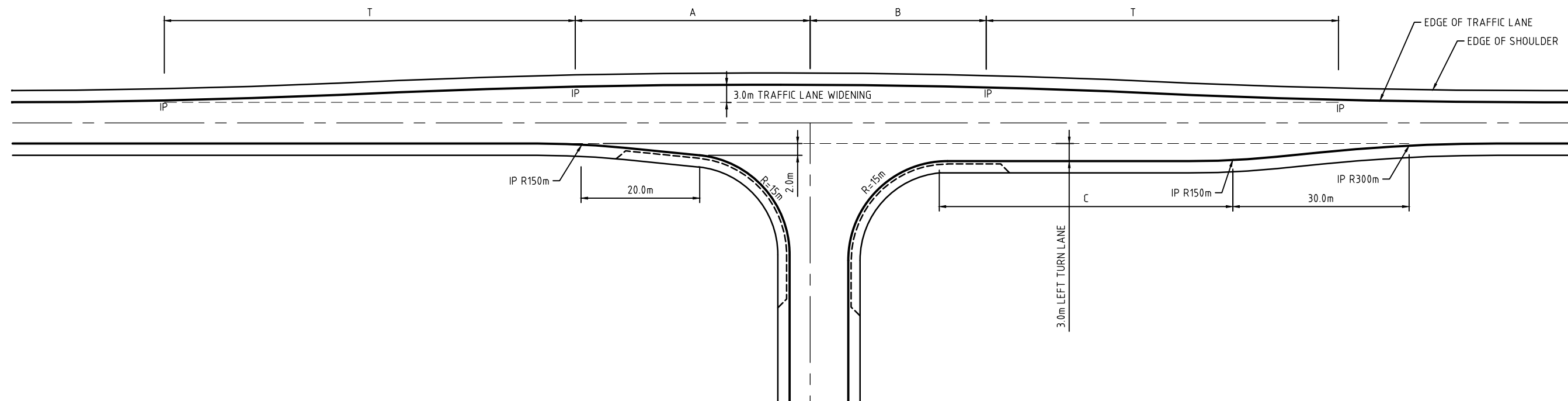
DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

**STANDARD DRAWING**  
RURAL ROAD INTERSECTION  
TYPE 1

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NOT TO SCALE

DRAWING No.	AMDT.
LC-102	0



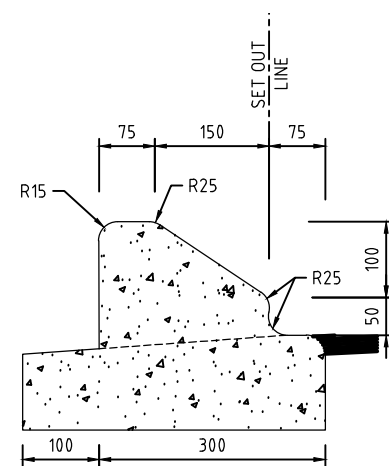


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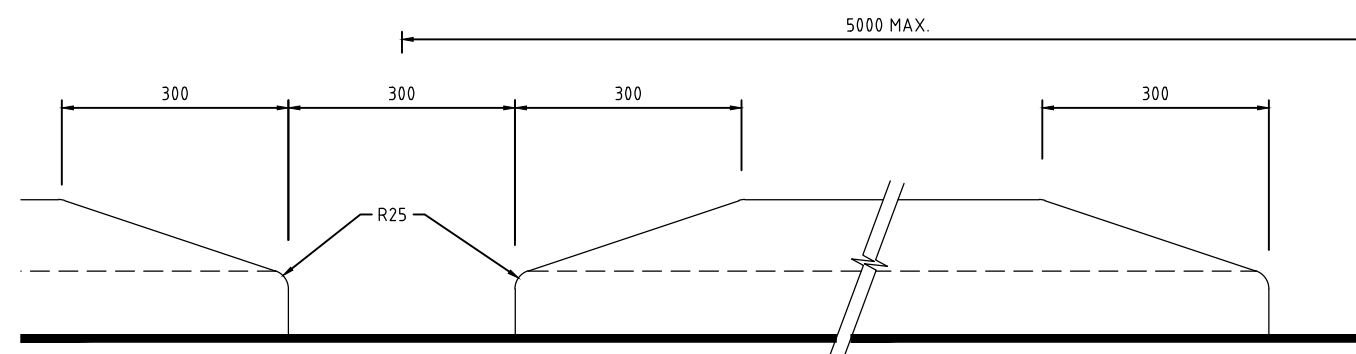
\*UNLESS NOTED OTHERWISE

#### GENERAL NOTES:

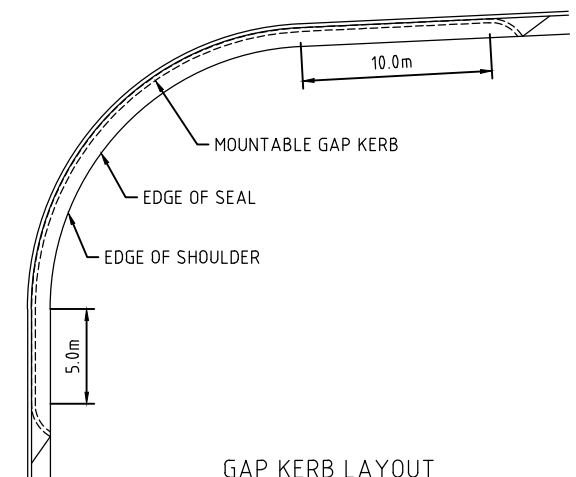
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- EACH INTERSECTION MAY HAVE SPECIAL REQUIREMENTS NECESSITATING DEVIATION FROM THESE STANDARDS.
- SINGLE SEAL (14/10MIX) ON INTERSECTIONS TO COVER THE FULL CARRIAGEWAY TO END OF TAPERS.



GAP KERB DETAILS  
NTS



GAP KERB ELEVATION  
NTS



GAP KERB LAYOUT  
NTS

0	DRAFT	APR'17	RC
ADMT	DESCRIPTION	DATE	AUTH



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PH 08 8983 0600 FAX: 08 8983 1165

DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

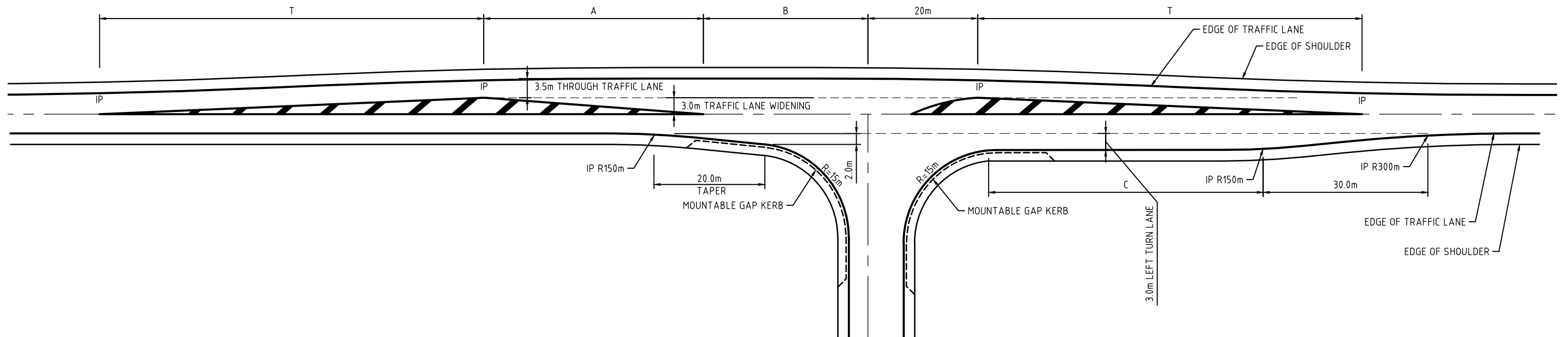
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## STANDARD DRAWING

RURAL ROAD INTERSECTION  
TYPE 2

SCALE  
NOT TO SCALE

DRAWING No. LC-103	AMDT. 0
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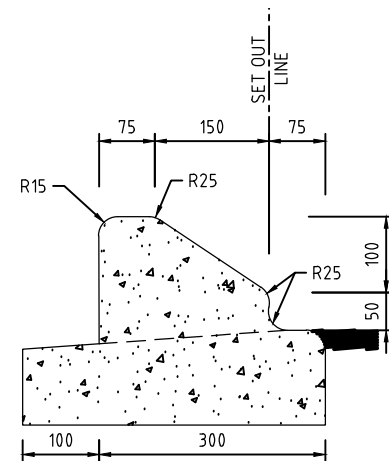


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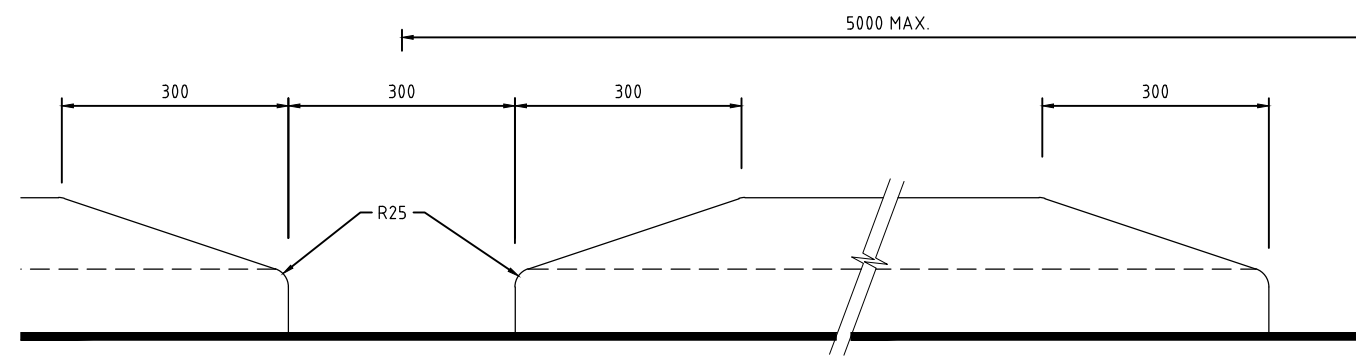
\*UNLESS NOTED OTHERWISE

#### GENERAL NOTES:

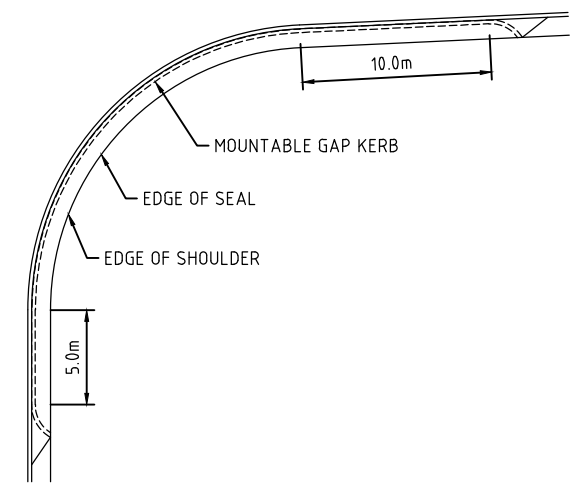
- DIMENSIONS SHOWN ARE TO BE REGARDED AS MINIMUM DESIRABLE TREATMENT.
- EACH INTERSECTION MAY HAVE SPECIAL REQUIREMENTS NECESSITATING DEVIATION FROM THESE STANDARDS.
- SINGLE SEAL (14/10MIX) ON INTERSECTIONS TO COVER THE FULL CARRIAGEWAY TO END OF TAPERS.



