

15 May 2018

Reference: PA2018/0158 NS:hd

Ms Dawn Parkes
Manager Urban Planning
Department of Infrastructure, Planning & Logistics
GPO Box 1680
DARWIN NT 0801

Dear Ms Parkes

Parcel Description: **Lot 2365 - Town of Darwin
38 Cavenagh Street, Darwin City**

Proposed Development: **Office and ground level commercial tenancies in
a 9 storey building plus 2 levels of basement car
parking**

Thank you for the Development Application referred to this office 19 April 2018, concerning the above. This letter will be placed before City of Darwin's, Ordinary Council Meeting to be held on Tuesday 29 May 2018. 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:

i). **City of Darwin generally supports the proposed Development Application; however, requests a deferral for the following reasons:**

a). **Traffic**

The subject site is intending to utilise proposed car parking at 12 and 14 Litchfield Street, Darwin City (PA2018/0159). The Traffic Impact Assessment (TIA) submitted with the application identifies that there are "significant existing traffic queuing to exit Litchfield Street in the PM peak. Observations as part of this investigation indicate that the anticipated traffic volume from the proposed development will more than double the existing traffic volumes exiting Litchfield Street in the PM peak. The following mitigation measures may be considered to reduce queuing:"



- “It is proposed that the right turn out of Litchfield Street is restricted (i.e. close the median on Cavenagh Street) to mitigate existing conflicts with the right turn.
- Reconfigure the traffic signals at the Cavenagh Street and Bennett Street Intersection to allow for a more efficient movement of traffic exiting Litchfield Street.
- Investigate the potential to reverse traffic or introduce two-way traffic on Litchfield Street such that vehicles exit onto Knuckey Street. This would effect a number of existing developments on the street.
- Complete an overall integrated traffic study of the CBD including all potential developments and new roads (i.e. Barneson Link) to fully understand the impacts at Litchfield Street. This would need to be driven by NTG separately to this project.”

At a meeting held on 9 May 2018 the applicant was requested to model the best scenario in Litchfield Street and present it to Council. At the time of preparing this submission, this information was not available. In the absence of this information it is requested that the Development Consent Authority (DCA) defer consideration of this applications and PA2018/0159 (at 12 and 14 Litchfield Street, Darwin City) to ensure that traffic can be accommodated within the existing road network and that other outstanding matters can be addressed.

b). **Volumetric controls**

The volumetric controls within the Northern Territory Planning Scheme (NTPS) require that development complies with the diagram to Clause 6.3.2. The proposed development includes proposed variations to the volumetric controls, which consist of both setback and floor area variations. The volumetric controls allow for a nil setback for the first 25 metres above ground level (subject to conditions), with a minimum 6 metre setback above that height, to a maximum site coverage of 75% of the length of the adjoining boundary. The application proposes:

Level	Height proposed	Floor area proposed
Ground floor to level 7	32.25m	100% of the site area.
Level 8 (plant room)	37.75m	setback 4.8m from the Cavenagh Street (south-west) and Litchfield Street (north-east) boundaries and 8.62m from Knuckey Street (south-east) boundary with a 0m setback from the adjoining property boundary (north-west).
Service corridor	41.5m	0m setback for a width of approximately 4.1m for the length of the service core which runs parallel to north-west boundary.



Setback variations are proposed to tier 2 requirements, which subsequently varies the maximum 'floor area'. The plant room and service corridor would be within the 'tower' volumetric requirements of the NTPS and would seek a variation to the 'floor area' (for level 8) and a variation to the 'dimensions' outlined in the above table.

The volumetric controls promote a "built form that reasonably anticipates the future development of adjoining sites." It is considered that the proposed 0 metre setback to a height of 41.5 metres to the north-western boundary (which is currently an older double storey development) may impact on any future use and development for the first 41.5 metres of any future building at that site. Whilst varied built form is supported in the Darwin City Centre the impacts on; "view corridors to Darwin harbour"; the "penetration of daylight and breeze circulation between buildings"; and "privacy for residents of adjoining properties" are unknown and should be addressed in greater detail by the applicant.

c). **Urban Design Requirements**

The Urban Design Requirements of the NTPS requires:

"75% of the length of the site boundary at ground level as active street frontage." Cavenagh Street would comply with the requirement whilst Litchfield Street has 0% activation due to the location of the services. The Knuckey Street façade wouldn't comply given the location of the substation and loading dock which limits the ability for passive surveillance and consideration of the Crime Prevention Through Environmental Design (CPTED) Principles. The addition of the colonnade would arguably activate this space however the need for the substation to the Knuckey Street façade is questioned particularly considering that Knuckey Street is one of the most connected streets in the Darwin City Centre and development should positively contribute to the public realm. An alternate location should be explored with the relevant authority. It is noted that the TIA doesn't address how the substation will be accessed and why access isn't provided from within the proposed loading dock, it is requested that the applicant address this matter.

The NTPS requires one loading bay per 2,000m² of net floor area; the subject development would therefore require five loading bays, whilst two are proposed. City of Darwin officers engaged the applicant to understand the actual demand for the two loading bays proposed for the subject Development Application. Clarification was not provided prior to this submission being finalised, therefore two options are discussed below for the DCA's consideration.



Note: the outcome will be pending the advice from the applicant and pending support from Council.

Option 1 – two off-street loading bays (as proposed) - not recommended

If the applicant requires the two on-site loading bays this results in:

- the need for vehicles to either enter or exit the site in a reverse gear, which would have an impact on vehicle, pedestrian and cyclist safety and amenity. As a compromise and to address the safety risks the applicant would need to implement mitigation measures at a minimum which could include, but not be limited to the installation of sirens, lights and/or mirrors. This solution is not preferable and would be a poor outcome for the broader community and could present safety risks for Council in the future;
- limited 'active street frontage,' passive surveillance and compliance with Crime Prevention Through Environmental Design (CPTED) to Litchfield Street and Knuckey Street for the portion of the loading dock; and
- an increased footpath width which will allow for greater movement around the Darwin City Centre and allow for a wider awning over; however the footpath beyond the subject site will be retained as is (0.8 metres) which would negate improved pedestrian access.

Note: that there are two on-street car parking bays adjacent the location of the on-site proposed loading dock that would need to be removed. If the off-street loading bays are needed the applicant will be required to financially compensate Council for the loss of the two on-street car parking bays.

Off-street loading facilities are typically encouraged and supported however in this instance Council has some concerns as discussed above and therefore have outlined Option 2 below.

Option 2 – one on-street loading bay – recommended

An on-street loading bay in the location of the two existing car parking bays, within Litchfield Street, could provide an opportunity for:

- loading to occur in a controlled way that does not require reverse gear movements by larger delivery vehicles and therefore presents lower safety risks for Council, visitors and members of the community;



- the current footpath width could be widened subject to design constraints investigated during detailed design. Typically where a development increases pedestrian volumes and activates the area, Council requests larger footpaths to cater for larger pedestrian volumes; and
- the proposed loading dock to be reinstated with a tenancy which would provide opportunity for greater activation to the Knuckey Street and Litchfield facades and potentially reduce opportunity for crime and antisocial behaviour.
- it is acknowledged that the NTPS requires off-street loading facilities to be provided, however in this instance the risks may outweigh typical City of Darwin and NTPS requirements; hence alternate options have been explored with the applicant.

d). **Awnings**

“Awnings to streets for the full extent of the site frontage.” Currently awnings aren’t continued for the full boundary length in Cavenagh Street and Litchfield Street and the awning is to be constructed from glass which will reduce pedestrian protection from the elements. From a discussion with the applicant on 9 May 2018 they are willing to provide full length awnings and tint the glass to address this matter.

The applicant was also made aware that the awnings which continue over the Litchfield Street carriageway will need to be scaled back to ensure that the movement of vehicles aren’t hindered by the awning, the applicant accepted this.

Note: this is subject to the outcome of the need for off-street loading facilities which will have an impact on the footpath width and therefore an impact on the awning width.

The proposed awning is to have a height greater than 4.5 metres above ground level, which is greater than the City of Darwin standard for awning heights. As the height of an awning increases, its functionality to the street reduces in terms of its ability to provide adequate shelter from the elements. Whilst it is accepted that the colonnade to Knuckey Street and Cavenagh Street provides an opportunity for pedestrians to seek shelter from the elements, the colonnade is within private property and the requirement to provide public access is negated.

In response to this matter, the applicant identified that the increased height provides a pleasant aesthetic to the overall design of the development and there may be a servicing ‘need’ for the substation. It is



requested that the applicant provide evidence from the relevant authority in regards to needing a greater awning height to service the substation. Alternatively;

- reduce the height of the awning to comply with Council standards; or
- provide evidence (to Council satisfaction) which identifies that the proposed awning would provide adequate weather protection and shade for pedestrian needs.

Council will need to understand how the proposed awning will interact with the existing street tree, street signals and other infrastructure within the road reserve, therefore further plans will need to be submitted. This can be dealt with as a condition precedent in the event that a Development Permit is issued.

e). **Car parking**

The car parking requirements of the NTPS stipulate that three car parking spaces are required per 100m² of net floor area used for an office, restaurant and/or a shop within the Darwin Zone CB and are to be; "provided to service the proposed use of the site." The applicant provides that the net floor area of the proposal is 10,495m², which equates to the need for 315 on-site car parking spaces. The proposal has included a total of 60 car parking spaces across two basement levels along with motorcycle and bicycle parking spaces. The proposed development therefore results in a car parking shortfall of 255 car parking spaces.

Council does not typically support onsite car parking shortfalls as a result of Development Applications, however; the applicant is providing public car parking within Darwin City (at 12 and 14 Litchfield Street), whilst this will be public car parking:

- private investment in off-street car parking facilities is encouraged;
- the car park will provide a total of 320 car parking bays which is surplus to the 255 car parking bay shortfall for this development;
- the car park is within reasonable walking distance to the proposed development;
- the applicant has invited the DCA to impose permit conditions that require the construction of the car park at 12 and 14 Litchfield Street and the subject development be completed at the same time. To ensure that the car parking is in fact made available, it is requested that the car park be completed prior to the subject development and that the DCA ensure adequate conditions are applied in the event that a Development Permit is issued; and
-



- The current ground level car parking available at 12 and 14 Litchfield Street, Darwin City already provides an offset of 94 bays for the land uses at Energy House (18 Cavenagh Street, Darwin City). The uses at Energy House require a total of 255 car parking spaces pursuant to the Local Government (Darwin Parking Local Rates) Regulations. The remaining shortfall attracts an annual levy. If a development permit is issued in relation to this application, that affects the shortfall under the Local Government Regulations for Energy House, the levy amount will be adjusted, to reflect the current conditions.

It is therefore recommended that in this instance the proposed car parking at 12 and 14 Litchfield Street, Darwin City be accepted as an offset to the car parking shortfall proposed in the subject application.

f). **Site responsive design**

Clause 8.2 of the NTPS requires site responsive design for commercial development, consideration of applicable requirements include;

- “minimise expanse of blank walls.” The north-western façade as proposed is blank; this provides an opportunity to enhance the built environment and activate the facade through treatments such as art work or the like, such possibilities should be explored by the applicant;
- “add variety and interest at street level and allow passive surveillance of public spaces.” As mentioned above there are components of the development that are rather inactive and wouldn’t “contribute to a safe environment”. Council has engaged the applicant to explore an alternative for the loading dock which would improve the conditions at the street level. The actual need for the substation at the proposed location is questioned, as per the above;
- “provide safe and convenient movement of vehicles and pedestrians to and from the site” and “provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces.” Again, Council has engaged the applicant to explore an alternative for the loading dock which would improve the conditions for pedestrians, cyclists and vehicles which is pending an outcome as discussed above; and
- “provide protection for pedestrians from sun and rain.” The applicant has accepted the need to extend the awning coverage to Litchfield and Cavenagh Streets and tint the glass. Commentary regarding the functionality of the awning is per the above.

g). **Council infrastructure matters**

- The development includes sun shades which wrap around the Cavenagh Street, Knuckey Street and Litchfield Street facades from levels 1 – 7. It is recommended to Council that these elements be



approved on the basis that they provide a varied design and shade the internal of the building. The outcome of this will be known following presentation to the next available Council meeting.

- The stairwell to the Litchfield Street has doors that open out the street. It is requested that the plans be amended to ensure that the openings are catered for internal to the development whilst ensuring compliance to CPTED Principles.
 - The proposal indicates landscaping within Knuckey Street which is encouraged. However, the details and the impacts to the location of existing on-street car parking bays, other Council infrastructure and the proposed awnings are unknown at this stage. Further information is required from the applicant to understand possible implications to existing Council infrastructure.
- ii). **City of Darwin requests that should a Development Permit be issued, that the following be provided as conditions precedent:**
- a). **A dilapidation report covering infrastructure within the road reserve to the satisfaction of City of Darwin at no cost to Council.**
 - b). **The crossover and driveway shall meet City of Darwin requirements.**
 - c). **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 City of Darwin.**
 - d). **Prior to the endorsement of plans and prior to the commencement of works (including site preparation), approval by Council is required for any element of the building (separate to awnings) that is designed to be constructed or installed over City of Darwin road reserve.**
 - e). **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.

f). **Waste**

City of Darwin requests that the Authority require a Waste Management Plan demonstrating waste disposal, storage and removal in accordance with City of Darwin's Waste Management Policy 054.

The applicant's plans fail to demonstrate adequate waste management, this includes:

- any access gates to the bin enclosure not being locked,
- there shall be no step between the bin enclosure and the collection area to allow for ease of access,
- the bin enclosure shall include a hose and wash down area with a drain connected to City of Darwin's stormwater system, and
- an unimpeded concrete access path to the bin enclosure from the development.

A copy of City of Darwin's Waste Management Policy 054 may be viewed on City of Darwin's website or by contacting City of Darwin.

g). **Site Construction**

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 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.

h). **Landscape works within City of Darwin road reserve**

The proposal includes plantings, new concrete footpaths and other works within City of Darwin verges. Verge plantings, footpaths and all other works are required to be upgraded in accordance with City of Darwin policies and are subject to 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 proposed works within the road reserve.

i). **Traffic**

City of Darwin requires a comprehensive **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 report should identify any necessary upgrades to the surrounding street network as a result of the implications of the development. 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 Cavenagh Street, Knuckey Street and Litchfield 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.

b). **Street Trees**

The proposed street tree/s to Council's road reserve fronting the development shall be carried out at full cost to the developer, to ensure



that adequate landscaping is provided and maintained on adjacent and adjoining subject land.

Species selection will be in sequence with Council's Street Tree Strategy or current master plan.

Council is to be notified of any contractor prior to the commencement of any works.

As street trees will become an asset of City of Darwin, the developer shall provide Council specification for the purchasing of quality tree stock prior to construction. Specification for quality tree stock shall be submitted for approval to the satisfaction of City of Darwin.

The developer shall provide Council a Plant Schedule for street trees indicating;

- root-ball container volume (litres),
 - height of species (metres),
 - calliper (mm); and
 - details identifying the nursery supplying the tree stock.
- Street trees shall be of advanced size to provide greater impact to the road reserve and the development.

Prior to the establishment of street trees within the road reserve contact shall be made with City of Darwin's Department of Parks and Reserves to ensure appropriate planting locations are defined.

A maintenance and establishment period shall comply with the proposed street tree planting fronting the development. During this period, the developer will be responsible for the ongoing establishment and maintenance to ensure a 100% survival rate.

c). **Protection of Street Trees**

All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of City of Darwin.

A Tree Protection Zone (TPZ) shall be constructed for all existing trees to be retained within the development, in accordance with Australian Standards - AS 4970-2009 Protection of Trees on Development Sites.

Copies of AS 4970-2009 Protection of Trees on Development Sites can be obtained from the Australian Standards web site.

d). **Shoring and Hording Adequacy for Adjoining Properties**



If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the developer must, at their own expense:

- protect and support the adjoining property and pedestrians from possible damage or injury from the excavation, and
- where necessary, underpin the adjoining premises to prevent any such damage.

e). **Building Identification**

In accordance with City of Darwin By-Laws, prior to occupation, the applicant shall ensure that a building number is displayed in a position clearly visible from the street. The number must be visible against the background on which it is placed, to the satisfaction and at no cost to City of Darwin.

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 should the Authority require a monetary contribution, it 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.** The Northern Territory Planning Scheme requires 315 car parking spaces and only 60 are provided on site.
- b). **City of Darwin requests that the Authority require a monetary contribution is paid to City of Darwin in accordance with its Stormwater Contribution Plan to upgrade stormwater infrastructure as a result of this development.** The site falls within the developer Contributions Plan for Stormwater Drainage Works – Contributions Area B (CP 2015-02). The applicant will be required to pay City of Darwin a contribution towards stormwater drainage works in accordance with the above plan.

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 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 City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of, 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.
- Pursuant to clause 6.5.2 of the Northern Territory Planning Scheme and s.70(5) of the *Planning Act* a monetary contribution shall be paid to City of Darwin for any determined parking shortfall.
- 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 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 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 City of Darwin.



- Any easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to City of Darwin and/or neighbouring property owners.

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' followed by a horizontal stroke and a small loop.

CINDY ROBSON
MANAGER CITY PLANNING



15 May 2018

Reference: PA2018/0159 NS:hd

Ms Dawn Parkes
Manager Urban Planning
Department of Infrastructure, Planning & Logistics
GPO Box 1680
DARWIN NT 0801

Dear Ms Parkes

Parcel Description: **Lots 2396 & 2397 - Town of Darwin
14 & 12 Litchfield Street, Darwin City**

Proposed Development: **7 storey car park (320 spaces)**

Thank you for the Development Application referred to this office 19 April 2018, concerning the above. This letter will be placed before City of Darwin's, Ordinary Council Meeting to be held on Tuesday 29 May 2018. 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:

i). **City of Darwin generally supports the proposed Development Application; however, requests a deferral for the following reasons:**

a). **Traffic**

The Traffic Impact Assessment (TIA) submitted with the application identifies that there are "significant existing traffic queuing to exit Litchfield Street in the PM peak. Observations as part of this investigation indicate that the anticipated traffic volume from the proposed development will more than double the existing traffic volumes exiting Litchfield Street in the PM peak. The following mitigation measures may be considered to reduce queuing:"

- "It is proposed that the right turn out of Litchfield Street is restricted (i.e. close the median on Cavenagh Street) to mitigate existing conflicts with the right turn.



- Reconfigure the traffic signals at the Cavenagh Street and Bennett Street intersection to allow for a more efficient movement of traffic exiting Litchfield Street.
- Investigate the potential to reverse traffic or introduce two-way traffic on Litchfield Street such that vehicles exit onto Knuckey Street. This would effect a number of existing developments on the street.
- Complete an overall integrated traffic study of the CBD including all potential developments and new roads (i.e. Barneson Link) to fully understand the impacts at Litchfield Street. This would need to be driven by NTG separately to this project."

"All other traffic movements due to the development are either minor or unrestricted and are not anticipated to cause significant impact on the operation of the surrounding street network."

At a meeting held on 9 May 2018 the applicant was requested to model the best scenario in Litchfield Street and present it to Council. At the time of preparing this submission, this information was not available. In the absence of this information it is requested that the Development Consent Authority (DCA) defer consideration of this application and PA2018/0158 (at 38 Cavenagh Street, Darwin City) to ensure that traffic can be accommodated within the existing road network and that other outstanding matters can be addressed.

b). **Urban Design Requirements**

The Urban Design Requirements of the Northern Territory Planning Scheme (NTPS) requires:

- "75% of the length of the site boundary at ground level as active street frontage." The applicant has identified that 63% is achieved, representing a 12% shortfall.

It is considered that the applicant could enhance the stairwell shafts to the front façade (either end of the Litchfield Street boundary) through colour, murals or the like.

Whilst Council doesn't typically support reduced street activation, in this instance it is considered tolerable on the basis that the TIA provided indicates the need for a dual entry to manage peak hour traffic. Furthermore, the applicant has provided landscape plans which identify enhancements to the Litchfield Street road reserve that will assist in activating the laneway.



- “Awnings to streets for the full extent of the site frontage.” Two small awnings have been provided above the stairwell and lift entry points. The applicant has stated that “canopies will be provided in association with the activation of the ground level tenancy area when a future land use is determined.” From the meeting with the applicant on 9 May 2018 Council’s request for awnings from the onset of the development was accepted. To ensure cohesion with the design of the proposed development and support pedestrian movements, it is requested that the inclusion of a full-length and width awning be a condition of any permit, if a Development Permit is issued.
- “All car parking areas are to be screened so that they are not visible from the street or public spaces.” The south-eastern and north-western facades of the car park aren’t screened, it is considered that in order to achieve “exemplary urban design” in Darwin that screening be provided. The inclusion of screening will also assist in deflecting vehicle lights (especially of a night) from adjoining properties, some of which have a residential use. The applicant advised at the meeting that the design of the carpark has altered, such amendments have not been circulated at the time of preparing this submission and have therefore not been considered by Council.
- “Areas that are attractive, safe and functional for pedestrians within the development site;” furthermore the Guidelines of the Community Safety Design Guide requires “design entrances and façade to limit opportunities for concealment and entrapment.”

It is considered that recessed access points on the ground floor plan could be better designed to reduce opportunity for antisocial behaviour in line with the Community Safety Design Guide and the urban design requirements.

c). **Other matters**

- The applicant has invited the DCA to impose permit conditions that require the construction of the car park at 12 and 14 Litchfield Street, Darwin City and the development at 38 Cavenagh Street, Darwin City to be completed at the same time. To ensure that the car parking is in fact made available, it is requested that the car park be completed prior to the development at 30 Cavenagh Street being issued with an occupation certificate, in the event that a Development Permit is issued.
- For the DCA’s information, the land uses at Energy House (18 Cavenagh Street, Darwin City), require 255 car parking spaces pursuant to the Local Government (Darwin Parking Local Rates)



Regulations; 94 bays are currently provided at 12 and 14 Litchfield Street, to partially offset the shortfall at 18 Cavenagh Street, with the remaining shortfall attracting an annual levy. If a development permit is issued that affects the shortfall under the Local Government Regulations, the levy amount will be adjusted to reflect the current conditions.

- From a functionality point of view the proposed separation between the proposed car park and the adjoining blank walls to the north-east (which have a 0 metre setback to the shared boundary) would provide a space for rubbish to collect. It is suggested that the setback be reduced to decrease the separation between the existing and proposed developments or a mechanism to reduce litter be considered.
- The applicant proposes landscaping within the Litchfield Street road reserve, in the vicinity of 12 and 14 Litchfield Street, to the value of \$200,000 plus GST as a commitment to activating the laneway, which is supported and encouraged. However, the details and the impacts to the location of existing on-street car parking bays and other Council infrastructure is unknown at this stage. Further information is required from the applicant to understand possible implications to existing Council infrastructure.

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

- a). **A dilapidation report covering infrastructure within the road reserve to the satisfaction of City of Darwin at no cost to Council.**
- b). **The crossover and driveway shall meet City of Darwin requirements.**
- c). **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 City of Darwin.**
- d). **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.

e). **Waste**

City of Darwin requests that the Authority require a Waste Management Plan demonstrating waste disposal, storage and removal in accordance with City of Darwin's Waste Management Policy 054.

The applicant's plans fail to demonstrate adequate waste management, this includes:

- any access gates to the bin enclosure not being locked,
- there shall be no step between the bin enclosure and the collection area to allow for ease of access,
- the bin enclosure shall include a hose and wash down area with a drain connected to City of Darwin's stormwater system, and
- an unimpeded concrete access path to the bin enclosure from the development.

A copy of City of Darwin's Waste Management Policy 054 may be viewed on City of Darwin's website or by contacting City of Darwin.

f). **Site Construction**

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 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.

g). **Landscape works within City of Darwin road reserve**

The proposal includes plantings, new concrete footpaths and other works within City of Darwin verges. Verge plantings, footpaths and all other works are required to be upgraded in accordance with City of Darwin policies and are subject to 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 proposed works within the road reserve.

h). **Traffic**

City of Darwin requires a comprehensive **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 report should identify any necessary upgrades to the surrounding street network as a result of the implications of the development. 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 Litchfield 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.



b). **Street Trees**

The proposed street tree/s to Council's road reserve fronting the development shall be carried out at full cost to the developer, to ensure that adequate landscaping is provided and maintained on adjacent and adjoining subject land.

Council is to be notified of any contractor prior to the commencement of any works.

As street trees will become an asset of City of Darwin, the developer shall provide Council specification for the purchasing of quality tree stock prior to construction. Specification for quality tree stock shall be submitted for approval to the satisfaction of City of Darwin.

The developer shall provide Council a Plant Schedule for street trees indicating;

- root-ball container volume (litres),
- height of species (metres),
- calliper (mm), and
- details identifying the nursery supplying the tree stock.

Street trees shall be of advanced size to provide greater impact to the road reserve and the development.

Prior to the establishment of street trees within the road reserve contact shall be made with City of Darwin's Department of Parks and Reserves to ensure appropriate planting locations are defined.

A maintenance and establishment period shall comply with the proposed street tree planting fronting the development. During this period, the developer will be responsible for the ongoing establishment and maintenance to ensure a 100% survival rate.

c). **Building Identification**

In accordance with City of Darwin By-Laws, prior to occupation, the applicant shall ensure that a building number is displayed in a position clearly visible from the street. The number must be visible against the background on which it is placed, to the satisfaction and at no cost to City of Darwin.

