

30 June 2021

Local Government and Community Development

Department of the Chief Minister and Cabinet

GPO Box 4621

Darwin NT 0801

Via Online Submission (LGLaw@nt.gov.au)



To Whom it May Concern,

RE: PROPOSED EXPANSION OF THE CITY OF PALMERSTON LOCAL GOVERNMENT BOUNDARY

UDIA NT is the peak membership body representing all aspects of the development industry in the Northern Territory. As the independent voice for the industry, we work collaboratively with Government, statutory agencies, service authorities and other industry bodies to represent our members and promote best practice urban development.

It is understood that the Northern Territory Government (NTG) intends to expand the boundary of the City of Palmerston Council to include unincorporated land (land that is not currently within a council area) in the City of Palmerston area. This will affect the suburbs of Berrimah, Wishart, Tivendale, and Elrundie.

The UDIA NT wishes to put forward the following comments and queries in relation to the proposed local government (LG) boundary change:

- The suburbs of Berrimah, Wishart, Tivendale and Elrundie are subject, or partly subject, to the *Northern Territory Rates Act 1971*. This legislation does not set out the process for excising land subject to the *Rates Act* to become incorporated within a Local Government Area.
- There does not appear to be a formally documented process for any incorporation of unincorporated land into an existing LG area in the NT. That is, there is no publicly available documented process which accurately sets out an open and transparent process in relation to proposed LG boundary changes. UDIA NT requests additional information in relation to the process to date that resulted in the City of Palmerston being the selected LG to incorporate the four abovementioned suburbs. It is noted that some of the subject unincorporated suburbs also abut the LG areas of City of Darwin and Litchfield Council.

As a point of comparison, there is an independent commission set up in South Australia that assesses and investigates council boundary change proposals and makes recommendations to the Minister. Their responsibilities and processes are clearly set out under the applicable Local Government Act.

The *NT Local Government Act 2008* sets out that the Administrator is able to 'define or change the boundaries of a local government area', but does not provide clarity on the process.

- It is unclear how the process of land incorporation, and consideration of each of the four abovementioned suburbs was initiated. Are NTG able to provide clarity as to what proposal commenced the process?
- It is understood that there should be a fair and transparent process for the incorporation of this land into any existing local government area. Is there any documented evidence that this proposed LG boundary change considers the resources required by the proposed Council to operate its activities, facilities and services at a sufficient level?
- Lastly, it is noted the *NT Local Government Act 2008* sets out that significant changes to the electoral representation of the area (such as the division of the area into wards, or some substantial change to the boundaries or wards of the area) allows for the Minister (Local Government) to call a general election. Have the implications of a General Election for the City of Palmerston been considered if the City of Palmerston's LG Boundaries are changed, given there is an upcoming Council election in 8 weeks?

The UDIA NT seeks a fair and transparent process for the proposed incorporation of these suburbs into any local government area, including the public provision of all background data, reports and findings.

The UDIA NT promotes a strong urban development industry creating and regenerating thriving, sustainable communities and economic prosperity for all. We wish to request additional information in relation to the long-term viability of the incorporation of the suburbs of Berrimah, Wishart, Tivendale and Erlundie proposal into the City of Palmerston in the context of achieving these objectives.

Should you require any further information, please do not hesitate to contact the undersigned on 0415 933 635.

Yours sincerely



Catriona Tatam

Chief Executive Officer

Urban Development Institute of Australia (NT)