GAP KERB DETAILS  
NTS



GAP KERB ELEVATION  
NTS



GAP KERB LAYOUT  
NTS

0	DRAFT	APR'17	RC
ADMT	DESCRIPTION	DATE	AUTH



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PH 08 8983 0600 FAX: 08 8983 1165

DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

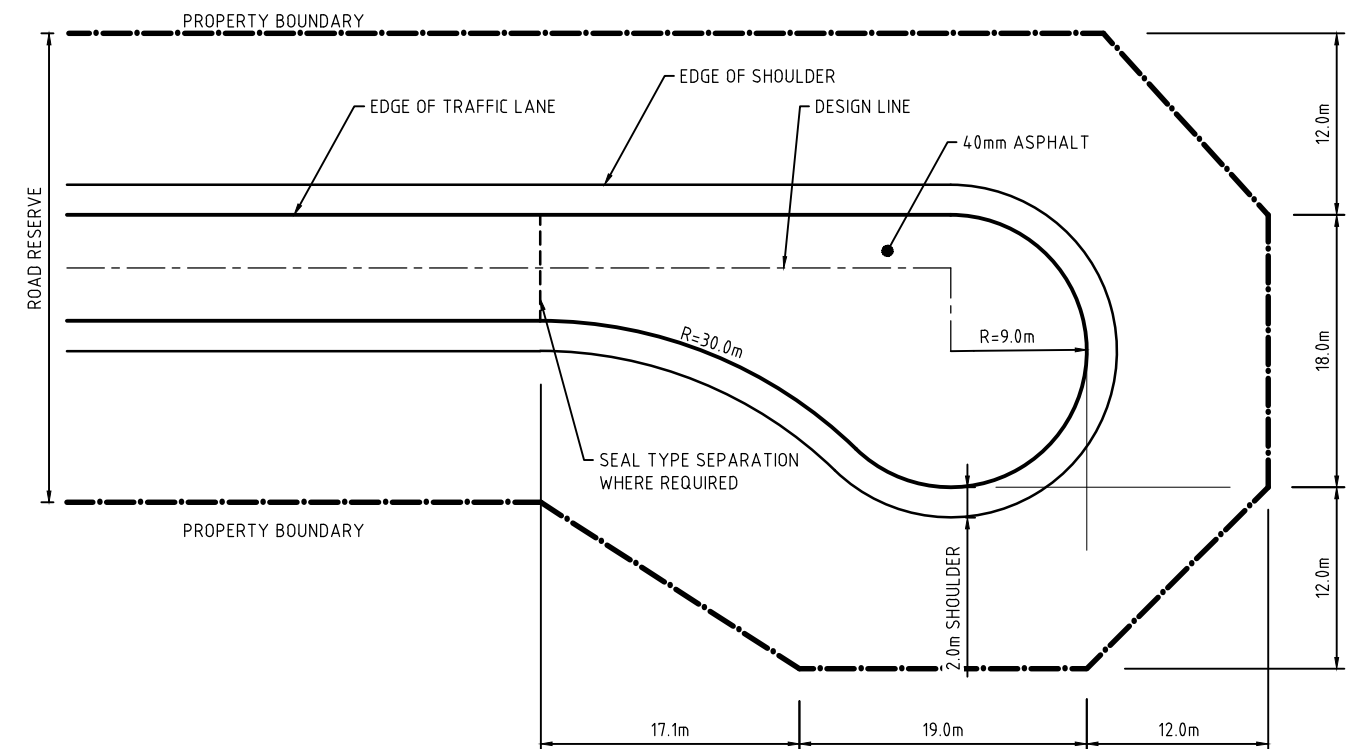
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## STANDARD DRAWING

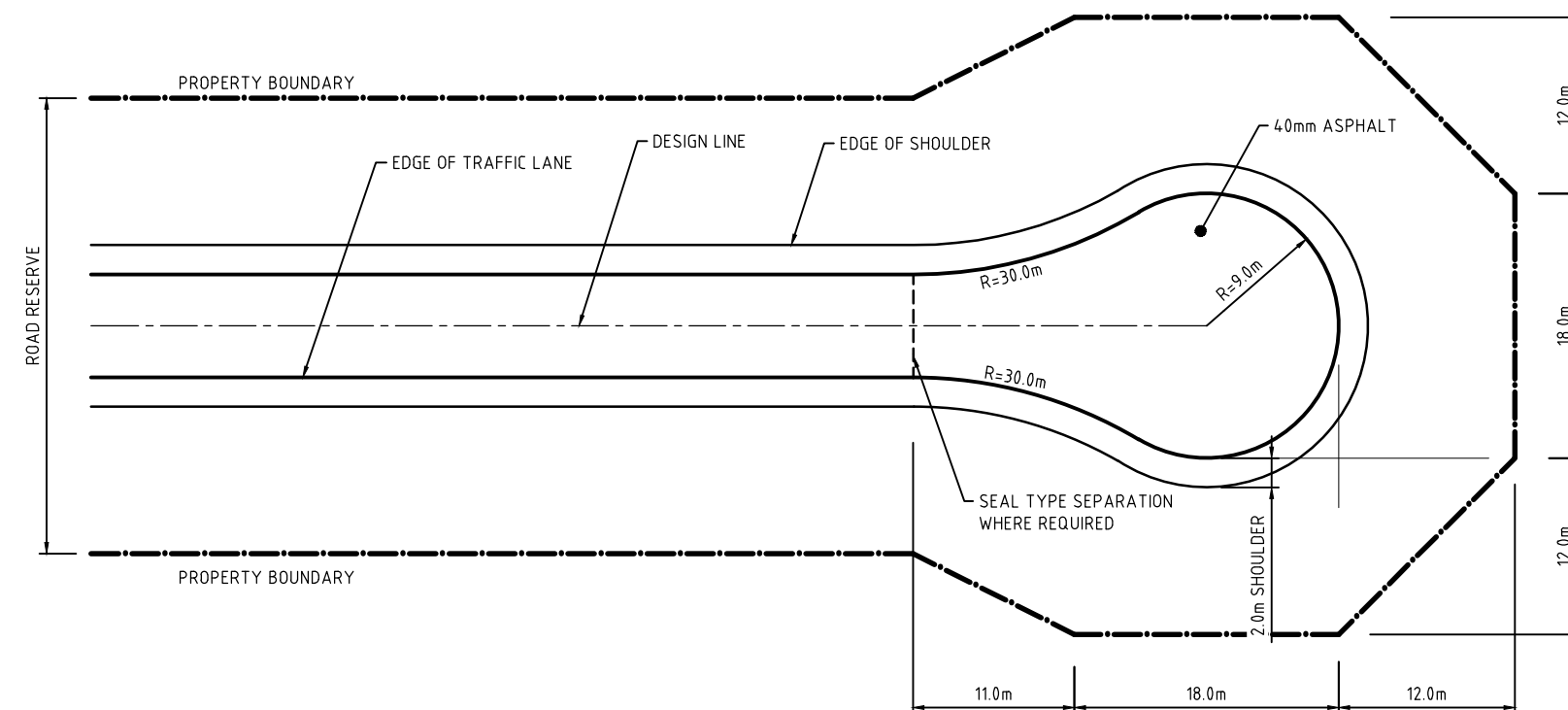
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DRAWING No.	AMDT.
LC-104	0




PREFERRED TREATMENT  
NTS

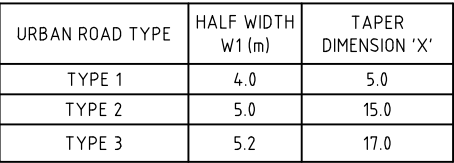


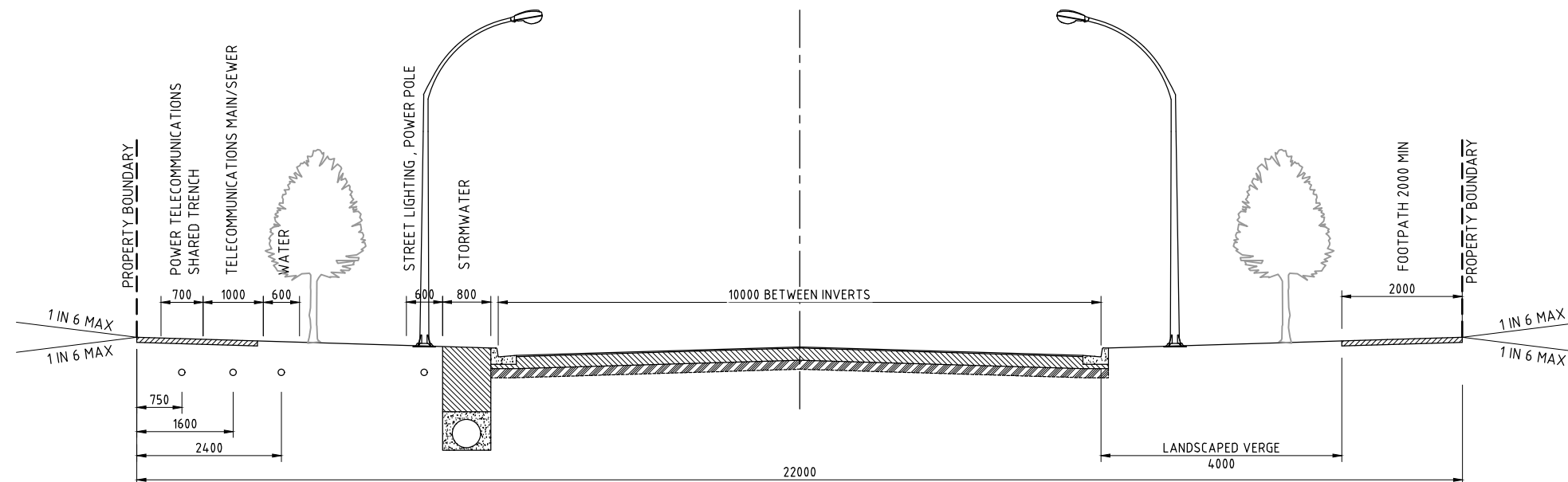
ALTERNATIVE TREATMENT  
NTS

GENERAL NOTES:

1. DIMENSIONS SHOWN ARE TO BE REGARDED AS MINIMUM DESIRABLE TREATMENT.
2. EACH CUL-DE-SAC MAY HAVE SPECIAL DRAINAGE REQUIREMENTS WHICH WILL DETERMINE THE PROPOSED PROPERTY BOUNDARY.
3. ROAD RESERVE WIDTHS GREATER THAN 30 METRES MAY BE REQUIRED TO ACCOMMODATE MAJOR TRUNK DRAINAGE.

