

23 June 2017

Please quote: 3552626 DB:hd

Your reference: PA2017/0269

Mr Tony Brennan  
Acting Manager Urban Planning  
Department of Infrastructure, Planning & Logistics  
GPO Box 1680  
DARWIN NT 0801

Dear Mr Brennan

**Parcel Description:**                      **Lot 3751 - Town of Darwin  
48 Mitchell Street, Darwin**

**Proposed Development:**    **Change of use of part of the building from  
guesthouse to hotel including alterations and  
additions to the existing building**

Thank you for the Development Application referred to this office 8 June 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

i).    **City of Darwin does not object to the granting of a Development Permit provided the following issues are adequately addressed:**

a).    **Traffic and Parking Statement**

City of Darwin's ability to comment on the traffic and car parking for the proposed development is restricted due to the lack of a traffic engineers report as alluded to within the Statement of Effect. City of Darwin therefore requests a Traffic Impact Assessment Report, to be prepared by a suitably qualified traffic engineer, in order to make an assessment on the provision of a loading bay, parking requirements and safe access and egress to the site.

b).    **Vehicle parking**

The Statement of Effect calculates a total car parking generation of 52 car parking spaces, with 29 of these not being accounted for through either on-site car parking spaces or under the conditions of previous Development Permits. The applicant has noted that they are "prepared

to pay a monetary contribution to (City of Darwin) in lieu of providing car parking on site.”

It is acknowledged that Development Permit (DP05/0096B) to vary the requirements of DP05/0096 required a monetary contribution for 13 car parking spaces. The current Development Application requires an additional 29 car parking spaces on top of the existing car parking shortfall. City of Darwin acknowledges the inability to provide sufficient car parking on-site due to the scale and type of development.

Subsequently, City of Darwin requests that the remaining car parking shortfall not be waived and a monetary contribution be paid in order for City of Darwin to assist in rectifying any car parking issues that may occur as a result of the car parking shortfall, by providing car parking at an alternative location in lieu of on-site provision.

c). **Awnings**

City of Darwin notes that an awning is proposed, the applicant is reminded that any awnings must be in accordance with City of Darwin Policy No. 037 Awnings, Balconies and Verandahs on Council Property. City of Darwin requests a separate application for any proposed awnings over Council’s road reserve.

ii). **City of Darwin requests that should a Development Permit be issued, that the following be provided as a condition precedent:**

a). **Crossover**

A dilapidation report covering infrastructure within the road reserve to the satisfaction of the General Manager Infrastructure, City of Darwin at no cost to Council.

b). **Awnings**

All awnings and canopies over City of Darwin road reserves must be designed in accordance with City of Darwin Policy No. 037 – awnings, Balconies and Verandahs on Council Property and are subject to the approval of the General Manager Infrastructure, City of Darwin.

c). **Stormwater**

City of Darwin requests that the Authority require a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to City of Darwin’s stormwater drainage system. The applicant’s plans fail to demonstrate how on-site stormwater will be

collected and discharged underground to City of Darwin's drainage network.

- 1). The plan shall include details of site levels and City of Darwin's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to City of Darwin's system.
- 2). City of Darwin requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into City of Darwin's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

d). **Environmental and Construction Management Plan**

City of Darwin requests that an Environmental and Construction Management Plan (ECMP) be required.

The ECMP should specifically address the following:

- waste management,
- traffic control,
- haulage routes,
- storm water drainage,
- use of City of Darwin land, and
- how this land will be managed during the construction phase;

to the satisfaction of the General Manager Infrastructure, City of Darwin.

**Note:** Sediment control measures are to be established and maintained, to prevent silt and sediment escaping the site or producing erosion.

Building rubbish or debris must not be placed, or be permitted to be placed, on any adjoining public reserve, footway, road or private land, without first obtaining a works approval from City of Darwin.

e). **Traffic**

City of Darwin requires a Traffic Impact Assessment Report, to be prepared by a suitably qualified traffic engineer in accordance with the Austroads Document Guide to Traffic Management Part 12: Traffic Impacts of Developments, in the report structure provided as Appendix C of that document, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities.

The Traffic Impact Assessment report is to also include swept paths for waste collection vehicles entering and exiting the site.

The developer will be required to institute all required upgrade measures resulting from the traffic assessment at no cost to City of Darwin.

iii). **Should the above issues be adequately addressed, City of Darwin offers the following comments:**

City of Darwin comments on issues for which it is the sole responsible authority, under the *Local Government Act* and associated By-Laws:-

a). **Awning Overhang**

The proposal includes awning overhangs to Mitchell Street. Awning agreements are required as a separate approval from City of Darwin. City of Darwin requests that the applicant first seek all required approvals from City of Darwin for any awnings or canopies for the proposed building.

City of Darwin comments in relation to the *Planning Act*, the Northern Territory Planning Scheme and Land Use Objectives:-

a). **City of Darwin requests that the Authority require a monetary contribution is paid to City of Darwin in accordance with its Car Parking Contribution Plan in lieu of the on-site car parking shortfall as a result of this development.**

Should this application be approved, the following conditions pursuant to the *Planning Act* and City of Darwin's responsibilities under the *Local Government Act* are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, City of Darwin.
- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided,

stormwater shall be collected and discharged into City of Darwin's drainage network, and reinstatement works carried out, all of which is to be provided at the applicant's expense and to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5 metres from the face of the kerb line of the adjoining public road.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.
- Any proposed awnings at the site shall be subject to City of Darwin Policy Number 37 - Awnings, Balconies and Verandahs on Council Property.
- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

In considering this application, the Development Consent Authority is requested to take into account any implications of the *Disability Discrimination Act* (Cth) or the *Anti-Discrimination Act* (NT) with regard to access for the disabled.

If you require any further discussion in relation to this application, please feel free to contact me on 8930 0528.

Yours faithfully

A handwritten signature in black ink, consisting of a large, stylized 'C' that loops around and ends with a short horizontal stroke.

**CINDY ROBSON**  
**STRATEGIC TOWN PLANNER**



LOCATION PLAN  
SCALE 1 : 1000

RPD: LOT 3751 MITCHELL STREET, DARWIN

DRAWING SCHEDULE

- A01 ... LOCALITY PLAN, SCHEDULES
- A02 ... GROUND FLOOR PLAN
- A03 ... FIRST FLOOR PLAN
- A04 ... SECOND FLOOR PLAN
- A05 ... EXTERNAL ELEVATIONS - SHEET 1
- A06 ... EXTERNAL ELEVATIONS - SHEET 2
- A07 ... SECTION A & B
- A08 ... SECTION C & D
- A09 ... CONSTRUCTION STAGES - GROUND FLOOR
- A10 ... CONSTRUCTION STAGES - FIRST FLOOR
- A11 ... CONSTRUCTION STAGES - SECOND FLOOR
- A12 ... EXISTING GROUND FLOOR (REFERENCE PLAN)
- A13 ... EXISTING FIRST FLOOR (REFERENCE PLAN)
- A14 ... EXISTING SECOND FLOOR (REFERENCE PLAN)

SCHEDULE OF NET FLOOR AREAS

GROUND FLOOR - STAGE 1 & 2

INTERNAL AREAS ... 676.0m<sup>2</sup>  
(EXCLUDING STAIRS,  
LIFT, TOILETS, CLEANER  
ETC. AS DEFINED IN  
NTPS)

OUTDOOR AREA ... 216.0m<sup>2</sup>  
SMOKING AREA ... 12.3m<sup>2</sup>

FIRST FLOOR - STAGE 1 & 2

INTERNAL AREAS ... 506.0m<sup>2</sup>  
(EXCLUDING STAIRS,  
LIFT, TOILETS, CLEANER  
ETC. AS DEFINED IN  
NTPS)

UPPER DECK ... 189.6m<sup>2</sup>  
(OUTDOOR AREA)

SECOND FLOOR - STAGE 1

INTERNAL AREAS ... 182.48m<sup>2</sup>  
(EXCLUDING STAIRS,  
LIFT, TOILETS, CLEANER  
ETC. AS DEFINED IN  
NTPS)

SMOKING AREA ... 10.52m<sup>2</sup>

DISABLED ACCESS ASSESSMENT

WHEEL CHAIR ACCESS IS AVAILABLE TO ALL THE PUBLIC (COMMON) SPACE ON THE GROUND FLOOR, INCLUDING RECEPTION AREA, BUT EXCLUDING NON DISABLED TOILETS, STAIRS & STAFF AREAS

