

May 2018

STATEMENT OF EFFECT

SUBDIVISION TO CREATE SEVEN ALLOTMENTS

Lot 10176, Lot 10177 and Lot 10178
Stokes Hill Road and Kitchener Drive, Darwin City
TOWN OF DARWIN
for Northern Territory Government



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ISO 9001:2015 Certified

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1.0 OVERVIEW

1.1 PROJECT INTRODUCTION

MasterPlan NT has been appointed by NT Government to prepare, lodge and manage a development application for the subdivision of Lot 10176 and 10177 Town of Darwin (Stokes Hill Road, Darwin City) and Lot 10178 Town of Darwin (Kitchener Drive, Darwin City). The subdivision is associated with the luxury waterfront development by Landbridge.

The subject land is located within Zone CB (Central Business) pursuant to the NT Planning Scheme. The proposal is for subdivision, requiring consent and thus a Development Permit pursuant to Section 44(b) of the NT Planning Act.

All works referenced in this application will be undertaken in conjunction with Landbridge's Luxury Waterfront Development i.e. the luxury hotel, residential complex, pedestrian access bridge (skywalk), public foreshore access and landscaping. An application for that development has been lodged simultaneously with this proposal. The subdivisional works will form conditions of the Development Permit for the Luxury Waterfront Development, linking the works detailed between the two applications.

In preparing this Statement of Effect, MasterPlan NT has examined the relevant documentation, inspected the subject land and locality, and considered the most relevant provisions of the NT Planning Act, the NT Planning Scheme, the Darwin Regional Land Use Plan (DRLUP) 2015, the Darwin City Centre Master Plan, 2014 and the Darwin Capital City Charter. We have also considered the subdivision in the context of the further development of the land as provided by separate application for the residential, hotel and associated infrastructure.



1.2 CONSULTATION

The project team has held discussions and briefings with NT Government agencies and service authorities including the Lands Planning, Development Assessment Services, Crown Land Estate and Transport divisions of the Department of Infrastructure, Planning and Logistics (formerly Department of Lands, Planning and the Environment), the Department of Trade, Business and Innovation, the Department of Environment and Natural Resources, the NT Environmental Protection Agency, the Darwin Waterfront Corporation, City of Darwin, Darwin Port Corporation and Power and Water Corporation to inform the necessary infrastructure and planning requirements for the proposal.

Consultation has been undertaken with the public, industry and interest groups including the Deckchair Cinema, Planning Institute of Australia and the Property Council of Australia (NT), the Australian Institute of Architects (NT Chapter) and the NT Chamber of Commerce.

Two public consultation events were held at the Darwin Waterfront's Charles Darwin building. The events were advertised in the NT News, television, online and social media platforms. The sessions were held on Saturday 3 March 2018 from 10.00 am until 2.00 pm and Monday 5 March 2018 from 5:30 pm until 7:30 pm. The events were well attended and valuable comment received from a wide range of government and community stakeholders.



1.3 DEVELOPMENT CONTEXT

At the end of 2015, Landbridge won the bid to lease the Darwin Port at East Arm Wharf and Fort Hill Wharf for 99 years. Landbridge has committed to make a significant investment in the Port to boost trade and tourism links with Asia, including improving cruise ship facilities. Fort Hill Wharf is an emerging destination for cruise ships, with 65 cruise ship visits in 2014-15, the highest in six years.

On 3 August 2016, Landbridge Hotel Properties Pty Ltd was selected as the preferred provider for the delivery of a luxury Waterfront Development and hotel product in Darwin City and an agreement was formulated with the NT Government for development of land proximate to the cruise ship terminal.

Continued investment in port infrastructure, alongside the development of the luxury Waterfront Development, will see the urban renewal of the Darwin Waterfront in line with the NT Government's strategic commitment to revitalise the waterfront and contribute to the tourist offering and utilisation of the waterfront.



1.4 PROJECT TEAM

This development application has been prepared on the basis of plans, details and reports prepared by:

- LANDBRIDGE — Proponent
- BATES SMART — Project Architects
- JLL — Project Managers
- MASTERPLAN — Town Planners
- WSP — Building Services, Acoustic Engineering and ESD
- ROBERT BIRD GROUP — Structural and Civil Engineering
- BMT WBM — Marine Engineering
- TONKIN CONSULTING — Traffic Engineering
- SLR CONSULTING AUSTRALIA — Environmental Engineering
- DUNN AND MORAN — Landscape Architects
- IN DEPTH ARCHAEOLOGY — Archaeology and Heritage
- EARL JAMES AND ASSOCIATES — Land Surveying
- ELTON CONSULTING — Community Engagement

1.5 APPLICATION DOCUMENTS

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

The following attachments are included in the Statement of Effect:

- Attachment A – Location and Zoning Plan;
- Attachment B – Lot Plan;
- Attachment C – Survey Plans;
- Attachment D – Site Plan;
- Attachment E – Site Based Stormwater Management Plan by Robert Bird Group;
- Attachment F – Storm Surge Plan;
- Attachment G – Traffic Impact Assessment by Tonkin Consulting;
- Attachment H – Civil Engineering Report by Robert Bird Group;
- Attachment I – Archaeological Assessment by In-Depth Archaeology;
- Attachment J – Subdivision Plan;
- Attachment K – Master Plans by Bates Smart;
- Attachment L – Comparative Analysis Letter by EPA;
- Attachment M – Sea Wall – Marine Basis of Design Report by BMTWBM;
- Attachment N – Subdivision Landscape Plan by DMLA;
- Attachment O – Draft Construction Environmental Management Plan by SLR; and
- Attachment P – Letter of No Objection by Darwin Port.