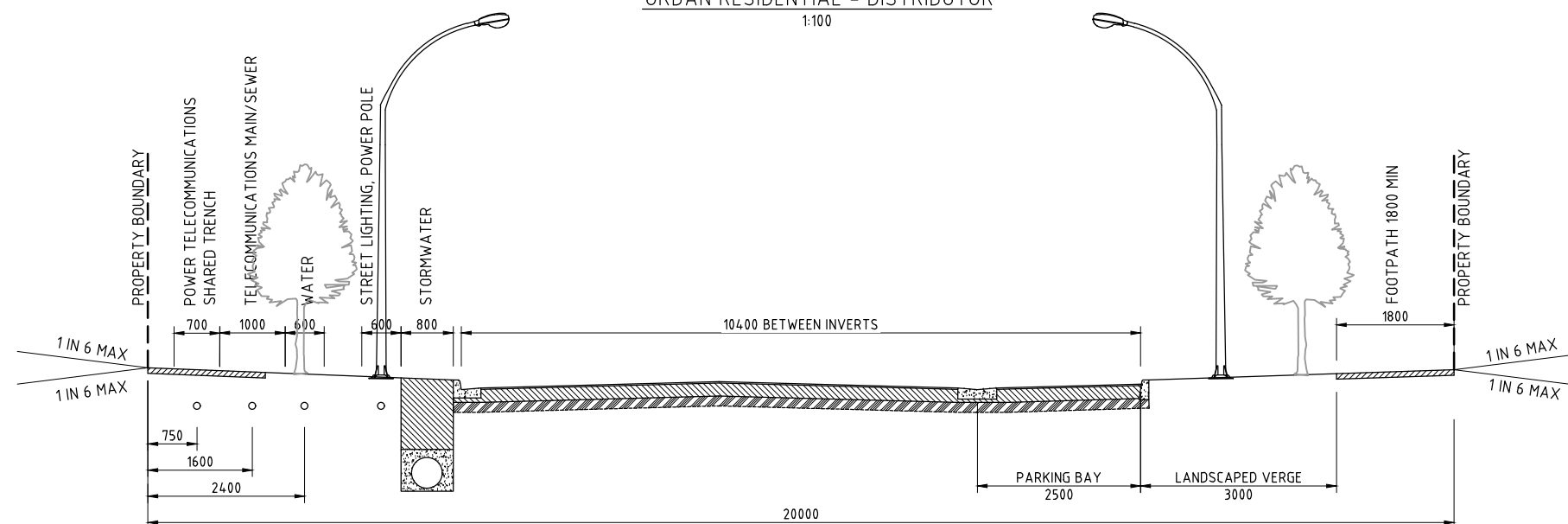
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0	DRAFT	APR'17	RC		SHIRE ENGINEER DATE			
ADMT	DESCRIPTION	DATE	AUTH		Page 232 of 257			





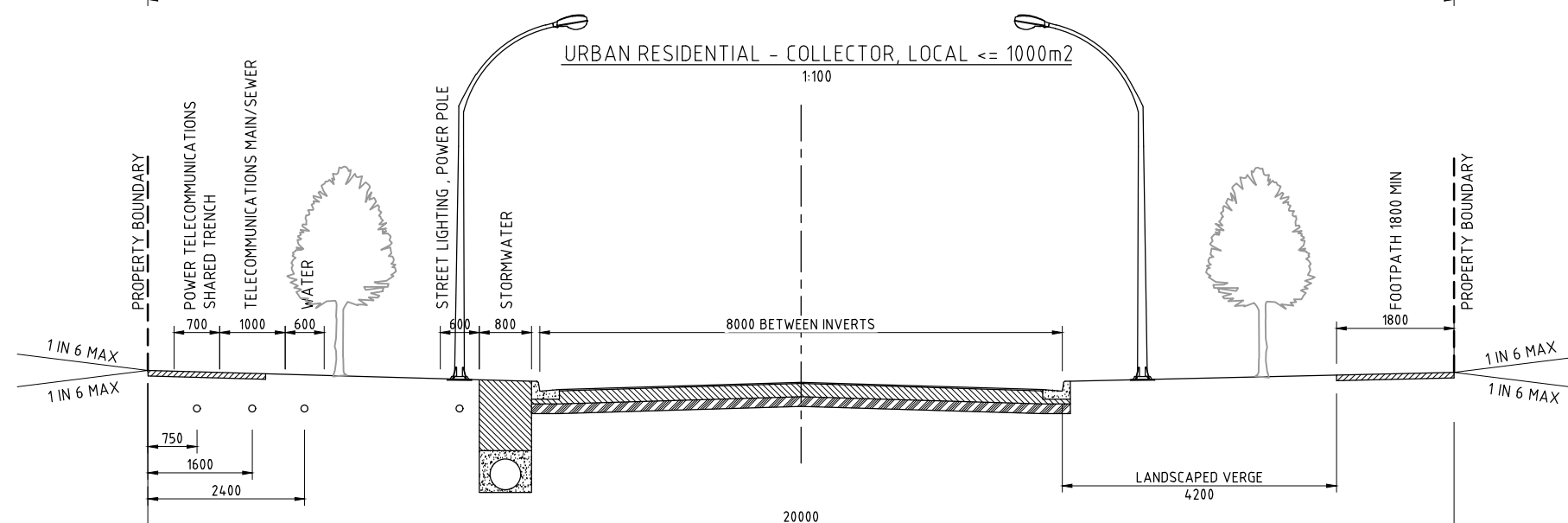
URBAN RESIDENTIAL - DISTRIBUTOR

1:100



URBAN RESIDENTIAL - COLLECTOR, LOCAL <= 1000m<sup>2</sup>

1:100



URBAN RESIDENTIAL - COLLECTOR LOCAL > 1000m<sup>2</sup> - 4000m<sup>2</sup>

1:100

ZONE		ROAD HIERARCHY	ROAD RESERVE WIDTH (m)	CARRIAGEWAY WIDTH (m)	LANDSCAPED VERGE WIDTH <sup>1</sup> (m)	FOOTPATH WIDTH <sup>1</sup> (m)
URBAN AREA	RESIDENTIAL	DISTRIBUTOR	22.00	10.00	4.00	2.00
		COLLECTOR, LOCAL <=1000m <sup>2</sup>	20.00	10.40	3.00	1.80
		COLLECTOR, LOCAL >1000m <sup>2</sup> - 4000m <sup>2</sup>	20.00	8.00	4.20	1.80
	INDUSTRIAL/COMMERCIAL	DISTRIBUTOR	22.00	10.00	4.00	2.00
		COLLECTOR, LOCAL	22.00	10.40	4.00	1.80

NOTE:

- REQUIRED ON BOTH SIDES OF THE ROAD.
- INTENTION IS TO PROVIDE AN ON-STREET CAR PARKING LANE 2.5m IN WIDTH.



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ADMT	DESCRIPTION	DATE	AUTH



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DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

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# STANDARD DRAWING URBAN ROAD RESERVE SHEET 1

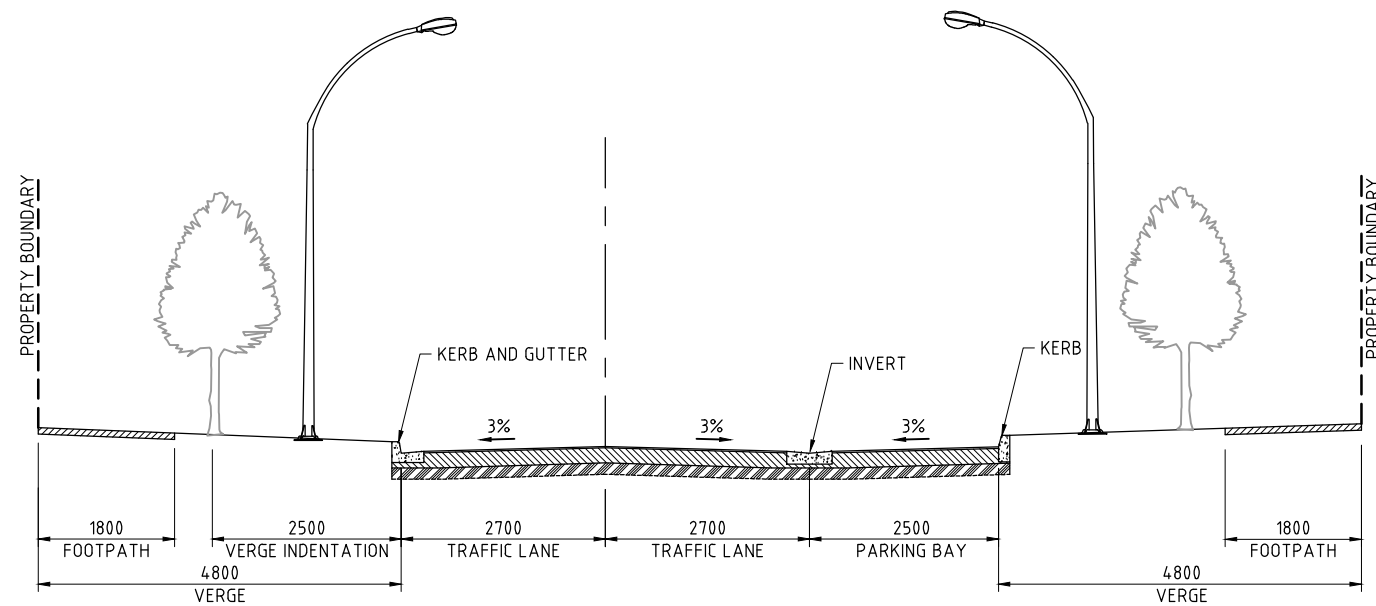
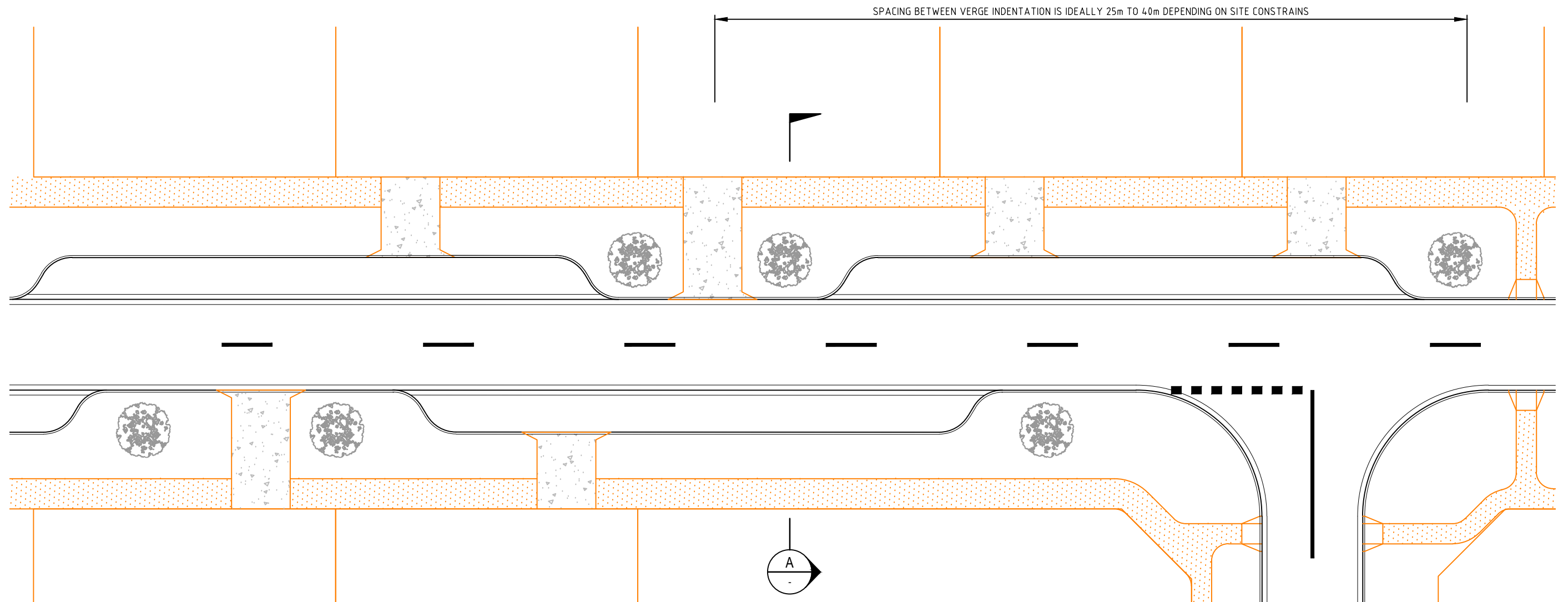
SCALE 1:100	
DRAWING No.	AMDT.
LC-200	0