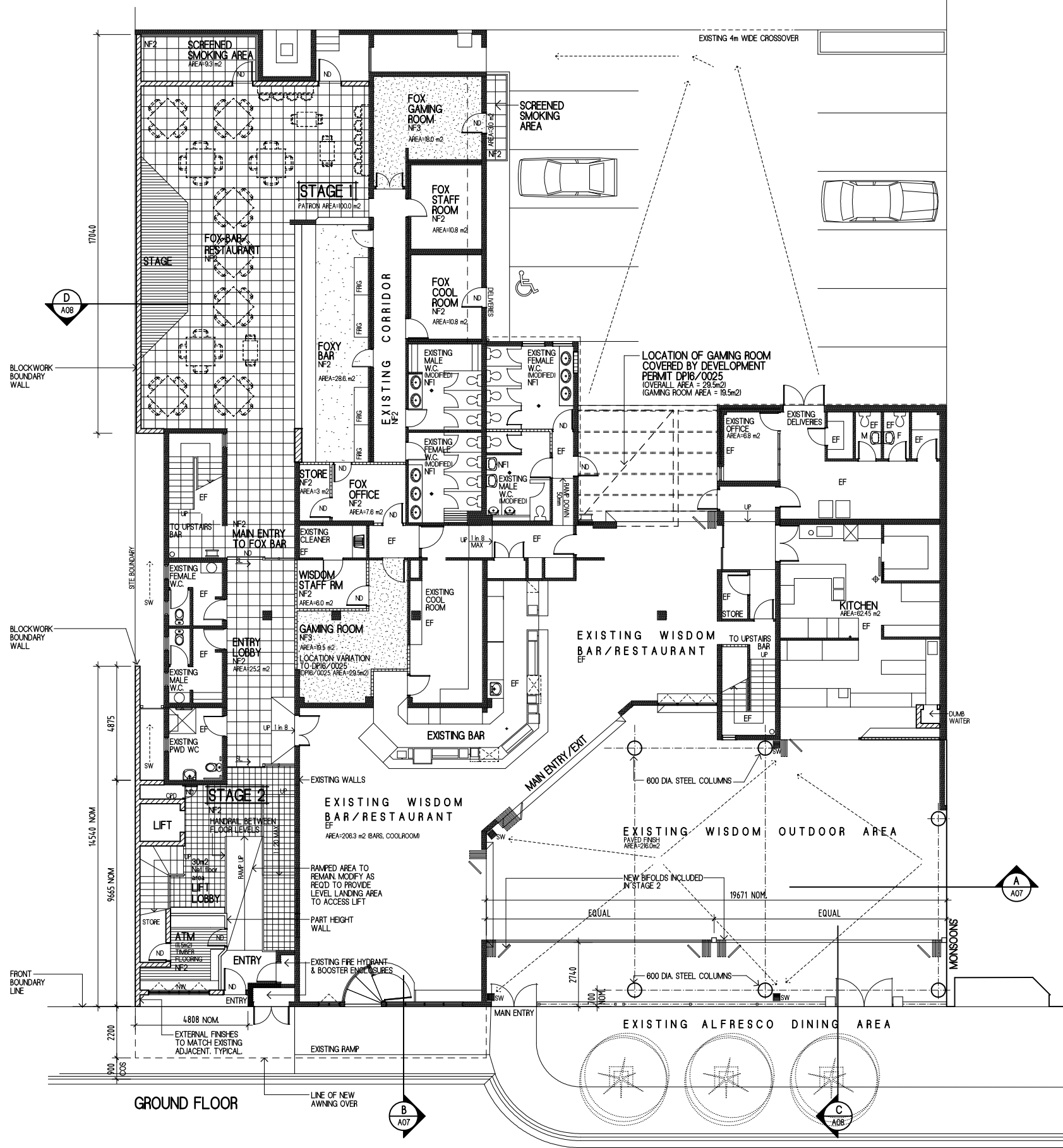
VIA THE LIFT ON THE GROUND FLOOR, WHEEL CHAIR ACCESS IS ALSO AVAILABLE TO THE PROPOSED BAR/DINING AREA ON THE FIRST FLOOR

THEREFORE WHEELCHAIR USERS HAVE ACCESS TO 100% OF THE TOTAL PUBLIC (COMMON) GROUND & FIRST FLOOR AREAS, INCLUDING THE OUTDOOR BAR AND ALFRESCO AREA. HOWEVER THERE IS NO DISABLED ACCESS TO HOWEVER, THERE IS NO DISABLED ACCESS TO THE SECOND FLOOR

SITE ANALYSIS

TOTAL AREA OF LOT 3751	...	1440m <sup>2</sup>
SITE COVER - GROUND FLOOR	...	1,106m <sup>2</sup>
PERCENTAGE OF SITE COVER	...	76.8%
PLOT RATIO	...	1.315
(TOTAL FLOOR AREA OF BUILDING = 1,894.23m <sup>2</sup> )		
(GROUND FLOOR = 881.43m <sup>2</sup> )		
(FIRST FLOOR = 715.2m <sup>2</sup> )		
(SECOND FLOOR = 297.6m <sup>2</sup> )		

No.	AMENDMENT	DRN	CH	DATE



# LEGEND:

- EXISTING WALLS
- NEW WALLS
- EXISTING FLOORING
- NEW FLOORING INFILLS TO MATCH EXISTING
- NEW FLOORING - SLIP RESISTANT
- NEW FLOORING - CARPET
- NEW DOOR
- NEW WINDOW

No.	AMENDMENT	DRN	DATE

**draftLink**  
The Sidney Williams Hut 28 Westralia Street  
PO Box 1461 DARWIN NT 0801 Ph. 0413 833 843  
Email: dlink@bigpond.net.au ABN 85 866 599 367

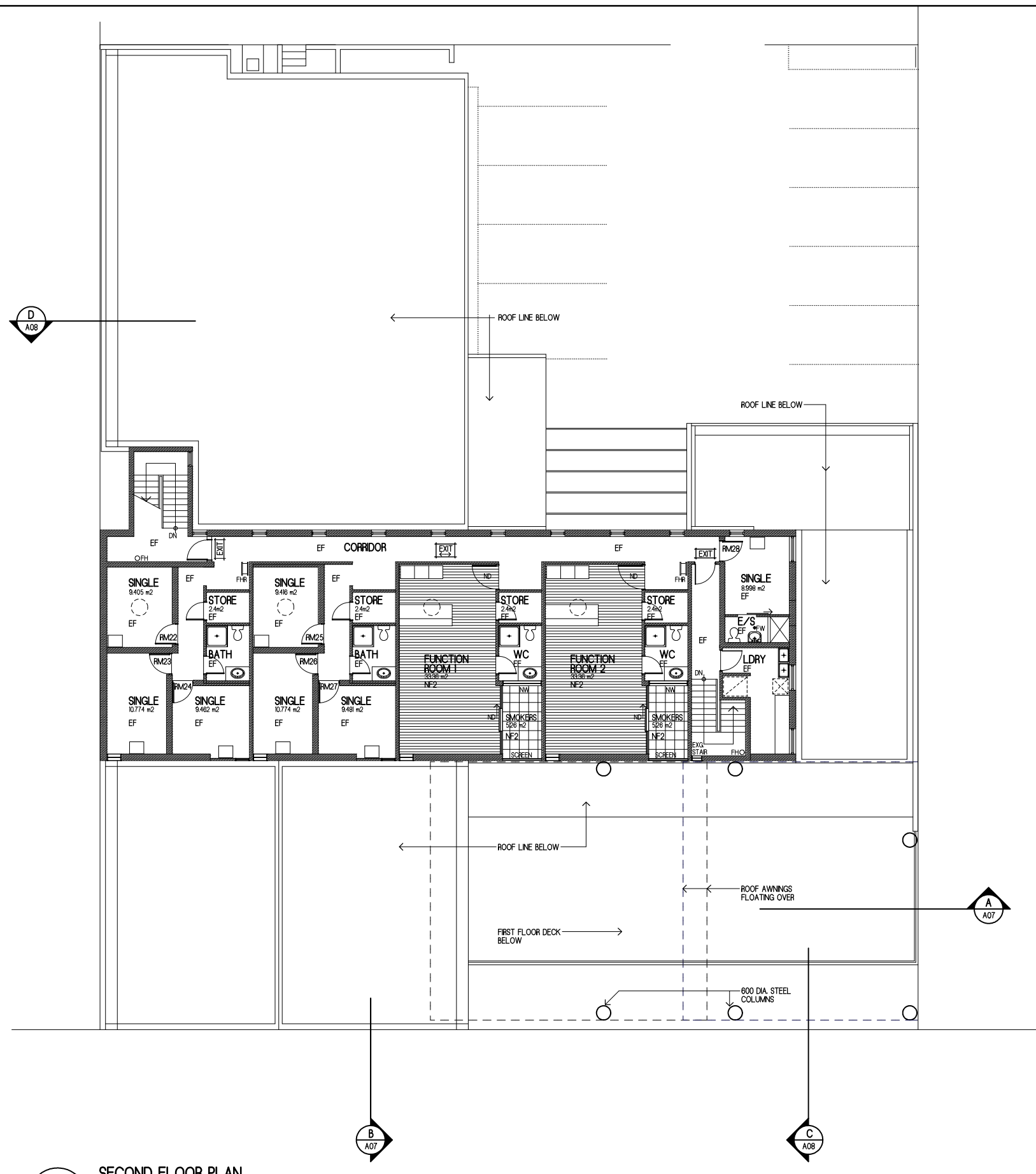
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JOB TITLE  
**WISDOM BAR & CAFE  
PROPOSED EXTENSION  
LOT 3751 (48) MITCHELL STREET, DARWIN**

USE FIGURED DIMENSIONS IN PREFERENCE TO SCALE  
DRAWING TITLE  
**GROUND FLOOR PLAN**

DATE	JUNE 17	JOB No.	DL16/399
DRAWN	PM	DRAWING No.	A02
CHECKED		ISSUE No.	DCA
SCALE	1 : 100 (A1)		







# LEGEND:

- EXISTING WALLS
- NEW WALLS
- EF EXISTING FLOORING
- NF1 NEW FLOORING INFILLS TO MATCH EXISTING
- NF2 NEW FLOORING - SLIP RESISTANT
- NF3 NEW FLOORING - CARPET
- ND NEW DOOR
- NW NEW WINDOW