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 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 City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- 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 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 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 City of Darwin.



- Any easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to City of Darwin and/or neighbouring property owners.
- Permit to Occupy shall be withheld until such time as the Lots 2396 and 2397, Town of Darwin have been consolidated and a new title issued in respect of the consolidated allotment.

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.

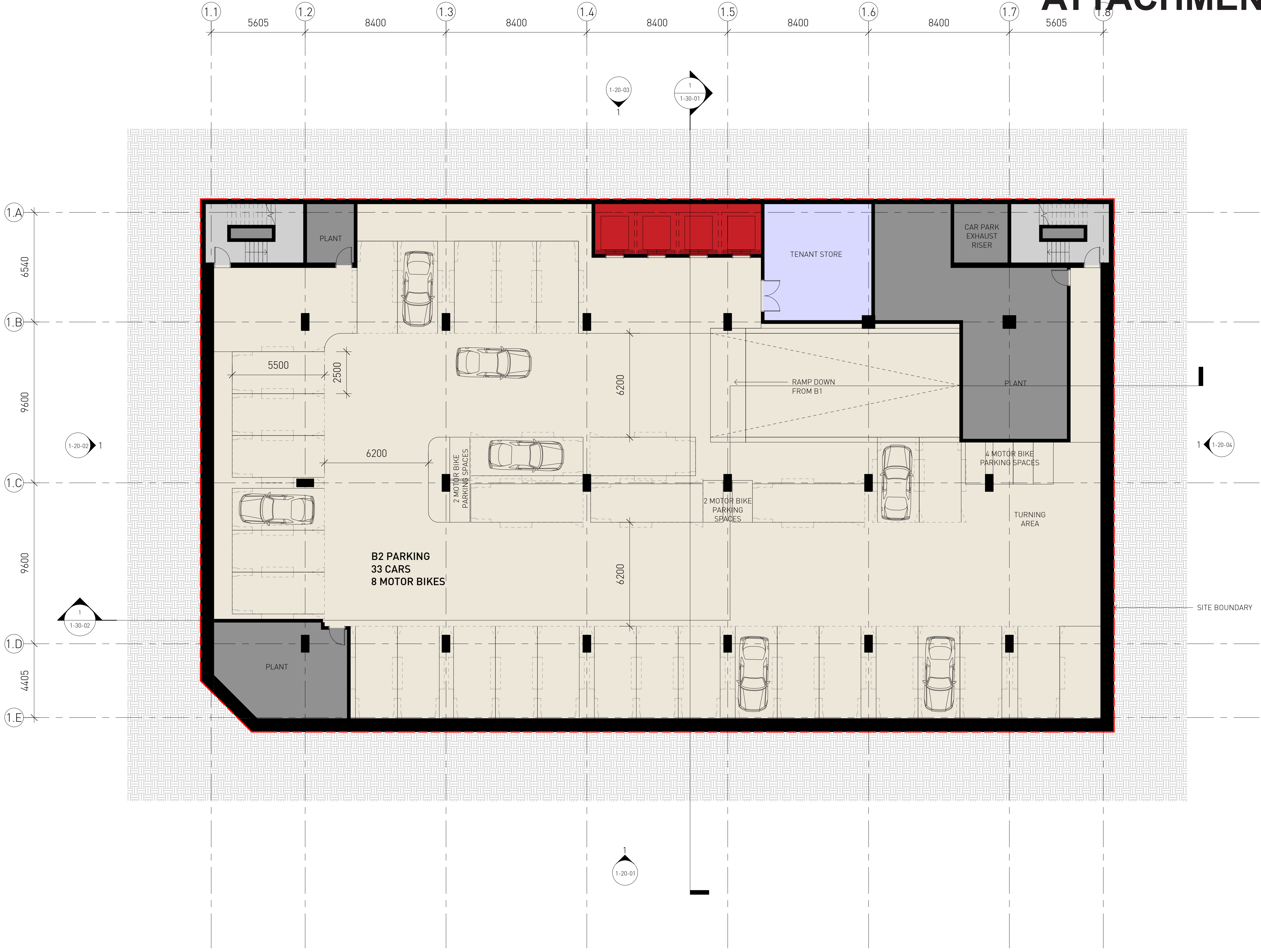
Yours faithfully



CINDY ROBSON
MANAGER CITY PLANNING



ATTACHMENT C



1 PROPOSED PLAN - LEVEL B2
1 : 125

Architect

SISSONS ARCHITECTS

Studio 5, 81 Alexander St, Crows Nest, NSW 2065

Tel. 02 9460 8002

1. DESIGN RESOLUTION

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Client

SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1

(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL B2

Project No.

16-018

Drawing No.

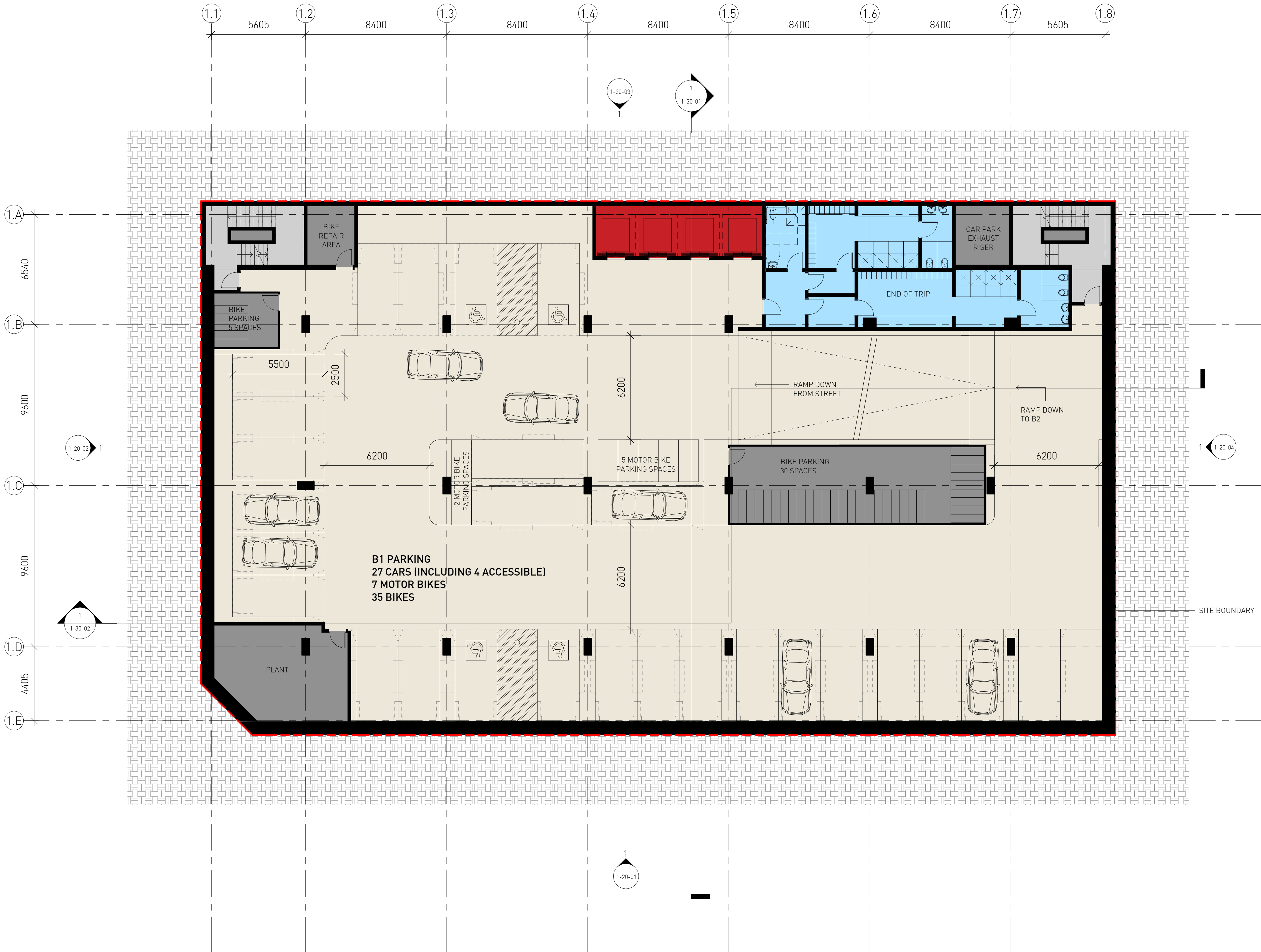
PL-1-10-01

Rev Date

06/04/18

Rev

A



1 PROPOSED PLAN - LEVEL B1
1 : 125

Architect
SISSONS ARCHITECTS
Studio 5, 81 Alexander St, Crows Nest, NSW 2065
Tel. 02 9460 8002

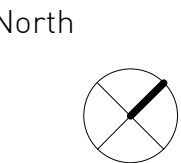
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Client
SANDRAN PROPERTY GROUP

Scale
1 : 125 @A1
(Half Scale @ A3)



Project
38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title
SITE 1 - PROPOSED PLAN - LEVEL B1

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-10-02	06/04/18	A



1 PROPOSED PLAN - LEVEL 00
1 : 125

Architect

SISSONS ARCHITECTS

Studio 5, 81 Alexander St, Crows Nest, NSW 2065

Tel. 02 9460 8002

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Client

SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1

(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL 00

Project No.

16-018

Drawing No.

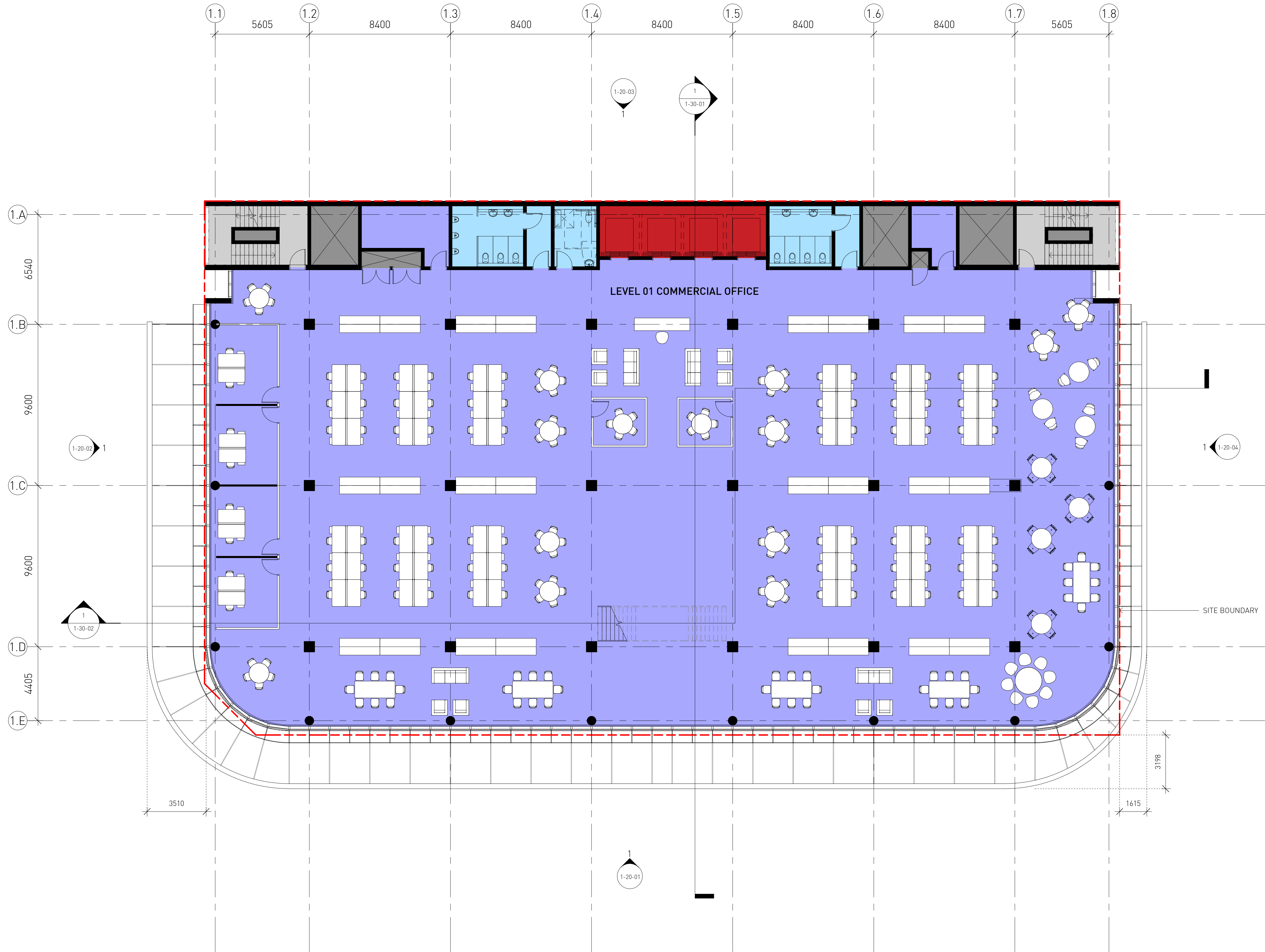
PL-1-11-00

Rev Date

06/04/18

Rev

A



1 PROPOSED PLAN - LEVEL 01
1 : 125

Architect

SISSONS ARCHITECTS

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Tel. 02 9460 8002

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Client

SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1

(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL 01

Project No.

16-018

Drawing No.

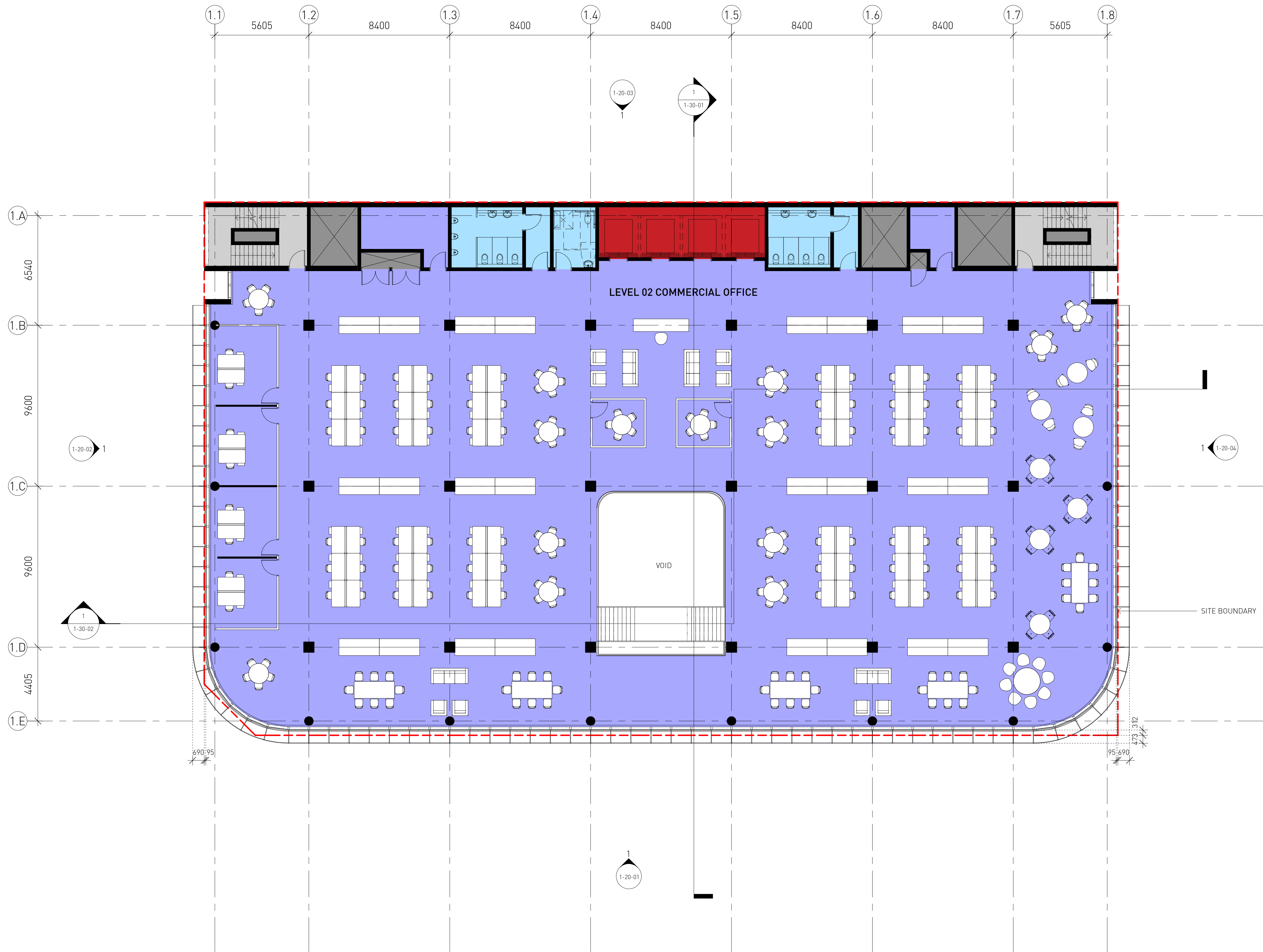
PL-1-11-01

Rev Date

06/04/18

Rev

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1 PROPOSED PLAN - LEVEL 02
1 : 125

Architect

SISSONS ARCHITECTS

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Client

SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1

(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL 02

Project No.

16-018

Drawing No.

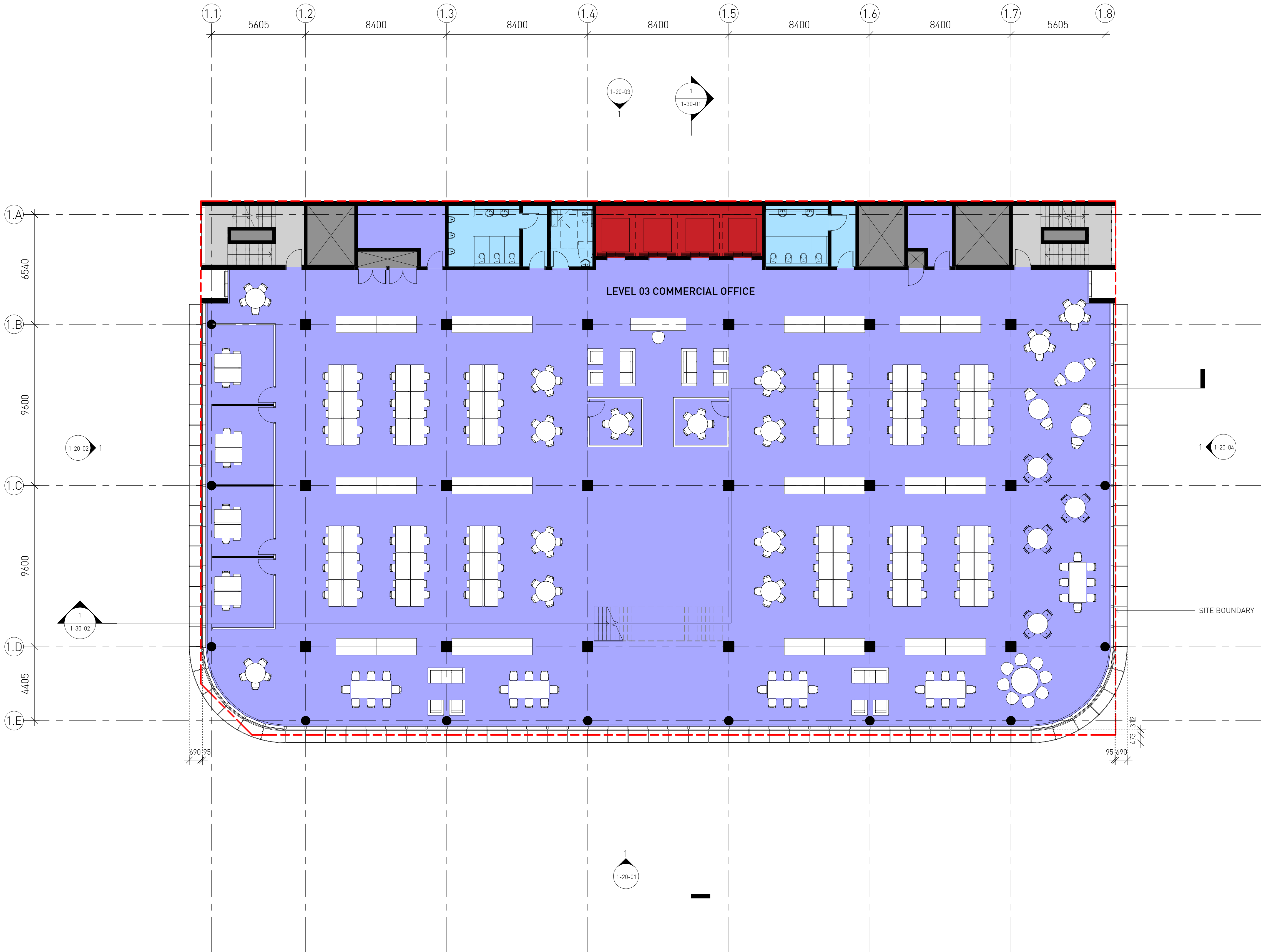
PL-1-11-02

Rev Date

06/04/18

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1 PROPOSED PLAN - LEVEL 03
1 : 125

Architect

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Client

SANDRAN PROPERTY GROUP

Scale

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(Half Scale @ A3)

North

Project

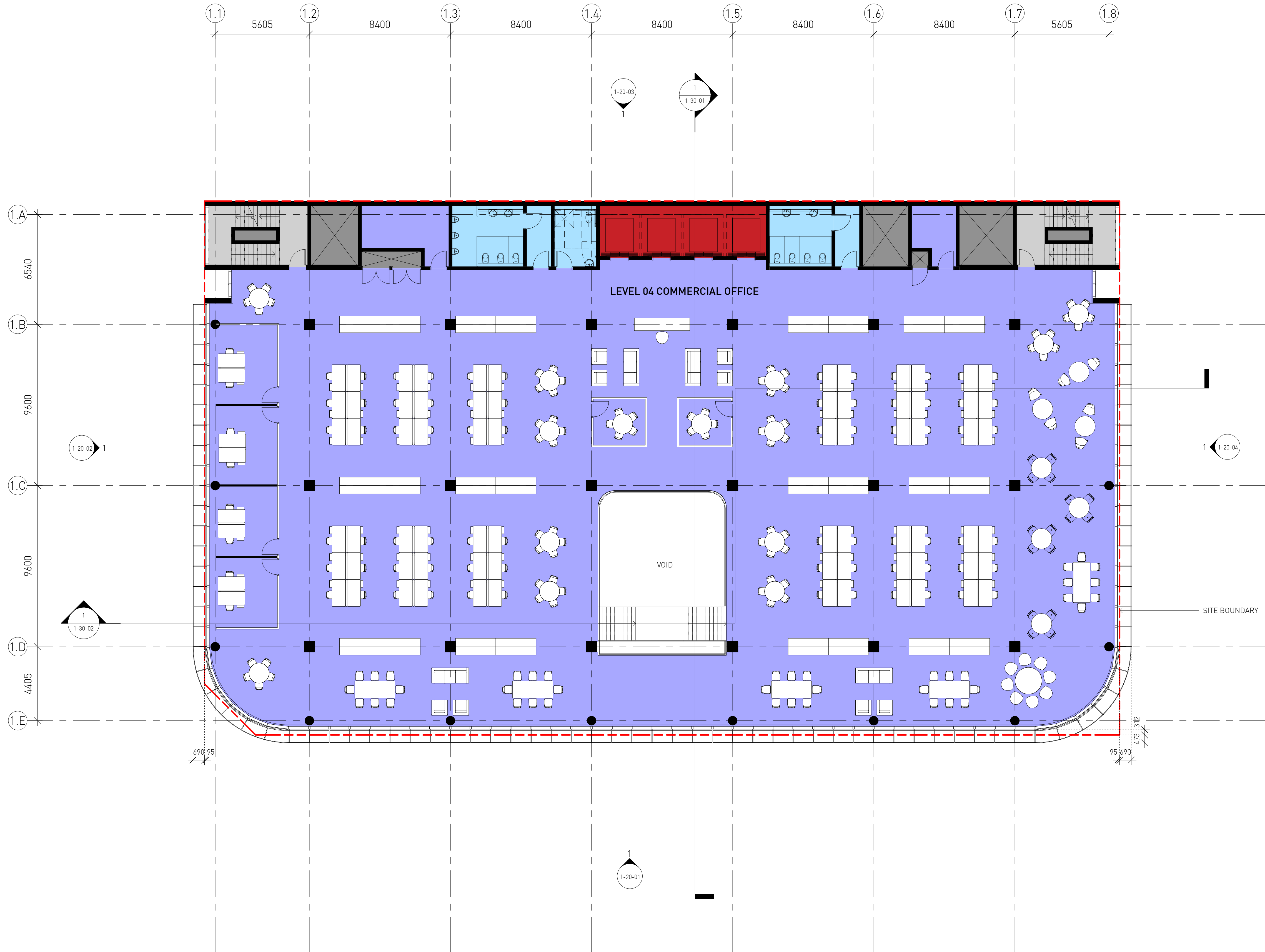
38 CAVENAGH STREET AND 12-14

LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL 03

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-11-03	06/04/18	A



1 PROPOSED PLAN - LEVEL 04
1 : 125

Architect

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Client

SANDRAN PROPERTY GROUP

Scale

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(Half Scale @ A3)