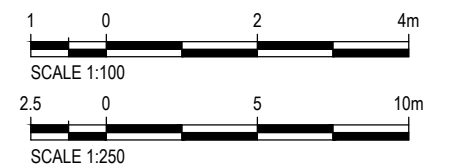
DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

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SCALE 1:100	
DRAWING No. LC-201	AMDT. 0



SECTION A  
TYPICAL SECTION ON SINGLE DWELLING LOTS <= 1000m2  
1:100



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ADMT	DESCRIPTION	DATE	AUTH



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DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

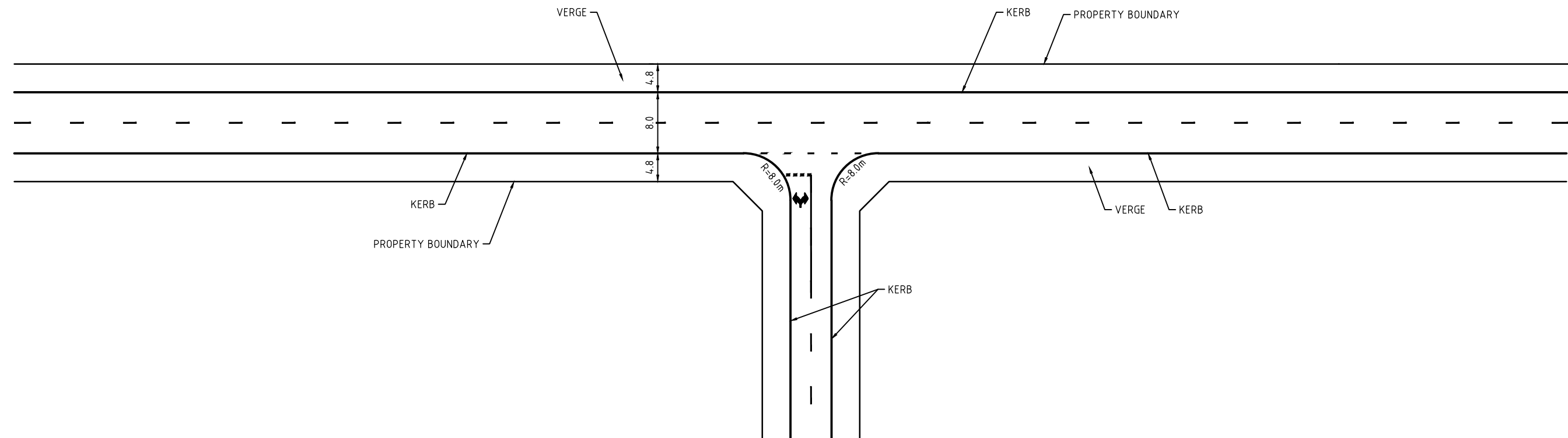
Page 236 of 257

## STANDARD DRAWING

PARKING ARRANGEMENT - URBAN RESIDENTIAL  
COLLECTOR, LOCAL <= 1000m2

SCALE  
AS SHOWN

DRAWING No.	AMDT.
LC-202	0



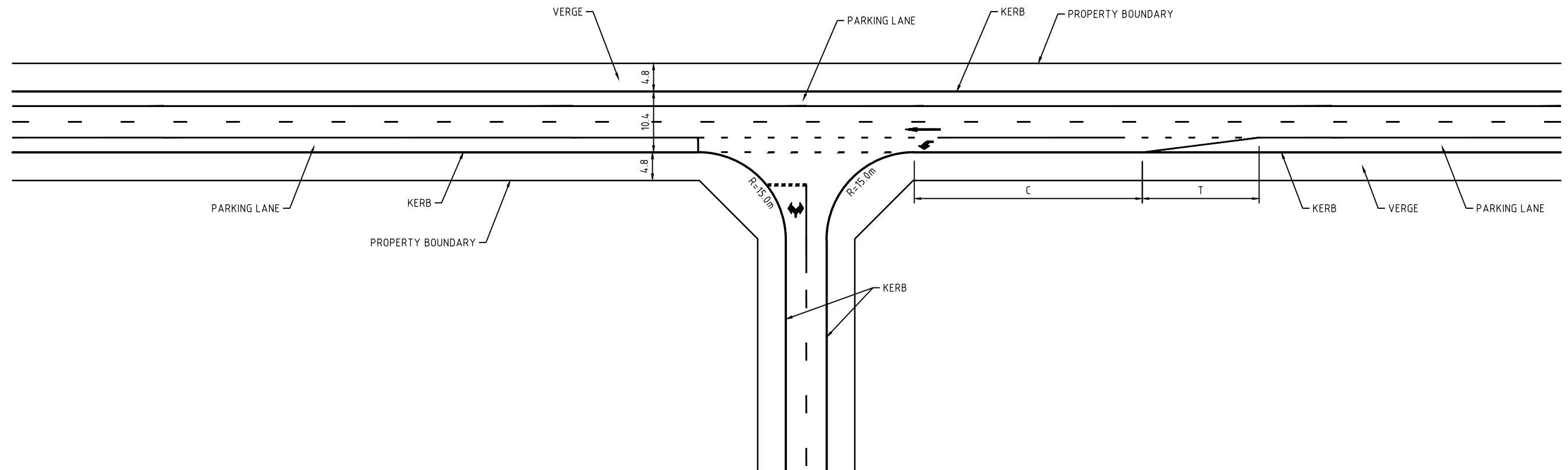
**BASIC LEFT TURN (BAL)**  
ON THE MINOR ROAD  
NTS

**GENERAL NOTES:**

- 1. DIMENSIONS SHOWN ARE TO BE REGARDED AS MINIMUM DESIRABLE TREATMENT.
- 2. EACH INTERSECTION MAY HAVE SPECIAL REQUIREMENTS NECESSITATING DEVIATION FROM THESE STANDARDS.

MINIMUM RADII FOR KERB RETURNS AT INTERSECTIONS				
	LOCAL	COLLECTOR	ARTERIAL	INDUSTRIAL
LOCAL	8	8	8	8
COLLECTOR	8	12.5	AS ADVISED	15
ARTERIAL	8	AS ADVISED	AS ADVISED	15
INDUSTRIAL	8	15	AS ADVISED	15