SECOND FLOOR PLAN

MITCHELL

STREET

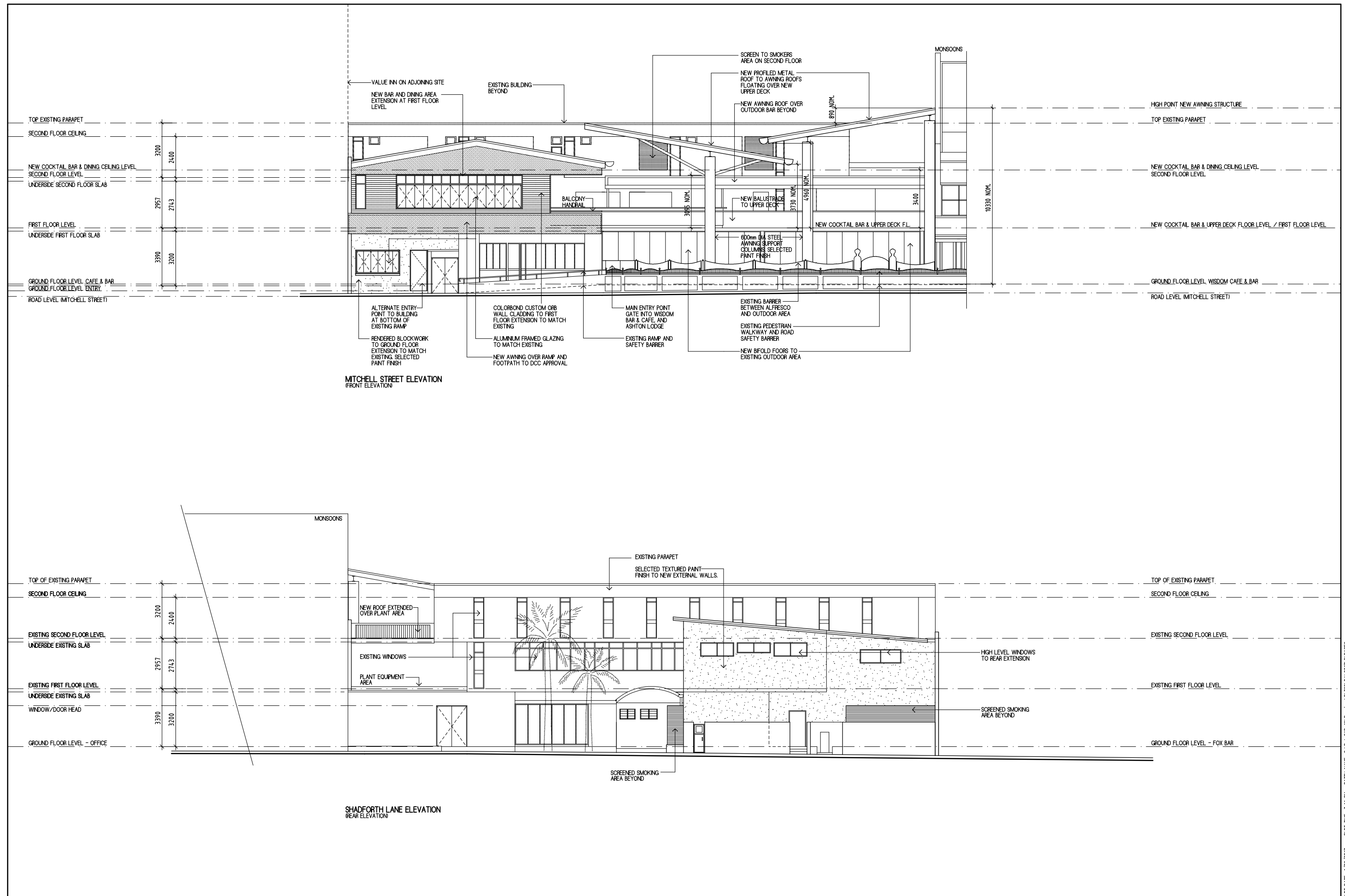
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LOT 3751 (48) MITCHELL STREET, DARWIN

USE FIGURED DIMENSIONS IN PREFERENCE TO SCALE  
DRAWING TITLE  
SECOND FLOOR PLAN

DATE	JUNE 17	JOB No.	DL16/399
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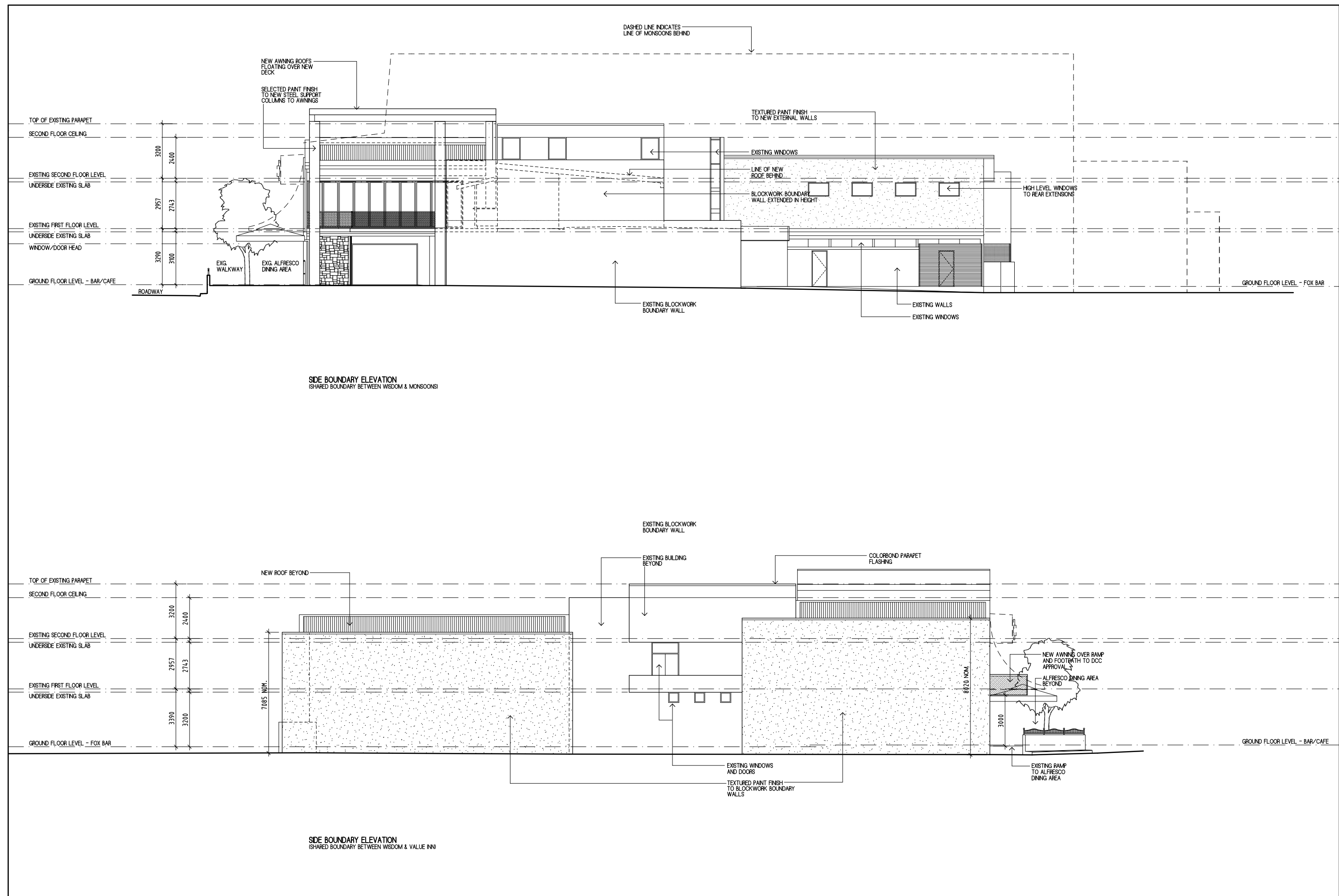
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PROPOSED EXTENSION  
LOT 3751 (48) MITCHELL STREET, DARWIN**

USE FIGURED DIMENSIONS IN PREFERENCE TO SCALE  
DRAWING TITLE  
**EXTERNAL ELEVATIONS  
SHEET 1**

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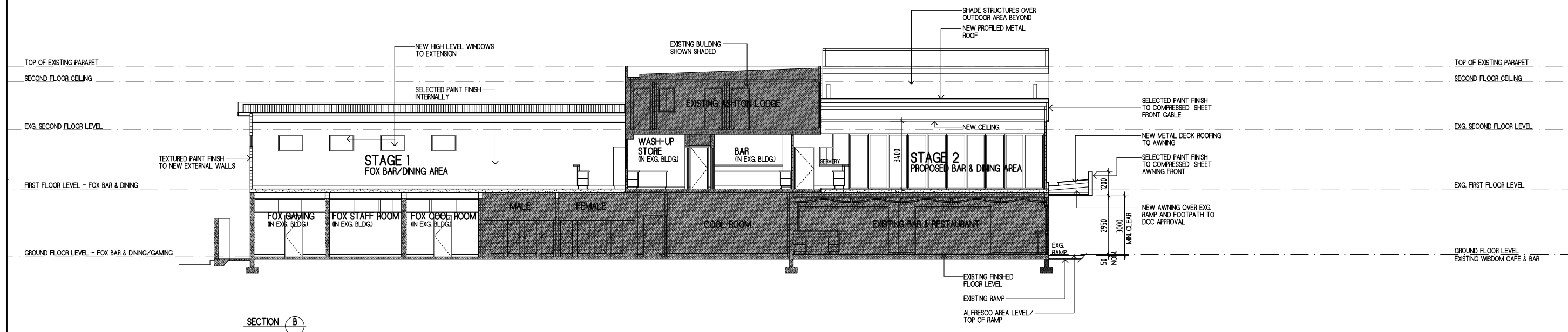
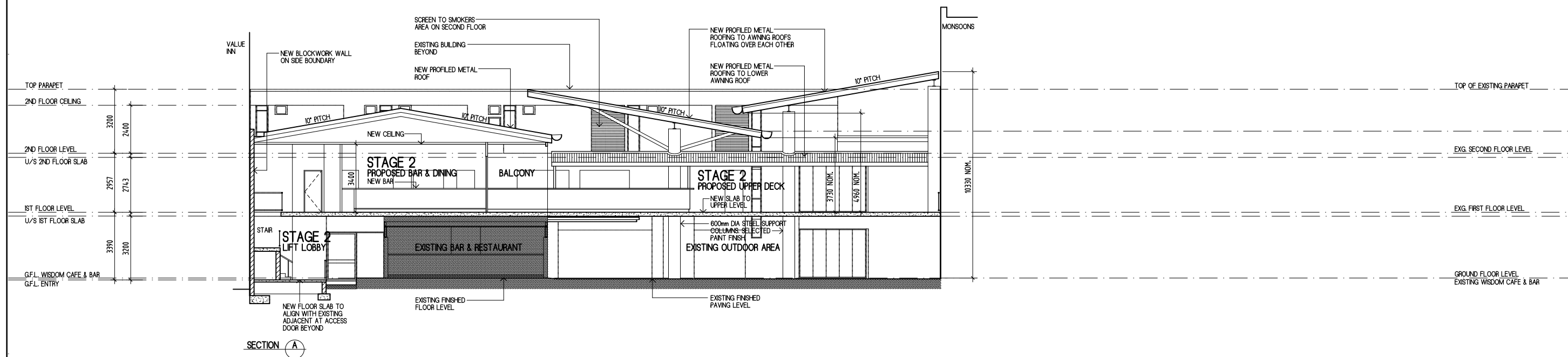
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PROPOSED EXTENSION  
LOT 3751 (48) MITCHELL STREET, DARWIN**