Development applications for this subdivision and separately for the luxury waterfront development have been prepared simultaneously. The reports that accompany both applications have generally been prepared to address considerations for the whole of site works. However, there are sections contained within the accompanying reports that relate to only one of the applications aforementioned.



2.0 SUBJECT LAND

2.1 DESCRIPTION OF LOCALITY

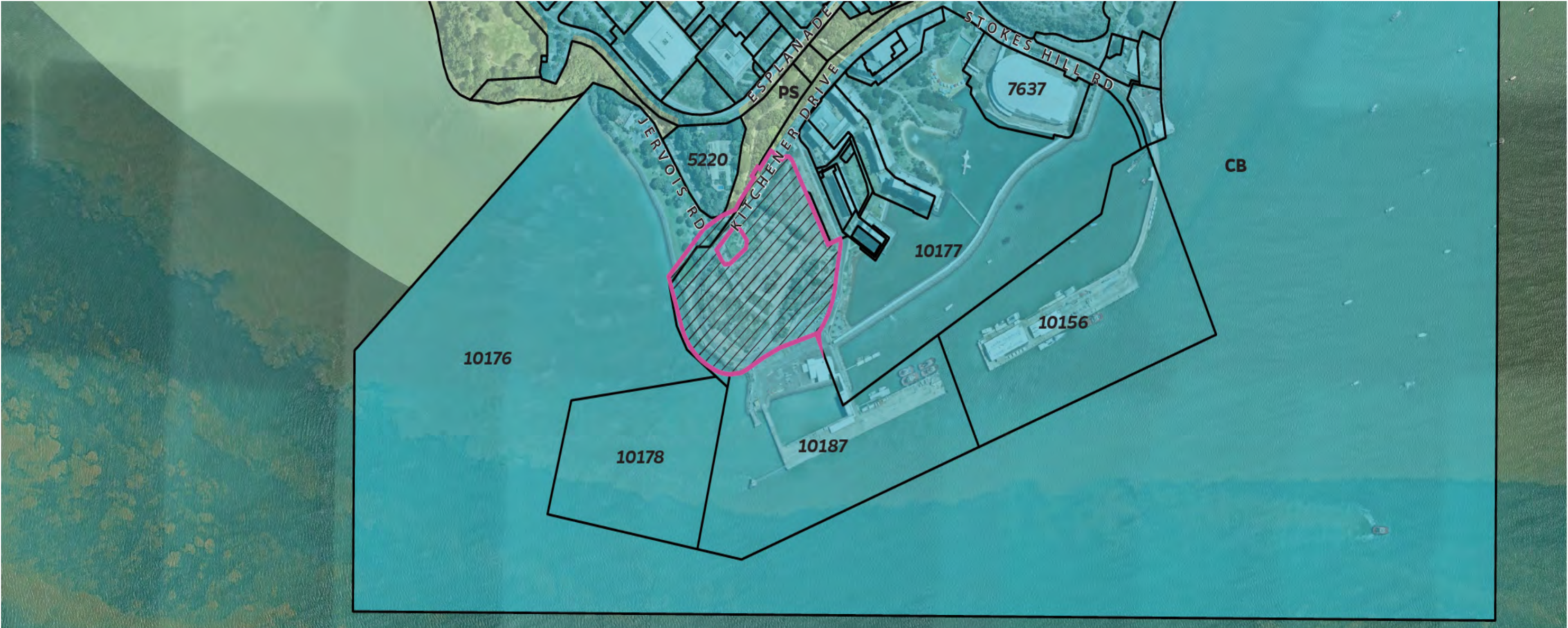
The site is located at the Darwin Waterfront, a predominantly brownfield area close to Darwin's CBD. The redevelopment of the Darwin Waterfront commenced in 2005 with multiple stages now delivered. The Darwin Waterfront is an integral part of Darwin's history, having been used for industrial and maritime purposes, oil storage in WWII, and the site of Goyder's original camp in 1869.

To the north, Kitchener Drive dissects the locality with its northern side being heavily vegetated and includes Jervois Park. The site is located adjacent the Fort Hill Wharf cruise ship terminal. The locality is defined at its edge by the Darwin waterfront, Kitchener Bay and the Stokes Hill Wharf to the south-west, south and south-east, respectively.

Beyond the escarpment, The Esplanade hosts Government House, Parliament House, the Supreme Court and numerous residential apartments. The escarpment provides a natural barrier and delineation between the Darwin Waterfront and the core area of the Darwin CBD. The site is near the Darwin City Library, bus interchange and the City of Darwin Council chambers.

Adjacent the site to the north east is the Charles Darwin University Darwin Waterfront Campus and further east features residential, commercial and retail complex, the Vibe Hotel, recreation, open space, a wave pool and the Darwin Convention Centre. An abundance of shops, commercial and retail development exist in the Darwin Waterfront locality, located 350 metres north-west of the subject land. Stokes Hill Wharf providing mooring and services to ships and tourist activities and a range of food offerings is located at Lot 10156 to the south of the site. Darwin's outdoor cinema, the Deckchair Cinema, is located to the north-west of the site at the base of the escarpment and screens films nightly from mid-April to mid-November. World War II Tunnels and the Origin Gas facility are on Kitchener Drive and Jervois Road, respectively.