North

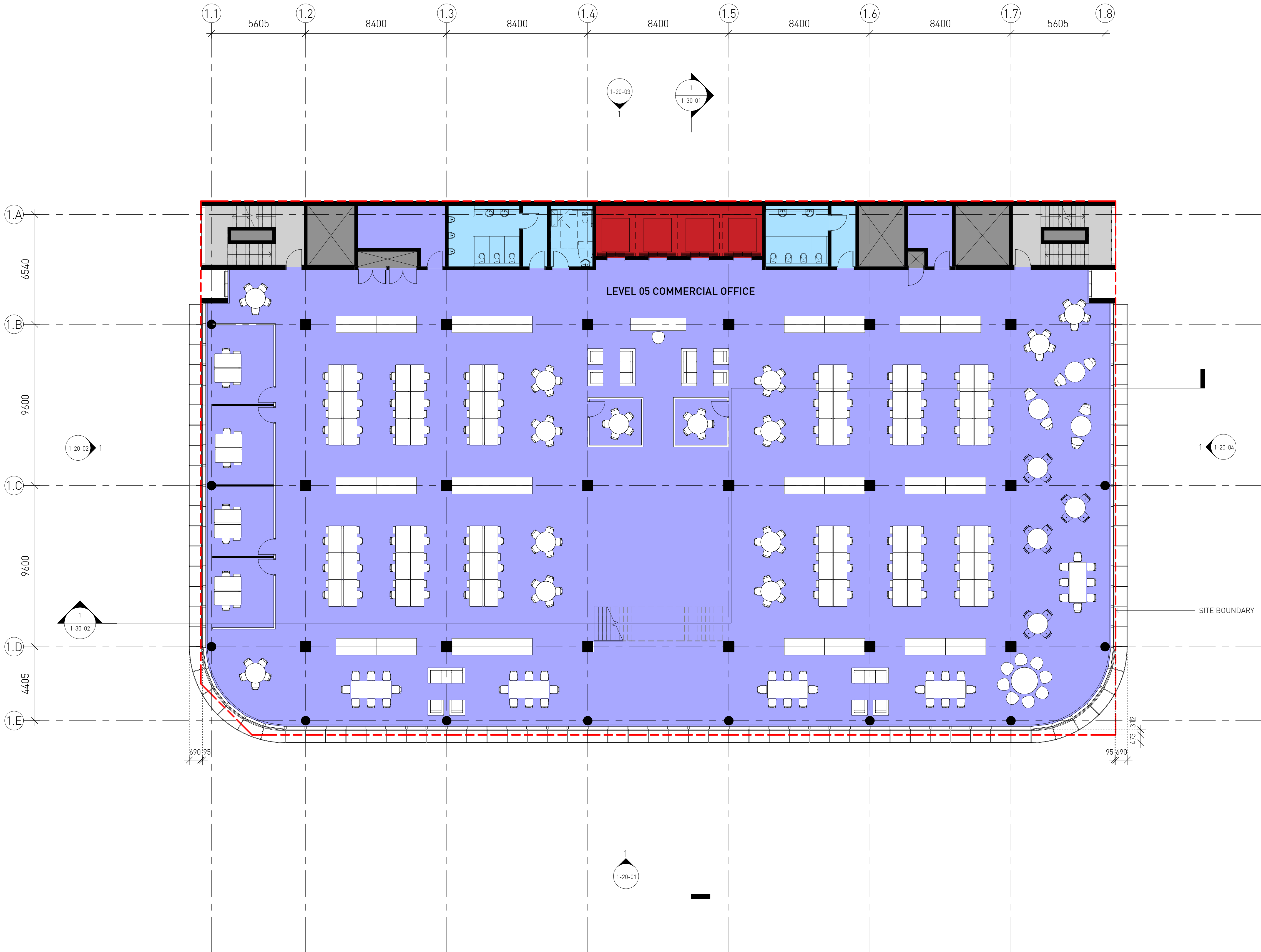
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38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

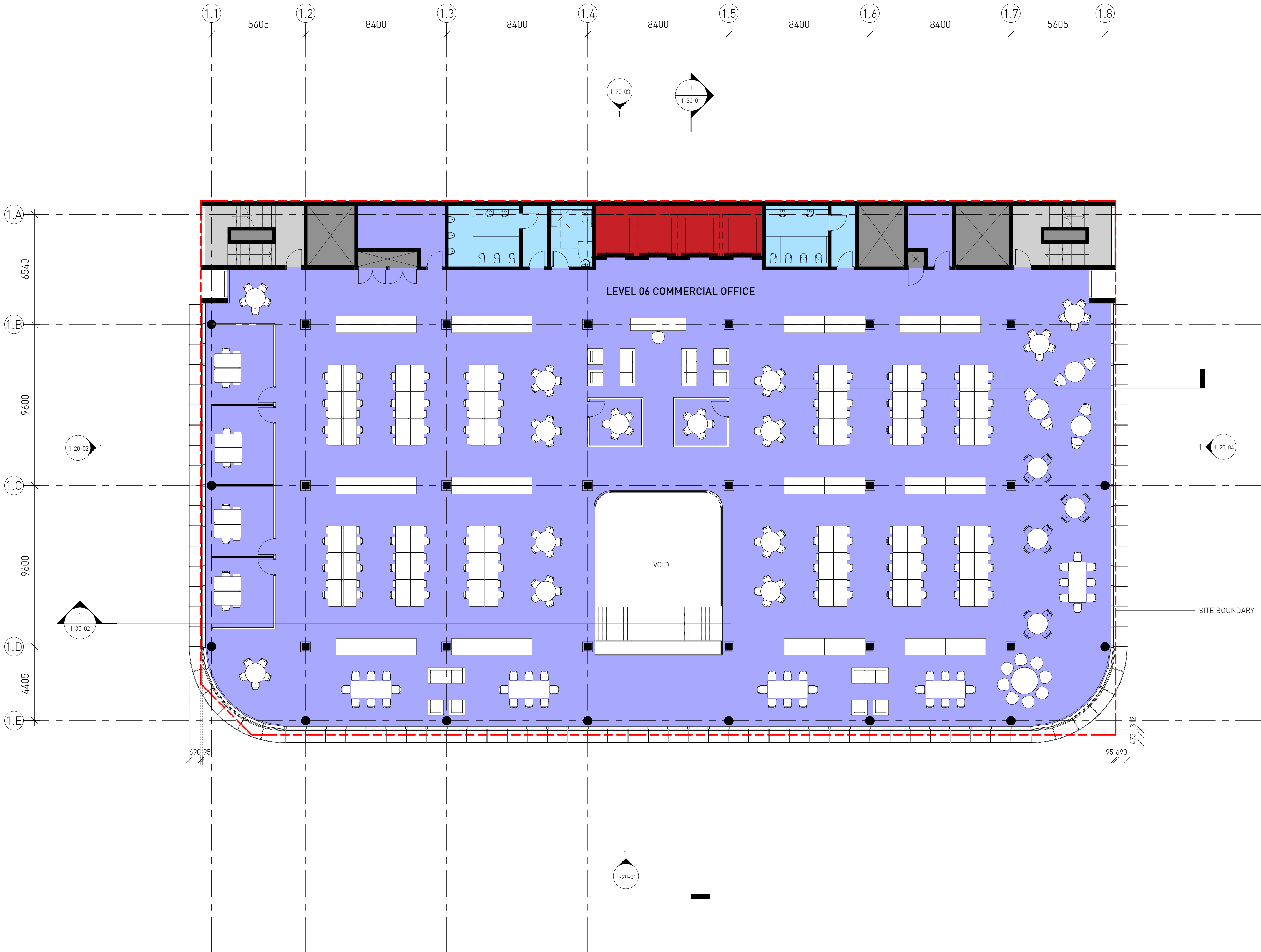
SITE 1 - PROPOSED PLAN - LEVEL 04

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-11-04	06/04/18	A



1 PROPOSED PLAN - LEVEL 05
1 : 125

Architect			
SISSONS ARCHITECTS			
Studio 5, 81 Alexander St, Crows Nest, NSW 2065 Tel. 02 9460 8002			
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Client			
SANDRAN PROPERTY GROUP			
Scale			North
1 : 125 @A1 (Half Scale @ A3)			
Project			
38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET			
Drawing Title			
SITE 1 - PROPOSED PLAN - LEVEL 05			
Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-11-05	06/04/18	A



1 PROPOSED PLAN - LEVEL 06
1 : 125

Architect

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Client

SANDRAN PROPERTY GROUP

Scale

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(Half Scale @ A3)

North

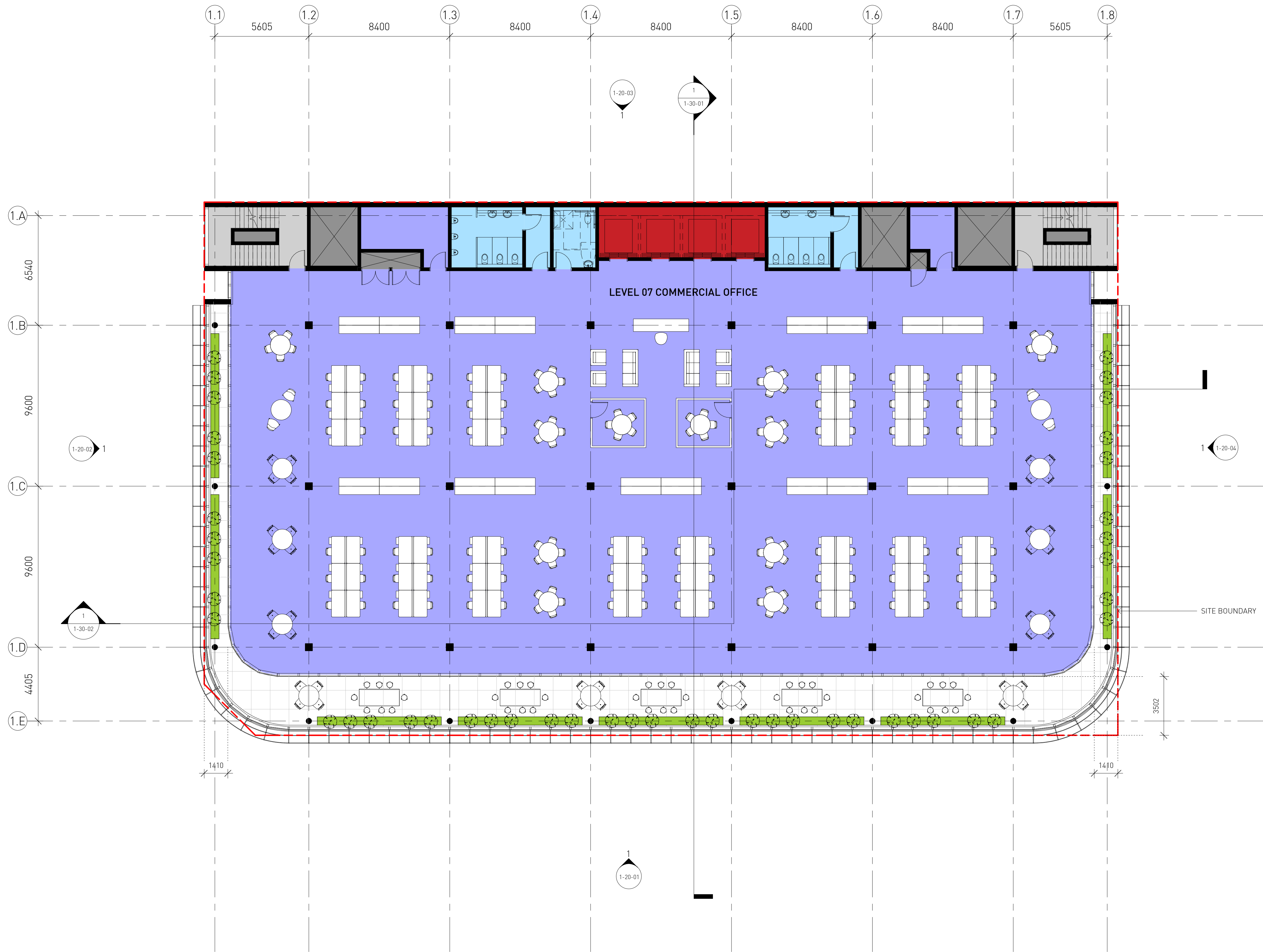
Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL 06

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-11-06	06/04/18	A



1 PROPOSED PLAN - LEVEL 07
1 : 125

Architect

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SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1

(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL 07

Project No.

16-018

Drawing No.

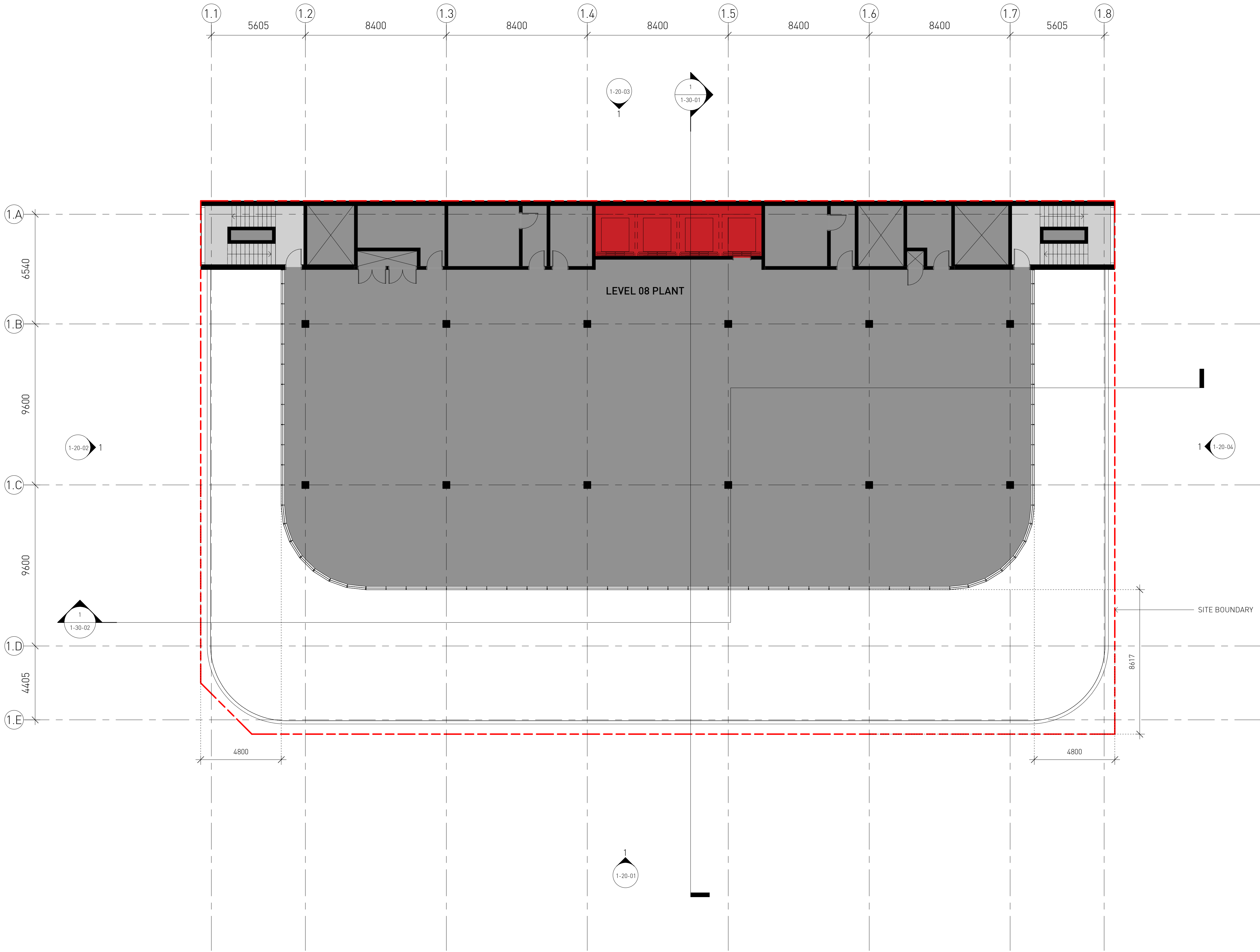
PL-1-11-07

Rev Date

06/04/18

Rev

A



1 PROPOSED PLAN - LEVEL 08
1 : 125

Architect

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Tel. 02 9460 8002

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Client

SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1

(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - LEVEL 08

Project No.

16-018

Drawing No.

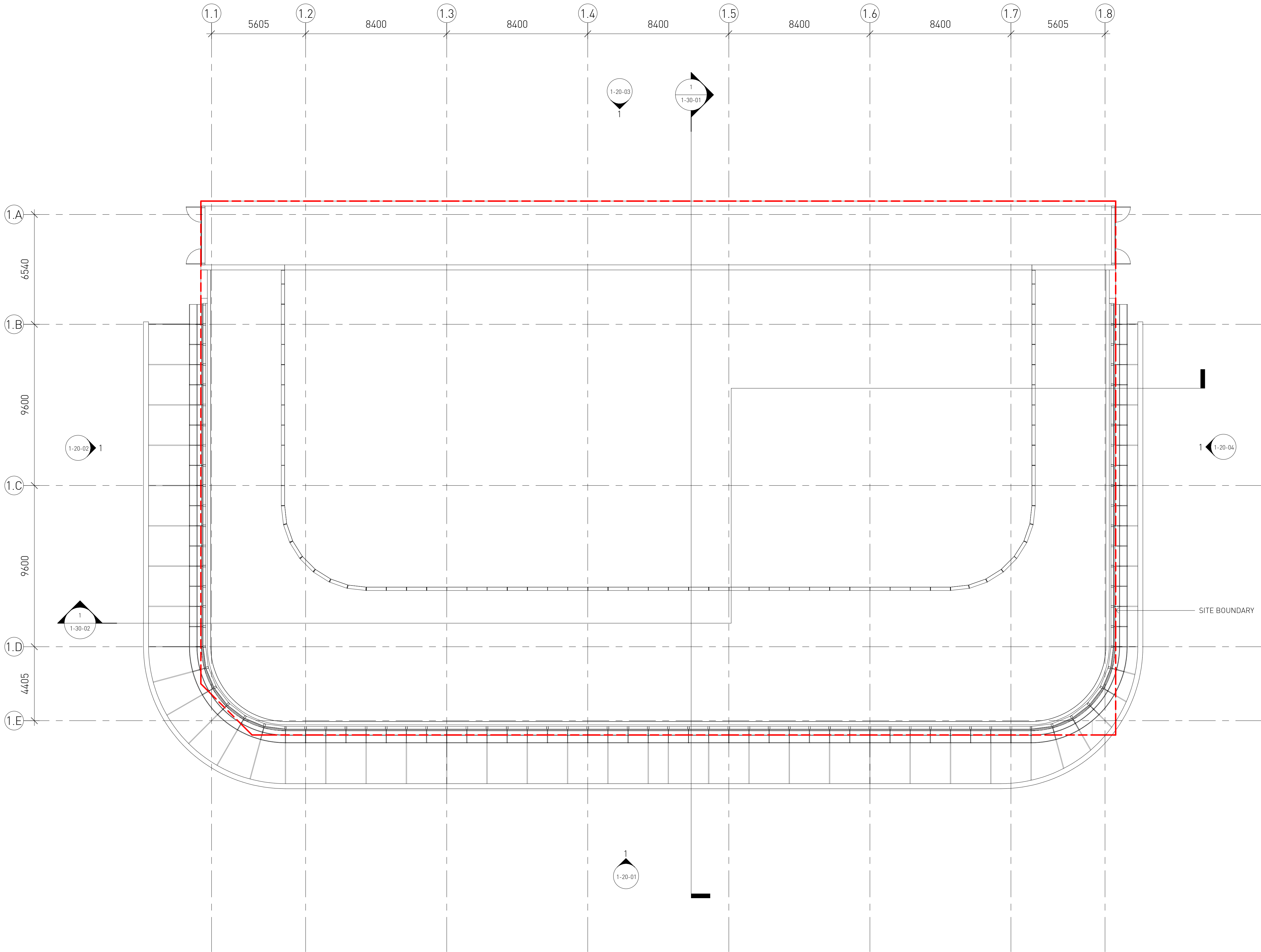
PL-1-11-08

Rev Date

06/04/18

Rev

A



1 PROPOSED PLAN - ROOF
1 : 125

Architect

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Client

SANDRAN PROPERTY GROUP

Scale

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(Half Scale @ A3)

North

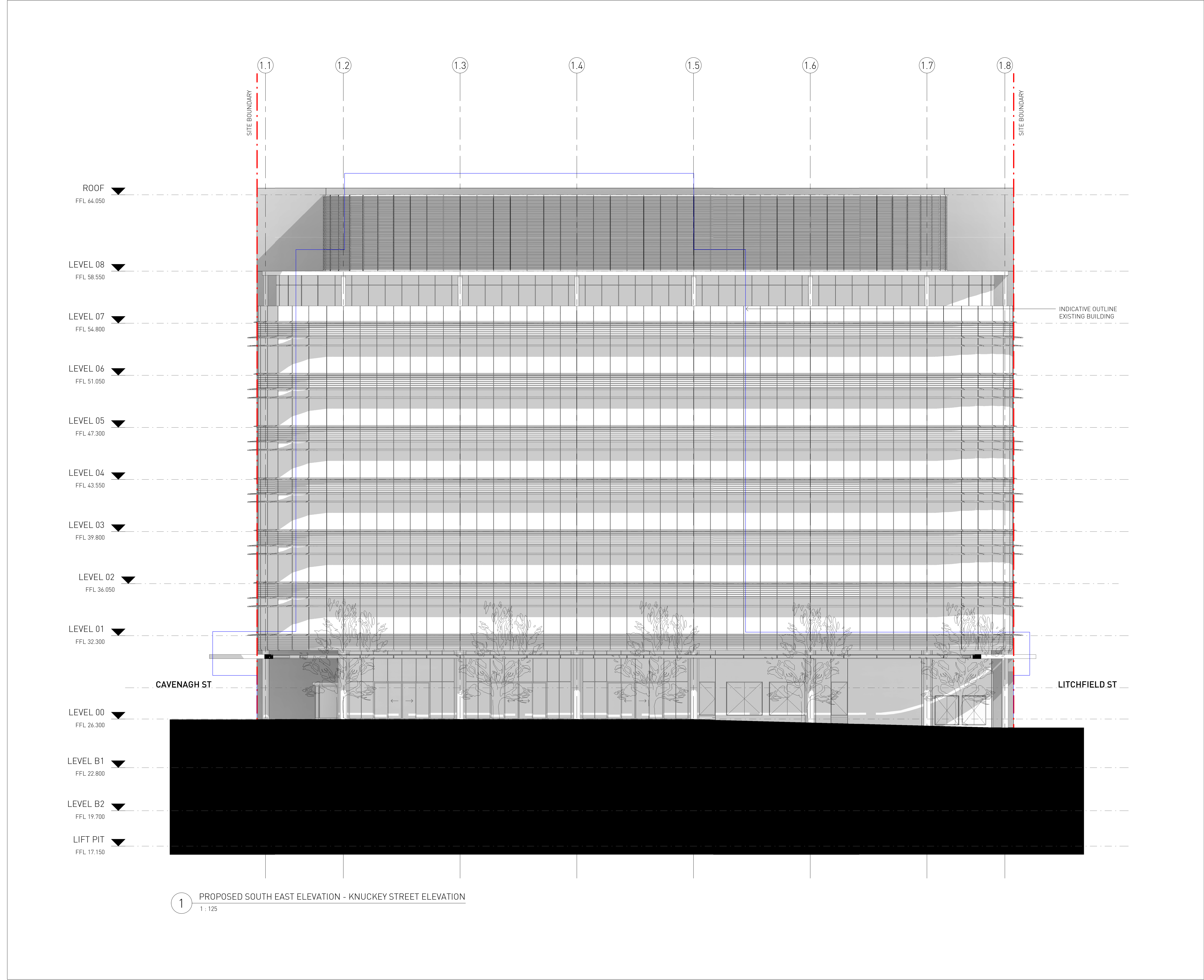
Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED PLAN - ROOF

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-11-09	06/04/18	A



Architect

SISSONS ARCHITECTS
Studio 5, 81 Alexander St, Crows Nest, NSW 2065
Tel. 02 9460 8002

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Client

SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1
(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED ELEVATION -
SOUTH-EAST - KNUCKEY STREET

Project No.

16-018

Drawing No.