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DRAWING TITLE  
**EXTERNAL ELEVATIONS  
SHEET 2**

ALL DIMENSIONS TO BE VERIFIED AND CHECKED ON JOB	
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ISSUE No.	DCA

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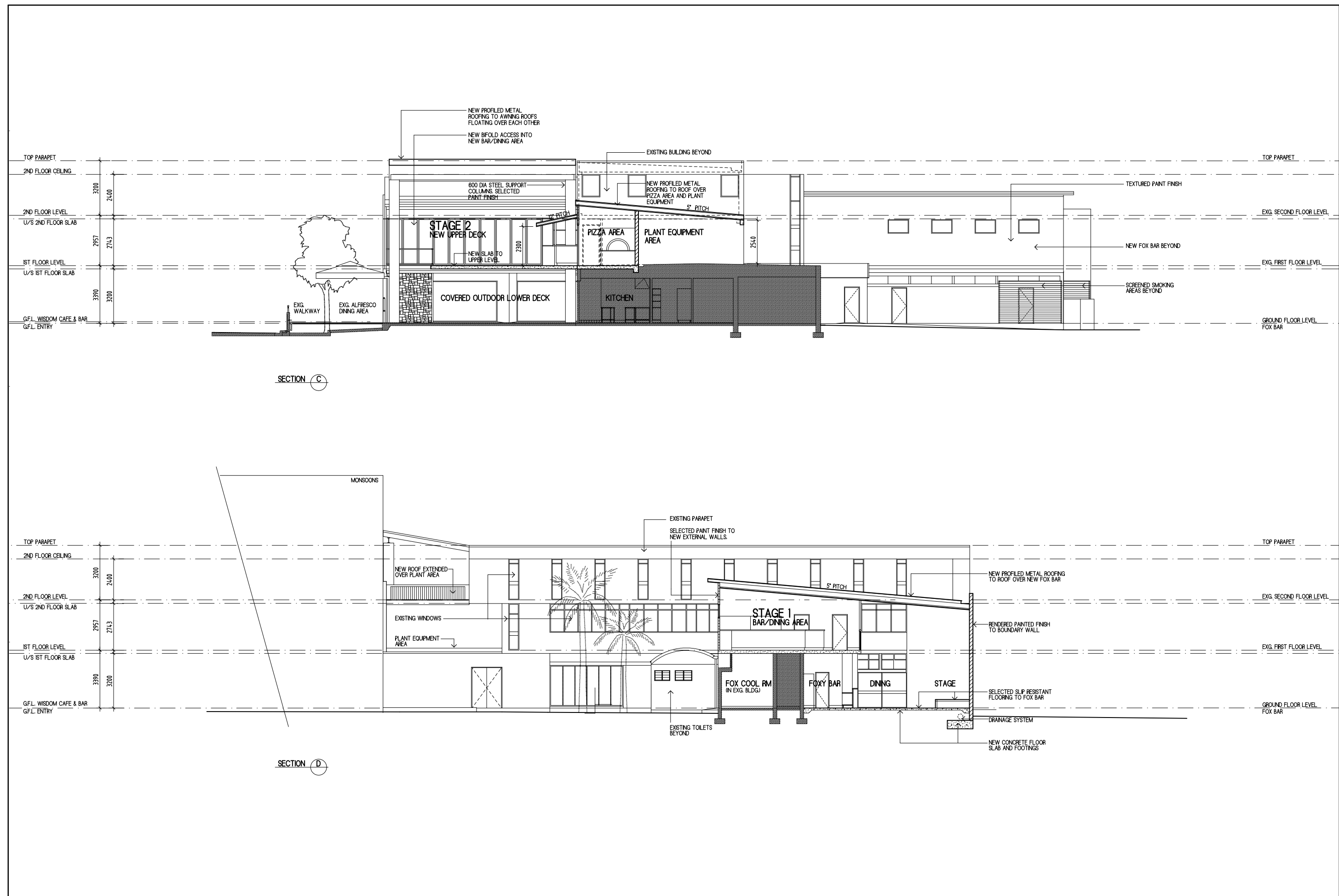
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LOT 3751 (48) MITCHELL STREET, DARWIN

USE FIGURED DIMENSIONS IN PROJECTIONS

DRAWING TITLE  
SECTION A & B

DATE JUNE 17		JOB No. DL16/399	
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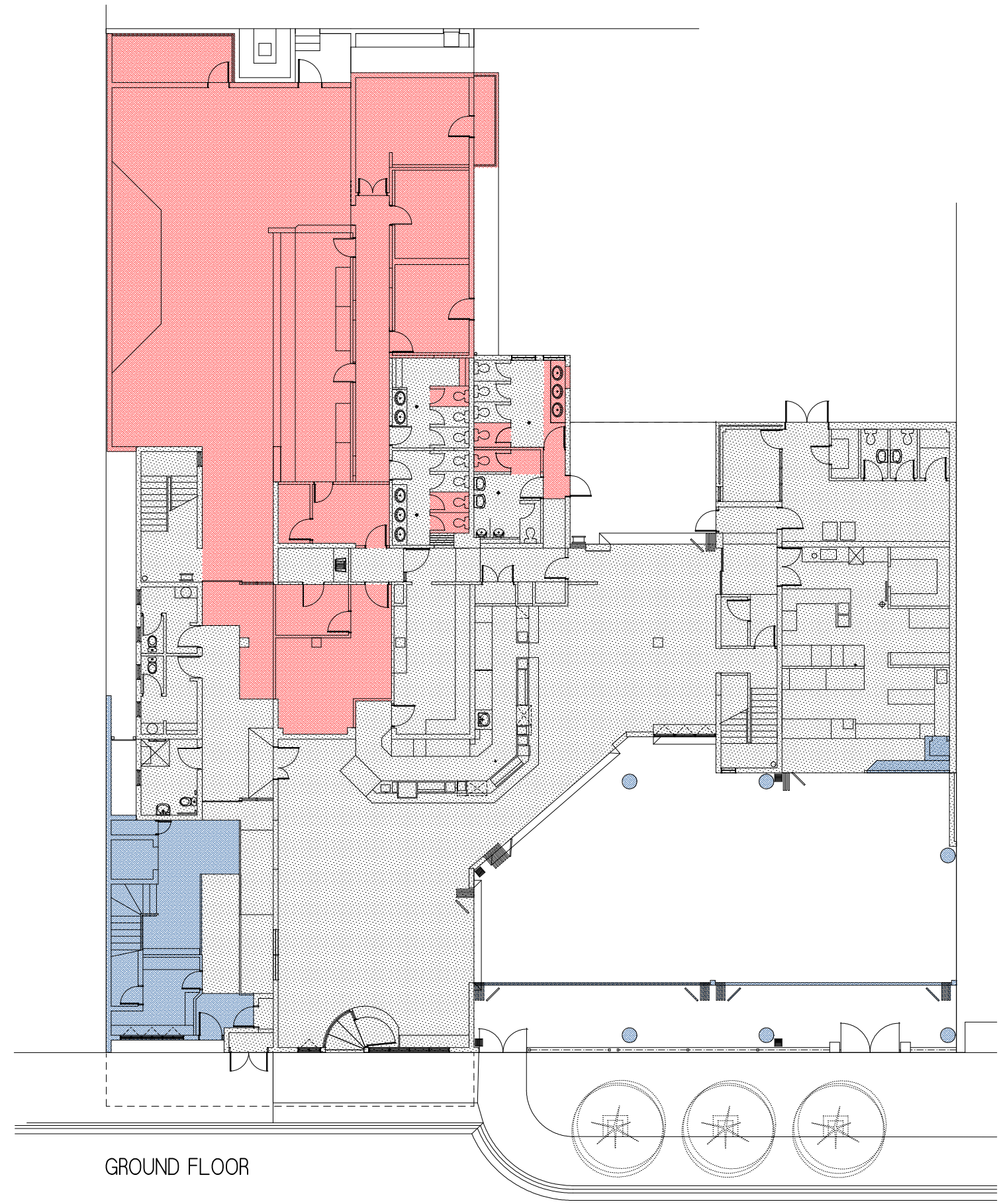
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 PROPOSED EXTENSION  
 LOT 3751 (48) MITCHELL STREET, DARWIN**

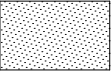


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CONSTRUCTION STAGES  
LEGEND:

-  EXISTING BUILDING  
UNDISTURBED
-  STAGE 1  
REFIT OF EXISTING/  
PROPOSED EXPANSION
-  STAGE 2  
REFIT OF EXISTING/  
PROPOSED EXPANSION

