

Regulatory miscellaneous policy

Policy No. 7220.100.E.R

1 Purpose

To provide guidance to the public and staff in respect to City of Darwin's regulatory activities and establish a framework for the administration of a number of City of Darwin's regulatory powers, namely:

- handbills and posters
- loading zone permits
- parking permits – reservation of bays
- parking permits for service vehicles
- trimming vegetation
- unsafe or cluttered premises.

2 Scope

This policy provides guidance to the public and staff in respect to City of Darwin's regulatory activities and deals with specific regulatory activities in public places not addressed by other policies.

City of Darwin will respond to complaints from residents or appropriate organisations in relation to hazards and potential hazards when they arise.

3 Policy Statement

City of Darwin has the power to make by-laws and issue regulatory orders for the good governance of the council area and to protect the area from natural or other hazards and to mitigate against the effects of such hazards.

3.1 Handbills and posters

Individuals, private companies or organisations may obtain permits to distribute handbills and/or posters in the municipality pursuant to City of Darwin By-Law No. 133. Permits for the distribution of handbills and posters are subject to conditions included on the permit. Permits may require payment of a fee to provide for litter control if necessary. Permit fees will be set with City of Darwin's annual fees and charges.

3.2 Loading zone permits

Loading zone permits may be issued to individuals who have a need to service business premises from loading zones, but do not own a commercial vehicle as defined in the *Traffic Act 1987* (NT) and Traffic Regulations 1999. Permits are subject to conditions issued with the permit. Permit fees will be adjusted annually in line with City of Darwin's fees and charges.

3.3 Parking permits – reservation of bays

Permits for reservation of parking bays within the Municipality will be issued only for commercial vehicles and subject to conditions on the permit. Permits for vehicles other than commercial may be granted in exceptional circumstances at the discretion of the General Manager Community. Permit fees will be adjusted annually in line with City of Darwin's fees and charges.

3.4 Parking permits for service vehicles

Parking permits for on-street parking of service vehicles will be issued only for the installation, maintenance or emergency repair to any plant and equipment belonging to a customer of that business. Permits are subject to conditions on the permit. Permit fees will be adjusted annually in line with City of Darwin's fees and charges.

3.5 Trimming vegetation

City of Darwin will issue a notice to the owner/occupier of a property for pruning of vegetation to prevent the vegetation obstructing a footpath, verge or road, or becoming a hazard to individuals or property.

Where a property owner fails to comply, a show cause notice will be issued.

An enforcement notice will be issued 14 days from the date of the show cause notice for continuing non-compliance.

City of Darwin will recover costs for works conducted from the property owner when they have not complied with City of Darwin's written request to remove the vegetation.

3.6 Unsafe or cluttered premises

City of Darwin will issue a notice to the owner / occupier of a property to remove or clear rubbish, discarded goods or overgrown vegetation on their premises.

Version:	Decision Number:	Adoption Date:	Next Review Date:
5	ORD565/23	26 September 2023	26 September 2027
Responsible Officer: General Manager Community			

Where a property owner fails to comply, a show cause notice will be issued. Where the property owner continues to fail to comply, an enforcement notice will be issued 14 days from the date of the show cause notice.

If the property owner fails to comply with the enforcement notice after reasonable notice to the owner or occupier of the land, City of Darwin may enter the land and carry out all or part of the work, or take other action required under the notice.

Any costs properly and reasonably incurred by City of Darwin are recoverable as unpaid rates or as a debt due and payable to City of Darwin.

4 Definitions

N/A

5 Legislative References

City of Darwin By-Laws 2023

Local Government Act 2019 (NT)

Traffic Act 1987 (NT)

Traffic Regulations 1999

6 Procedures / Related Documents

City of Darwin 7210.100.E.R Compliance and Enforcement Policy

City of Darwin 7210.001.I.N Enforcement Guidelines

7 Responsibility / Application

The General Manager Community is responsible for ensuring that this policy is adhered to and understood.

The General Manager Community is accountable for maintaining the currency and accuracy of this policy, associated procedures and guidelines.

Regulatory Services will enforce compliance activities within the Darwin municipality in line with this policy.

This Policy will be reviewed every four years or in response to significant changes in legislation or other circumstances which affect its effectiveness and validity.