PL-1-20-01

Rev Date

06/04/18

Rev

A

Client
SANDRAN PROPERTY GROUP

Scale
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(Half Scale @ A3)

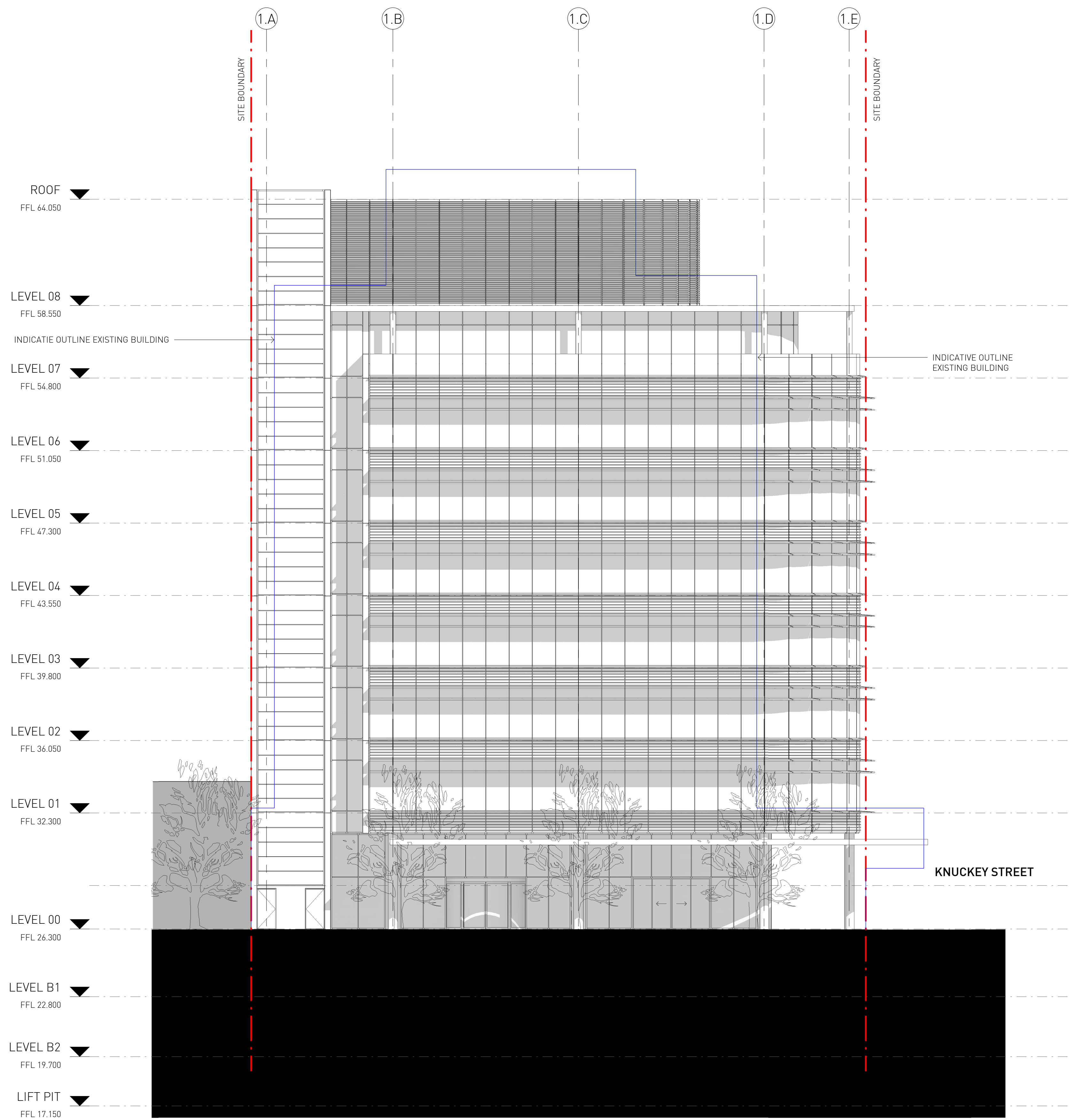
North

Project
38 CAVENAGH STREET AND 12-14
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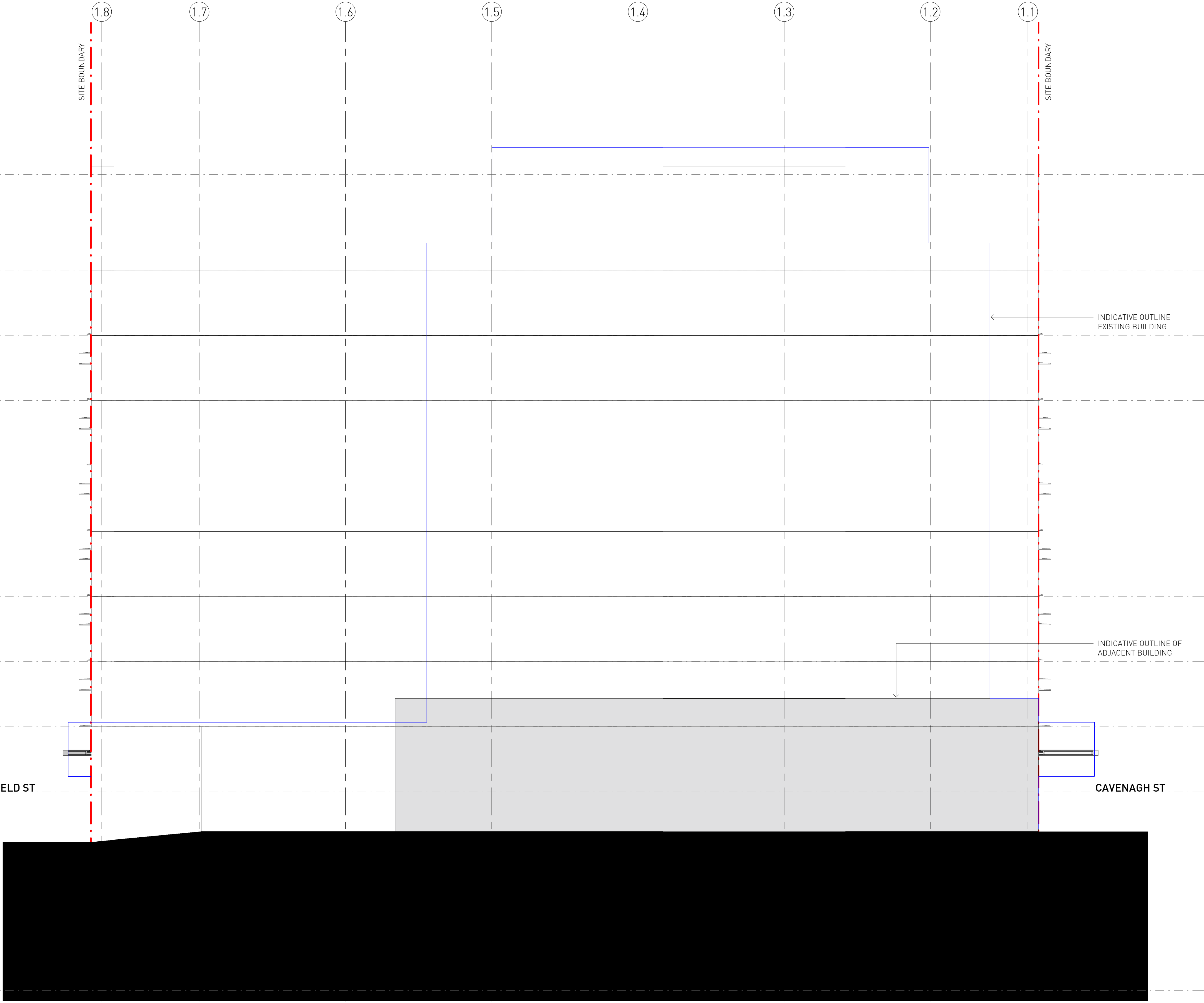
Drawing Title

SITE 1 - PROPOSED ELEVATION -
SOUTH-WEST - CAVENAGH STREET

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-20-02	06/04/18	A



1 PROPOSED SOUTH-WEST ELEVATION - CAVENAGH STREET
1 : 125



1 PROPOSED NORTH-WEST ELEVATION - ADJACENT SITE
1 : 125

Architect

SISSONS ARCHITECTS
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5/04/2018 9:22:14 AM

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LITCHFIELD STREET

Drawing Title

SITE 1 - PROPOSED ELEVATION -
NORTH-WEST - ADJACENT SITE

Project No.

16-018

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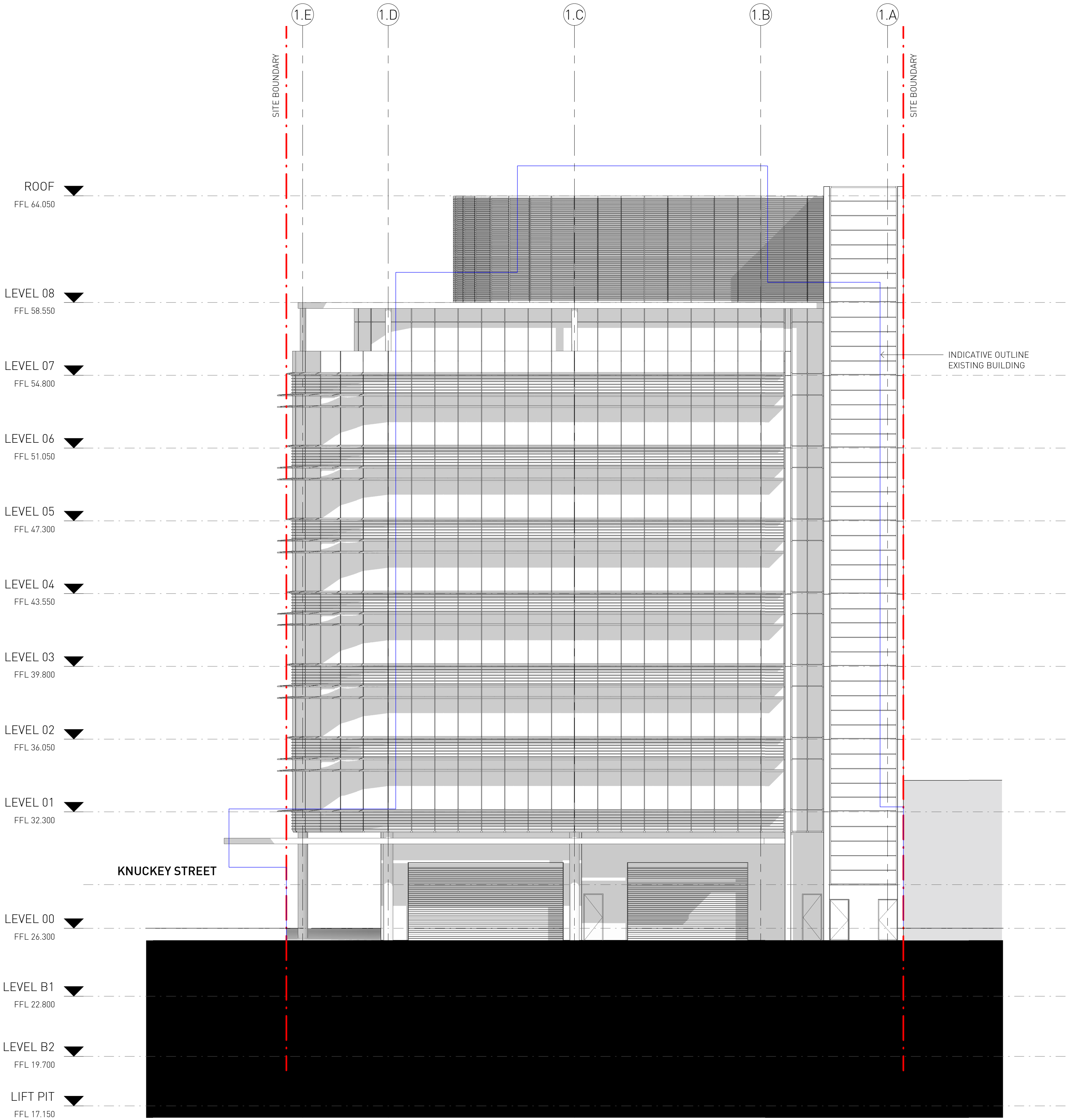
PL-1-20-03

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Rev

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1 PROPOSED NORTH-EAST ELEVATION - LITCHFIELD STREET
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NORTH-EAST- LITCHFIELD STREET

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-1-20-04	06/04/18	A



rchitect

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SANDRAN PROPERTY GROUP

Scale

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Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 1 - RENDER - CAVENAGH STREET AND KNUCKEY STREET

Project No.

16-018

Drawing No.

PL-1-70-02

Rev Date

06/04/18

Rev

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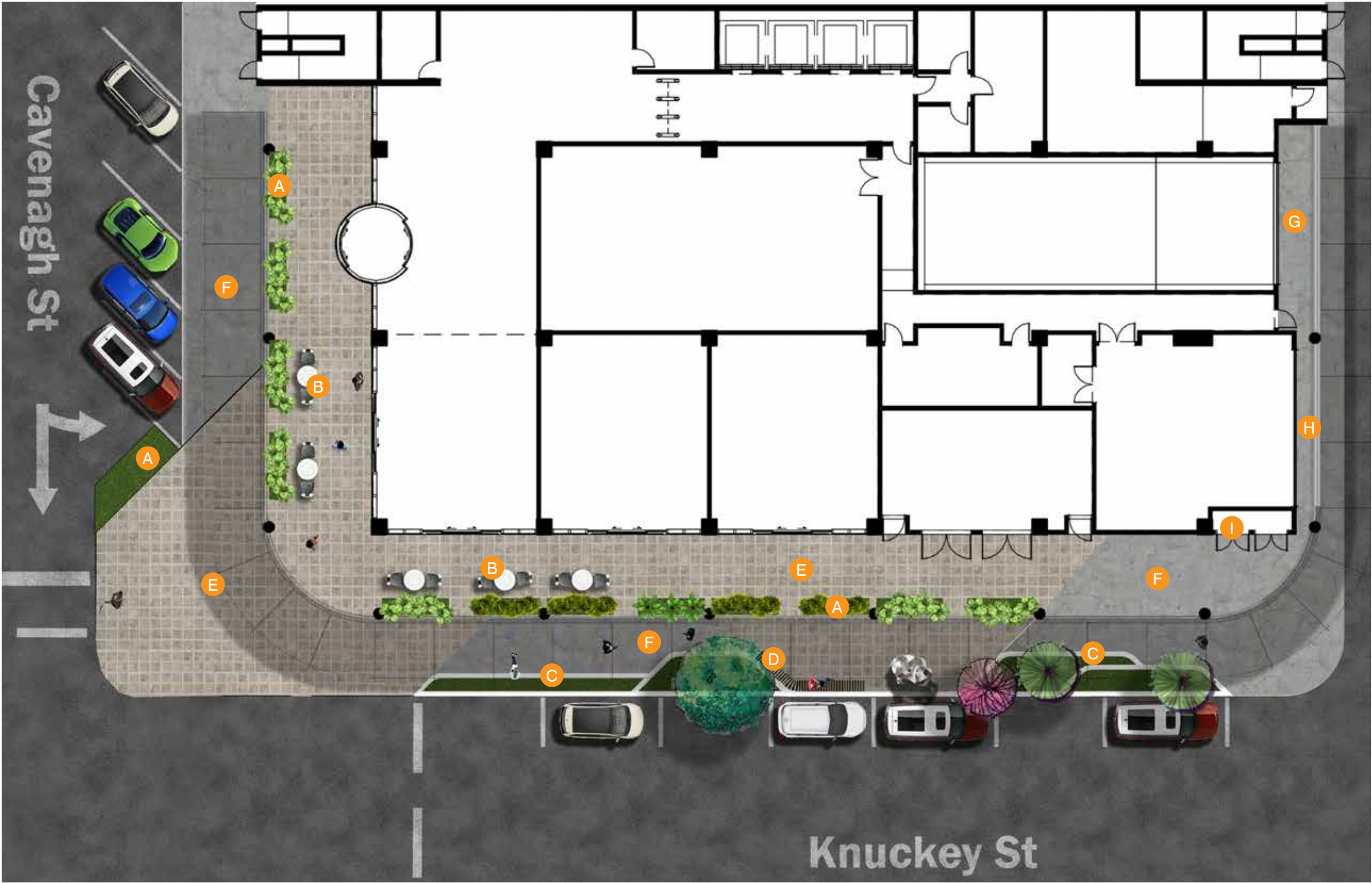
06/04/18

Rev

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CAVENAGH HOUSE - ground floor

- A Garden Beds at ground level
- B Footpath dining opportunity for ground floor caf
- C Raised Gardens beds acting as informal seating
- D Built in timber bench seating
- E Paved surface
- F Concrete surface
- G Carpark entry
- H Service vehicle entry
- I Hydrant booster




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CAVANAGH-LITCHFIELD DARWIN
DARWIN, NT

Project No: 17216
Date: 05/04/18
DHELTHDWN-17216



April 2018

STATEMENT OF EFFECT

NINE STOREY OFFICE AND RETAIL BUILDING

MASTERPLAN

ABN 30 007 755 277
ISO 9001:2015 Certified

Unit 33, 16 Charlton Court
Woolner NT 0820
Telephone: 8942 2600

SUBJECT SITE

Lot 2365
Town of Darwin

38 Cavenagh Street
Darwin City

www.masterplan.com.au



MASTERPLAN
TOWN + COUNTRY PLANNERS



1.0 INTRODUCTION

MasterPlan NT has been appointed by Sandran Pty Ltd to prepare an application for a Development Permit for offices and retail in a nine-storey building at 38 Cavenagh Street, Darwin City (Lot 2365 Town of Darwin).

The subject land is located within Zone CB (Central Business) pursuant to the NT Planning Scheme. The proposed development comprises works requiring consent and thus a Development Permit pursuant to Section 44(a) of the NT *Planning Act*.

Included in the application is a Statement of Effect (contained herein), Land Owner Authorisation and Title Documents. Included within the Statement of Effect are:

- Attachment A Site Plan;
- Attachment B Location and Zoning Plan;
- Attachment C Connectivity Plan;
- Attachment D Development Plans and Design Report;
- Attachment E Landscaping Plan;
- Attachment F Traffic report; and
- Attachment G City of Darwin Central Business District Parking Strategy and Contribution Plan.

This development application for an office building and ancillary retail tenancy has been prepared and lodged simultaneously with a development application for a multi-level car park building located at 12 and 14 Litchfield Street. The additional car parking spaces within 80 metres of the office building and ancillary retail tenancy will provide the availability of additional spaces for tenants.

We respectfully invite the Consent Authority to incorporate relevant Permit Conditions to ensure that the construction of the car park building at 12 and 14 Litchfield Street is completed at the same time as the proposed office and ancillary retail tenancy to ensure the availability of the additional spaces.

The reports that accompany both applications have generally been prepared to address considerations for the whole of the development, accordingly, there is some replication within each Statement of Effect.



In preparing this Statement of Effect, MasterPlan has:

- conducted a site and locality inspection;
- examined the development and site history;
- discussed the operation of the proposed development and existing operations at a nearby site with the client;
- considered the most relevant provisions of the NT Planning Scheme and the Darwin City Centre Master Plan; and
- has referenced the Central Darwin Area Plan Discussion Paper.

2.0 NATURE OF SITE AND LOCALITY

2.1 Site Description

The site comprises 38 Cavenagh Street, Darwin, formally identified as Lot 2365 Town of Darwin.

The corner site incorporates three street frontages with widths of 31.795 metres to Litchfield Street, 51.43 metres to Knuckey Street and 28.75 metres to Cavenagh Street (including a 4.31 metre wide corner cut off at the intersection of the Cavenagh and Knuckey Street boundaries). The site has a total land area of 1,720 square metres.

The Title Documents identify two easements to the Power and Water Corporation. One easement incorporates a rectangular segment located along a portion of the north-western boundary from the sites northern corner. The second easement is irregularly shaped adjacent to the north-eastern Litchfield Street boundary. These are depicted on the Site Plan **Attachment A**.

The site currently contains a nine-storey building with some single storey elements. Vehicle access to a basement car park within the existing building is currently obtained from Litchfield Street at the northern corner of the site. The building is in a modest state of repair.

The Site Plan is at **Attachment A**.

2.2 Description of Locality

The site is centrally located within Zone CB, with land immediately surrounding the site including:

- single and two-storey retail shops and restaurants to the south-east around to the south-west, in addition to a nearby 10-storey residential building located further to the south-east;



- 'Pella House' on the adjacent allotment to the north-west incorporating a two-storey office use and associated car park;
- single-storey restaurant, retail and office buildings to the south-west and east; and
- a 30-storey hotel and apartment building (Mantra Pandanas) to the north-east.

The locality beyond the land immediately surrounding the site generally incorporates commercial buildings of modest heights towards the south and west. Much higher hotel and residential buildings are located towards the north and east. This characteristic is evidenced by a number of tall hotel buildings being located to the north-east of Lichfield Street and to the south-west of Woods Street.

A Location and Zoning Plan is at **Attachment B**.

3.0 DESCRIPTION OF USE

The proposed development comprises the construction of a 9-storey office building (including a plant room level) and ancillary car parking and retail tenancy including a top floor plant area, eight above ground office levels, retail at the interface with street level, storage at the ground level and two basement car park levels.

Development plans including elevations and perspectives are contained at **Attachment D**, Landscape Plan contained at **Attachment E**, and a Traffic Assessment Report at **Attachment F**.

Given the sites three street frontages there has been a design focus to orient the buildings functional infrastructure and amenities including lifts, stair wells, car park exhaust riser, communications, plant, fire pumps and amenities along the north-western or "dead" boundary abutting the adjacent building. Four lifts are centrally located on this "dead" boundary with a stairway access at each corner extending across all floor levels.

The NT Government Department of Health is intending to occupy the building. The building is primarily configured for open plan offices, with the retail tenancies to be located on the ground floor.

The design attributes of the building include the following:

Two Basement Levels

Vehicle access is afforded to each of the basement levels via an internal ramp off Litchfield Street with access provided to a total of 60 car parking spaces and 15 motor bike spaces and 35 bicycle spaces. Each basement incorporates areas for plant and storage. The disabled persons car parking spaces are all located on the higher basement level (B1), which also includes the 35 bicycle spaces and generous end of trip amenities.



Ground Level

The ground level incorporates a mix of retail frontages, public lobby, outdoor dining, colonnade, infrastructure housing, loading bays and vehicle access.

The functional infrastructure and vehicle access to the building has been concentrated along the Litchfield Street frontage and centrally within the building. A double width loading dock with security shutter facilitates the loading of goods from Litchfield Street. Vehicle access to the basement car parking is also afforded via a two way ramp from this frontage.

Three separate retail tenancies present to the Knuckey Street frontage whilst essential services of a substation and booster room have been incorporated into this frontage. Each of these elements are setback 4.88 metres from the allotment boundary providing a protected pedestrian zone and colonnade located under the first floor level. A canopy protrudes beyond the allotment boundary over the public verge thus affording a significant level of comfort for pedestrians. Ground level landscape beds are to be located adjacent to the colonnade to delineate the space. Additional landscaping is proposed within the street verge.

A retail tenancy and public lobby present to the Cavenagh Street frontage, including a large circular air lock entrance statement. A colonnade is also located on this elevation with a depth of 5.915 metres under the first floor level. Consistent with the Knuckey Street elevation, a canopy protrudes beyond the allotment boundary over the public verge.

The ground floor colonnade and canopy each incorporate a ceiling height of 6 metres, providing a sense of grandeur and visually open streetscape presentation with views into the retail tenancies thus providing a greater visual connection and integration of the spaces.

Upper Levels

Open plan offices are proposed above ground level with the minimal use of internal partitions. Internal atriums are used intermittently between the floor levels with additional associated stairs. The atriums do not extend universally through the building and are not incorporated on floor Levels 3, 6 and 8. Each floor level has a ceiling height of 3.75 metres. Notably, the Level 8 floor plan is stepped in from the lower levels providing an outdoor terrace adjacent to the three road frontage boundaries.

Top Level

Plant space is incorporated on the top level with a ceiling height of 5.5 metres. The plant is setback 4.8 metres from the north-eastern and south-western boundaries in addition to 8.617 metres from the south-eastern boundary. The plant incorporates horizontal dark grey louvres to screen the infrastructure, although at this height there is limited viewing from most public spaces.



Elevations

The ground and upper levels of the building generally incorporate floor to ceiling glazing with an evident curve around the two street corners. A horizontal aluminium sunshade extends beyond the glazing treatments of natural copper colour and incorporating two parallel linear elements for visual effect.

At ground floor level the structure provides a grand and visually open form with a 6.0 metre ceiling height, floor to ceiling glazing and colonnade. Pylons provide features within the visually open colonnade, which also incorporates landscaping to define the space.

A vertical services and stair well core is also evident on the south-western and north-eastern elevations, at a width of 4.1 metres. The core incorporates two external doors and ground level and glazed screening treatments with a louver presentation to the upper levels.

The Litchfield Street ground floor has been the focus for vehicle entrance and building services infrastructure. As such, this elevation contains vehicle entrance security shutters and façade elements typical of a service area.

4.0 ADMINISTRATION

Clause 2.5 outlines the exercise of discretion by the Consent Authority in which:

- '4. *The consent authority may consent to the development of land that does not meet the standard set out in Parts 4 or 5 if it is satisfied that special circumstances justify the giving of consent.*

Variations to Clauses 6.3.3, 6.5.1 and 6.5.3 are proposed given the unique set of circumstances surrounding the proposal. We submit that the proposal exhibits special circumstances justifying the granting of Consent as is outlined in the body of this report.