GROUND FLOOR

No.	AMENDMENT	DATE

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PROPOSED EXTENSION  
LOT 3751 (48) MITCHELL STREET, DARWIN

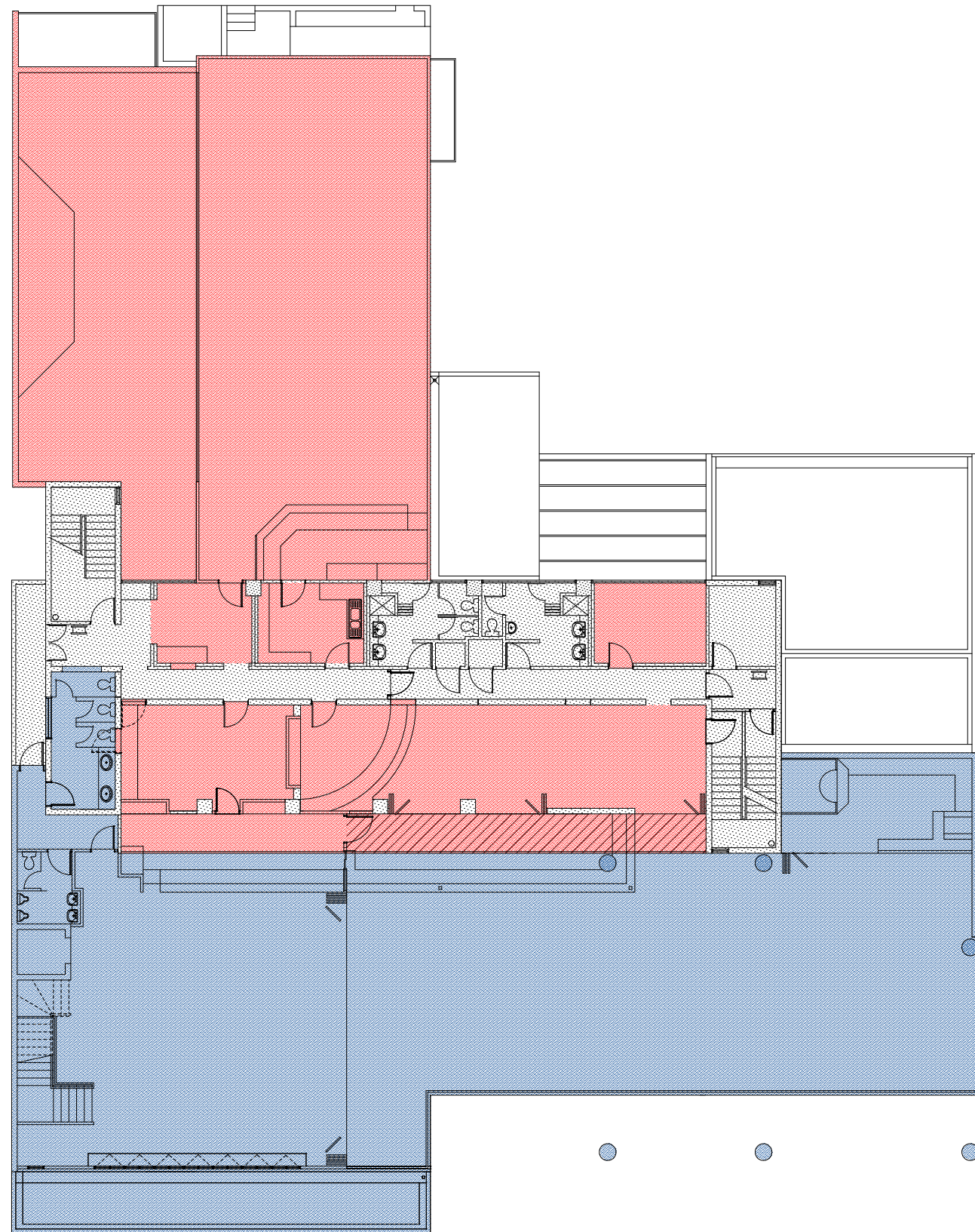
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CONSTRUCTION STAGES  
GROUND FLOOR

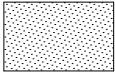


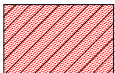
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CONSTRUCTION STAGES  
LEGEND:

-  EXISTING BUILDING  
UNDISTURBED
-  STAGE 1  
REFIT OF EXISTING/  
PROPOSED EXPANSION
-  STAGE 2  
REFIT OF EXISTING/  
PROPOSED EXPANSION
-  OVERLAP AREA  
BALCONY IN STAGE 1  
BECOMES OUTDOOR BAR  
IN STAGE 2

FIRST FLOOR

No.	AMENDMENT	DRN	CHK	DATE

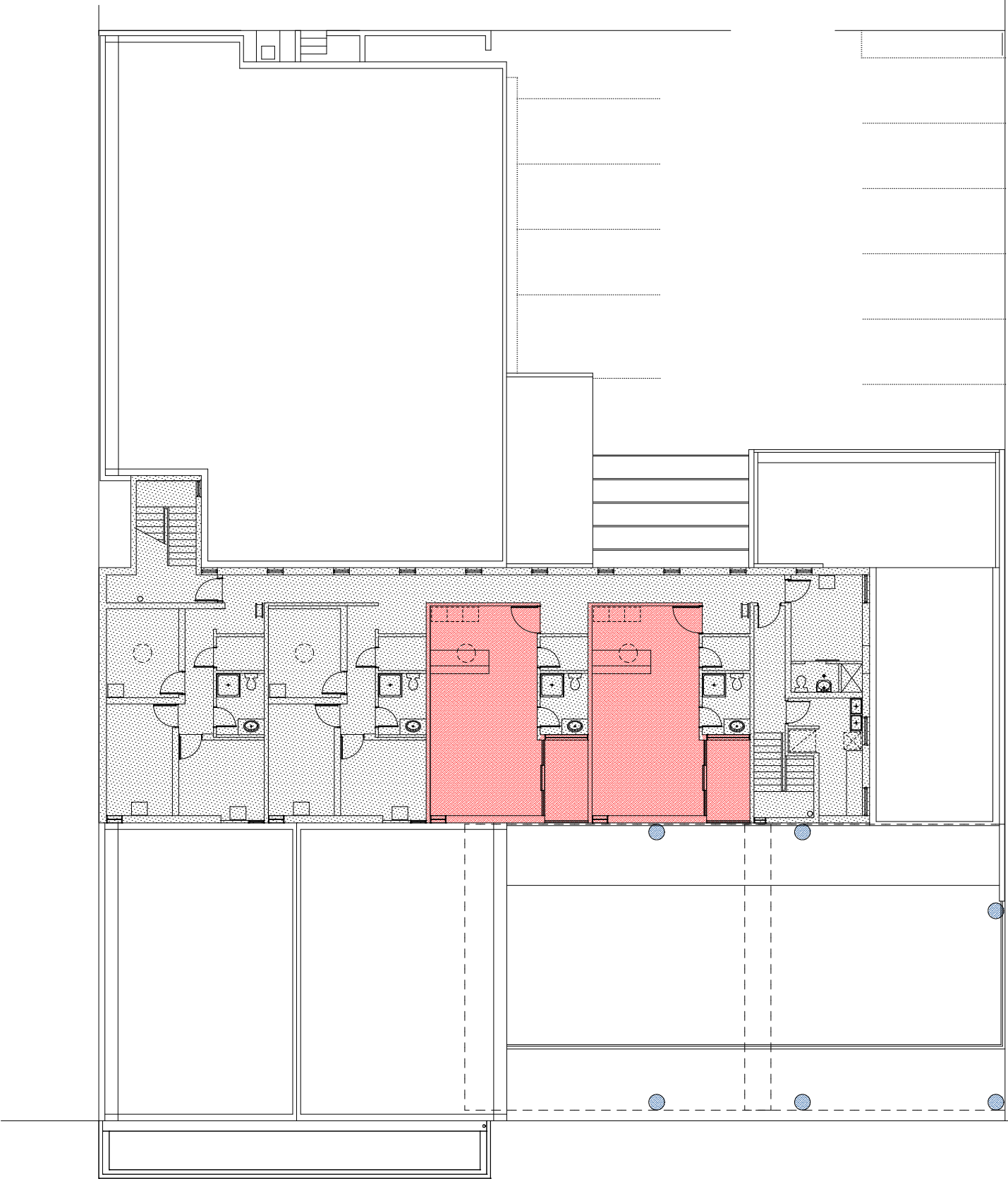
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CONSTRUCTION STAGES  
FIRST FLOOR

DATE	JUNE 17	JOB No.	DL16/399
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CHECKED		ISSUE No.	DCA
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CONSTRUCTION STAGES  
LEGEND:

EXISTING BUILDING  
UNDISTURBED

STAGE 1  
REFIT OF EXISTING/  
PROPOSED EXPANSION

STAGE 2  
REFIT OF EXISTING/  
PROPOSED EXPANSION

SECOND FLOOR

No.	AMENDMENT	DRN	CHK	DATE

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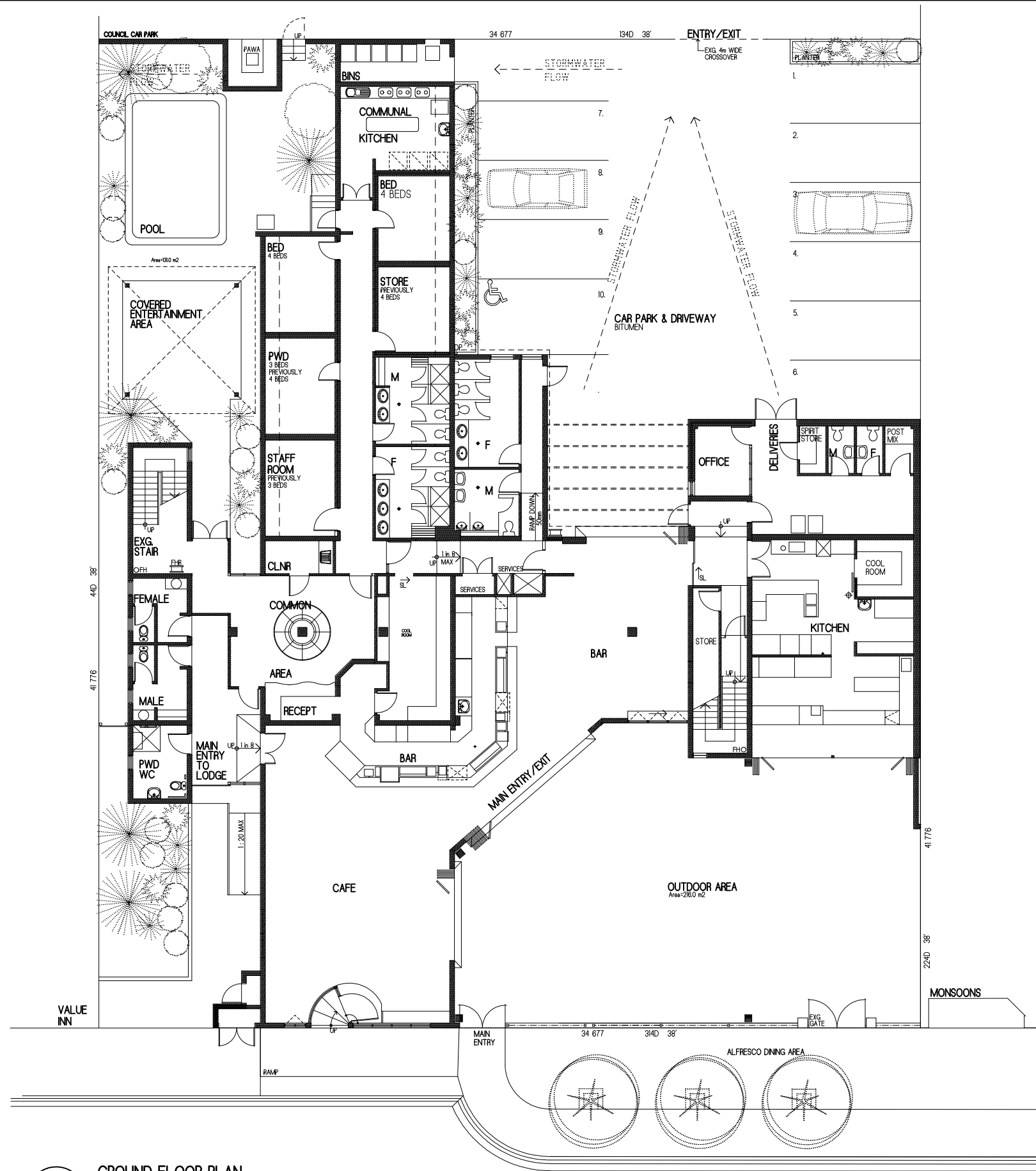
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SECOND FLOOR

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GROUND FLOOR PLAN

MITCHELL

STREET

No.	AMENDMENT	DATE

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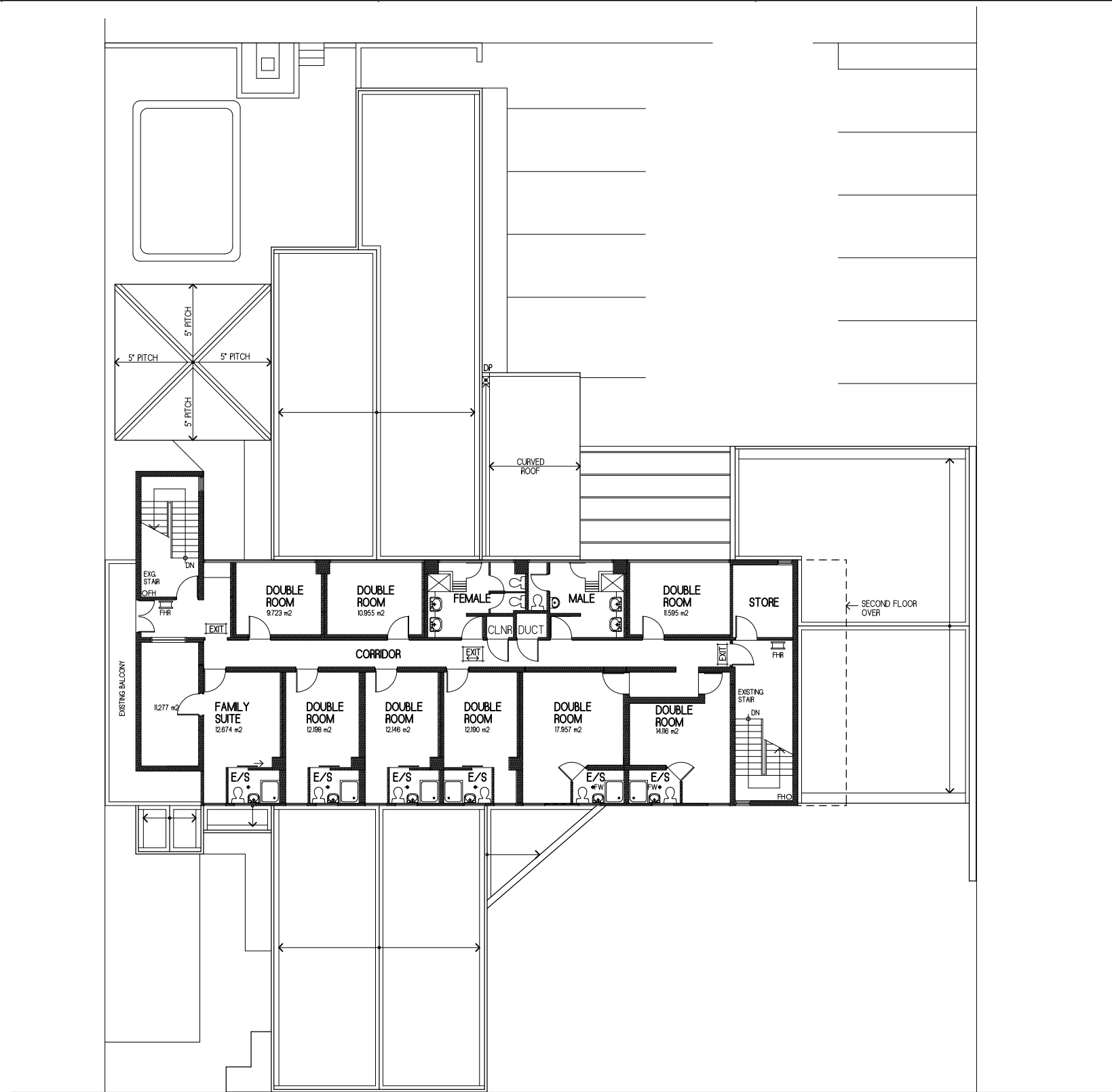
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JOB TITLE  
 WISDOM BAR & CAFE  
 PROPOSED EXTENSION  
 LOT 3751 (48) MITCHELL STREET, DARWIN

USE FIGURED DIMENSIONS IN PREFERENCE TO SCALE

DRAWING TITLE  
 EXISTING PLAN  
 GROUND FLOOR

DATE	JUNE 17	JOB No.	DL16/399
DRAWN	PM	DRAWING No.	A12
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FIRST FLOOR PLAN

MITCHELL

STREET

No.	AMENDMENT	DATE

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DRAWING TITLE  
EXISTING PLAN  
FIRST FLOOR

DATE	JUNE 17	JOB No.	DL16/399
DRAWN	PM	DRAWING No.	A13
CHECKED		ISSUE No.	DCA
SCALE	1 : 100 (A1)		



SECOND FLOOR PLAN

MITCHELL

STREET

No.	AMENDMENT	DATE

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DRAWING TITLE  
EXISTING PLAN  
SECOND FLOOR

DATE	JUNE 17	JOB No.	DL16/399
DRAWN	PM	DRAWING No.	A14
CHECKED		ISSUE No.	DCA
SCALE	1 : 100 (A1)		

# **REPORT ACCOMPANYING DEVELOPMENT APPLICATION**

## **WISDOM BAR & CAFÉ PROPOSED EXTENSIONS**

LOT 3751 (48) MITCHELL STREET DARWIN

**REVISED**  
REISSUED 5 JUNE 2017

## **Proposed Outline**

Wisdom Bar & Café, and Ashton Lodge is the refurbished old Dental Clinic in Mitchell Street. The owners of Wisdom have created a casual relaxed atmosphere combining outdoor and indoor food and beverage facilities that are popular with locals and tourists alike. The Ashton Lodge refurbishment at the rear of the Ground Floor and the Upper Levels currently provides backpacker accommodation as well as budget family accommodation.

The owners of Lot 3751 Mitchell Street, Darwin, (AFS Realty & Business Brokers Pty Ltd) propose to extend their existing Food and Beverage services to cater for growing public demand, and also provide shade to their Beer Garden and shade structures over the First Floor Deck to protect their patrons from weather now that the popular shade tree has had to be removed.

A block work boundary wall along the western side boundary is proposed to the extent of the new work at first floor level and ground level, to act as a noise buffer between Value Inn and Wisdom. An awning along the extent of the proposed new work on the Value Inn side in Mitchell Street is also proposed, this will further shade and protect from the weather, pedestrian traffic utilizing the ramp and footpath in the vicinity of the works.

The owners now wish to extend their hospitality services to their patrons by eliminating their existing budget accommodation. In recent years the budget accommodation services have not proven to be a viable business decision.

All three levels of the existing building will be part of the overall refurbishment and expansion.

The owners also wish to incorporate the now closed Fox Bar & Ale House Facilities within a predominantly unused area on their site. They prefer to take full advantage of this space and expand their development to accommodate this.

Refer Drawing Nos.	DL16/399-A01 : Locality Plan
	DL16/399-A02 : Ground Floor Plan
	DL16/399-A03 : First Floor Plan
	DL16/399-A04 : Second Floor Plan
	DL16/399-A05 : External Elevations – Sheet 1
	DL16/399-A06 : External Elevations – Sheet 2
	DL16/399-A07 : Section A & B
	DL16/399-A08 : Section C & D
	DL16/399-A09 : Construction Stages – Ground Floor
	DL16/399-A10 : Construction Stages – First Floor
	DL16/399-A11 : Construction Stages – Second Floor
	DL16/399-A12 : Existing Ground Floor Plan
	DL16/399-A13 : Existing First Floor Plan
	DL16/399-A14 : Existing Second Floor Plan

#### **46 (3) (a)**

*An assessment demonstrating how the proposed development will comply with any planning scheme that applies to the land.*

Site currently zoned CB – Central Business

The land is approved as a guest house and hostel with licensed café, dining facilities, and a beer garden. Permit Number: DP05/0096.