The surrounding locality above the escarpment comprises land uses and open space typical of Zone CB (Central Business). Refer Location and Zoning Plan at [ATTACHMENT A](#) and [FIGURE 1](#), below. The Darwin Waterfront area is surrounded by thriving precincts together with characteristics that support social and recreational activity promoting economic activity, tourism and a generally vibrant environment.



 Approximate Area of Works | Subdivision

Zones

- | | | |
|--|---|--|
|  CN - Conservation |  PS - Public Open Space |  GI - General Industry |
|  S - Specific Use |  CB - Central Business |  LI - Light Industry |
|  CP - Community Purpose |  TC - Tourist Commercial |  CA - No Planning Scheme Controls |
|  FD - Future Development |  CL - Community Living | |
|  PM - Proposed Main Road |  HR - High Density | |
|  M - Main Road |  MD - Multiple Dwelling | |
|  OR - Organised Recreation |  SD - Single Dwelling | |

Location and Zoning Plan

Lot 10176, Lot 10177, Lot 10178 and Lot 10187
TOWN OF DARWIN



2.2 DESCRIPTION OF SITE

The subject land, within Zone CB, comprises Lot 10176, Lot 10177 and Lot 10178 Town of Darwin. It is noted that due to the size of these allotments, only part of these lots are affected.

Lot 10176 is 123 hectares and includes Jervois Road, Jervois Park, the Deckchair Cinema and part of the escarpment adjacent the Esplanade. The majority of the lot consists of open water of the Darwin Harbour.

Lot 10177 is 27.12 hectares and includes land, contained waterbodies, and the open water of the Darwin Harbour.

Lot 10178 is 6.0 hectares and entirely consists of open water of the Darwin Harbour.








A Lot Plan at [ATTACHMENT B](#) (and [FIGURE 2](#)) identifies the extent of these allotments and provides context to neighbouring allotments and the Darwin Waterfront.

The subdivision and associated servicing and road infrastructure works detailed within this application relates only to the western portion of Lot 10177 in practical terms and have minimal association with Lot 10176 and Lot 10178. The area is herein referred to as “the site”.

The site is burdened by a number of right-of-way easements; refer Survey Plans at [ATTACHMENT C](#) and [FIGURE 3](#). These easements provide access to Fort Hill Wharf cruise ship terminal.



Lot Plan

-  Lot 10177 Town of Darwin
  Lot 10176 Town of Darwin
  Lot 10178 Town of Darwin
  Lot 10187 Town of Darwin
  Lot 5220 Town of Darwin
-  Approximate Area of Works | Hotel
  Approximate Area of Works | Subdivision



1:6250 @ A3

0 100m

A horizontal line with vertical ticks at each end and a midpoint. The left tick is labeled '0' and the right tick is labeled '100m'.

Information portrayed above was obtained through multiple sources and no assurance is made on its accuracy.

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2.2.1 PHYSICAL CHARACTERISTICS

Site Levels

The site is generally flat ranging in height from approximately 5.0 to 6.0 metres AHD. The noticeable exception is two mounds approximately 2.8 to 3.0 metres in height located adjacent to the eastern boundary of the site. These mounds appear to be temporary in nature and presently block views into the site at eye level from Anchorage Court. A Site Plan is at [ATTACHMENT D](#) and [FIGURE 4](#).

Stormwater

Robert Bird Group has completed a Site Based Stormwater Management Plan, refer [ATTACHMENT E](#), which details the existing stormwater infrastructure on the site.

The report provides the following summary of existing stormwater infrastructure, suggesting that stormwater infrastructure has been installed up to the subject site as part of Stage 1 and Stage 2 of the Darwin Waterfront Master Plan, as follows:

- existing open lined drain along the northern edge of Kitchener Drive for Stage 1 and Stage 2A works;
- existing underground piped drainage line along the northern edge of Kitchener Drive which discharges through the existing rock batter to the western end of Kitchener Drive from a 1,200-millimetre diameter outlet into Darwin Harbour;
- an existing 225-millimetre diameter subsoil drain is present within the site running alongside the northern boundary, it currently acts as a channel which captures the overland flow prior to discharging into the Darwin Harbour;
- the southern part of the site discharges into a stormwater pipe of unknown dimensions which runs along the southern boundary before discharging into Darwin Harbour;

- an existing Gross Pollutant Trap (GPT) (Humeguard) upstream near the outlet of the existing pipeline at the western end of Kitchener Drive for treatment of street drainage;
- the southern part of Lot D, Lot C and Anchorage Court discharges through an existing pipe drainage system into the lagoon located east of Anchorage Court; and
- existing groundwater subsoil drains are present within the site area which were installed as part of the Stage 1 works to control groundwater levels and treat contaminated soils. The groundwater drains pass flows through an existing Oil Separator/Grit Chamber located to the south east of the Hughes Avenue intersection.

Storm Surge

A portion of the site is identified as being subject to inundation from primary (100 year) and secondary (1000 year) Storm Surge. Refer Storm Surge Plan at [ATTACHMENT F](#) and [FIGURE 5](#). There is an existing rock batter wall on the west of the site; however, this has been constructed from construction rubble and is not in accordance with current standards or guidelines. The Department of Environment and Natural Resources (DENR) has provided advice consistent with available storm surge data as follows:

“The lot is affected by primary storm surge (PSS). The maximum PSS level (100 Average Recurrence Interval) of the surge affected area is approximately 5.6 metre Australian Height Datum (AHD). The maximum secondary storm surge level (1000 ARI) of the surge affected area is approximately 6.50 mAHD”.