5.0 SECTION 46(3) OF THE NORTHERN TERRITORY PLANNING ACT

The site is within Zone CB (Central Business), where office and retail (shops and restaurants) are listed as *discretionary* uses. The following provisions of the NT Planning Scheme relate to the proposed development.

5.1 46(3)(a) – Compliance with the NT Planning Scheme

Clause 5.7 provides the purpose of the Zone CB as follows:



- "1. The primary purpose of Zone CB is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible activities.*
- 2. Building form and design is expected to be sensitive to the needs of pedestrian movement and facilitate the creation of safe and active street frontages and public places and a vibrant commercial precinct."*

The proposal is consistent with the zone purpose statement as it provides for office and retail activities that complement the existing uses within the Darwin central business area.

The building form incorporates canopies over the street verge which provide sheltered pedestrian access at ground level along the Cavenagh and Knuckey Street frontages. The incorporation of a colonnade provides outdoor dining opportunities and the ground floor of the building incorporates extensive glazing to tenancy areas with generous landscaping softening the facade. The resulting streetscape presentation provides an active street frontage with high amenity value.

The scale, design and character is consistent with the desired intent for sites located within the Zone CB, as provided in the assessment against the following Clauses.

The purpose of **Clause 6.3.1** is to limit the height of buildings within Central Darwin to achieve a city form with the highest buildings and structures at the centre that step down towards the perimeter to optimise opportunities for harbour views.

All buildings within the central Darwin Perimeter Area and the Central Darwin Core Area are to be in accordance with the diagram to this clause. The proposed building is not located within the core or perimeter areas of central Darwin and as such, satisfies this Clause.

*The purpose of **Clause 6.3.2** is to ensure the siting and mass of buildings within Central Darwin promotes*

- a. a built form that maximises the potential for view corridors to Darwin harbour;*
 - b. the penetration of daylight and breeze circulation between buildings.*
 - c. Promotes privacy for residents of adjoining properties; and*
 - d. A built form that reasonably anticipates the future development of adjoining sites.*
- 3. Development in Central Darwin is to be designed in accordance with the diagram to this clause.*



The diagram to Clause 6.3.2 depicts a Tier 1 building podium constructed to a height of 25 metres above ground level able to be constructed to each boundary. The Tier 2 building tower is then to incorporate a minimum 6.0 metre setback distance from each site boundary where the building height is greater than 25 metres.

The building incorporates boundary development to a height of 32.25 metres to the ceiling of Level 7, resulting in a 7.25 metre excess of the Tier 1 building height requirement. The building then incorporates setbacks of 4.8 metres from the north-eastern and south-western frontages and 8.617 metres from the south-eastern frontage. The exception to these measurements is the linear service core that extends to a height of 41.5 metres on the north-western boundary.

The intended application of the diagram to Clause 6.3.2 is to ensure that each of the elements listed within parts *a* through *d* above are addressed within the siting and mass of a building. To this end, the design of the building, the character of development within the locality and the relative extent of the numerical discrepancy from the diagram are relevant factors in considering the merits of a variation to the Clause.

The building provides an excellent design outcome for the site incorporating an exceptional architectural standard that is effective in addressing any issue of bulk and scale through the coordinated application of articulated facades, variation of materials, colours and finishes and the banding of the overall form. Further, the minimal height discrepancy of 7.25 metres in this location and its built form context, will not detrimentally effect the opportunity for view corridors, penetration of daylight or breeze circulation for adjacent buildings. This is relevant given the character of large buildings in the area, in particular the apparent non-compliance of the Mantra Pandana's building directly to the north-east with the incorporation of 20 floor levels within 6.0 metres of the Litchfield Street boundary.

We have formed the view having regard to the form, height and extent of development of other buildings in the immediate locality, the location of this development and the exceptional design form of the proposed development, that a variation to Clause 6.3.2 is warranted.

The purpose of **Clause 6.3.3** is to promote exemplary urban design in Central Darwin. The Clause stipulates that buildings are to provide 75 percent of the length of the site boundary at ground level as active street frontage. Treatments to achieve this end include building entrances, clear glass windows, open space, landscaping and areas for alfresco dining.

Typically this would be calculated on a single main road frontage. In this instance, the property has three frontages, one of which is in the form of a service road.

To achieve the intent of an active street frontage, the Clause speaks to the inclusion of active street frontage treatments such as the use of alfresco dining opportunities, landscaping, open space and areas that are attractive, safe and functional for pedestrians within the development site.



The proposal incorporates an expansive colonnade across the Cavanagh and Knuckey Street frontages. The colonnade provides an open protected entrance area in front of the public lobby, nominated dining opportunities in front of each tenancy and a protected pedestrian access point in front of the infrastructure services area towards the east on the Knuckey Street frontage. Importantly, a large area of the colonnade is defined by ground level landscaping adjacent to the site boundary. Further street tree plantings are also proposed.

The colonnade is located forward of floor to ceiling glazing incorporated within the tenancies and public lobby. The exception to this is a section of infrastructure services to the east that incorporates six pedestrian access points. This section of wall is to incorporate floor to ceiling vertical timber features to provide depth perception and visual interest.

From a numerical analysis, the total boundary length of the sites three street frontages equates to 116.285 metres, with the nominated 75 percent equalling 87.21 metres. We are of the view that the full length of the colonnade, measuring at 80.389 metres, is representative of an active street frontage given its function as alfresco dining, landscaped open space and a safe and functional pedestrian thoroughfare within the site. The colonnade represents 69 percent of the total street frontages, a relative shortfall of six percent.

Sub-Clause 7 provides that:

"7. The consent authority may consent to any application that is not in accordance with sub-clause 3 only if it is satisfied that compliance would be impractical."

Given the sites three street frontages it is unreasonable and 'impractical' to apply the 75 percent rule across the whole of the site as stipulated in Clause 7. This is so given the need to provide ground floor infrastructure required to service and maintain the building. A standard site arrangement with just one or two street frontages provides the opportunity to locate infrastructure services on allotment boundaries shared with adjacent sites. This site has the benefit of just one boundary to accommodate infrastructure in this way.

Irrespective of the site configuration incorporating three street frontages, the ground level floor plan has been designed to minimise the extent of infrastructure services in these locations. Lifts, stair wells, car park exhausts and fire prevention infrastructure are located on the north-eastern elevation. In addition, the tenant store has been located centrally within the building.

Vehicle access, loading and infrastructure rooms have intentionally been located on the Litchfield Street frontage given its reduced strategic importance as a pedestrian thoroughfare for the Darwin CBD and existing characteristics as a service laneway for adjacent development. This design focus has facilitated the placement of service infrastructure on Cavanagh and Knuckey Streets to a substation, boosters, stairwell and side wall of the loading dock. Accordingly access for car parking and access for loading have been removed from the primary street front.



The importance of providing active streetscapes and pedestrian friendly environments within Knuckey and Cavenagh Street is evident within the Darwin City Master Plan, with the intended pedestrian friendly Knuckey Street extension (MP 015) and the Cavenagh Street car park redevelopment (MP 024). Each strategic plan places great emphasis on providing pedestrian activation for these two streets. The design accommodates this activation.

Equally, the Darwin City Masterplan recognises the existing compromised pedestrian environment of Litchfield Street and encourages use of that street for service access to prioritise the activation of Cavenagh Street and Woods Street through MP 024:

"From an urban design perspective it is important to continue Litchfield Street to the proposed Barneson Boulevard, as this is a chance to service the site (Cavenagh Street Car Park Redevelopment) and provide access to basement and potential above ground parking. This is an urban pattern already established further to the south on Litchfield Street. Rear servicing of the site provides the opportunity to achieve 'active frontage' to Cavenagh Street, Barneson Boulevard and Woods Street which is highly desirable as it supports pedestrian safety and amenity."

Consistent with the intentions of the Darwin City Centre Masterplan, this proposal prioritises the activation of both Cavenagh Street and Knuckey Street to excellent effect. Notably, the colonnade, the open space, the protected pedestrian environment and the interrelationship of the public realm with the retail and entry areas is highly desirable and represents 95 percent of the combined length of these two Street frontages.

The variation is considered appropriate in this instance given the physical difficulties of the sites three street frontages providing an impracticality to incorporate the required service infrastructure at ground level in association with the activation of 75 percent of the frontage width. The variation is considered appropriate in this instance given the buildings high architectural standard and successful activation of Cavenagh and Knuckey Streets, as discussed further in relation to the following Clauses.

"4. Buildings in Central Darwin are to:

- (a) provide awnings to streets for the full extent of the site frontage that allow for the planting and growth of mature trees within the road reserve.*
- (b) provide mid block pedestrian linkages (arcades) at ground level from one street to the other in buildings that have dual frontages.*
- (c) have facades that have a clearly articulated base, middle and top; and*
- (d) integrate plant rooms and service equipment on roof tops."*



A glass canopy is provided along the full extent of the buildings frontage to Cavenagh and Knuckey Streets. The generous canopy depth has also been designed to ensure sufficient space is provided for the successful growth of adjacent street trees. The canopies design provides a generous amount of shelter in conjunction with the shade and aesthetic attributes of the proposed street trees. The canopies also provide for effective protected pedestrian linkages across the site.

The building has a clearly articulated base, middle and top. Specifically, the ground floor commercial tenancies and sheltered pedestrian canopy over the footpath defines the 'base' of the building, emphasised by the 6.0 metre 'grand' ceiling height. The middle tier is provided with uniform floor levels. The upper level setback creates variation and interest in the building form and an amenity for users of the building. The top tier incorporates plant and equipment on Level 8, beyond a generous setback distance of 4.8 metres and 8.617 metres to address any issues of visual bulk or amenity.

- "5. *Ground level car parking areas in buildings are limited only to the number of car parking spaces required for ground level retail tenancy customers."*
- 6. *All car parking areas are to be screened so that they are not visible from the street or public spaces."*

There are no car parking spaces proposed at ground level or visible from the street.

- "8. *An application for development in Central Darwin should prior to consideration by the consent authority include an acknowledgement in writing, from the agency responsible for power and water; the agency responsible for fire rescue services and Darwin City Council that the requirement for service provisions has been discussed with a view to minimise their impact on active street frontages."*

The proponent has engaged with the service authorities to inform the design prior to lodgement of the application and continues to work collaboratively in those discussions. Consultation with the service authorities is expected to occur as part of the standard public exhibition and referral period, which will ensure their written submissions relating to the proposal will be received by the consent authority prior to consideration of the application. The design has taken into consideration the commentary and requirements of the service authorities in placement of these elements in the building design.

The purpose of **Clause 6.5.1** 'is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site.'

The Office and retail uses are to be serviced by 60 car parking spaces located in the basement of the building in addition to 15 motorbike spaces and 35 bicycle spaces. Access to a further 320 car parking spaces will be available to tenants at the six level car park located at 12 and 14 Litchfield Street, which also includes 71 motorbike spaces. Typically, three motorbike parks are recognised as accounting for one car parking space. As such, the additional car parking spaces across the two sites has been equated in the **attached** Tonkin's traffic report at a total of 408 car parking spaces.



To ensure the appropriate level of car parking is available for the proposal, we respectfully invite the Consent Authority to incorporate relevant Permit Conditions that ensure the construction of the seven-storey car park at 12 and 14 Litchfield Street is completed at the same time as the proposed office and ancillary retail tenancy to ensure the availability of the additional spaces. With this assurance, the combined equivalent total of 408 car parking spaces will be available simultaneously with the occupation of the office building.

From an operational standpoint, the car park building at 38 Cavenagh Street will incorporate a boom gate and swipe card system located towards the bottom of the ramp with a generous separation distance from the entrance point to ensure there is no cueing onto Litchfield Street. It is the intention that the car park will generally service building employees and the retail tenancies on the ground floor. As such, the implementation of a boom gate will not inhibit the convenient access for workers given the car parks centralised control.

The car park located at 12 and 14 Litchfield Street and the subject of a separate application, is also conveniently located for the 38 Cavenagh Street building at a walking distance of 160 and 170 metres, as depicted on the **attached** connectivity plan. Pedestrians have the option of walking along the two footpaths located on Litchfield Street or utilising the Arafura Plaza arcade across Litchfield Street and walking along the Cavenagh Street footpath. The Cavenagh Street footpath incorporates a protected verge for the entire length. Each provides a safe and convenient pathway for pedestrian access between the two sites.

The car park proposal will result in a net increase of 377 car parking spaces for the area with the development of the car park at 12 and 14 Litchfield Street and 38 Cavenagh Street, when compared to the operation of the existing building at 38 Cavenagh Street which currently contains 31 spaces. As such, car parking in the area will be significantly improved by the car park development, relieving some existing demand on spaces elsewhere.

It is noted that the car park located at 38 Cavenagh Street is to accommodate tenants of the building and will not provide public access for ground floor tenancy customers. Public access will however, be available at the Litchfield Street car park, conveniently located to the tenancies.

The substantial increase of 377 additional car parking spaces proposed in the application for Litchfield Street from the existing operation of 38 Cavenagh Street represents a vast improvement for office workers in the locality in general by relieving existing car parking demand experienced within the area. Further, the additional car parking spaces and the convenience for pedestrians to walk within sheltered arcades and footpaths between the two buildings is effective in servicing the proposed use.

2. *Subject to clause 6.5.2, if a use or development specified in column 1 of the table to this clause is proposed, the number of car parking spaces (rounded up to the next whole number) required for that use or development is to be calculated in*



accordance with the formula specified opposite in column 2 or, if the use or development is within Zone CB in Darwin, column 3.

Column 3 within Clause 6.5.2 requires a rate of three car parking space per 100 square metres of net floor area of an office and/or shop. We also note that the Planning Scheme does not take into account other modes of transport that may offset the car parking demand calculation. However, it is common practice to acknowledge the offset of one space for every three motorcycles. The proposal incorporates a net floor area of 10,495, requiring a total of 316 car parking spaces. It is proposed to accommodate 60 spaces at the 38 Cavenagh Street site representing a theoretical shortfall, discussed further within Clause 6.5.2.

3. *If a proposed use or development which is not listed in the table to this clause requires consent, the number of car parking spaces required for that use or development is to be determined by the consent authority.*

The proposal is listed within the table.

4. *A car parking area is to be designed in accordance with clause 6.5.3 except where the car parking is required in association with a single dwelling and an independent unit.*

The proposal does not incorporate a single dwelling or an independent unit.

The purpose of **Clause 6.5.2** is to provide for a use or development with fewer car parking spaces than Clause 6.5.1.

2. *The consent authority may approve a use or development with fewer car parking spaces than required by clause 6.5.1 if it is satisfied that a reduction is appropriate for the use or development, having considered all the following matters:*
 - (a) *the zoning of the land, the use or development or proposed use or development of the land and the possible future use or development of the land;*
 - (b) *the provision of car parking spaces in the vicinity of the land; and*
 - (c) *the availability of public transport in the vicinity of the land; or*
 - (d) *the use or development relates to a heritage place and the Minister responsible for the administration of the Heritage Act supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place*

Section 70 (3) and (4) of the NT Planning Act speaks directly to the Consent Authorities role and delegated powers in considering the relevant car parking requirements of a development, as detailed below:



3. *If a planning scheme requires a certain number of car parking spaces to be provided as part of a development, the consent authority may determine, as a condition of the development permit, that a different number of car parking spaces may be provided or no car parking spaces need to be provided.*
4. *The Consent Authority must not make such a determination unless:*
 - (a) *it has considered all the circumstances of the particular case; and*
 - (b) *it is satisfied the intent of the planning scheme will still be fulfilled.*

This proposal offers a unique set of circumstances in that the development site at 38 Cavenagh Street has been operating with a significant shortfall of car parking on the site. The proposed office redevelopment will add a further 34 carparking spaces to the existing situation. A further 320 car parking spaces will also be constructed in association with the development in close proximity to the site at 12 and 14 Litchfield Street.

The above calculations do not take account of the common traffic engineering assumption and policy applied that three motor bike spaces equates to one car parking space. This results in the equivalent of a further 23 spaces being provided across both sites.

As summarised above, the substantial increase of 377 additional car parking spaces from the existing operation of 38 Cavenagh Street represents a vast improvement for office workers in the locality in general by relieving existing car parking demand experienced within the area. Further, the additional car parking spaces and the convenience for pedestrians to walk within sheltered arcades and footpaths between the two buildings is effective in servicing the proposed use and others in the locality.

In considering these elements, we are of the opinion that the particular circumstances of these proposals satisfy the intent of the NT Planning Scheme in that the use is supported by a sufficient number of car parks and the proposal will provide further readily available parking for the area. The Consent Authority is able to determine that a lesser number of car parking spaces may be provided. In our view, the circumstances surrounding this proposal warrant such a determination.

In essence, the preferred approach is to ensure that the whole of the locality benefits from additional car parking and that car parking is not allocated such as to quarantine those car parks from other users to the detriment of the locality or the CBD in general. That would be the case if the car park application were to be inextricably linked so as to be exclusive to that building.

The Consent Authority may also consider that a car parking contribution be made in lieu of providing a specific number of parking spaces, as permitted within Section 70 (5) of the NT Planning Act:



5. *If a condition of a development permit requires a certain number of car parking spaces to be provided as part of the development, the permit may include a condition that a contribution may be paid to the service authority for the policy are instead of providing a specified number of those parking spaces.*

The payment of a car parking contribution is to be calculated in accordance with the formula relevant to the policy area, which for the Darwin CBD provides a discount for the provision of basement car parking. Each car parking space shortfall (after calculating the basement car park discount) is attributed a cost of \$26,000, resulting in a total contribution for this proposal in excess of six million dollars.

A contribution to the car park fund is not warranted in this instance as our client proposes to construct the seven-storey car park at 12 and 14 Litchfield Street in association with the office building. The cost of constructing the car park building is budgeted to exceed twelve million dollars, double that of the car park contribution calculated above. Further, this project will be delivered in a timely manner and be a precursor to the operation of the Office building. This provides a more immediate and more direct outcome to satisfying parking needs in the CBD.

Car parking contributions are guided by the City of Darwin Policy document titled the *Central Business District Parking Strategy and Contribution Plan* (**Attachment G**). The underlying philosophy of the policy document is stated as:

"Developers should contribute to the cost of physical and community infrastructure to the extent that the demand for such infrastructure is generated by their specific development, at appropriate standards and to meet threshold demand, in accordance with legislative provisions"

The central location of the car park building and its relative size are consistent with the underlying philosophy and objectives of the Darwin City Central Business District Parking Strategy and Contribution Plan. This car park location, is representative of the additional car parking spaces that the contribution plan is intending to provide through that mechanism. Importantly, the supply of the proposed car parking spaces will be provided at a discounted rate to the cost of their provision through the contribution plan. The car parks will also be provided immediately, rather than at a later date when the payment of the relevant contribution is realised in construction.

We submit that the construction of the seven-storey car park building provides an appropriate number of car parking spaces for the office building at 38 Cavenagh Street while also realising the construction of a car park costing twice that of the attributable contribution calculation. We consider that the six-storey car park is of a size and location that is consistent with the intention of the NT Planning Scheme and the Darwin CBD parking strategy. As such, given the supply of car parks will not be delayed with the car park proposal, as would likely be the case with a payment to the contribution fund, a Clause variation is requested as payment towards the car parking contribution plan is unwarranted for the office and ancillary retail proposal.



The purpose of **Clause 6.5.3** is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.

The car park has been designed in accordance with all relevant standards suitable for its intended purpose.

The purpose of **Clause 6.6** is to provide for the loading and unloading of vehicles associated with the use of the land.

Service vehicles (including rubbish collection trucks) will access and egress the building from the proposed loading dock fronting Litchfield Street. Delivery trucks accessing the site will not exceed 8.8 metres and will reverse into the bay, allowing forward egress. Reverse turning movements have been considered in the Tonkin Consulting traffic report. Notably, the reversing of vehicles into the loading bays is typical in Litchfield Street.

Two loading bays are required for the Department of Health to operate in an efficient and coordinated manner. Effective security measures are also achieved for the loading bays with the use of roller doors. Equally, the limited service requirements of the ground level tenancies are able to be facilitated through the use of the loading bays and hand deliveries around the building via the colonnade. As such, the building is sufficiently serviced through the provision of the two loading bays.

The purpose of **Clause 8.1.2** is to permit the variation between the nominated uses of premises within Zone CB without consent where there is no change in the car parking rate as nominated within the table to **Clause 6.5.1**.

Given the proposal incorporates excess car parking for the nominated office and retail use, the opportunity for the variation between nominated uses is addressed appropriately.

Clause 8.2 ensures site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment. Clause 8.2 provides:

"2. The design of buildings in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T should:

(a) preserve vistas along streets to buildings and places of architectural, landscape or cultural significance;"

There are no identified vistas, or places of architectural, landscape or cultural significance present in the immediate locality which will be affected by the proposal. However, it is expected that the proposed design and active interface to adjacent streets will provide an improvement to the existing amenity of the locality.



- "(b) be sympathetic to the character of buildings in the immediate vicinity;*
- (c) minimise expanses of blank walls;*
- (d) add variety and interest at street level and allow passive surveillance of public spaces;"*

The proposal is largely consistent with the design requirements of Zone CB, and is expected to accord with the character of buildings in the wider area.

The proposed development minimises expanses of walls visible externally to the site through the use of varied setbacks and building heights and a visually open frontage. The ground level façade to Cavenagh and Knuckey Streets largely consist of floor-to-ceiling glazing, which will allow for an open and visually interesting streetscape. The colonnade design in particular provides the opportunity for an active and convivial open space through protected pedestrian access and outdoor dining opportunities. The attraction of the space is further enhanced with the 6.0 metre ceiling height providing a grand effect and the use of landscaping around its perimeter.

- "(e) maximise energy efficiency through passive climate control measures;"*

Floor to ceiling glazing is proposed at each level to provide effective access to natural light, with successful application given the sites three street frontages. The extent of glazing will provide a reduction in the requirement for the provision of artificial lighting. Further, natural light is recognised as providing positive amenity and wellbeing outcomes for tenants.

Generous louvers are proposed at each level to provide effective shading of the direct sun to assist in heat reduction while allowing indirect light to filter into the building. The balance of heat reduction and access to natural light is effectively achieved by the careful building design.

- "(f) control on-site noise sources and minimise noise intrusion;"*

No external noise sources have been identified which cannot be otherwise mitigated through standard insulation design and construction. The loading dock has been oriented away from the retail tenancies and is contained within security shutters minimising the conflict of delivery noise. In addition, surrounding roads are limited to 40 kilometres per hour and accordingly, traffic noise is not expected to be of concern. The building has been designed having regard to its proposed function and locational context and in accordance with the relevant standards.

- "(g) conceal service ducts, pipes, air conditioners, air conditioning plants etc;"*

Plant and equipment has been limited as far as practicable along the Cavenagh and Knuckey Street frontages. No service ducts, pipes or air conditioners will be visible from public areas.

- "(h) minimise use of reflective surfaces;"*



The external colour pallet incorporates light grey, dark grey, natural copper blended with a natural glass. Materials include precast concrete, aluminium and extensive use of glazing. Neither the materials nor colours will result in reflective surfaces beyond that anticipated in a building of this nature within the Darwin City scape.

- “(i) provide safe and convenient movement of vehicles and pedestrians to and from the site;*
- “(j) provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces;*
- “(k) provide protection for pedestrians from sun and rain;”*

Separate pedestrian and vehicular entrances provided to the site have been designed in accordance with Australian Standards. The car park layout in the basements allows for the convenient access for pedestrians to the end of trip facilities and centrally located lifts.

The colonnade design allows for convenient and protected pedestrian access from the building to the surrounding public realm, further facilitated by the canopies proposed over the street verge. Level grades and wide footpaths throughout this area facilitates safe and convenient access for the disabled and pedestrians in general.

- “(l) provide for loading and unloading of delivery vehicles and for refuse collection;”*

The dual loading dock accessed via Litchfield Street provides efficient and effective deliveries to the site and refuse removal.

- “(m) provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;”*

Ground level landscaping is proposed around the perimeter of the colonnade to define the space and provide visual relief for the paved area. Raised gardens and timber benches are proposed within the street verge to provide informal seating in addition to the inclusion of shade trees. The shade trees are to be located under the 6.0 metre high glass canopy with species chosen with a mature height that will adapt to that constraint.

The ground level landscaping is considered to be generous in its application providing a streetscape of high amenity value that will effectively screen and enhance the colonnade and street verge.



- “(n) provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities; and*
- (o) provide bicycle access, storage facilities and shower facilities.”*

Excellent end of trip facilities are located on the Basement 1 Level including amenities, showers and lockers, and 35 bicycle parks. Standard office amenities are located at each upper level. The building's amenities are well designed and entirely appropriate for the proposed use and the users.