A Gaming Room in the building has recently obtained approval: DP16/0025

This proposal requests consideration for the relocation of the Gaming Room as originally approved. Refer Ground Floor Plan – Sheet A02

The primary purpose of Zone CB is to provide for diversity of activities which includes office, entertainment, residential and other business activities. The existing development complies with these requirements as will the Proposed Extensions of the existing hospitality uses.

### **6.3 Building Heights in Central Darwin**

The building height as constructed generally does not alter with the new work, however the high point of the new awning closest to Monsoons sits approximately 900mm higher than the highest point of the existing building while sitting considerably lower than the boundary wall of Monsoons immediately adjacent.

The proposed new work increases part of the ground floor and first floor area footprint, while the majority of the new work doesn't affect the overall height as it is built.

In accordance with Diagram to Clause 6.3.1 the maximum height allowable in this area is 90m above ground level. This building's maximum height is approximately 10.4m above ground level.

#### **6.5.1 Parking Requirements**

Currently the site has twenty-three (23) car parking bays allocated to its use. Ten (10) of which are on-site, thirteen (13) of which are off-site.

The thirteen (13) off-site car parks have been paid for through previous submissions to allow for the calculated shortfall at that time. The location of these is unknown to us however, we note that there are thirteen available in direct proximity in Shadforth Lane at the rear of the Wisdom site.

#### Ground Floor

Proposed alterations at Ground Floor Level are an increase in space for a covered Entry/ATM area off Mitchell Street that incorporates the existing ramp access. This area provides stair and lift access to the new First Floor Level and the redevelopment of that level. At Ground Level the area leads to another shared Entry Lobby adjacent the

existing toilets, providing access to the proposed and existing building components adjacent.

The proposed alterations in this rear area include change of use from 'Backpackers Accommodation' to uses associated with the proposed extension that extends to the western boundary wall. The owners plan to relocate the existing licenses they hold to this area from the now closed 'Fox Ale House' at 85 Mitchell Street Darwin.

### First Floor

Proposed alterations at First Floor Level are the change of use from 'Hostel' to back-of-house for the new bars, lounge and the upper deck, including the extension over the rear area for the Fox Bar and its facilities, and the extension along the Mitchell Street frontage for the Upper Deck and Cocktail Bar, Lounge and Dining Areas.

### Second Floor

The budget accommodation will be eliminated with only seven (7) of the existing rooms retained for 'single' staff accommodation. This will be provided to selected backpacker staff that are employed during the dry season. These rooms are currently provided with a small refrigerator, jug and microwave and they will remain in the rooms for basic snack facilities for the staff, however it is envisaged that generally the staff will eat elsewhere.

The staff using these rooms will not be paying guests nor will they be random visitors enjoying the hospitality venues below. The rooms are strictly for workers only.

During the slower wet season months, without the backpacker staff, these rooms will be unoccupied

The remaining six (6) of the budget accommodations rooms will be converted to two (2) Function Rooms with a smoker's area created in what was originally a verandah off the original bed-sitters for the Darwin Dental Clinic.

The maximum accommodation occupancy of the Second Floor level will be seven (7) total, and it would only occur in the dry season with the transient hospitality visitors employed by the owners.

### **Car Parking - Net Floor Area**

The car parking requirement for the existing and proposed Outdoor Areas, Licensed Cafe and Dining Facilities (Restaurant) and Office Use is addressed in the Traffic and Parking Statement that is currently being prepared by Cardno.

This report will be issued to the Authority as soon as it is available.

As verbally advised by a planner, the car parking assessment is primarily calculated on 'Restaurant' use.



### Car Parking Assessment:

In accordance with the NTPS the car parking requirement for Beer Gardens, Licensed Cafe and Dining Facilities (Restaurant/Bar) and Office Use within the Darwin CBD is:

... 3 car parks/100m<sup>2</sup> of net floor area is required

### Net Floor Areas Generally:

Ground Floor Net Floor Area	=	676.0 m <sup>2</sup>
Outdoor & Smoking Areas	=	228.3 m <sup>2</sup>
First Floor Net Floor Area	=	506.0 m <sup>2</sup>
Upper Deck (Outdoor Area)	=	189.6 m <sup>2</sup>
Second Floor Net Floor Area	=	82.48 m <sup>2</sup>
Covered Smoking Area	=	10.52 m <sup>2</sup>
<u>Net Floor Area</u>	<u>=</u>	<u>1,692.90 m<sup>2</sup></u>
This equates to	=	51 No. car parks

### Net Floor Areas Associated with Staff Accommodation

(Calculated on 'hostel' use as the most appropriate despite the occupants not being paying guests)

... 1 car park/10 persons

Second Floor Staff Accommodation	=	100.0 m <sup>2</sup> (7 occupants total)
This equates to	=	1 No. car park
Total car parks required	=	51 + 1 = 52 No. car parks
Less existing car parks (23 No.)	=	29 No. additional car parks are required

<b><u>Total Car parks required</u></b> <b><u>(All Floors)</u></b>	<b><u>=</u></b>	<b><u>29 No. additional</u></b>
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### Note:

- *The assessment for 'hostel' use has been excluded generally as the land use has changed with this submission, although it has been used for the Staff Accommodation assessment. The proposed land use, while not entirely the same as previous approvals, is still compliant with land zoning.*
- *To our current knowledge we assume that a car parking bay shortfall contribution has been made for the Fox Ale House that is being relocated to this site. It is requested that these bays also be relocated to this site along with their associated existing use.*

As there is no space remaining on site for additional car parking bays, the applicant is prepared to pay a monetary contribution to Darwin City Council in lieu of providing car parking on site if additional car parking bays are required by the Authority

### **6.5.2 Reduction in Parking Requirements**

As the consent authority may approve a development with fewer car parking spaces than required by Clause 6.5.1 we request consideration be given to the following:

- Staff Accommodation area be excluded as the owners advise that their backpacker staff don't have vehicles (100 m<sup>2</sup>)(1 car park)
- There is a high standard of walking/cycling network around the site in the CBD with employees, workers and patrons often utilizing this mode of transport
- Day time users of the Bar/Café are often private workers employed within the CBD and are parked elsewhere so aren't impacting on Wisdom car parking
- There are bus stops in close proximity of Wisdom that are serviced by regular bus routes as an alternative to driving
- There are numerous covered car parks in the Mitchell Centre and Chinatown car parks available to patrons
- There is street parking around the venue and the CBD
- The peak period for Wisdom Bar & Café, as well as nearby hospitality venues, is after 5pm when public car parking becomes freely available
- After 5pm there is less demand for street parking that corresponds with trading hours of many businesses

### **6.6 Loading Bays**

In accordance with the Northern Territory Planning Scheme 1 loading bay is required.

A loading/unloading bay 7.5m x 3.5m is provided within the Ground Floor building envelope. Access is through the rear car parking area.

### **6.7 Signage**

Existing 'Wisdom Bar & Café' Signage will be removed and relocated along the front parapet wall above the Proposed Awning over the ramp and footpath.

Signage will be to Darwin City Council approval.

### **7.6 Communal Open Space**

With the deletion in hostel rooms on the Ground Floor, First Floor & Second Floor, the site itself is predominantly a hospitality venue and no longer a 'Hostel'

### **8.1.2 Offices & Restaurants in Zone CB**

The land is already approved as a guest house and hostel with licensed café, dining facilities and a beer garden (Permit Number: DP05/0096) with a Gaming Room recently approved (Permit Number: DP16/0025)

The applicant proposes to eliminate the hostel rooms and the now unnecessary Reception Area for Ashton Lodge, to expand their food and beverage services within the existing building.

This is consistent with the nearby development uses.

#### Ground Floor:

It is proposed to provide an enclosed entry point at the bottom of the existing ramp to accommodate an ATM area and ready access to the First Floor Development via stairs and a passenger lift.

The new work allows the owners the option to close off of the existing Outdoor Area with the use of glazed bi-fold doors if they wish. It is likely there are times when it is closed off and times when it is not depending on the time of day/night and season of the year.

The existing bar area will flow into this space. The bi-folds, when closed, will reduce noise levels escaping the establishment, provide a readily compliant smoking area external to the bi-fold doors, and also act as security point for patrons entering and leaving.

Additionally, the owners propose to extend to the rear of the building and beyond to accommodate the relocated Fox Bar & Ale House Facilities.

#### First Floor:

It is proposed to expand the first floor along Mitchell Street with an extension over the ground floor above the new Entry, Bar/Restaurant area and existing Outdoor Area.

The proposal includes an indoor and outdoor bar, Pizza Kitchen that will serve both levels, new toilet facilities, as well as lift and stair access to the first floor areas. It also includes a re-plan of the First Floor for operational requirements. The new first floor layout dispenses with hostel accommodation, with the existing remaining shared ablutions now to be used by the patrons of the first floor areas.

To the rear an upstairs Fox Bar & Dining Area will be developed to complement the proposed Ground Floor Fox facilities. Value adding to the site and utilizing currently unused space within the site.

The new layout and structure will enhance the proposed Mitchell Street streetscape while making a feature of the new awnings that float over the upper deck.

The new awnings over the Proposed Upper Deck will be supported by nominal 600mm diameter steel columns which will provide a strong visual architectural element to the new work.

The roof over the Pizza Kitchen is to be extended to the rear over the existing plant equipment area to protect new and existing air-conditioning systems from the effects of the weather. This will also screen the air-conditioners from the main visual public thoroughfare, Mitchell Street.

The development at the rear of the site will create clean lines and interest to the existing predominantly unattractive Shadforth Lane visuals.