Approximate Area of Works | Subdivision

Existing Lot Boundaries

Existing Buildings

Heritage Trees

Existing rock batter wall

Existing revetment/sea wall

Right of Way

Electricity Supply

Water Supply

Drainage

Support

Pool Services

Sewerage

	Bore ID	Completion Date	Depth (m)	Yield (L/s)
1	RN005326	17/02/1966	13.7	0.0
2	RN033970	02/11/2003	13.0	0.0
3	RN033971	05/11/2003	14.0	0.0
4	RN033972	10/11/2003	10.0	0.0
5	RN033977	20/10/2003	21.0	0.0
6	RN033978	23/10/2003	22.5	0.0
7	RN034386	04/11/2003	10.5	0.0
8	RN034994	03/11/2003	14.5	0.0
9	RN034995	09/11/2003	10.0	0.0

Bore yield class 0.0L

Bore not in use

Site Plan

Lot 10176, Lot 10177,
Lot 10178 and 10187
TOWN OF DARWIN

1:2000 @ A3

040m

Information portrayed above was obtained through multiple sources.
Easement information portrayed above was obtained through survey plans for Lots 10176 to 10178 and 10187.

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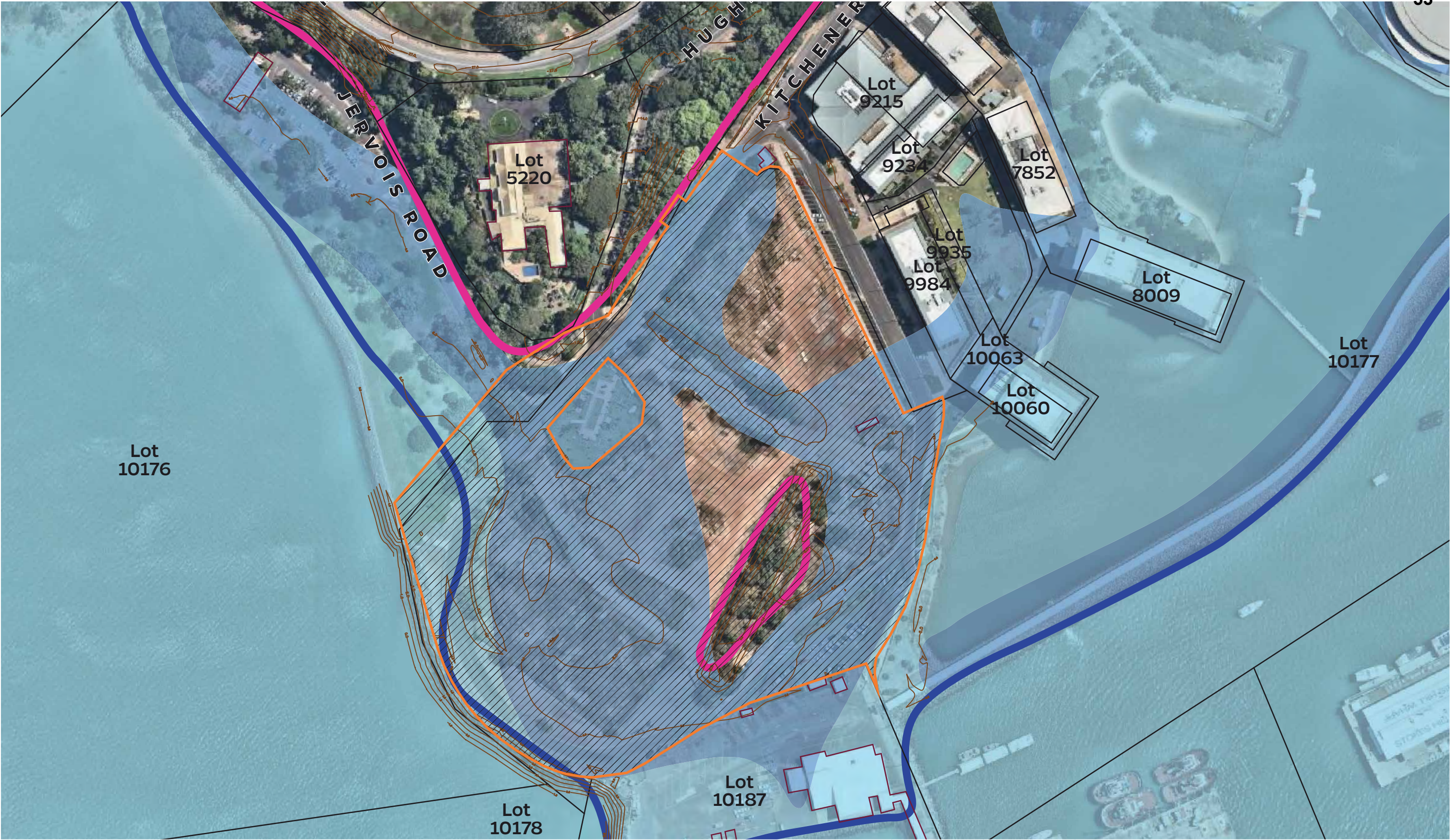
nearmap.com