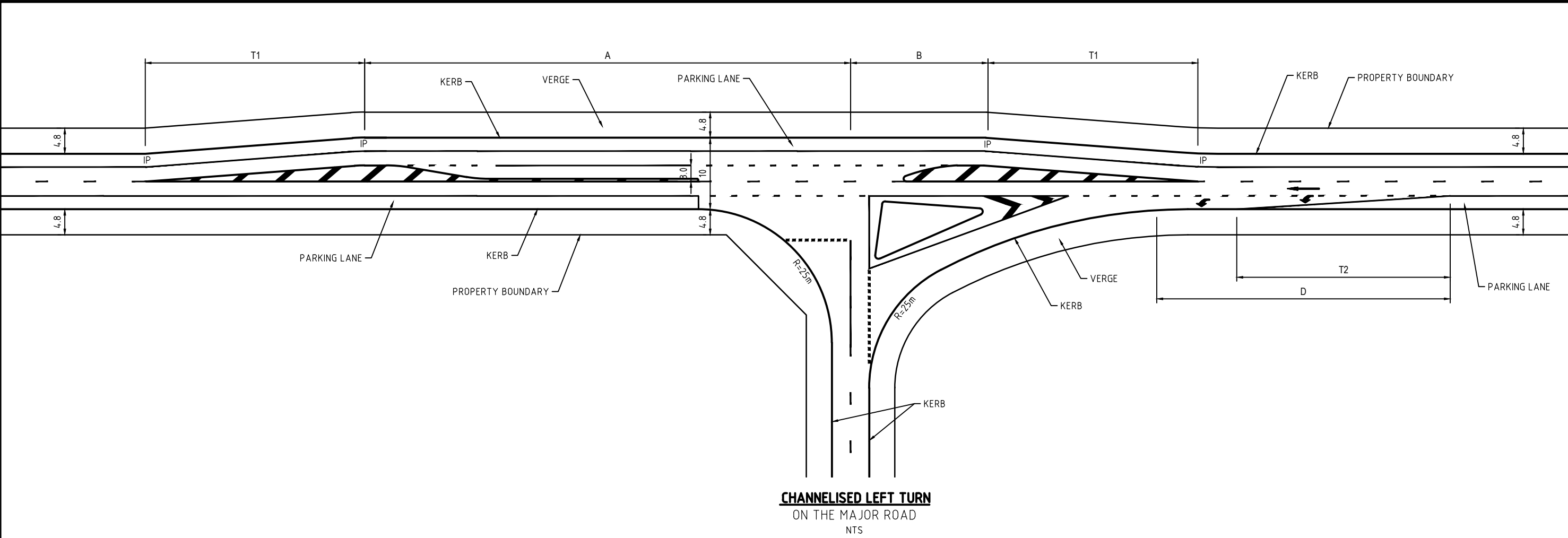


**AUXILLARY LEFT TURN (AUL)**  
ON THE MAJOR ROAD  
NTS

**GENERAL NOTES:**

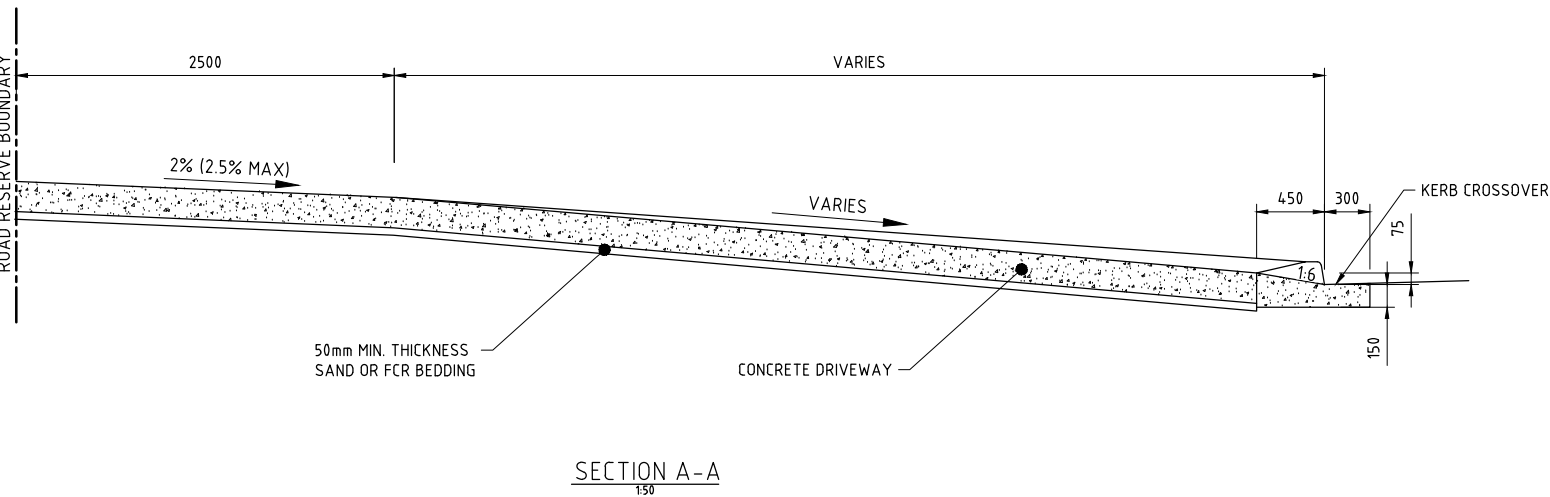
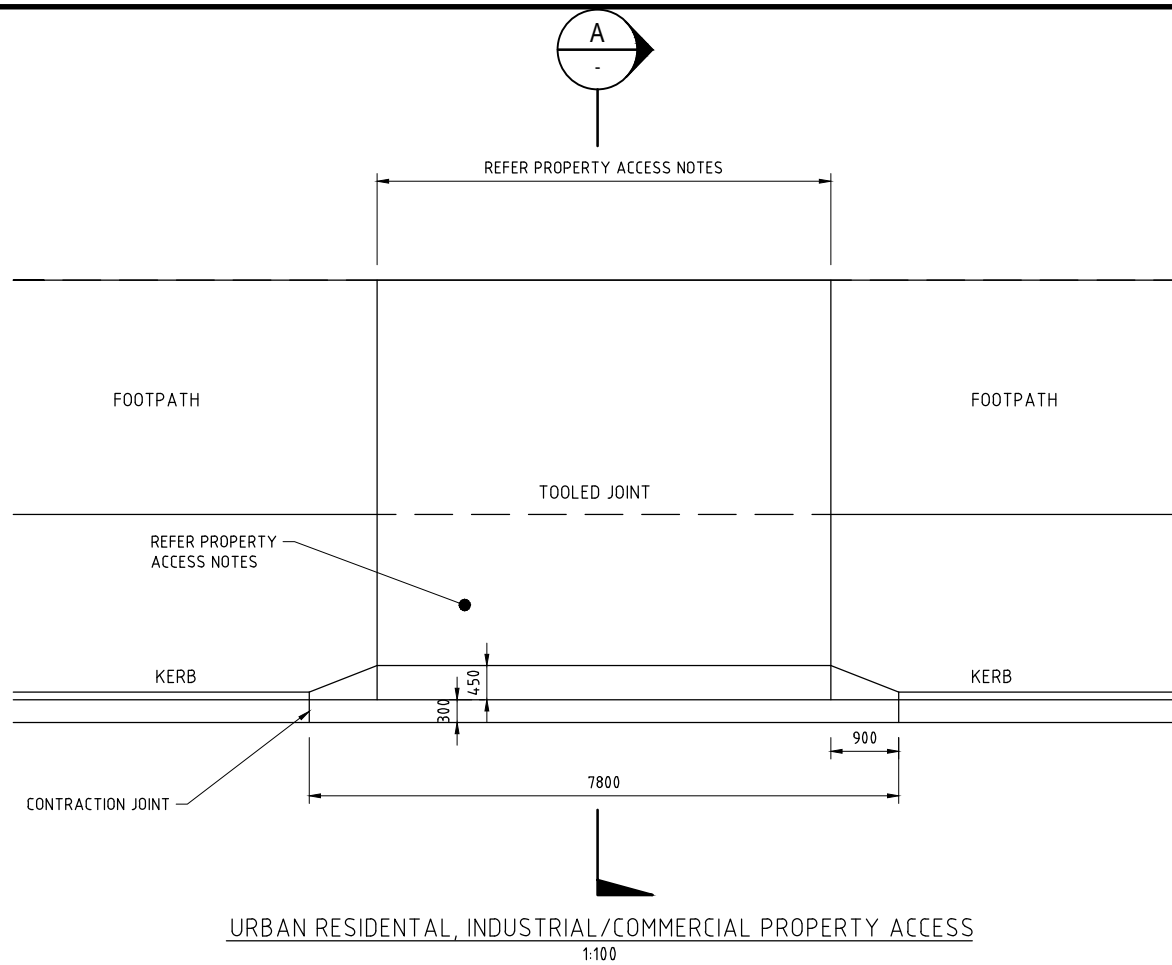
1. DIMENSIONS SHOWN ARE TO BE REGARDED AS MINIMUM DESIRABLE TREATMENT.
2. EACH INTERSECTION MAY HAVE SPECIAL REQUIREMENTS NECESSITATING DEVIATION FROM THESE STANDARDS.

				 <b>LITCHFIELD COUNCIL</b>  PO Box 446, Humpty Doo NT 0836 PH 08 8983 0600 FAX: 08 8983 1165	DESIGNED LC	<b>STANDARD DRAWING</b> URBAN ROAD INTERSECTION TYPE 2	SCALE NOT TO SCALE	
					DRAWN AURECON		DRAWING No. LC-204	AMDT. 0
0	DRAFT	APR'17	RC		SHIRE ENGINEER DATE			
ADMT	DESCRIPTION	DATE	AUTH		Page 238 of 257			



- GENERAL NOTES:**
- 1. DIMENSIONS SHOWN ARE TO BE REGARDED AS MINIMUM DESIRABLE TREATMENT.
  - 2. EACH INTERSECTION MAY HAVE SPECIAL REQUIREMENTS NECESSITATING DEVIATION FROM THESE STANDARDS.

DESIGN SPEED Km/h	T1	A	B	D	T2	RADIUS AT IP's
90	90	45	40	55	40	*2100
80	80	45	40	45	30	*1800
70	70	40	30	35	30	*1400
60	60	40	30	25	20	*1000
50	50	40	30	20	20	*1000



PROPERTY ACCESS NOTES:

ZONING	WIDTH	DRIVEWAY MATERIAL
SINGLE DWELLING	3.5m	100mm CONCRETE, SL82MESH
DUPLEX	6.0m	100mm CONCRETE, SL82MESH
MEDIUM/HIGH DENSITY RESIDENTIAL	6.0m	150mm CONCRETE, SL82MESH
COMMERCIAL/ INDUSTRIAL	6.0m	200mm CONCRETE, SL82MESH

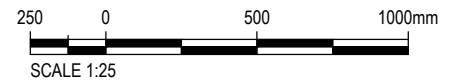
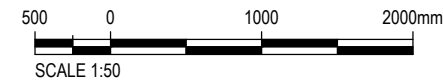
1. SUBGRADE TO BE COMPACTED TO 95% M.M.D.D.
2. FINISH WITH STEEL TROWEL FOLLOWED BY LIGHT BRUSHING WITH MOIST HAIR BROOM.
3. MOIST CURE FOR 48 HOURS, DO NOT USE DRIVEWAY DURING THIS PERIOD.
4. ACCESS FOR LARGER VEHICLES WILL REQUIRE INDEPENDENT DESIGN AND FURTHER APPROVAL FROM COUNCIL.

JOINTING NOTES:

1. CONSTRUCTION JOINT TO BE AT 4.00 METER CENTRES MAX. ROUGHEN AND CLEAN FACE OF HARD CONCRETE. REMOVE FOREIGN MATERIAL AND LAITENCE. COAT WITH MORTAR (2 SAND : 1 CEMENT) IMMEDIATELY BEFORE PLACEMENT OF FRESH CONCRETE.
2. EXPANSION JOINTS TO BE AT 12.00 CENTRES MAX. (EVERY THIRD CONSTRUCTION JOINT), AND AT ALL JUNCTIONS WITH EXISTING STRUCTURES. USE 12mm BIYCELL PREFORMED JOINT FILLER (OR SIMILAR) TO FULL DEPTH OF CONCRETE.
3. CONTROL JOINTS - DIVIDE PAVEMENT INTO RECTANGLES WITH 30mm DEEP JOINTING TOOL. JOINTS SHOULD BE SQUARE WITH CONCRETE EDGE AND EVELY SPACED ACROSS PATHS/DRIVEWAYS. CUT EVERY SECOND MESH BAR AT JOINT.

FOOTPATH NOTES:

1. REFER FOOTPATH WIDTHS IN URBAN ROAD RESERVE
2. 100mm THICK, N25 CONCRETE, ONE LAYER SL82 MESH CENTRAL.
3. LAID ON 50mm SAND OR FCR BEDDING.
4. FINISH WITH STEEL TROWEL FOLLOWED BY LIGHT BRUSHING WITH MOIST HAIR BROOM.
5. SUBGRADE TO BE COMPACTED TO 95% M.M.D.D.
6. CROSSFALL TO BE 2.5% MAX (1 IN 40).
7. LOCATE FOOTPATH EDGE 0.5m FROM PROPERTY BOUNDARY LINE.