5.2 Darwin City Centre Master Plan

The City Centre Master Plan provides strategic and long term guidance for the ongoing development of the City of Darwin. The proposed retail and office building:

- creates new sheltered pedestrian links prioritising a walkable city design;
- provides a ground level open space within the landscaped colonnade with aesthetic appeal and outdoor dining opportunities for city workers and visitors, improving social and economic transactions;
- improves the visual aesthetics and amenity at ground level through the provision of extensive landscape treatments on the site and street verge;
- increases pedestrian comfort with the provision of street verge canopies providing shelter and shading;
- supports the use of alternative transport opportunities for office workers with effective links to public transport and the inclusion of 35 bike spaces with generous end of trip facilities;
- is consistent with the intentions of Knuckey Street becoming a critical pedestrian link, listed as a critical medium-term goal in MP 015 with the provision of an improved pedestrian environment; and
- provides an active frontage to Cavenagh Street consistent with the intentions of redeveloping the Cavenagh Street car park, listed as a critical medium-term goal in MP 024.



5.3 Central Darwin Area Plan Discussion Paper

The Central Darwin Area Plan is currently being drafted in response to initial community feedback from the NT Governments release of a discussion paper from 24 October 2017 to 24 November 2017. The discussion paper was produced to assist community involvement in the preparation of an Area Plan for Central Darwin. The plan extends across the peninsula from Myilly Point and Larrakeyah Barracks to the west, to Frances Bay in the east.

The discussion paper provided consistent themes in relation to activity centres, transport corridors and pedestrian networks to that of the Darwin City Centre Master Plan. Priority considerations relevant to this proposal included Cavenagh Street representing a public transport 'spine' for the CBD and the planned extension of Knuckey Street to the north-east to incorporate a priority pedestrian connection and a dedicated cycleway.

The subject site at the corner of Cavenagh and Knuckey Streets represents an important location for Darwin to facilitate and support alternative transport means with the accommodation of a large number of employees in this strategically important location. The proposal is consistent with the discussion papers intent to support alternative transport modes within this area, with the provision of a large work force on this strategically important site, excellent pedestrian linkages and generous end of trip facilities. The proposal is consistent with the design outcomes envisaged in the discussion paper currently being drafted and will not compromise its general intent.

5.4 Darwin Regional Land Use Plan

The proposal accords with the vision underpinning the Darwin Regional Land Use Plan 2015 (DRLUP) in that it will:

- progress the Darwin CBD as retaining a key role and hub for administration and health services;
- provide economic benefit to the region through job and business opportunity creation in both the short and long terms, improving the competitiveness of Darwin; and
- support healthy, active and enjoyable lifestyles through the provision of active transport infrastructure for office workers in addition to a high amenity outcome for pedestrians at ground level.

5.5 46(3)(b) – Interim Development Control Order

There are no interim Development Control Orders currently applying on the site.



5.6 46(3)(c) – Public Environmental Report/Environmental Impact Statement

No public Environmental Report or Environmental Impact Statement has been prepared or is required under the *Environmental Assessment Act*.

5.7 46(3)(d) – Merits of Proposed Development

The proposal has considerable merit including:

- a high standard of building design;
- redevelopment of a site currently underutilised incorporating a building in a poor state of repair;
- vast improvement in the number of car parking supporting the site providing relief on car parking demand within the CBD generally;
- effective transport orientated development given Cavenagh Street representing the public transport 'spine' within the CBD;
- well design footpath protection for the key Darwin CBD pedestrian links of Cavenagh and Knuckey Streets; and
- effective activation of the Cavenagh and Knuckey Street frontages with the strategic use of Litchfield Street for vehicle access and services, consistent with the intentions of the Darwin City Centre Master Plan.

5.8 46(3)(e) – Subject Land, Suitability for Development and Impact on Locality

For a description of the subject land and locality, refer Sections 2.1 and 2.2 of this report. The investigations contained therein discuss the site characteristics. There is no anticipated detriment to the surrounding locality, rather, the proposal will facilitate the development of an envisaged use in the Darwin CBD providing a social, economic and environmental benefit for the area.

5.9 46(3)(f) – Available Public Facilities/Open Space

The proposal provides a generous sized colonnade addressing Cavenagh and Knuckey Streets, in addition to a glass canopy extending over the street verge edged by street tree plantings. These elements provide functional public open spaces around the building with a high amenity value given the level of architectural design, six metre ceiling height and generous landscaping on the site and street verge.

The proposal is consistent with the intention of the Darwin City Central Masterplan to provide pedestrian links in support of the public transport 'spine' within Cavenagh Street and pedestrian link along Knuckey Street. The colonnade and canopy are critical in the development's successful activation of these public thoroughfares.



5.10 46(3)(g) – Available Public Utilities/Infrastructure

The necessary power, water, sewer and communication services are available on site to support the proposal. Service providers have been engaged prior to lodgement of the development application to inform the design implications for their provision and maintenance.

5.11 46(3)(h) – Impact on Amenity

The proposal will not have a detrimental impact on the surrounding locality. Rather, the high level of design and ground level elements are anticipated to activate Cavenagh and Knuckey Streets, providing a desirable amenity outcome for users of these public spaces.

5.12 46(3)(j) – Benefit/Detriment to Public Interest

There is no detriment to the public interest. The benefit to the public will be through the creation of employment opportunities and improvements to the public domain.

5.13 46(3)(k) – Compliance with Building Act

A building certifier's statement has not been obtained as the application is not for subdivision.

6.0 CONCLUSION

The application for the office and retail within a nine-storey building (including a plant room level) will be a landmark development on one of the Darwin CBD's most prominent corners, providing a key public transport and pedestrian thoroughfare. The proposal provides a high level of architectural design and effective activation of the public domain with these streets. The proposal will also create employment opportunities through construction and operation. In addition, by the nature of the use, it will provide an important service for the city of Darwin and Territory more generally.

The proposal is consistent with the intent of the NT Planning Schedule in that it:

- the building represents a high architectural standard that sufficiently addresses any bulk and scale concerns relevant to the buildings height;
- the building design prioritises the activation of Cavenagh and Knuckey Streets with the incorporation of a colonnade extending across 94 percent of these frontages in addition to an open 'grandeur' ground level with a 6.0 metre ceiling height and the incorporation of floor to ceiling glazing;



- effective pedestrian protection through the incorporation of a glass canopy over the street verge and street shade trees;
- a substantial increase in car parks allocated for building tenants and office works providing relief to the existing car parking demand experienced within the area;
- sufficient and conveniently located car parking is available for the uses; and
- safe and convenient vehicle access for domestic vehicles, refuse collection and the loading of goods.

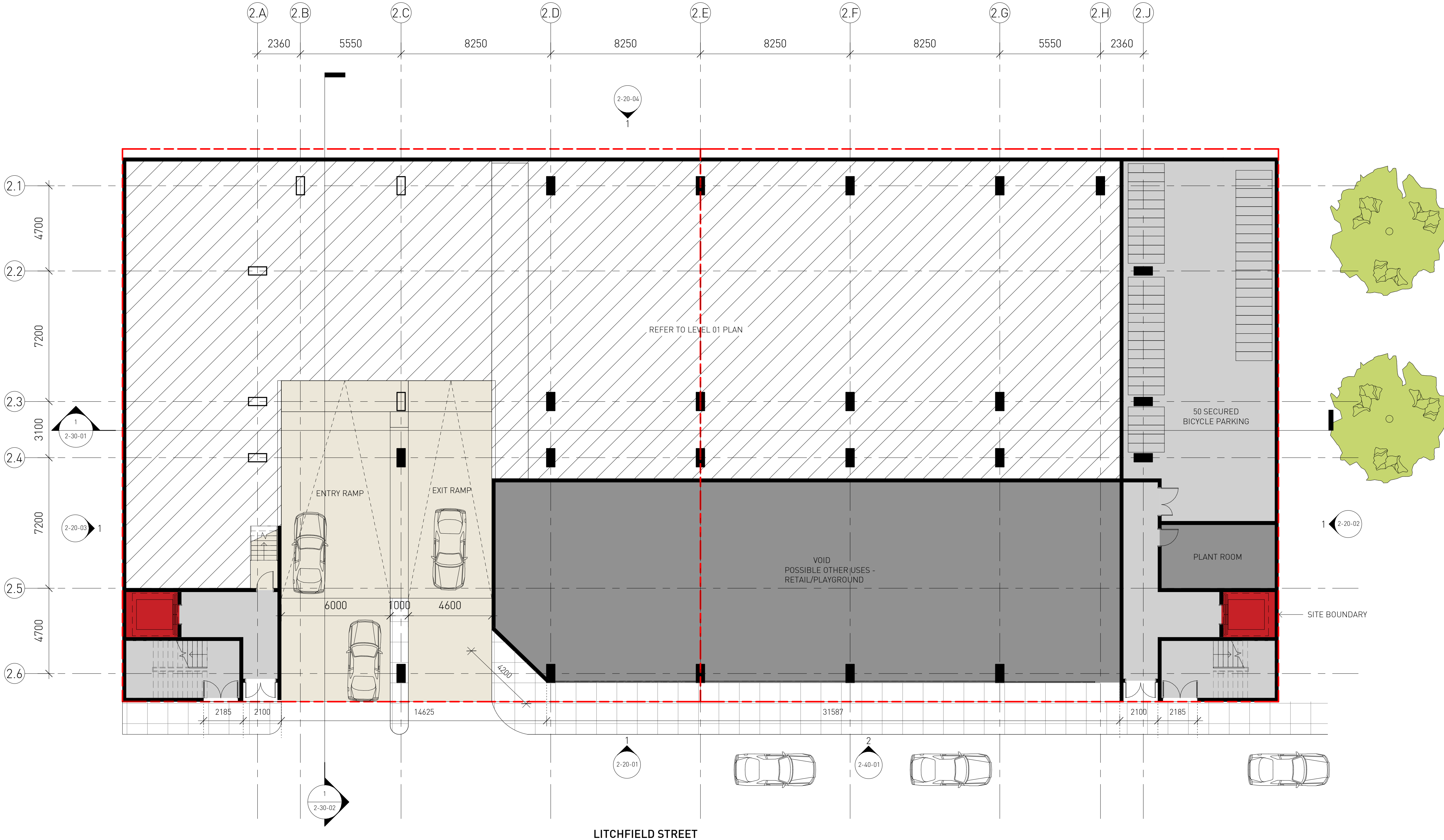
The application has been carefully considered against the NT Planning Scheme and associated policy documents, including the Darwin City Centre Masterplan, Central Darwin Area Plan Discussion Paper and the Darwin Regional Land Use Plan.

For these reasons the proposal warrants the authorities favourable consideration.

Jack Priestley
MasterPlan NT Pty Ltd

13 April 2018

ATTACHMENT D



Architect

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Tel. 02 9460 8002

1. DESIGN RESOLUTION

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1.2 The internal layouts shown are indicative and subject to further detailed design development.

1.3 Dimensions given are general and subject to detailed design resolution

1.4 Landscaping shown is indicative only and subject to further detailed design.

1.5 The location of plant, equipment and services as shown on drawings is indicative only and subject to further detailed design development. Minor elements eg flues, vent pipes, aerials etc have been omitted for clarity

2. GRAPHIC REPRESENTATION

2.1 Generic colours have been used on to indicate the design intent and are not accurate representations of the actual colours of the selected materials.

2.2 Colours on plans are used for diagrammatic purposes and do not reflect the colours of the selected materials

3. EXISTING STRUCTURES AND SERVICES

3.1 The extent and location of the existing services and structures shown on drawings is based on the survey information provided to date. Final locations are to be determined on site.

3.2 Existing levels shown on the drawings are based upon the existing survey information provided or extrapolated from existing spot levels provided.

3.3 All levels are relative to the Australian Height Datum (AHD)

Client

SANDRAN PROPERTY GROUP

Scale

1 : 125 @A1

(Half Scale @ A3)

North

Project

38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET

Drawing Title

SITE 2 - PROPOSED PLAN - LEVEL 00

Project No.

16-018

Drawing No.

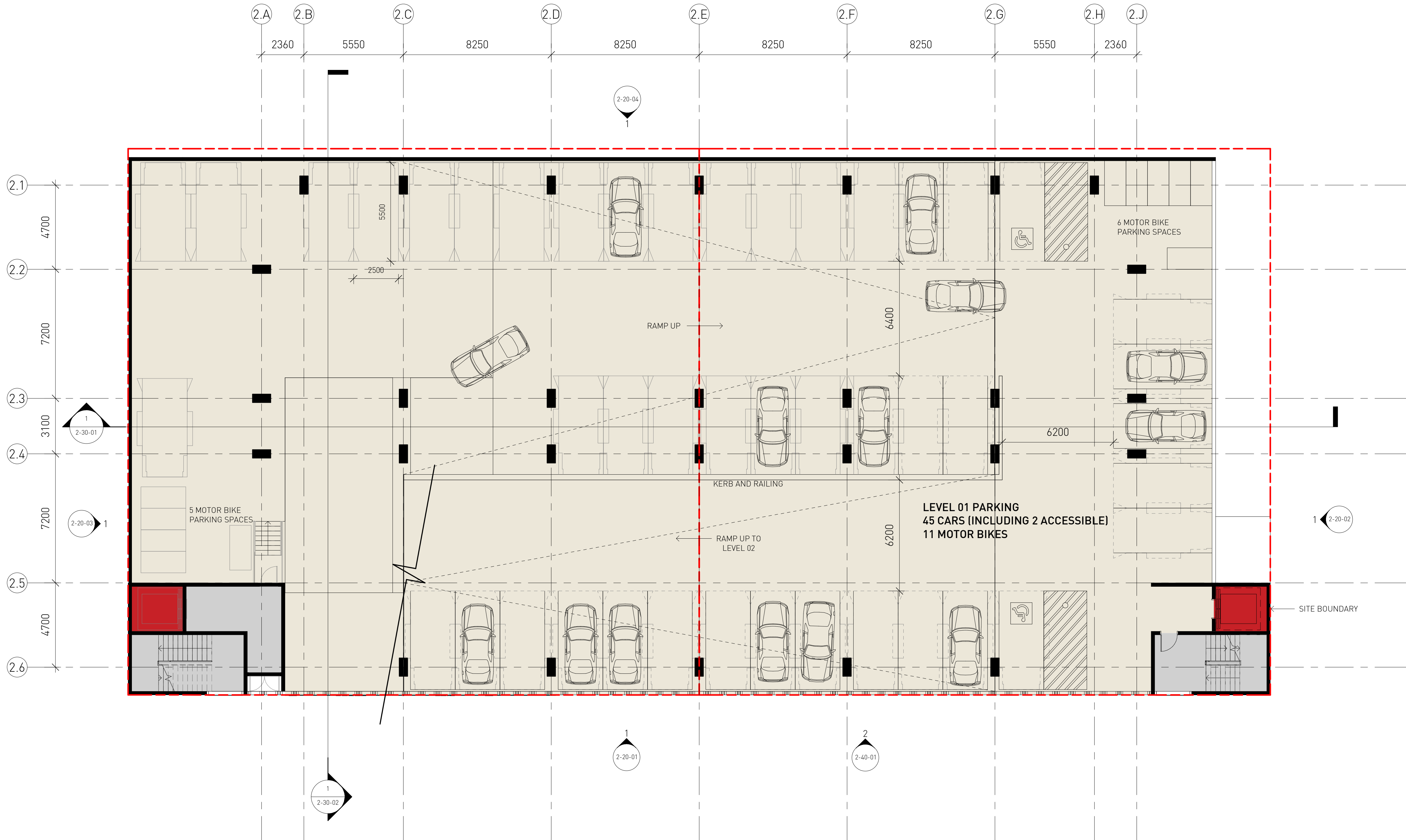
PL-2-11-00

Rev Date

06/04/18

Rev

A



1 LEVEL - 01
1 : 125

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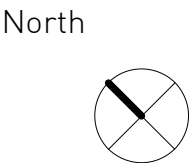
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Client
SANDRAN PROPERTY GROUP

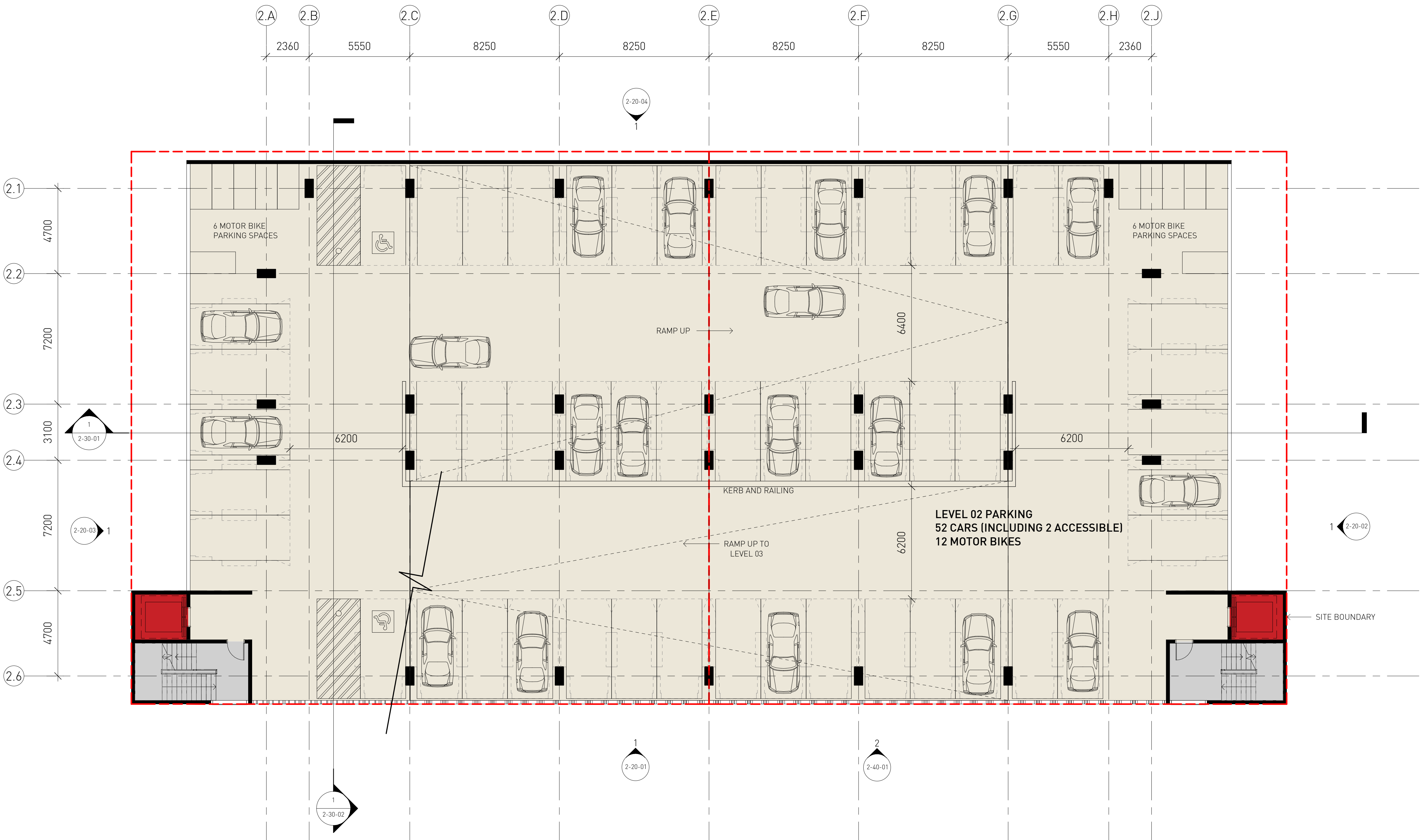
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Project
38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title
SITE 2 - PROPOSED PLAN - LEVEL 01

Project No. 16-018	Drawing No. PL-2-11-01	Rev Date 06/04/18	Rev A
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1 LEVEL-02
1 : 125

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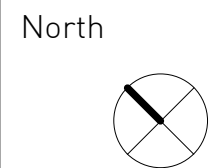
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Client
SANDRAN PROPERTY GROUP

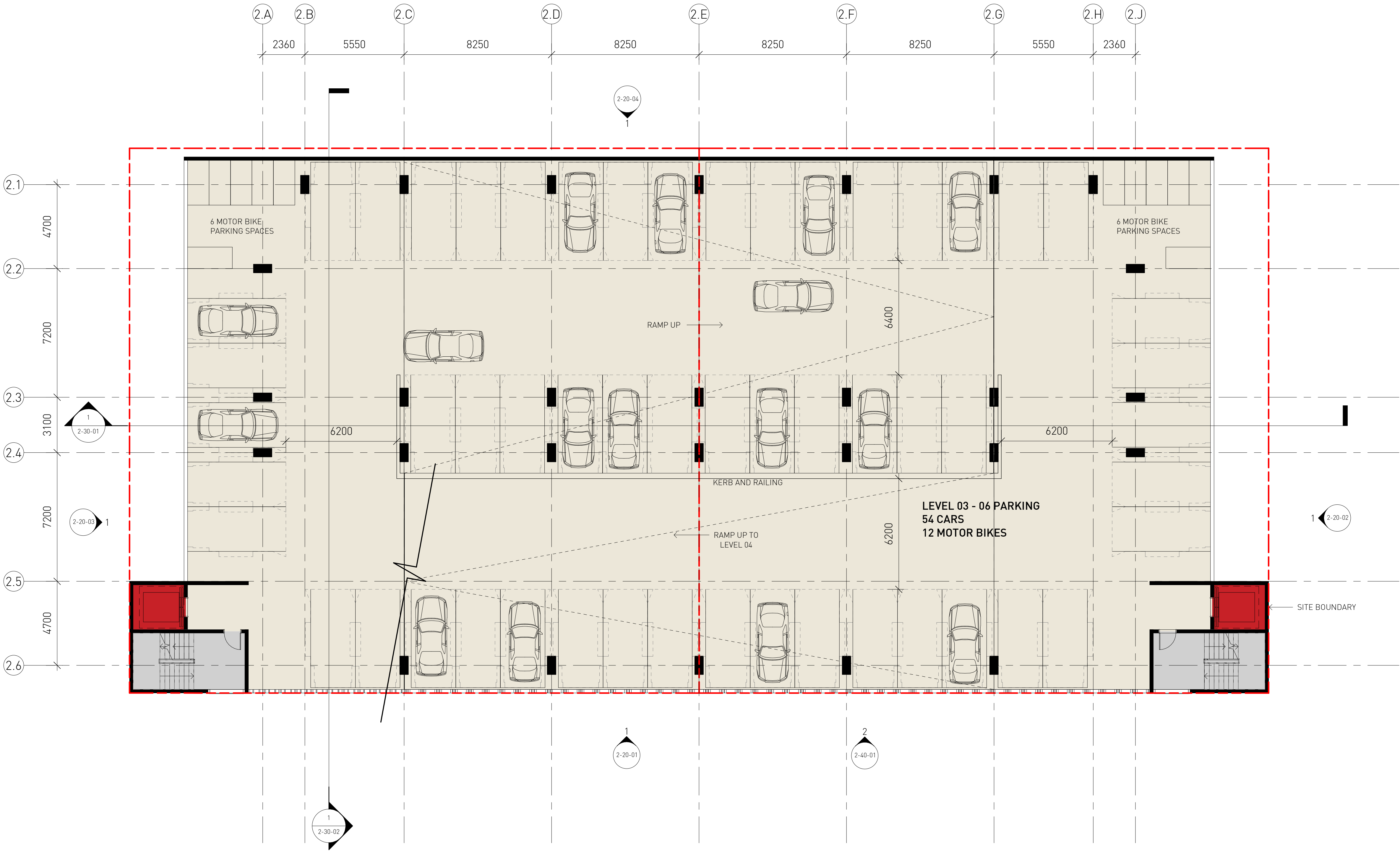
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Project
38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title
SITE 2 - PROPOSED PLAN - LEVEL 02

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-2-11-02	06/04/18	A



1 LEVEL-03-06 (TYPICAL)
1 : 125

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Client
SANDRAN PROPERTY GROUP