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TOWN + COUNTRY PLANNERS

52

FIGURE 5: STORM SURGE PLAN



- 

 Approximate Area of Works | Subdivision
- 

 Existing Buildings
- 

 Estimated HAT (Highest Astronomical Tide)
- 

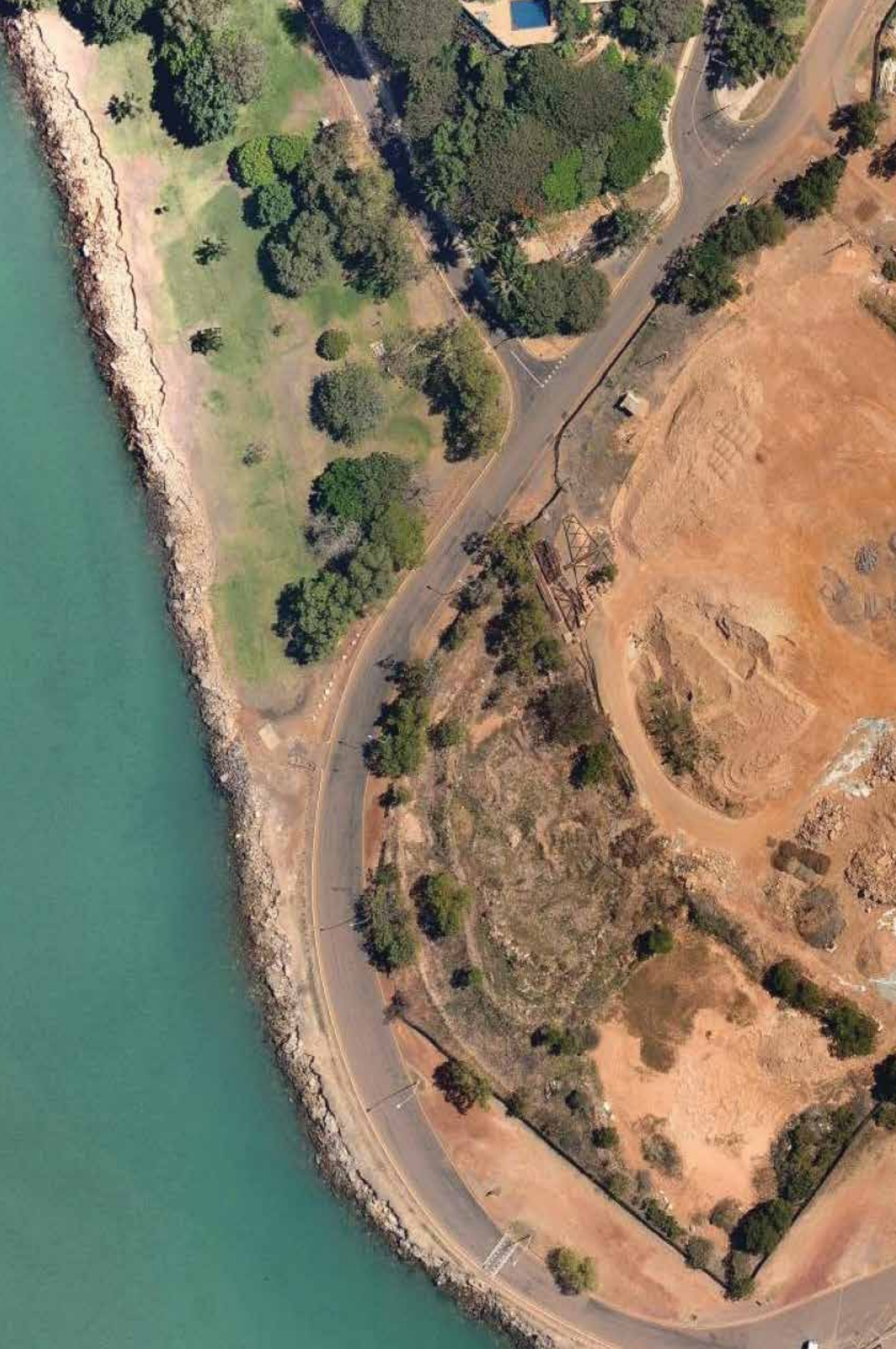
 Primary Storm Surge Zone (100 Year ARI)
- 

 Secondary Storm Surge Zone (1,000 Year ARI)
- 

 Extreme Storm Surge Extent (10,000 Year ARI)

Storm Surge Plan

Lot 10176, Lot 10177, Lot 10178 and Lot 10187
TOWN OF DARWIN



2.2.2 ACCESS

Vehicular access to the site is from Anchorage Court and Kitchener Drive/Hughes Avenue. The formal Kitchener Drive road reserve terminates at the intersection with Anchorage Court. Hughes Avenue and Jervois Road are not within formal road reserves but are incorporated in the titles. Right-of-way easements burden the land in the absence of formal road reserves proximate to Fort Hill Wharf. Access to Fort Hill Wharf is achieved via the right-of-way easements. A sealed loop road connects Anchorage Court and Kitchener Drive.

Public bus routes 7 and 14 currently service the Darwin Waterfront and there are bus stops on the southern side of Kitchener Drive near Charles Darwin University and on the northern side of the road under the existing skywalk connection to Smith Street.

Tonkin Consulting has undertaken pedestrian counts in April 2017 and November 2017 and identified that pedestrians and cyclists in the immediate area are primarily cruise ship passengers or people exercising.

Tonkin Consulting's Traffic Impact Assessment is at [ATTACHMENT G](#).

There are currently 62 on-street car parking spaces on Anchorage Court. There are also 28 car parking spaces opposite the cruise ship terminal however this parking sits within the lot, is not part of a formal road reserve and is not covered by the existing access easement. There is also informal parking in an unsealed area opposite the cruise ship terminal.