0	DRAFT	APR'17	RC
ADMT	DESCRIPTION	DATE	AUTH



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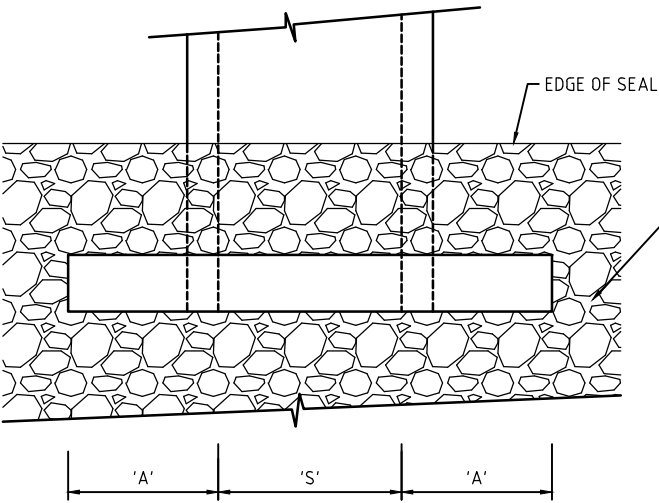
DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

STANDARD DRAWING  
URBAN PROPERTY ACCESS AND CONCRETE FOOTPATH DETAIL

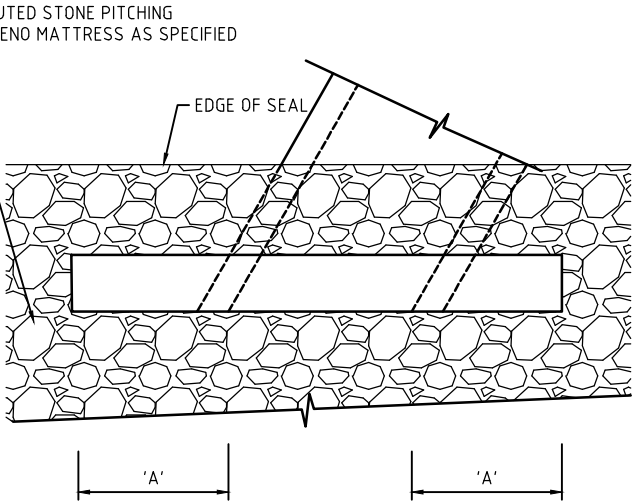
SCALE  
AS SHOWN

DRAWING No.	AMDT.
LC-206	0

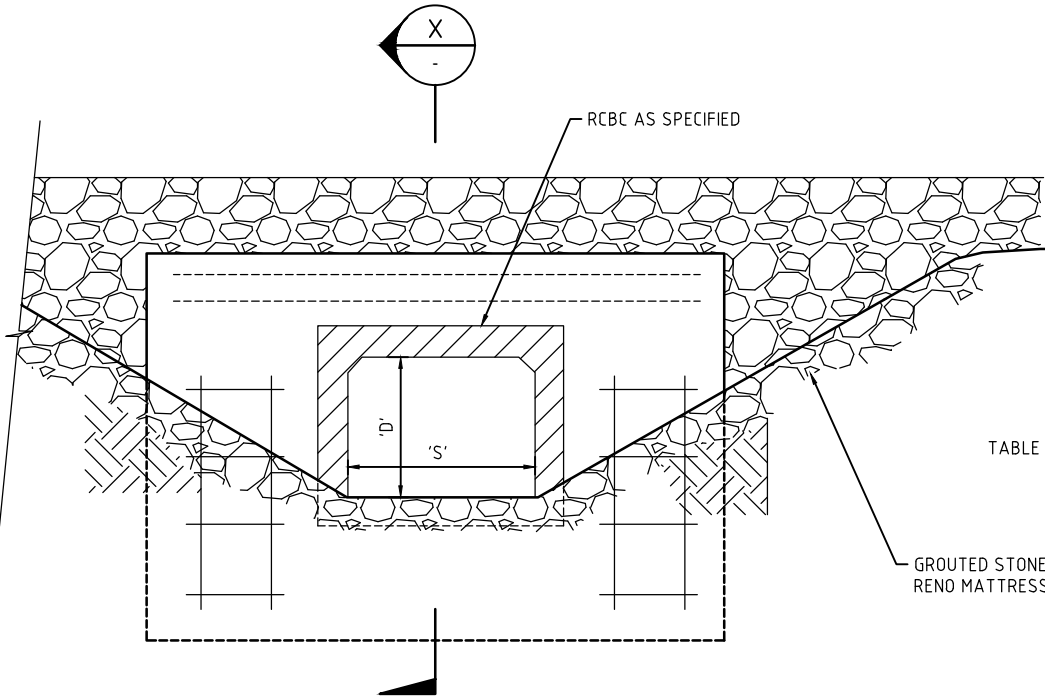
CONCRETE QUANTITIES PER ENDWALL						
BOX CULVERT SIZE 'S' x 'D'	'A'	'B'	'H'	QUANTITY OF CONCRETE PER ENDWALL (m3)		QTY.OF CONC.FLOOR PER METRE LENGTH
				SINGLE BOX	ADDITIONAL BOXS	
600x450	690	115	928	0.487	0.126	0.093
750x450	710	115	533	0.529	0.126	0.112
750x600	940	115	610	0.721	0.146	0.112
900x450	710	115	771	0.556	0.146	0.129
900x600	940	115	850	0.748	0.146	0.129
1200x450	730	130	1007	0.633	0.186	0.187
1200x600	960	130	928	0.835	0.186	0.187



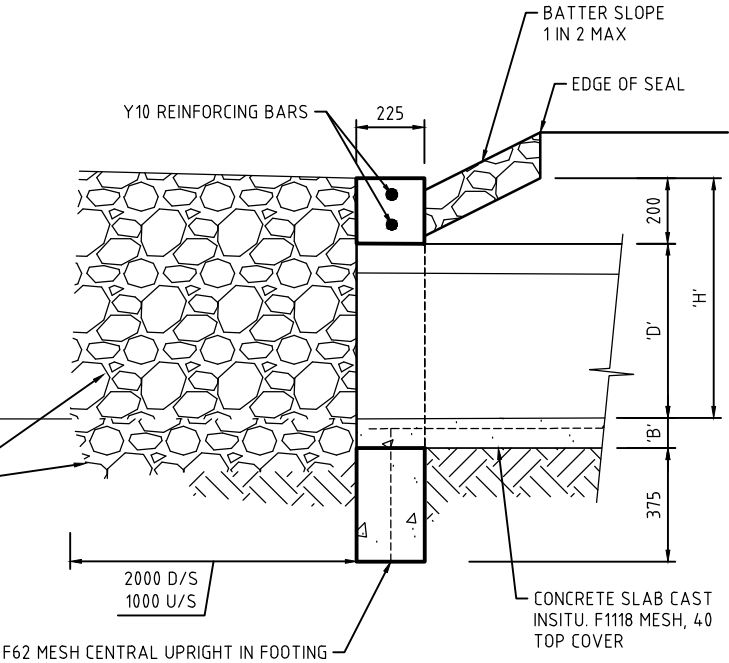
PLAN  
NTS



PLAN - SKEWED CULVERT  
NTS



ELEVATION  
NTS



SECTION X-X  
NTS

GENERAL NOTES:

1. R.C.B.C SIZE AND EXTENT OF STONE PITCHING SHALL BE APPROVED BY COUNCIL PRIOR TO COMMENCEMENT OF WORKS .
2. FOR MULTIPLE BOXES THE SPACING BETWEEN BOXES SHALL BE 25mm MINIMUM AND MORTAR FILLED .
3. Y10 REINFORCING BARS SHALL BE PLACED AT 100 CENTRES, 60 TOP COVER.
4. F1118 MESH LONGITUDINAL BARS IN CULVERT SLABS SHALL BE LAID IN DIRECTION OF TRAFFIC.
5. CONCRETE SHALL BE CLASS N15.
6. CONCRETE FLOOR SLAB TO EXTEND 25mm PAST R.C.B.C OUTER WALLS.
7. CONCRETE QUANTITIES ARE BASED ON ENDWALLS BEING PERPENDICULAR TO R.C.B.C.
8. STONE PITCHING PROTECTION TO BE EXTENDED TO ALL BATTERS GREATER THAN 1:4 ADJACENT TO THE ENDWALLS.
9. ON DRIVEWAYS, STONE PITCHING SHALL MATCH WITH THE BITUMINOUS SURFACE OF THE ACCESS. NO GAP BETWEEN THE SURFACE OF THE DRIVEWAY AND HEADWALL PROTECTION WILL BE ACCEPTED.
10. COUNCIL ONLY ACCEPT A MINIMUM OF 450mm HEIGHT CULVERT.

0	DRAFT	APR'17	RC
ADMT	DESCRIPTION	DATE	AUTH



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DESIGNED	LC
DRAWN	AURECON
SHIRE ENGINEER	DATE

STANDARD DRAWING  
CULVERT DETAILS AND ENDWALLS  
325mm x 225mm TO 1200mm x 600mm

SCALE  
NOT TO SACLE

DRAWING No.	AMD.
LC-300	0

## Council Meeting Agenda

Wednesday 17 May 2017

### 15 Common Seal

- 15.1 Capital Grant Funding – Use of Common Seal
- 15.2 Extinguishment of Easement Form 53 – Use of the Common Seal



## COUNCIL REPORT

---

**Agenda Item Number:** 15.1  
**Report Title:** Capital Grant Funding - Use of the Common Seal  
**Meeting Date:** 19/04/2017  
**Attachments:**

### Purpose

This report seeks Council endorsement of the use of the Common Seal in regard to the Capital Grant Funding Agreement for the upgrading of Finn Road.

### Summary

By completing and lodging the Application to Capital Grant Funding Agreement between The Northern Territory of Australia and Litchfield Council, the funds of \$1,500,000 will be transferred to Litchfield Council to undertake the proposed upgrading works for Finn Road.

### Recommendation

THAT Council approve the use of the Common Seal on the Capital Grant Funding Agreement between Northern Territory of Australia and Litchfield Council for the upgrading of Finn Road.

### Background

Council applied for and was successful in the Grant Application for the upgrading of Finn Road to make it suitable for heavy vehicles.

The application was for a total of \$4.4M; however, Council was granted \$1.5M.

Council has also applied for Federal funding of \$2.2M which is a 50/50% joint funding agreement. The Northern Territory of Australia has promised to increase their contribution to \$2.2M on the provision we are successful in our bid for Federal funding.

### Links with Strategic Plan

*Priority # 1 – Everything you need*

### Legislative and Policy Implications

Nil.