#### Second Floor:

The budget accommodation will be eliminated with only seven (7) of the existing rooms retained for 'single' staff accommodation. This will be provided to selected backpacker staff that are employed during the busy dry season period. These rooms are currently provided with a small refrigerator, jug and microwave and they will remain in the rooms for basic snack facilities for the staff, however it is envisaged that generally the staff will eat elsewhere.

During the slower wet season months, without the backpacker staff, these rooms will be unoccupied.

Six (6) of the budget accommodations rooms will be converted to two (2) Function Rooms with a smokers area created in what was originally a verandah off the original bed-sitters for the Darwin Dental Clinic.

This results in change of use from 'Hostel' to Staff Accommodation & Function Rooms.

#### **Staged Redevelopment Plan**

Stage 1	...	Works to commence immediately
Stage 2	...	Works to commence early 2019

Note:

The owners will require a 'Partial Certificate of Compliance' from the Authority at the completion of Stage 1 to allow the facilities to be utilized between and during construction of Stage 2.

#### **8.2 Commercial & Other Developments in Zone CB**

The proposed expansion to this existing development is in line with its existing approved uses, and the design will:

- Maintain existing street vistas in its location
- Be sympathetic to the character of buildings in Mitchell Street
- Minimise expanses of blank walls in highly visible areas
- Add variety and interest at street level and allow passive surveillance of adjacent public areas
- Incorporate energy efficiency principals in the construction
- Conceal service ducts, pipes etc.
- Minimise reflective surfaces

- The development won't interfere with the current pedestrian and vehicle movement around the site
- Convenient pedestrian links are already in place, including disabled
- The site already provides for loading and unloading of delivery vehicles and refuse collection
- Landscaping (variety of different sized plot plants) is currently provided around the development to reduce the visual impact between the Bar & Café and Mitchell Street, which creates a pleasant socializing atmosphere
- New fixed shade structures are proposed to replace the shade originally provided by the *Calophyllum inophyllum* that no longer exists
- A new awning that will continue the shade and weather protection along the Mitchell Street frontage of this development is proposed
- Lift access will be provided for ease of access, including disabled access, to the First Floor
- The new Cocktail Bar, Fox Bar and Proposed Upper Deck will give the existing building a fresh facelift while providing additional hospitality services at the expense of ground and first floor components of the hostel

**46 (3) (b)**

*An assessment demonstrating how the proposed development will comply with an interim development control order, if any, applying to the land*

Not Applicable

**46 (3) (c)**

*If a public environmental report or an environmental impact statement has been prepared or is required under the Environmental Assessment Act in relation to the proposed development – a copy of the report or statement and the results of any assessment of the report or statement under that Act by the Minister administering that Act*

Not applicable

**46 (3) (d)**

*An assessment demonstrating the merits of the proposed development*

The proposed expansion of Wisdom Bar & Cafe in this area will further develop the existing mixed use developments surrounding it. The immediate and nearby sites currently support bars, cafes, coffee shops, restaurants, retail outlets, pharmacy, bakery, Coles supermarket, tourism, accommodation and offices in multi-storey buildings.

The external finishes, colours and materials will be chosen to complement the existing development so they blend into the existing streetscapes with minimal impact.

The interior finishes, colours and materials will be chosen to complement the existing and provide a friendly and comfortable atmosphere for the patrons.

Separate areas for smokers have been incorporated into the proposed new work.

The proposed expansion has been designed to be compatible with the surroundings and sympathetic to the character of the area with the use of custom orb wall cladding, textured render walls to match the existing development, high metal roof awnings floating over the beer garden for the comfort and weather protection of the bar/café patrons, with the new building incorporating energy efficiency principles.

The new first floor expansion will provide additional 'open' space while incorporating an indoor/outdoor shaded area below at ground floor level, as well as an openable Bar/Lounge area at first floor level for the dry season months.

The second floor refurbishment will revitalize the currently underutilized area providing staff accommodation and an extension of the hospitality services

The on-site combination of the Fox Bar & Ale House Facilities with the Wisdom Bar & Café facilities will continue to provide a high level of hospitality services within this existing entertainment area.

The air conditioning plant will be located on the new covered plant area. This will reduce noise and conceal the equipment from the view of the general public.

The development is an extension to the Mitchell Street hospitality industry and provides disabled access to the ground floor through the main entry into the beer garden to ensure equitable access to the existing bar/café areas by disabled and wheelchair users. A lift is provided on the new Ground Floor public access and Entry area to enable disabled and wheelchair user's equitable access to the new facilities on the First Floor.

Clear views along Mitchell Street will be maintained

#### **46 (3) (e)**

*A description of the physical characteristics of the land and a detailed assessment demonstrating the land's suitability for the purposes of the proposed development and the effect of development on that land and other land*

Lot 3751 is a 1440m<sup>2</sup> block situated along Mitchell Street between Monsoons Bar/Café and the Value Inn in Darwin's CBD area.

The land is capable of supporting ground floor, first floor and second floor extensions/refurbishment of the same use in an existing hospitality venue of 3 storey construction, which is built between and across the road from other multi-storey developments.

**46 (3) (f)**

*A statement specifying the public facilities or public open space available in the area in which the land is situated, whether land for public facilities or public open space is to be provided by the developer and whether it is proposed that facilities or open space be developed by the developer*

The proposed development is located between Mitchell Street and Shadforth Lane. It does not provide public facilities or public open space within its development. Rest rooms, beer garden, café/bar facilities and gaming rooms are provided for the patrons of Wisdom Bar & Café, Ashton Lodge and Fox Bar & Dining areas.

Rest room facilities are provided in the Mitchell Centre across the road; public toilets are provided in the Smith Street Mall; public toilet facilities and open space is provided along the nearby Esplanade

No public facilities or open areas are required to be provided by the applicant

**46 (3) (g)**

*A statement specifying the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and whether public utilities or infrastructure are to be provided by the developer or land is to be provided by the developer for the provision of public utilities or infrastructure*

There is an electricity supply easement at the rear of the site  
The site is connected to all existing public facilities.

- ... Sewer
- ... Potable water
- ... Power
- ... Telecommunication service
- ... Stormwater from the new development will be connected and drained into the existing stormwater system

If upgrades to some services are required, these will be part of the development costs.

**46 (3) (h)**

*An assessment of the potential impact on the existing and future amenity of the area in which the land is situated*

There is minimal impact on the surrounding area and existing developments as a result of the proposed new work.

The applicant is expanding the existing developments bar/café facilities to a first floor area and upper deck to take advantage of air space and increase his hospitality services to the public.

The applicant is relocating the Fox Bar & Ale House Facilities into a partially new and partially refurbished building to take advantage of a non-viable backpacker's accommodation area at the rear of the site.

The second floor refurbishment will cater for backpacker staff of Wisdom, and will also provide an option for Function Rooms. The second floor building envelope remains as existing.

The new development is sympathetic to the adjacent and surrounding buildings, as well as the needs of the public using the Mitchell Street area.

While the streetscapes will be altered to accommodate the proposed expansion, it will be a visually appropriate and aesthetic upgrade with all new finishes and colours to complement the existing to ensure the new work blends well with the existing building.

Acoustic requirements will be addressed to ensure no noise impact on the surrounding area with the building being treated to increase transmission loss.

James Heddle Acoustical Consultant – Birkdale, Queensland will be engaged for the project if required

The applicant is willing to accept equivalent trading conditions relating to the upper deck area that are applied to those venues operating in the immediate vicinity of the proposed development.

#### **46 (3) (j)**

##### ***An assessment of the benefit or detriment to the public interest of the development***

- The proposed expansion of Fox Bar/Wisdom Bar & Café will provide additional entertainment facilities and options for the community of Darwin and its tourist industry within the CBD
- The high awning treatments in the proposed first floor Outdoor Area will provide shade and weather protection to the users of the upper deck, as well as deep shade protection over the Proposed First Floor Bar/Lounge/Dining area and the existing outdoor bar facilities
- The proposed upper deck will also provide shade and weather protection to the existing beer garden area immediately below
- The new bi-folds at ground floor level will allow operational options for the owners such as reducing noise emittance and providing a smoking area outside the bi-folds



- The proposed extensions will incorporate a covered awning (to DCC approval) at street level along Mitchell Street, providing shade and weather protection to pedestrian traffic using this thoroughfare.
- This awning will also reduce the glare and heat loads that enter the ground floor development below the awning.
- The Mitchell Street awning will be to DCC approval as it is over council property
- The external architectural elements will complement the existing building
- The external building treatment to the extension will integrate with existing without the existing building losing its character
- Clear unobstructed views are maintained at ground and first floor levels down and across Mitchell Street
- The proposed expansion and usage is consistent with its local environment and is a positive addition to the entertainment precinct
- All other conditions set out in the original Development Permit would remain unchanged

### **Special Circumstances for Consideration**

The applicant of this proposed development requests the Authority consider the following and the impact it has on the development

- That the consent authority consider a reduction in parking requirements for the development
- That any car parking shortfall to be paid as a monetary contribution to Darwin City Council
- Cardno are currently preparing a Traffic and Parking Statement to be issued to the authority as soon as it is available
- To our current knowledge we assume that a car parking bay shortfall contribution has been made for the Fox Ale House that is being relocated to this site. It is requested that these bays also be relocated to this site along with their associated existing use.
- The change of use from backpackers/hostel accommodation to the proposed hospitality expansion be supported
- Staff Accommodation area be excluded in the car parking assessment as the owners advise that their backpacker staff don't have vehicles (100 m<sup>2</sup>)(1 car park)

Date 31/5/2017

## AFS Reality and Business Brokers Pty Ltd

To whom it may concern,

I Todd McCourt managing director of AFS Reality and Business Brokers Pty Ltd here be give Pam Martin from Draftlink authority to act on behalf of AFS in dealings related to 48 Mitchell St, Darwin regarding the proposed future planning submission for Wisdom Bar and fox bar.

Regards,

Todd McCourt

Managing Director.

AFS Reality and Business Brokers Pty Ltd

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