2.2.3 SERVICES

Reticulated services including electricity, water, sewerage, communications and gas are provided to surrounding sites and Fort Hill Wharf. These services traverse the site in various locations.

WSP has provided information describing the existing power and communications networks at the site. A Civil Engineering Report by Robert Bird Group describes the existing water and sewer infrastructure on the site (refer [ATTACHMENT H](#)) and also includes information from WSP. A summary of existing services is provided below.

Electricity

According to the DBYD information, high voltage Power & Water Corporation (PWC) cables are located within Kitchener Drive, Anchorage Court and through proposed Lots C and D.

The electrical consultant (WSP) has had discussions with PWC in regard to the electrical supply to the development. PWC has advised the following:

- an existing underground HV feeder enters the Waterfront Precinct via Hughes Avenue and terminates in an existing ring main unit (RMU) located adjacent Goyder Park; and
- this HV feeder is currently energised, however no load is connected to it. PWC has advised that this feeder is allocated to provide power to the current hotel development for Lot A and also the future development of Lots B, C and D, as well as the existing Cruise Ship Terminal.

It is also understood that the existing PWC substation (3365) provides an underground low voltage supply to the Deckchair Cinema, WWII Tunnels, Origin Gas Facility and Jervois Road street lighting.

Water

The site has the following existing water services:

- 375-millimetre diameter main extending from the Deckchair Cinema along the southern verge of Kitchener Drive constructed as part of Stage 1 works;
- 225-millimetre diameter main from the 375-millimetre main along Kitchener Drive along the eastern verge and across Anchorage Court constructed as part of Stage 2A works; and
- an existing 200-millimetre diameter watermain through the site and along Anchorage Court to the existing Darwin Port and Cruise Ship Terminal.

Future connection points are provided from an existing 225-millimetre tee connection on the 375-millimetre diameter main and to the end of the 225-millimetre diameter main across Anchorage Court.

Sewer

The Cruise Ship Terminal is currently serviced by a private pump station which discharges into an existing 50-millimetre diameter rising main. The rising main conveys flows along Anchorage Court and the southern verge of Kitchener Drive which discharges into the gravity system and into existing pumps station PS3 on Kitchener Drive servicing Stage 1 and Stage 2A of the Darwin Waterfront Development.

Communications

Existing underground NBN Co fibre services enter the Waterfront Precinct via Hughes Avenue and connects to the Deckchair Cinema, World War II Tunnels and the Origin Gas facility via existing Kitchener Drive and Jervois Road. The services also run along the foreshore access road before entering Fort Hill Wharf cruise ship terminal.

Gas

LPG is available in the vicinity and Origin Energy has a facility located on the edge of Jervois Park.



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2.2.4 CULTURE AND HERITAGE

A heritage and archaeological assessment of the site has been completed by In-Depth Archaeology. The assessment includes a desk based assessment of heritage matters and an archaeological assessment of early ground disturbance works. A maritime archaeologist was engaged for underwater heritage matters. The Archaeological Assessment is at [ATTACHMENT I](#).

The site is identified as a location of significant events and continued use and development throughout Darwin's history. This has made it subject to continuous evolution by both destruction and development. The site is now, in large part, a result of excavation, fill and land reclamation, and differs greatly in physical appearance and structure than it was at the time of Goyder's Camp in 1869. The shoreline has changed substantially since first European settlement including the demolition of Fort Hill.

Artefact and heritage material was found in certain locations of the site. This included pre-war domestic and medical artefacts associated with the Doctor's Residence in the saddle between Fort Hill and the escarpment, and also possible indication of traditional Indigenous meal refuse. The two Tamarind trees at the bottom of Hughes Avenue and Government House hill are evidence of Macassan visitation to the Fort Hill area.

In-Depth Archaeology has identified areas of 'demonstrated archaeological sensitivity' and areas of 'potential archaeological sensitivity'.

2.2.5 SITE IMAGES

The following photographs provide further context of the site.



PHOTOGRAPH 1: EXISTING SITE CONDITIONS.
View looking south from Hughes Avenue/Kitchener Drive Intersection.



PHOTOGRAPH 2: EXISTING SITE CONDITIONS.
View looking north-east from Fort Hill Wharf.



PHOTOGRAPH 3: EXISTING SEAWALL CONSTRUCTED OF RUBBLE.
View looking south from Jervois Park.



**PHOTOGRAPH 4: IDENTIFIED SIGNIFICANT TREES (TAMARIND),
NORTHERN SIDE OF KITCHENER DRIVE.**
View looking north-east from Jervois Road intersection.



PHOTOGRAPH 5: AERIAL IMAGE OF THE SITE.



PHOTOGRAPH 6: AERIAL IMAGE OF THE SITE.

3.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development is for the subdivision of Lot 10176, 10177 Town of Darwin (Stokes Hill Road, Darwin City) and Lot 10178 Town of Darwin (Kitchener Drive, Darwin City) to create seven allotments.

This application makes reference to the development of service infrastructure including power, water, sewer, communications, drainage and road infrastructure. The application also references enabling works that will ensure the site is suitable for further development and is protected from storm surge, including excavation and fill, site preparation and a sea wall.