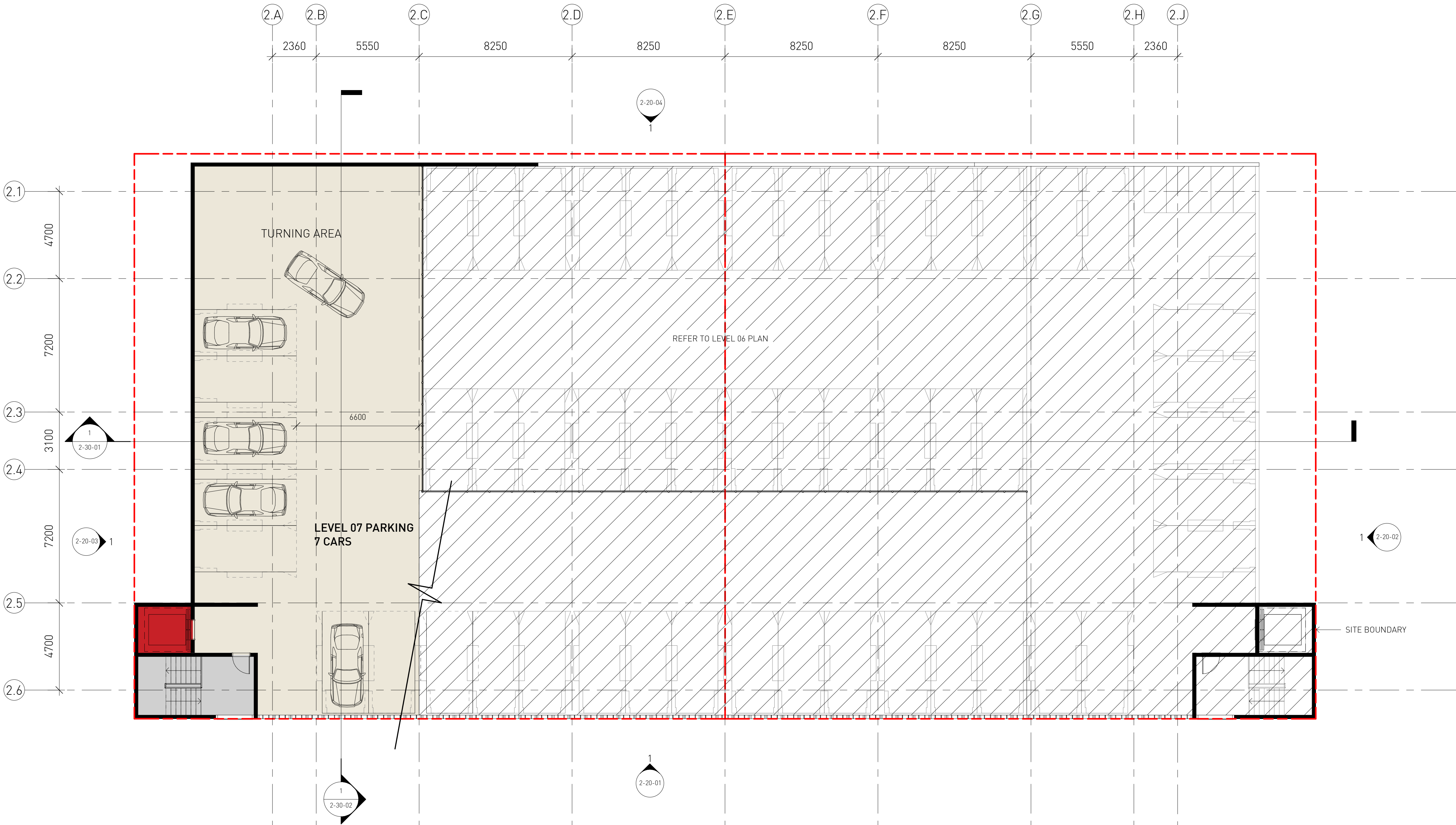
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Project
38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title
SITE 2 - PROPOSED PLAN (TYPICAL) -
LEVEL 03-06

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-2-11-03	06/04/18	A



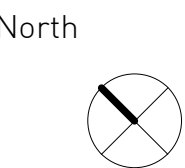
1 LEVEL-07
1 : 125

Architect
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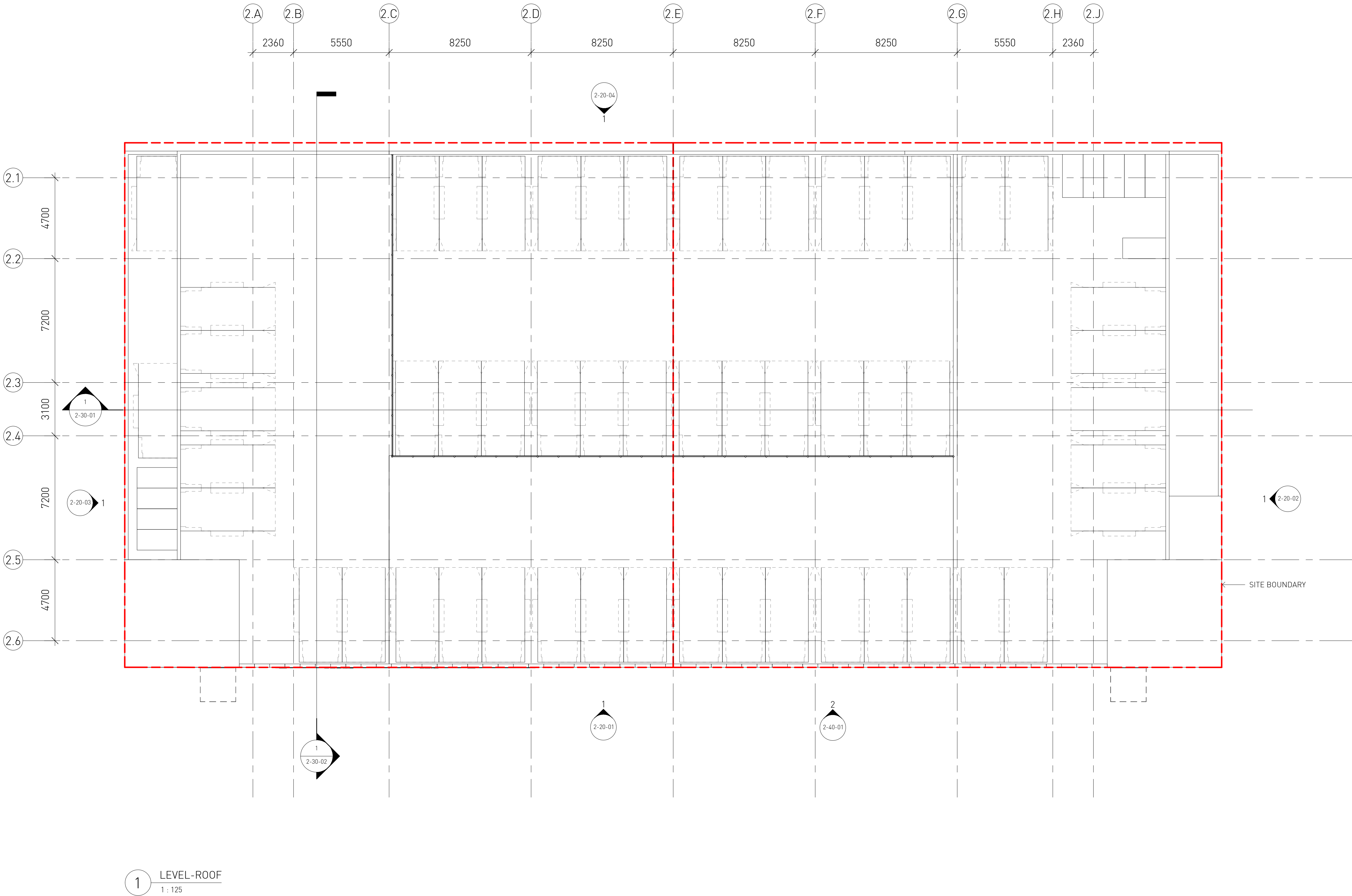
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Project
38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title
SITE 2 - PROPOSED PLAN - LEVEL 07

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-2-11-07	06/04/18	A



Architect
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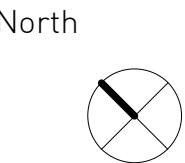
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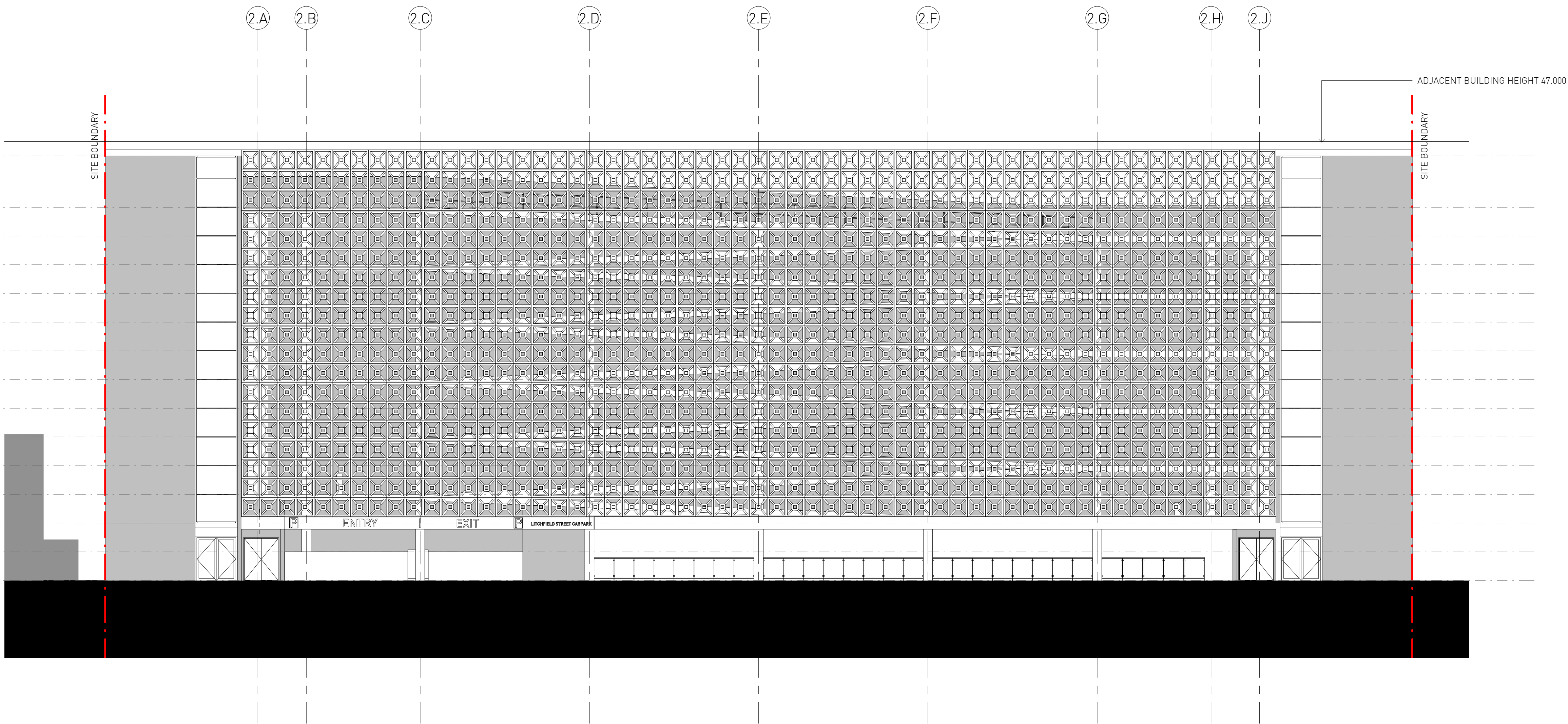
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Project
**38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET**

Drawing Title
SITE 2 - PROPOSED PLAN - ROOF

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-2-11-08	06/04/18	A



1 PROPOSED ELEVATION - SOUTH-WEST - LITCHFIELD STREET
1 : 125

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Client
SANDRAN PROPERTY GROUP

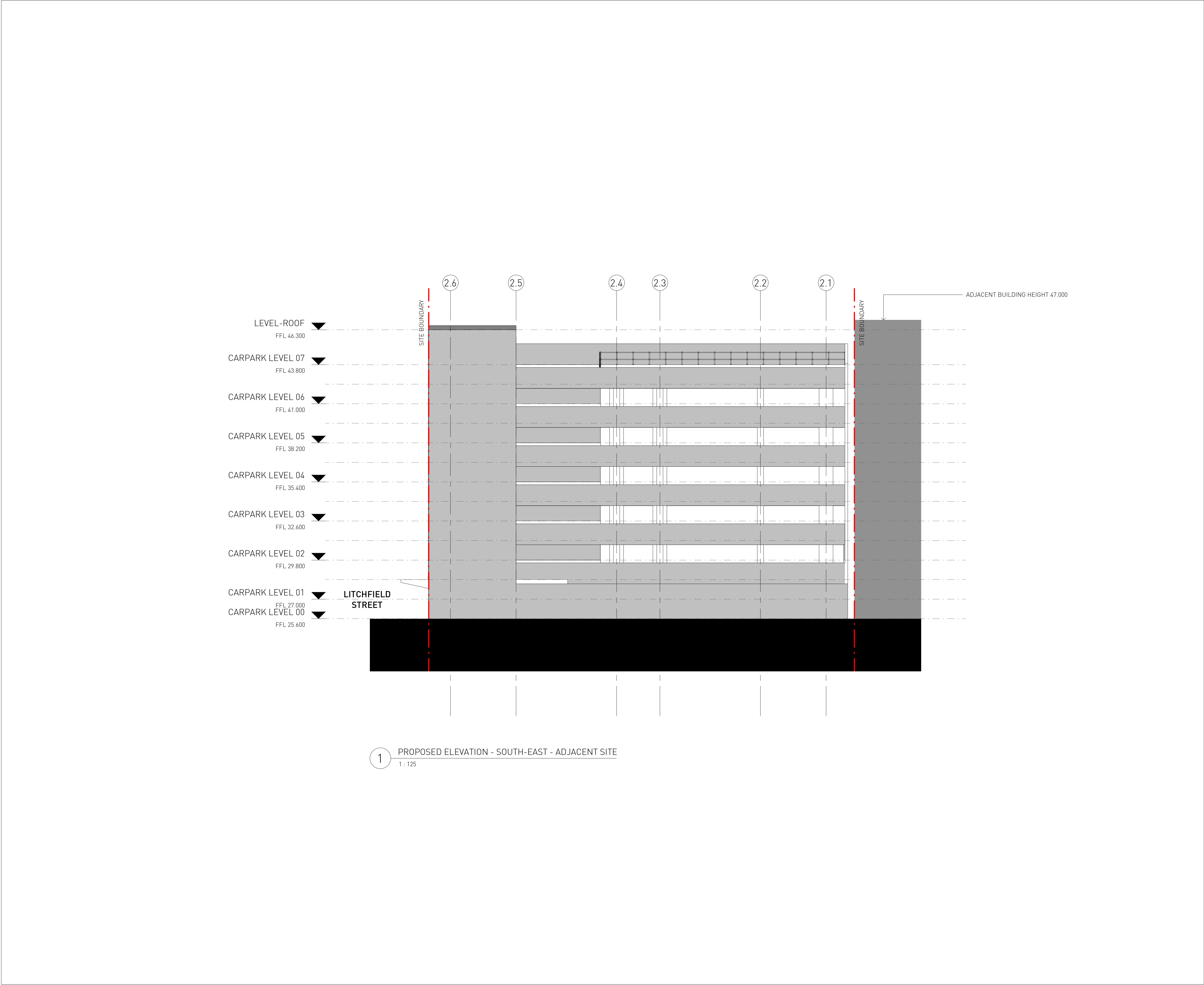
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North

Project
38 CAVENAGH STREET AND 12-14
LITCHFIELD STREET

Drawing Title
SITE 2 - PROPOSED ELEVATION -
SOUTH-WEST - LITCHFIELD STREET

Project No.	Drawing No.	Rev Date	Rev
16-018	PL-2-20-01	06/04/18	A



Architect
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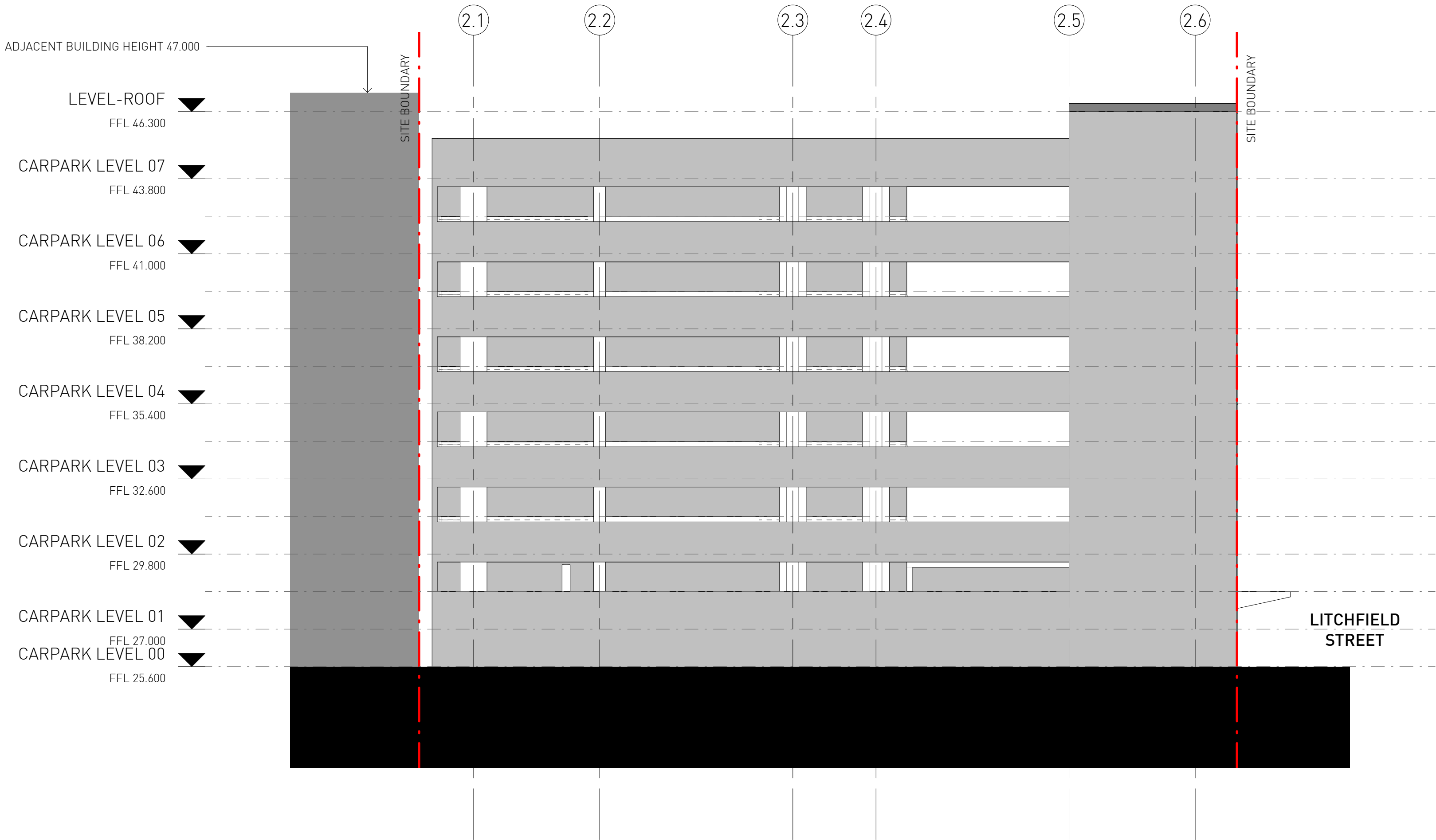
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Client SANDRAN PROPERTY GROUP					
Scale 1 : 125 @A1 (Half Scale @ A3)		North			
Project 38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET					
Drawing Title SITE 2 - PROPOSED ELEVATION - SOUTH-EAST - ADJACENT SITE					
Project No. 16-018	Drawing No. PL-2-20-02	Rev Date 06/04/18	Rev A		

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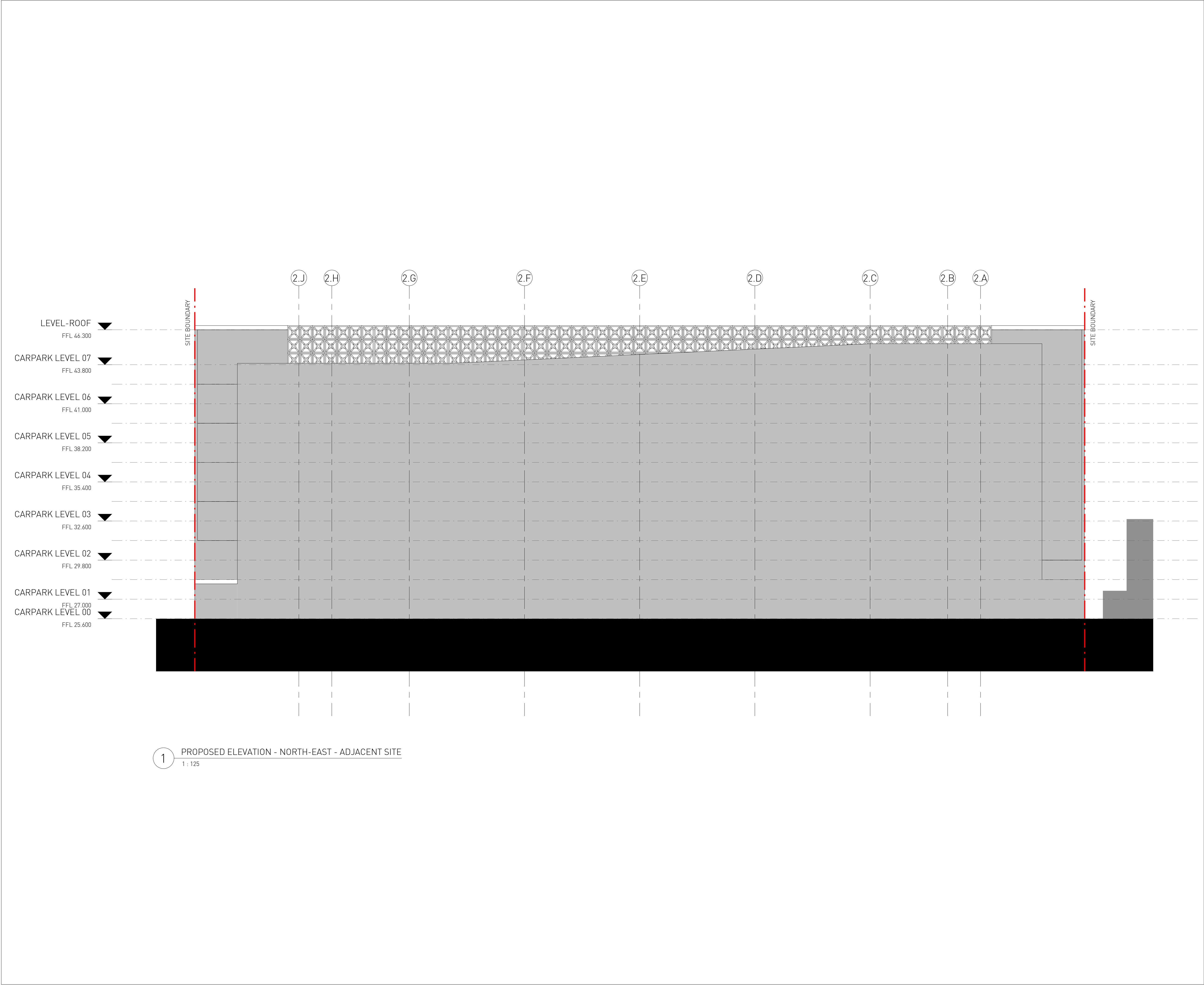
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1 PROPOSED ELEVATION - NORTH-WEST - ADJACENT SITE
1 : 125

Client SANDRAN PROPERTY GROUP			
Scale 1 : 125 @A1 (Half Scale @ A3)		North	
Project 38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET			
Drawing Title SITE 2 - PROPOSED ELEVATION - NORTH-WEST - ADJACENT SITE			
Project No. 16-018	Drawing No. PL-2-20-03	Rev Date 06/04/18	Rev A



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Project 38 CAVENAGH STREET AND 12-14 LITCHFIELD STREET					
Drawing Title SITE 2 - PROPOSED ELEVATION - NORTH-EAST - ADJACENT SITE					
Project No. 16-018	Drawing No. PL-2-20-04	Rev Date 06/04/18	Rev A		

LITCHFIELD STREET

- A** New extended verge created by adopting the parking spaces along the carpark frontage.
- B** Outdoor dining opourtunity.
- C** Terraced landscape incorporating artificial turf and tropical planting with low informal seating walls.
- D** Feature banding to seperate footpath pavement. Opputunity for City of Darwin to extend approach along Litchfield Street.
- E** New small to medium canopy shade trees to Litchfield Street. Opputunity for City of Darwin to undertake beautification of Litchfield Street.
- F** Raised crossing point to connect Energy House acarde and proposed carpark.
- G** New extended verge to front of Energy House. Incorporating feature pavement to visually connect both sides of the street.
- H** New timber seating beneath shade trees to provide rest spots along Litchfield Street
- I** New timber bollards with feature lighting to seperate vehicle and pedestrian zones
- J** Tropical planting into flush build outs through out the refurbished streetscape
- K** Reduced lane width at crossing point between Energy House and proposed car park to improve linear connections and slow traffic.



LITCHFIELD STREET


- A Exagrated gate way incorporating canopy artwork
- B Pedestrian seating and narrative/ zone
- C Service Bay/Loading Zone
- D Central alignment of large shade trees
- E Building access and ground plane pattern/artworks
- F Footpath dining opportunity for existing resturant
- G Widened verge incorporating buffer and amenity planting street furniture, public art, or interpretive signage
- H Possible outdoor dining and extension to Chinese Centre
- I Retain existing building access
- J Original Allignement of kerb
- K Infill street trees



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CAVANAGH-LITCHFIELD DARWIN
DARWIN, NT

Project No: 17216
Date: 05/04/18
DHELTHDWN-17216



April 2018

STATEMENT OF EFFECT

SEVEN STOREY CAR PARK BUILDING

MASTERPLAN

ABN 30 007 755 277
ISO 9001:2015 Certified

Unit 33, 16 Charlton Court
Woolner NT 0820
Telephone: 8942 2600

SUBJECT SITE

Lot 2396 and 2397
Town of Darwin

12 and 14 Litchfield Street
Darwin City

www.masterplan.com.au



MASTERPLAN
TOWN + COUNTRY PLANNERS



1.0 PROJECT INTRODUCTION

MasterPlan NT has been appointed by Sandran Pty Ltd to prepare an application for a Development Permit for a seven-storey car park building at 12 and 14 Litchfield Street, Darwin City (Lot 2396 and Lot 2397 Town of Darwin).