## Risks

Lodging the paper title held in the safe at the Council offices will ensure that it is securely stored with all titles held by Litchfield Council.

## Financial Implications

Current funding of \$1.5M for the upgrade of Finn Road is financed by the Northern Territory Government which is to be increased to \$2.2M if Council is successful in their Funding application to the Federal Government. This additional funding will be announced at the end of July.

If Council is unsuccessful, the \$1.5M will be used for the Finn Road drainage upgrade, which entails improve safety at the (5) five culverts and pavement strengthening of the flood ways.

## Community Engagement

Not Applicable.

### Recommending Officer:

Wendy Smith, Acting Director Infrastructure and Operations

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

*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 REPORT

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<b>Agenda Item Number:</b>	15.2
<b>Report Title:</b>	Extinguishment of Easement Form 53 - Use of the Common Seal
<b>Meeting Date:</b>	17/05/2017
<b>Attachments:</b>	Attachment A: Form 53 for Section 5124, Section 5126, and Section 5132, Hundred of Bagot Attachment B: Title for Section 5124, Section 5126, and Section 5132 Hundred of Bagot

### Purpose

This report seeks Council endorsement of the use of the Common Seal on a Form 53 - Extinguishment of Easement to be provided to the Land Titles Office

### Summary

By Signing Form 53 - Extinguishment of Easement included as Attachment A, all existing easements on Section 5124, Section 5126, and Section 5132 Hundred of Bagot will be removed from their title documents included as Attachment B, which is in accordance with the Council's approved design drawings.

### Recommendation

THAT Council approve the use of the Common Seal on Form 53 - Extinguishment of Easement for Section 5124, Section 5126, and Section 5132, Hundred of Bagot

### Background

Litchfield Council currently has registered interests in Section 5124, Section 5126, and Section 5132, Hundred of Bagot for Drainage Easement. As part of the new subdivision at Section 4768 Hundred of Bagot, the ground is being regraded to drain to Council's road reserve, and the existing drainage easements are no longer required.

### Links with Strategic Plan

*Priority # 1 – Everything you need*

### Legislative and Policy Implications

Not Applicable to This Report.



## Risks

Not Applicable to This Report

## Financial Implications

Not Applicable to This Report

## Community Engagement

Not Applicable to This Report

### **Recommending Officer:**

Wendy Smith, Acting Director of Infrastructure and Operations

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

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*Land Title Act*  
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

<b>E</b>	<b>E</b>	
<b>P</b>	<b>E</b>	<b>No:</b>

Commissioner of Territory Revenue use only

**IMPORTANT NOTICE**

Please Note Privacy Statement Overleaf

**EXTINGUISHMENT OF  
EASEMENT IN GROSS**

The person(s) in whose favour the easement in gross is registered extinguishes the easement over the land specified for the value expressed below. (NOTES 1 – 3)

<b>EASEMENT BEING EXTINGUISHED</b>	Drainage Easement	LTO: LTO99/63	(NOTE 4)
--	-------------------	---------------	----------

Register	Volume	Folio	Location	Lot Description	Plan	Unit	
CUFT			Hundred of Bagot	Section 5126	LTO99/63		(NOTE 5)

<b>OWNER OF THE LAND BURDENED BY THE EASEMENT</b>	Gary Vincent Coleman Dorothy Josephine Coleman	(NOTE 6)
---	---	----------

<b>PERSON RECEIVING THE BENEFIT OF THE EASEMENT</b>	Litchfield Council formerly known as Litchfield Shire Council	(NOTE 7)
---	---	----------

<b>VALUE (GST INCLUSIVE)</b>	Nil	GST amount Nil	(NOTE 8)
----------------------------------	-----	----------------	----------

SIGNED by the Easement Holder  
The Common Seal of Litchfield Council was affixed in the presence of:

.....  
Maree Bredhauer MAYOR

on (date): .....

.....  
Kaylene Conrick CHIEF EXECUTIVE OFFICER

on (date): .....

Registered on ..... At .....

## CONSENT OF REGISTERED MORTGAGEES AND LESSEES

Instrument type: .....	Instrument type: .....
Instrument No: .....	Instrument No: .....
Name of Parties: .....	Name of Parties: .....
.....	
I the registered proprietor of the interest shown above consent to the registration of this instrument.	I the registered proprietor of the interest shown above consent to the registration of this instrument.
Signed: .....	Signed: .....
(Date): .....	(Date): .....
In the presence of: .....	In the presence of: .....
.....	
Name of Witness: .....	Name of Witness: .....
.....	
Address or Telephone No.: .....	Address or Telephone No.: .....

### SCHEDULE OF NOTES

1. A registered easement in gross may be wholly or partly extinguished by registering an instrument of extinguishment of the easement in gross signed by only the person in whose favour the easement in gross is registered. (Internal use only: The PE code is used for extinguishment of an easement created by plan and the EE is for the extinguishment of an easement created by instrument).
2. This form is to be lodged as an original only and must be typed or completed in ink or biro. The imprint of the Commissioner of Territory Revenue must be shown. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. A short description (ie. Sewerage Easement to Power and Water Corporation) will normally be sufficient. In certain circumstances like a partial extinguishment a survey plan may need to be annexed. If the easement was originally created by an instrument that LTO number should also be shown.
5. Volume and Folio of current title is essential together with complete parcel description. If the certificate as to title has been issued it must be produced.
6. Insert owner of the land burdened by the easement.
7. Name only (ie. Northern Territory of Australia).
8. The amount paid or the amount in dollars as valued. For the GST amount, if the easement is subject to the margin scheme and the GST amount is unknown insert "margin scheme" in the box provided.
9. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Profession Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

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## PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the *Land Title Act* to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The NT Government also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.

*Land Title Act*  
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

<b>E</b>	<b>E</b>	
<b>P</b>	<b>E</b>	<b>No:</b>

Commissioner of Territory Revenue use only

**IMPORTANT NOTICE**

Please Note Privacy Statement Overleaf

**EXTINGUISHMENT OF  
EASEMENT IN GROSS**

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<b>EASEMENT BEING EXTINGUISHED</b>	Drainage Easement	LTO:	LTO99/63	(NOTE 4)
--	-------------------	------	----------	----------

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CUFT			Hundred of Bagot	Section 5124	LTO99/63		(NOTE 5)

<b>OWNER OF THE LAND BURDENED BY THE EASEMENT</b>	Gary Vincent Coleman Dorothy Josephine Coleman	(NOTE 6)
---	---	----------

<b>PERSON RECEIVING THE BENEFIT OF THE EASEMENT</b>	Litchfield Council formerly known as Litchfield Shire Council	(NOTE 7)
---	---	----------

<b>VALUE (GST INCLUSIVE)</b>	Nil	GST amount Nil	(NOTE 8)
----------------------------------	-----	----------------	----------

SIGNED by the Easement Holder  
The Common Seal of Litchfield Council was affixed in the presence of:

.....  
Maree Bredhauer MAYOR

on (date): .....

(NOTE 9)

.....  
Kaylene Conrick CHIEF EXECUTIVE OFFICER

on (date): .....

Registered on ..... At .....

## CONSENT OF REGISTERED MORTGAGEES AND LESSEES

Instrument type: .....	Instrument type: .....
Instrument No: .....	Instrument No: .....
Name of Parties: .....	Name of Parties: .....
.....	
I the registered proprietor of the interest shown above consent to the registration of this instrument.	I the registered proprietor of the interest shown above consent to the registration of this instrument.
Signed: .....	Signed: .....
(Date): .....	(Date): .....
In the presence of: .....	In the presence of: .....
.....	
Name of Witness: .....	Name of Witness: .....
.....	
Address or Telephone No.: .....	Address or Telephone No.: .....

### SCHEDULE OF NOTES

1. A registered easement in gross may be wholly or partly extinguished by registering an instrument of extinguishment of the easement in gross signed by only the person in whose favour the easement in gross is registered. (Internal use only: The PE code is used for extinguishment of an easement created by plan and the EE is for the extinguishment of an easement created by instrument).
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5. Volume and Folio of current title is essential together with complete parcel description. If the certificate as to title has been issued it must be produced.
6. Insert owner of the land burdened by the easement.
7. Name only (ie. Northern Territory of Australia).
8. The amount paid or the amount in dollars as valued. For the GST amount, if the easement is subject to the margin scheme and the GST amount is unknown insert "margin scheme" in the box provided.
9. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Profession Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

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## PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the *Land Title Act* to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The NT Government also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.

*Land Title Act*  
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

<b>E</b>	<b>E</b>	
<b>P</b>	<b>E</b>	<b>No:</b>

Commissioner of Territory Revenue use only

**IMPORTANT NOTICE**

Please Note Privacy Statement Overleaf

**EXTINGUISHMENT OF  
EASEMENT IN GROSS**

The person(s) in whose favour the easement in gross is registered extinguishes the easement over the land specified for the value expressed below. (NOTES 1 – 3)

<b>EASEMENT BEING EXTINGUISHED</b>	Drainage Easement	LTO: LTO99/78	(NOTE 4)
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Register	Volume	Folio	Location	Lot Description	Plan	Unit	
CUFT			Hundred of Bagot	Section 5132	LTO99/78		(NOTE 5)

<b>OWNER OF THE LAND BURDENED BY THE EASEMENT</b>	Gary Vincent Coleman Dorothy Josephine Coleman	(NOTE 6)
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<b>PERSON RECEIVING THE BENEFIT OF THE EASEMENT</b>	Litchfield Council formerly known as Litchfield Shire Council	(NOTE 7)
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<b>VALUE (GST INCLUSIVE)</b>	Nil	GST amount Nil	(NOTE 8)
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SIGNED by the Easement Holder  
The Common Seal of Litchfield Council was affixed in the presence of:

.....  
Maree Bredhauer MAYOR

on (date): .....

.....  
Kaylene Conrick CHIEF EXECUTIVE OFFICER

on (date): .....

(NOTE 9)

Registered on ..... At .....

## CONSENT OF REGISTERED MORTGAGEES AND LESSEES

Instrument type: .....	Instrument type: .....
Instrument No: .....	Instrument No: .....
Name of Parties: .....	Name of Parties: .....
.....	
I the registered proprietor of the interest shown above consent to the registration of this instrument.	I the registered proprietor of the interest shown above consent to the registration of this instrument.
Signed: .....	Signed: .....
(Date): .....	(Date): .....
In the presence of: .....	In the presence of: .....
.....	
Name of Witness: .....	Name of Witness: .....
.....	
Address or Telephone No.: .....	Address or Telephone No.: .....