All works referenced in this application will be undertaken in conjunction with Landbridge's Luxury Waterfront Development i.e. the luxury hotel, residential complex, skywalk, public foreshore access and landscaping. An application for that development has been lodged simultaneously with this proposal. We respectfully request that the subdivisional works form conditions of the Development Permit for the Luxury Waterfront Development, linking the works detailed between the two applications.

The NT Government will not undertake the physical subdivisional works, rather, these will be undertaken by Landbridge's contractors for the associated development. A holistic approach has been taken to the development of the site from initial investigations and site preparation to the ultimate development form. Reference to the subdivision infrastructure and enabling works is provided in this application to identify the requirements for subdivision of the land and ensure that these requirements are undertaken in support of the subdivision.

A Subdivision Plan is at [ATTACHMENT J](#) and [FIGURE 6](#) identifying the subdivision and resultant lots, as follows:

- Lot A will have an area of 23,183 square metres². This is inclusive of a pedestrian right of way access easement, which incorporates a total area of 2,498m², and will feature a 4.0 metre-wide public footpath;
- Lot B will have an area of 4,678 square metres;

- Lot C will have an area of 3,865 square metres;
- Lot D will have an area of 15,000 square metres;
- Lot E will have an area of 94 square metres;
- Lot F will be 1,291,335 square metres (incorporating areas of both land and sea); and
- Lot G will be 248,400 square metres (incorporating areas of both land and sea).

Lot A will incorporate the sea wall and public foreshore access as well as the hotel site. Lot B will incorporate residential development which is to be bound by a thin section of Lot A to the south containing the sea wall and public access along the foreshore.

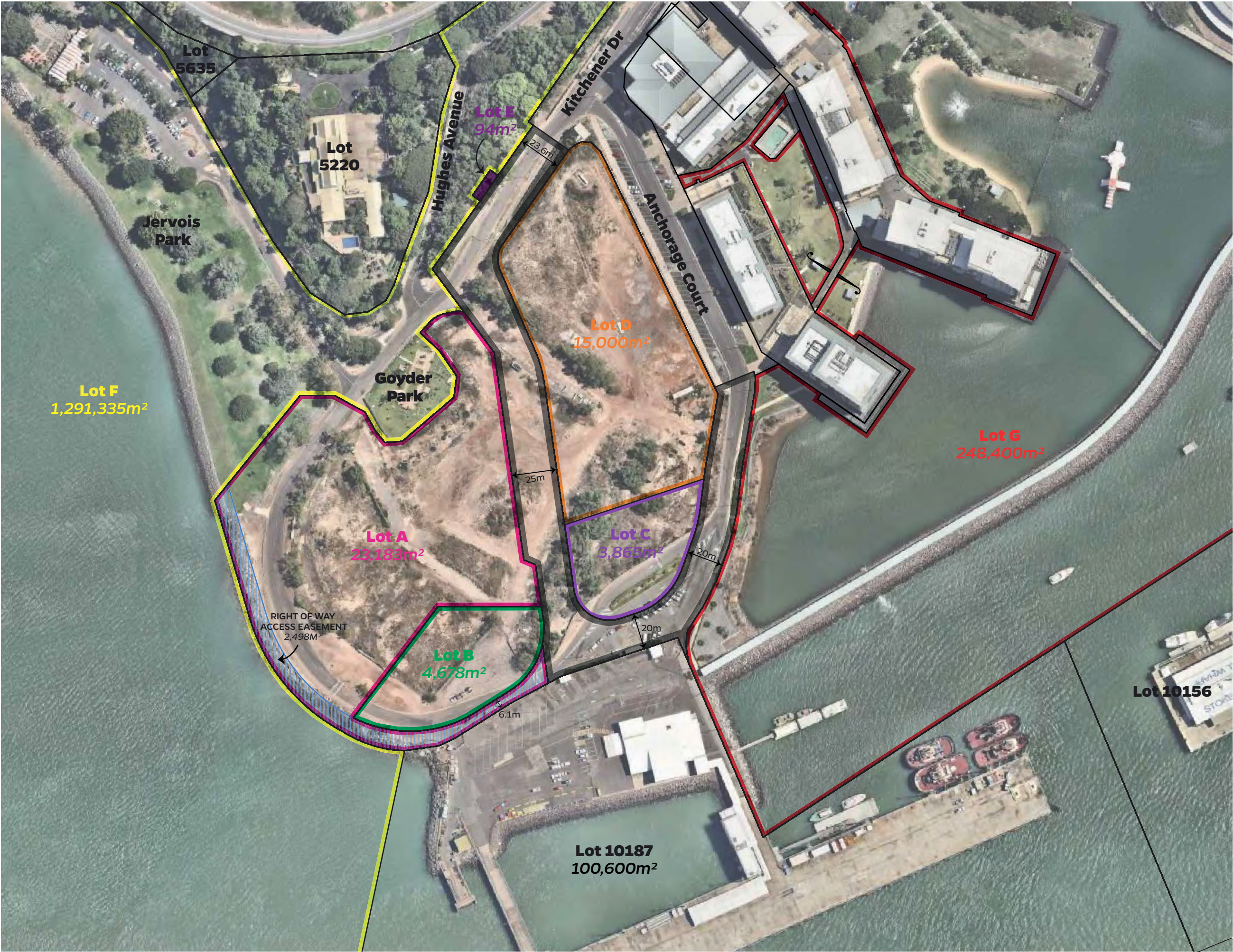
Lot C and Lot D are for development at the Darwin Waterfront in future stages. Lot E is for a sewer pump station. Lot F is the remainder parcel of Lot 10176 and Lot 10178. Lot G is the remainder parcel of Lot 10177.