The subject land is located within Zone CB (Central Business) pursuant to the NT Planning Scheme. The proposed development comprises works requiring consent and thus a Development Permit pursuant to Section 44(a) of the NT *Planning Act*.

Included in the application is a Statement of Effect (contained herein), Land Owner Authorisation and Title Documents. Included within the Statement of Effect is:

- Attachment A Site Plan;
- Attachment B Location and Zoning Plan;
- Attachment C Connectivity Plan;
- Attachment D Development Plans and Design Report;
- Attachment E Landscaping Plan; and
- Attachment F Traffic Report.

This development application for a seven-storey car park building has been prepared and lodged simultaneously with a development application for an office building and ancillary retail tenancy located at 38 Cavenagh Street. This car park is located within 80 m of the office building and ancillary retail tenancy and will provide access to additional car parking space for that development and the locality.

We respectfully invite the Consent Authority to incorporate relevant Permit Conditions to ensure that the construction of the car park building at 12 and 14 Litchfield Street is completed prior to that of the proposed office and ancillary retail tenancy at 38 Cavenagh Street to ensure the availability of the additional car parking spaces in the area.

The reports that accompany both applications have generally been prepared to address considerations for the whole of the development, accordingly, there is some replication within each Statement of Effect.

In preparing this Statement of Effect, MasterPlan has:

- conducted a site and locality inspection;
- examined the development and site history;



- discussed the operation of the proposed development and existing operations at a nearby site with the client;
- considered the most relevant provisions of the NT Planning Scheme and the Darwin City Centre Master Plan; and
- has referenced the Central Darwin Area Plan Discussion Paper.

2.0 NATURE OF SITE AND LOCALITY

2.1 Site Description

The site comprises 12 and 14 Litchfield Street, Darwin, formally identified as Lot 2396 and 2397, Town of Darwin.

The site incorporates two Titles with total street frontages of 63.72 metres to Litchfield Street, depth of 30.48 metres and total land area of 1,942.19 square metres. No easements or encumbrances are noted on the Titles.

The site currently contains a sealed bituminised car park accommodating 94 car parking spaces. Four evenly spaced driveway crossovers facilitate vehicle access to the site to four driveway aisles. The car parking spaces are located at 90 degrees to either side of each aisle (parallel to Litchfield Street), each of which terminate at the sites northern-eastern boundary. Landscaping beds are located between car parking aisles. The landscaping beds are void of vegetation. A number of shade sails have been installed over car parking space to provide shade for individual spaces.

The Litchfield Street boundary incorporates a 1.8 metre high black cyclone wire fence and four vertical metal tube sliding gates. A centrally located vertical metal tube pedestrian gate is also located centrally on the boundary.

A Site Plan is at **Attachment A**.

2.2 Description of Locality

The site is centrally located within Zone CB. Land immediately surrounding the site located within Zone CB includes:

- a two-storey office building on the adjacent allotment to the north-west
- a thin nine-storey residential building with basement car parking on the adjacent allotment to the west



- retail and office buildings between two and six stories in height on the adjacent allotments to the south-west and south
- two-storey restaurant on the adjacent allotment to the south-east.
- numerous hotel buildings 20 stories and higher on the adjacent allotment to the north and east. Notably, the hotels incorporate a 20.7 metre blank wall located on the common boundary with the subject site.

The locality beyond the land immediately surrounding the site incorporates a general characteristic of commercial buildings of more modest heights located towards the south and west of the subject site and significantly higher hotel and residential buildings located towards the north and east. This characteristic is evident given a number of tall hotel buildings being located to the north-east of Lichfield Street and to the south-west of Woods Street.

A Location and Zoning Plan is at **Attachment B**.

3.0 DESCRIPTION OF USE

The proposed development comprises the construction of a seven-storey car park building, constructed to each property boundary.

Development plans, including elevations and perspectives are contained at **Attachment D**, Landscape Plan contained at **Attachment E**, and a Traffic Assessment Report at **Attachment F**.

Vehicle access to the car park is obtained via a dual entrance ramp located towards the south-western corner of the site. A separate single width ramp provides vehicle egress from the site.

Lifts are located on both the south-western and north-eastern street frontage corners of the site that also incorporates an associated internal stair well. The lifts and stair wells extend to each level of the car park and provide direct pedestrian access to the Litchfield Street verge via double width doors.

The car parks internal design includes a rectangular aisle way allowing two way vehicle movements between each level via ramps and angled floors. Car parks are located on each boundary side of the internal aisle, in addition to one centrally located row of car parking spaces within the aisle.

Exceptions to this are a large ground floor void located adjacent to the Litchfield Street boundary. The void has been designed with the potential to accommodate future development on the site, with envisaged uses being retail development, child care centre, playground or similar.



The car park is proposed in association with an office and ancillary retail building located at 38 Cavenagh Street and is to provide access to additional car parking spaces in support of that use. Existing long term leaseholds of a further 55 car parking spaces are to be retained by Energy House, located adjacent to the site. A total of 320 car parking spaces will be provided in addition to 71 motorbike spaces and 50 bicycle spaces.

The car park is to be constructed of pigmented precast concrete panels in addition to the incorporation of glazing associated with the ground level void and stairwells. The streetscape façade is dominated by a perforated design feature across a large extent of this elevation, providing an articulated element with depth perception, aeration and shading elements.

4.0 ADMINISTRATION

Clause 2.5 outlines the exercise of discretion by the Consent Authority in which:

"4. The consent authority may consent to the development of land that does not meet the standard set out in Parts 4 or 5 if it is satisfied that special circumstances justify the giving of consent."

Variations to Clauses 6.3.3, 6.5.1 and 6.5.3 are proposed given the unique set of circumstances surrounding the proposal. We submit that the proposal exhibits special circumstances justifying the granting of Consent as is outlined in the body of this report.

5.0 SECTION 46(3) OF THE NORTHERN TERRITORY PLANNING ACT

The site is within Zone CB (Central Business) where a 'car park' is a *discretionary* use. The following provisions of the NT Planning Scheme relate to the proposed development.

5.1 46(3)(a) – Compliance with the NT Planning Scheme

Clause 5.7 provides the purpose of the Zone CB as follows:

"The primary purpose of Zone CB is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible activities."

Building form and design is expected to be sensitive to the needs of pedestrian movement and facilitate the creation of safe and active street frontages and public places and a vibrant commercial precinct."



The proposal is consistent with the zone purpose statement as it provides car parking requirements in a locality where secure covered parking is desirable to serve the office and other CBD activities within the area. The associated office and retail development at 38 Cavenagh Street will result in the introduction of activities which are compatible with the surrounding area.

The ground floor void of the car park has been strategically located to provide for future establishment of uses such as a shop, child care centre or playground, resulting in a direct association with the public domain and pedestrian environment. The use of this space adds vibrancy to the pedestrian environment and will be effectively integrated with the streetscape landscaping intentions, as depicted on the **attached** landscaping plans.

The scale and character is consistent with the desired intent for sites located within the Central Darwin Perimeter Area and the CB Zone, as provided in the following assessment.

The purpose of **Clause 6.3.1** is to limit the height of buildings within Central Darwin to achieve a city form with the highest buildings and structures at the centre of the peninsula, stepping down towards the perimeter optimising opportunities for harbour views.

All buildings within the central Darwin Perimeter Area and the Central Darwin Core Area are to be in accordance with the diagram to this clause. The proposed building is not located within the core or perimeter areas of central Darwin.

*"The purpose of **Clause 6.3.2** is to ensure the siting and mass of buildings within Central Darwin promotes*

- a. a built form that maximises the potential for view corridors to Darwin harbour;*
- b. the penetration of daylight and breeze circulation between buildings.*
- d. A built form that reasonably anticipates the future development of adjoining sites."*

The car park is adjacent to a 21.4 metre high precast concrete wall located on the north-eastern boundary associated with a hotel and apartment building. Notably, the hotel extends much higher than this wall, with the remainder of the building setback within the site. At a maximum height of 20.7 metres, the car park building will have no detrimental impact on the penetration of daylight or breeze circulation for the adjacent hotel building.

Development to the south-west of Litchfield Street incorporates office buildings and associated car parking of heights ranging from two to seven stories. The adjacent site to the south-east incorporates a two-storey building operating as a restaurant.



Overshadowing diagrams have been provided as part of the Development Plans depicting the extent of shading anticipated by the building. The diagrams show clearly that the car park will not generally result in overshadowing beyond that currently experienced from the adjacent hotel to the north-east. Further, as the building height is consistent with that envisaged within the Zone CB, the limited extent of overshadowing is anticipated. As such, the effect on adjacent properties is not unreasonable and the building is in a form reasonably anticipated for this zone and locality.

"c. Promotes privacy for residents of adjoining properties;"

As the existing boundary wall located on the north-eastern boundary is higher than that of the car park wall proposed, there are no privacy implications for the adjacent residents. Further, the adjacent sites to the north-west and south-east incorporate commercial buildings, ensuing no residential privacy implications.

"3. Development in Central Darwin is to be designed in accordance with the diagram to this clause."

The diagram to Clause 6.3.2 depicts a Tier 1 building podium constructed to a height of 25 metres above ground level able to be constructed to each boundary. The Tier 2 building tower is then to incorporate a minimum 6.0 metre setback distance from each boundary where the building height is greater than 25 metres.

The car park proposal incorporates a maximum height of 20.7 metres, with boundary walls to that height. As such, the building is consistent with the diagram to Clause 6.3.2.

The purpose of **Clause 6.3.3** is to promote exemplary urban design in Central Darwin. The Clause stipulates that buildings are to provide 75 percent of the length of the site boundary at ground level as active street frontage. Treatments to achieve this end include building entrances, clear glass windows, open space, landscaping and areas for alfresco dining.

A void to allow the provision of future active land uses has been provided at ground level in addition to the pedestrian entrance points to the stair wells and lifts that are also considered active treatments as 'building entrances'. The combined width of these elements equates to 40.157 metres, representing 63 percent of the total frontage width, a shortfall of 12 percent. Sub-Clause 7 provides:

"7. The consent authority may consent to any application that is not in accordance with sub-clause 3 only if it is satisfied that compliance would be impractical."

The proposal's dominant use as a car park creates practical limitations in compliance with Clause 6.3.3. This is evident in the pedestrian and vehicle access requirements for the frontage of the building.



The Tonkin traffic report speaks to the safe and convenient access achieved for the building with the dual entrance and single egress arrangement for the car park. Given the number of vehicle entrance movements at peak times, the provision of a dual width entrance ramp provides the required opportunity for off street vehicle loading while waiting for the boom gate operation located towards the top of the entrance ramp. The additional frontage width of the dual entrance ramp is required to accommodate the peak car park demand.

A lift and stair well is located at both the north-western and south-eastern corners of the site to facilitate safe and convenient pedestrian access. The location of this service infrastructure is essentially located on the front boundary. Further, given the width of the site, the inclusion of access points at either end of the site is prudent for pedestrian safety and convenience.

Having regard to the function of the development, the limited frontage and the need to provide safe and convenient access to the street front, the shortfall in activated frontage is inconsequential and impractical.

"4. Buildings in Central Darwin are to:

- (a) provide awnings to streets for the full extent of the site frontage that allow for the planting and growth of mature trees within the road reserve.*
- (b) provide mid block pedestrian linkages (arcades) at ground level from one street to the other in buildings that have dual frontages.*
- (c) have facades that have a clearly articulated base, middle and top; and*
- (d) integrate plant rooms and service equipment on roof tops."*

Ground level canopies are proposed to be located over the double entrance way to both stair well entrance points to the building. Each of these canopies are appropriately located to accommodate the intended pedestrian traffic associated with the car park building. It is also anticipated that canopies will be provided in association with the activation of the ground level tenancy area when a future land use is determined.

Importantly, the proposed canopies integrate well with the pedestrian thoroughfare and Arafura Plaza Arcade located directly opposite the car park. Streetscape landscaping has also been incorporated to provide shade trees and a raised pedestrian access point directly linking Arafura Plaza with the car park, resulting in a high amenity pedestrian environment that is safe and convenient.

"5. Ground level car parking areas in buildings are limited only to the number of car parking spaces required for ground level retail tenancy customers.

6. All car parking areas are to be screened so that they are not visible from the street or public spaces."



There are no car parking spaces proposed at ground level or visible from the street.

- "8. *An application for development in Central Darwin should prior to consideration by the consent authority include an acknowledgement in writing, from the agency responsible for power and water; the agency responsible for fire rescue services and Darwin City Council that the requirement for service provisions has been discussed with a view to minimise their impact on active street frontages.*"

The proponent has engaged with the service authorities to inform the design parameters prior to lodgement of the application and continues to work collaboratively in those discussions. Consultation with the service authorities is expected to occur as part of the standard public exhibition period, which will ensure their written submissions relating to the proposal will be received by the consent authority prior to consideration of the application.

The purpose of **Clause 6.5.3** is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.

The car park has been designed in accordance with all relevant standards suitable for its intended purpose. The gradients in the car park have been designed in accordance with Australian Standards and will be constructed to ensure appropriate drainage is maintained across each level. The car parking spaces are a minimum of 5.5 metres by 2.5 metres in accordance with the dimensions to this clause. The aisles are between 6.2 metres and 6.4 metres in width and in excess of the requirements for two-way traffic flow. The entrance and egress to the car park is via a single access point and is designed to accommodate two vehicles entering the site and one vehicle exiting, simultaneously. The entrance and egress ramps are 6.0 metres and 4.6 metres respectively. The entrance and egress has been designed to allow drivers to survey their surroundings before entering the street network. Vehicles are able to enter and exit in a forward gear and level seven includes a turning area.

The car park has been designed without a 3.0 metre setback to the road frontage. There are no car parking spaces located within 3.0 metres of the ground floor as this area is a void designated for future use as retail, childcare centre, playground or similar. It is reasonably expected within the CBD that developments will utilise the zero lot line setbacks available to maximise the use of the land. The landscaping works proposed to Litchfield Street adjacent the car park and the façade treatment will enhance the visual amenity of the area and provide an attractive pedestrian interface.

Clause 8.2 ensures site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment.

Clause 8.2 provides:

- "2. *The design of buildings in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T should:*
- (a) *preserve vistas along streets to buildings and places of architectural, landscape or cultural significance;*"



There are no identified vistas, or places of architectural, landscape or cultural significance present in the immediate locality which will be affected by the proposal. However, it is expected that the proposed design and active interface to adjacent streets will provide an improvement to the existing amenity of the locality.

- “(b) be sympathetic to the character of buildings in the immediate vicinity;*
- (c) minimise expanses of blank walls;*
- (d) add variety and interest at street level and allow passive surveillance of public spaces;”*

The proposal is largely consistent with the design requirements of the Zone CB, and will accord with the character of buildings in the wider area. The expanse of blank walls has been minimised through the generous setback of the car park upper levels on the north-western and south-eastern elevations and the open nature of each floor level. Further, Zone CB Clauses encourage the future boundary development of the adjacent sites to the north-west and south-east to a height of 25 metres. As such, the form of development proposed on these elevations is reasonably anticipated by the planning policy.

The car park will screen views of the existing blank wall to a height of 20.7 metres located on the common north-eastern boundary, providing a significant enhancement of the areas visual amenity given the street frontage façade elements adopted. The proposal represents a form of development incorporating an enhanced visual outcome for the locality that successfully minimises the expanse of blank walls.

The ground level void has intentionally been centralised on the building frontage to provide future activation of the site and passive surveillance across a wide extent of the Litchfield Street frontage. Visual interest at this level is achieved through the use of glazing treatments providing an open expanse. The future activation of the space is anticipated to provide further visual interest in association with the variety of land uses able to utilise the space.

- “(e) maximise energy efficiency through passive climate control measures;”*

Access to natural light within the car park has been maximised through the upper level setback distance of the north-western and south-eastern elevations in addition to the open nature of the streetscape façade treatment and stairwell glazing. These elements are anticipated to provide a reduction in the provision of artificial lighting and reduce the building’s resulting energy consumption.

- “(f) control on-site noise sources and minimise noise intrusion;”*



Multi-level car parks of this nature are an anticipated form of development within the Darwin CBD, with the resulting external noise impacts reasonably anticipated. The relevant impacts in this instance have been negated through the centralising of the vehicle aisle way and vehicle access within the building. The boundary setback distance of the aisle provides a generous separation distance from vehicle movements and the site boundary, reducing the potential for impacts on adjacent properties.

"(g) conceal service ducts, pipes, air conditioners, air conditioning plants etc;"

Plant and equipment has been limited as far as practicable along the Litchfield Street frontage. No service ducts, pipes or air conditioners will be visible from public areas.

"(h) minimise use of reflective surfaces;"

The external colour pallet incorporates light and dark greys with materials including precast concrete, an articulated perforated concrete façade feature, aluminium framing and glass. Neither the materials nor colours will result in reflective surfaces beyond that anticipated in a building of this nature in the CBD.

"(i) provide safe and convenient movement of vehicles and pedestrians to and from the site;

(j) provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces;"

"(k) provide protection for pedestrians from sun and rain;"

Separate pedestrian and vehicular entrances are provided to the site, designed in accordance with Australian Standards. The car park layout provides safe and efficient vehicle access, parking and manoeuvrability on site, as surmised within the **attached** Tonkin traffic report.

The pedestrian access points at the north-western and south-eastern corners of the site facilitate direct access to the Litchfield Street footpath with the provision of an entrance canopy for protection. The access points are conveniently located adjacent to the Arafura Plaza Arcade. The opportunity also remains for further protection across the ground level void when the future land use of this area is formalised.

"(l) provide for loading and unloading of delivery vehicles and for refuse collection;"

Delivery vehicles are not anticipated to require access to the car park, nor large trucks for refuse collection.

"(m) provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;"



Streetscape landscaping is proposed throughout Litchfield Street, subject to the endorsement and consent of Council. It is the intention to provide large shade trees at regular intervals in addition to small and mid-sized canopy trees. The upgrade of Litchfield Street pedestrian infrastructure in addition to the landscaping is a priority for the developer with the intention to provide a high amenity streetscape. The linking of such development with the future use of the void area provides additional opportunity for this to be achieved.

- “(n) provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities; and*
- (o) provide bicycle access, storage facilities and shower facilities.”*

There is provision for 50 secure bicycle parks located at ground level with direct access available to Litchfield Street. The separation of the bicycle park entrance point from the vehicle entrance point allows safe entrance and exit for cyclists. Further, the pedestrian access point is located in close proximity to Arafura Plaza Arcade, providing effective sheltered pedestrian access to end of trip facilities. The provision of the high number of bicycle parks associated with the proposal is entirely consistent with the intent of this Clause.

This development is not “end of trip” therefore the need for end of trip or like facilities is not warranted.

5.2 Darwin City Centre Master Plan

The City Centre Master Plan provides strategic and long term guidance for the ongoing development of the City of Darwin. The proposed car park building and its support of the associated office and ancillary retail building at 38 Cavenagh Street:

- is appropriately located to provide sheltered pedestrian links with 38 Cavenagh Street and the CBD in general;
- provides the opportunity for a future ground level use to activate Litchfield Street with the opportunity of improving social and economic transactions for visitors and workers in the CBD;
- improves the visual aesthetics and amenity of the existing bland at grade car park and rear boundary wall with the provision of an aerated façade treatment providing visual interest and natural air flow; and
- supports the use of alternative transport opportunities for office workers and CBD visitors with the inclusion of 50 bicycle spaces.



5.3 Central Darwin Area Plan Discussion Paper

The Central Darwin Area Plan is currently being drafted in response to initial community feedback from the NT Governments release of a discussion paper from 24 October 2017 to 24 November 2017. The discussion paper was produced to assist community involvement in the preparation of an Area Plan for Central Darwin. The plan extends across the peninsula from Myilly Point and Larrakeyah Barracks in the west, to Frances Bay in the east.

The discussion paper provided consistent themes in relation to activity centres, transport corridors and pedestrian networks to that of the Darwin City Centre Master Plan. Priority considerations relevant to this proposal include the planned extension of Knuckey Street to the north-east for opportunities to improve both active and motorised transport to the CBD, including a dedicated cycleway.

The car park is ideally located to receive vehicles and bicycles from Knuckey Street given Litchfield Street's one way nature. The appropriateness of this location will be further enhanced in the medium term with the intended Knuckey Street extension generating additional vehicle and bicycle movements into the Darwin CBD.

The proposal is consistent with the discussion papers intent for Knuckey Street to progress into an important transport corridor into the CBD for both vehicles and bicycles. The design outcomes envisaged in the discussion paper currently being drafted will not be compromised by the car park.

5.4 Darwin Regional Land Use Plan

The proposal accords with the vision underpinning the Darwin Regional Land Use Plan 2015 (DRLUP) in that it will:

- progress the Darwin CBD as retaining a key role and hub for administration and health services;
- provide economic benefit to the region through job and business opportunity creation in both the short and long terms, improving the competitiveness of Darwin; and
- provide an opportunity for safe and convenient car parking in close proximity to the office and ancillary retail building at 38 Cavenagh Street.

5.5 46(3)(b) – Interim Development Control Order

There are no interim Development Control Orders currently applying on the site.

5.6 46(3)(c) – Public Environmental Report/Environmental Impact Statement

No public Environmental Report or Environmental Impact Statement has been prepared or is required under the *Environmental Assessment Act*.



5.7 46(3)(d) – Merits of Proposed Development

The proposal has considerable merit including:

- an articulated and aerated façade feature providing visual interest when viewed from Litchfield Street;
- redevelopment of a site currently significantly underutilised incorporating 94 car parking spaces;
- significant increase in the number of car parking spaces in support of the development at 38 Cavenagh Street and providing relief on car parking demand within the CBD generally;
- providing car parking opportunities for the tenants of the office development located at 38 Cavenagh Street, representing an important development outcome for the CBD and Territory generally; and
- facilitating an activation and streetscape upgrade of Litchfield Street with the provision of generous landscaping and pedestrian orientated infrastructure and street furniture.

5.8 46(3)(e) – Subject Land, Suitability for Development and Impact on Locality

For a description of the subject land and locality, refer Sections 2.1 and 2.2 of this report. The investigations contained therein discuss the site characteristics. There is no anticipated detriment to the surrounding locality, rather, the proposal will facilitate the development of an envisaged use in the Darwin CBD aiding in the relief of the existing car parking demand.

5.9 46(3)(f) – Available Public Facilities/Open Space

The pedestrian orientated streetscape upgrade intended for Litchfield Street incorporates the opportunity for outdoor dining, the generous application of shade street trees, canopies over the car park pedestrian entrances and a raised pedestrian link with the adjacent Arafura Plaza Arcade. Given the low speed and one way nature of Litchfield Street, there is an excellent opportunity to create a pedestrian focused streetscape, which can be more readily realised by the proposal.

5.10 46(3)(g) – Available Public Utilities/Infrastructure

The necessary power, water, sewer and communication services are available on site to support the proposal. Service providers have been engaged prior to lodgement of the development application to inform the design implications for their provision and maintenance.

5.11 46(3)(h) – Impact on Amenity

The proposal will not have a detrimental impact on the surrounding locality. Rather, the effective design and ground level tenancies providing future activating for Litchfield Street provide a desirable amenity outcome for users of the public realm.



5.12 46(3)(j) – Benefit/Detriment to Public Interest

There is no detriment to the public interest. The benefit to the public will be through the creation of employment opportunities in supporting the office and ancillary retail building, the provision of additional car parking opportunities and improvements to the public domain.

5.13 46(3)(k) – Compliance with Building Act

A building certifier's statement has not been obtained as the application is not for subdivision.

6.0 CONCLUSION

The application for a seven-storey car park building is an envisaged form of development within the context of the Darwin CBD. The proposal provides an appropriate streetscape presentation and facilitates the effective activation of Litchfield Street. The car parks association with the proposed office building at 38 Cavenagh Street will also create employment opportunities through their construction and operation.

The proposal is consistent with the intent of the NT Planning Schedule in that:

- the building provides an effective streetscape façade treatment sufficiently addressing any bulk and scale concerns relevant to the buildings function;
- the building design prioritises the activation of Litchfield Street with the provision of direct pedestrian entrance ways and a ground level void to provide future connection with the public realm;
- the activation of Litchfield Street is facilitated in conjunction with generous streetscape landscaping, outdoor dining opportunities and a raised pedestrian crossing;
- convenient and protected pedestrian corridors to 38 Cavenagh Street via the adjacent Arafura Plaza Arcade and Litchfield Street;
- a substantial increase in car parks for office workers providing additional desirable facilities within the area; and
- safe and convenient vehicle access for domestic vehicles, bicycles and pedestrians.

The application has been carefully considered against the NT Planning Scheme and associated policy documents, including the Darwin City Centre Masterplan, Central Darwin Area Plan Discussion Paper and the Darwin Regional Land Use Plan.

For these reasons the proposal warrants the authorities favourable consideration.

Jack Priestley

13 April 2018