### SCHEDULE OF NOTES

1. A registered easement in gross may be wholly or partly extinguished by registering an instrument of extinguishment of the easement in gross signed by only the person in whose favour the easement in gross is registered. (Internal use only: The PE code is used for extinguishment of an easement created by plan and the EE is for the extinguishment of an easement created by instrument).
2. This form is to be lodged as an original only and must be typed or completed in ink or biro. The imprint of the Commissioner of Territory Revenue must be shown. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. A short description (ie. Sewerage Easement to Power and Water Corporation) will normally be sufficient. In certain circumstances like a partial extinguishment a survey plan may need to be annexed. If the easement was originally created by an instrument that LTO number should also be shown.
5. Volume and Folio of current title is essential together with complete parcel description. If the certificate as to title has been issued it must be produced.
6. Insert owner of the land burdened by the easement.
7. Name only (ie. Northern Territory of Australia).
8. The amount paid or the amount in dollars as valued. For the GST amount, if the easement is subject to the margin scheme and the GST amount is unknown insert "margin scheme" in the box provided.
9. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Profession Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

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Date Registered: 03/10/2007

Volume 718 Folio 059

Duplicate Certificate as to Title issued? No

## SEARCH CERTIFICATE

Section 5124 Hundred of Bagot from plan(s) LTO99/63  
Area under title is 2550 square metres

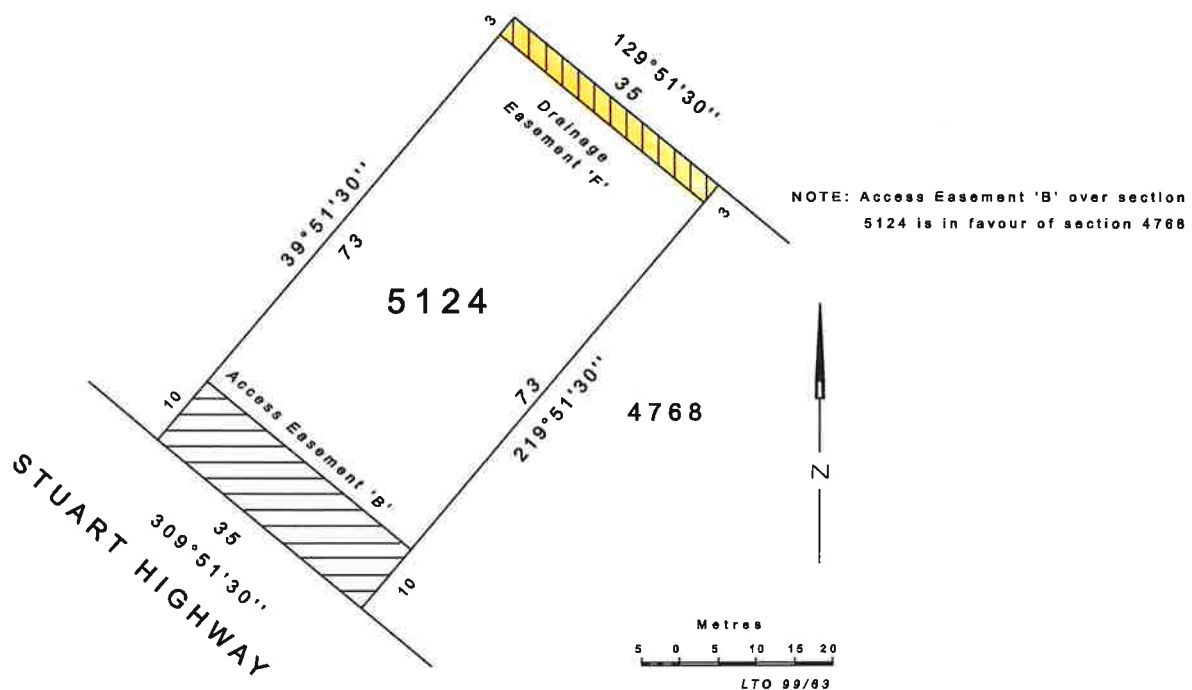
### Tenants in common:

Gary Vincent Coleman  
of PO Box 352, Darwin NT 0801  
1/2 share  
Dorothy Josephine Coleman  
of PO Box 352, Darwin NT 0801  
1/2 share

### Easements:

Drainage Easement to Litchfield Shire Council

Registered Date	Dealing Number	Description
		Previous title is <b>Volume 641 Folio 555</b>
25/01/2017	882022	Mortgage Commonwealth Bank of Australia
25/01/2017	882018	Discharge of Mortgage (810924)
02/12/2013	810924	Mortgage Bank of Queensland Limited
27/01/2010	719988	Discharge of Mortgage (666909)
25/02/2008	666909	Mortgage Commonwealth Bank of Australia
25/02/2008	666907	Discharge of Mortgage (481598)
16/11/2001	481598	Mortgage Westpac Banking Corporation
13/08/1999	429207	Access easement granted to the proprietor(s) of lot(s) 4768
End of Dealings		





Date Registered: 04/04/2017

Volume 817 Folio 876

Duplicate Certificate as to Title issued? No

## SEARCH CERTIFICATE

Section 5126 Hundred of Bagot from plan(s) LTO99/63

Area under title is 1470 square metres

### Tenants in common:

Gary Vincent Coleman

of PO Box 352, Darwin NT 0801

1/2 share

Dorothy Josephine Coleman

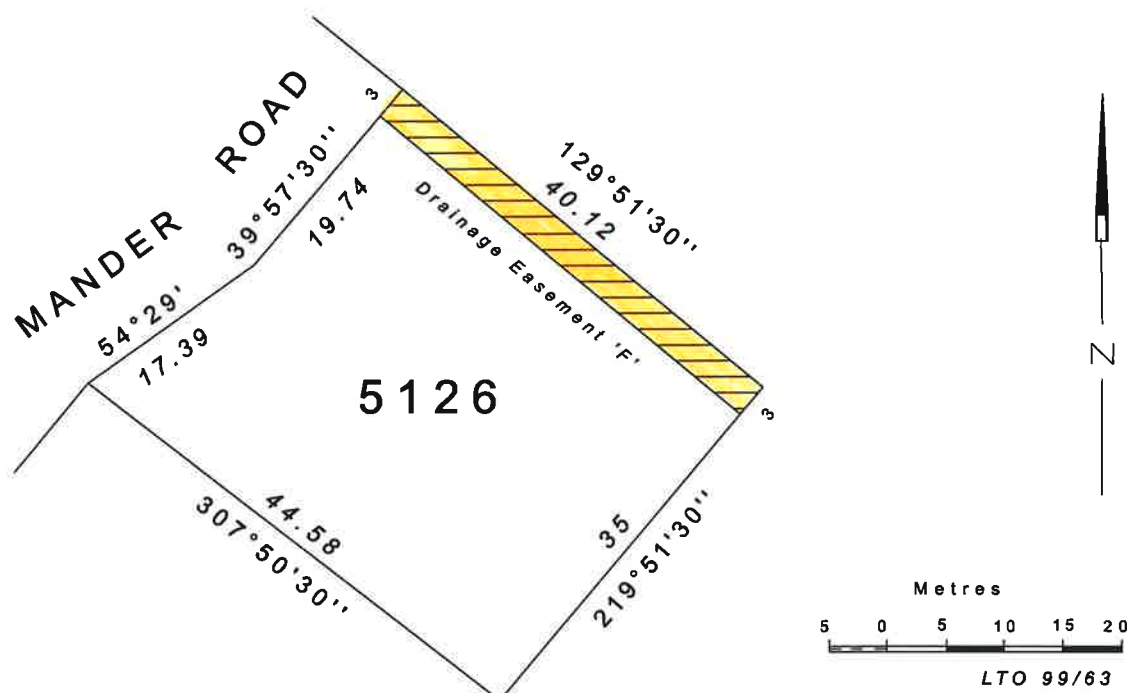
of PO Box 352, Darwin NT 0801

1/2 share

### Easements:

Drainage Easement to Litchfield Shire Council

Registered Date	Dealing Number	Description
		Previous title is <b>Volume 718 Folio 058</b>
04/04/2017	885380	Electricity supply Easement to Power and Water Corporation
25/01/2017	882022	Mortgage Commonwealth Bank of Australia
End of Dealings		



Date Registered: 17/10/2016

Volume 814 Folio 450

Duplicate Certificate as to Title issued? No

## SEARCH CERTIFICATE

Section 5132 Hundred of Bagot from plan(s) LTO99/78  
Area under title is 1830 square metres

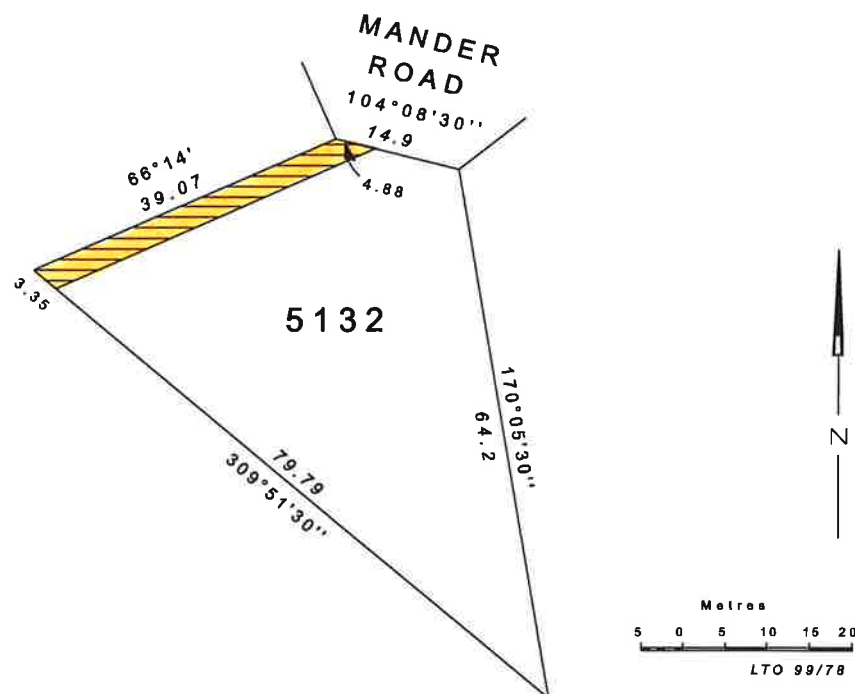
### Tenants in common:

Gary Vincent Coleman  
of PO Box 352, Darwin NT 0801  
1/2 share  
Dorothy Josephine Coleman  
of PO Box 352, Darwin NT 0801  
1/2 share

### Easements:

Drainage Easement to Litchfield Shire Council

Registered Date	Dealing Number	Description
17/10/2016	876983	Previous title is <b>Volume 718 Folio 072</b> Mortgage National Australia Bank Limited
End of Dealings		



## **Council Meeting Agenda**

Wednesday 17 May 2017

### **16 Other Business**

### **17 Public Questions**

### **18 Confidential Items**

18.1 Council Selected Batonbearer Nomination Program

18.2 Anzac Parade Pavement Strengthening and Widening Between  
Ch1.35km and Ch2.175km

## Council Meeting Agenda

Wednesday 17 May 2017

**19**      **Close of Meeting**