The resulting land parcels will be appropriate to accommodate a range of future development opportunities and will not inhibit envisaged land uses for the site.

The subdivision application has considered pedestrian and vehicle movement and proposes a street network that will encourage pedestrian activity and linkages to major nodes while also ensuring the network is efficient and suitable for vehicle movements.

The road and service infrastructure has been designed to meet the requirements of the existing users of the road network and all foreseeable requirements that may arise through future development of the area, as sort in the associated Development Application

FIGURE 6: SUBDIVISION PLAN



Subdivision Plan 60

Lot 10176, 10177, 10178
TOWN OF DARWIN

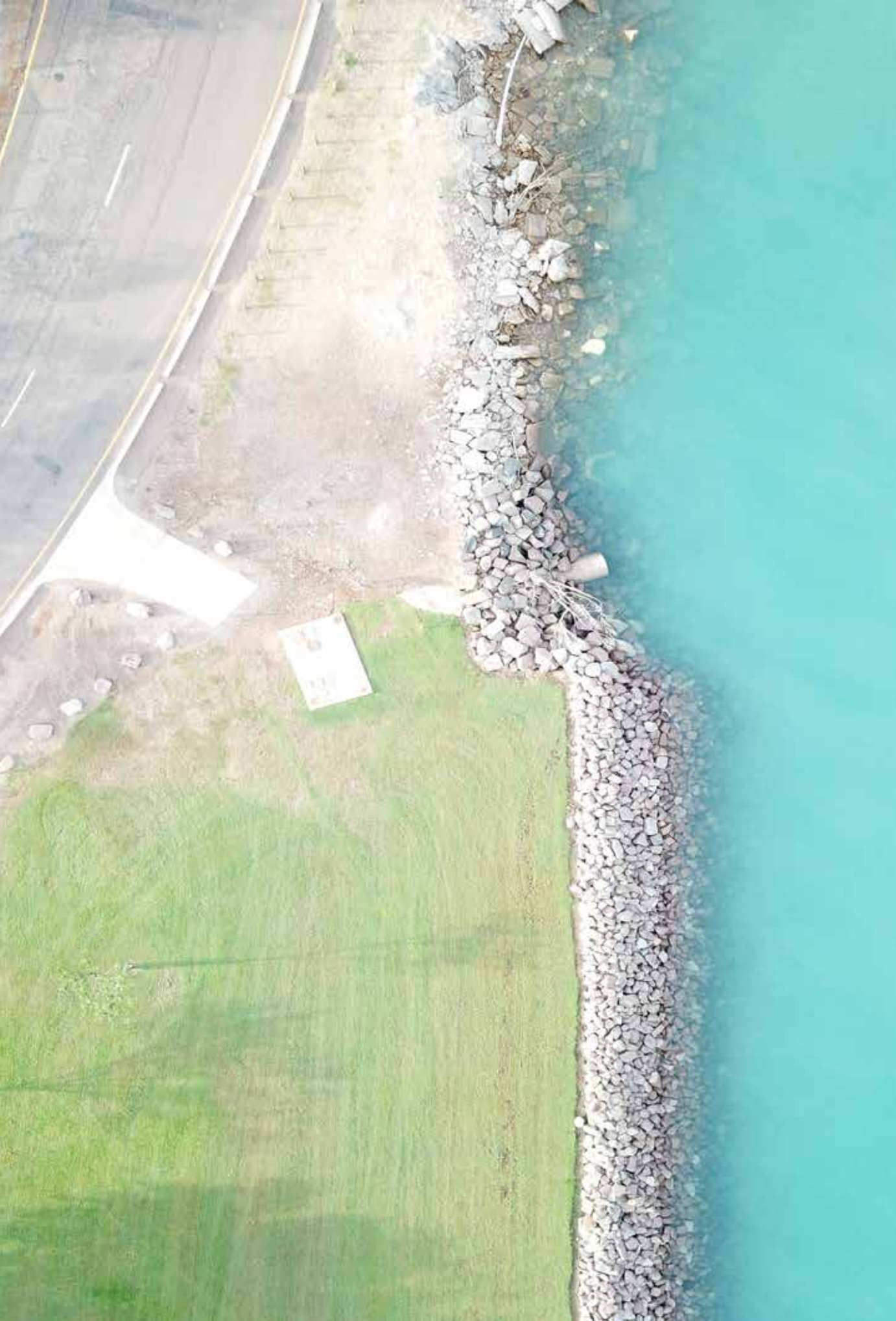
- Proposed Lot A
- Proposed Lot B
- Proposed Lot C
- Proposed Lot D
- Proposed Lot E
- Proposed Lot F
- Proposed Lot G
- Proposed Road Reserve
- Boundaries



Final dimensions are subject to detailed design and may vary. Lot boundaries not contained to this page. Easements to be determined. Corner truncations to be provided through detailed survey. Information portrayed above was obtained through multiple sources and consultants. Cadastral boundaries have been supplied by EJA Surveyors (PH 08 8981 2494) based on Map Grid of Australia 1994 (MGA94) Zone 52.

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3.1 DESIGN STATEMENT OVERVIEW

The Master Plans, prepared by Bates Smart, refer [ATTACHMENT K](#) and [FIGURE 7](#), identifies the proposed development, which is detailed in the application submitted separately from this subdivision application. The subdivision design reflects the development intent of the Landbridge Luxury Waterfront Development, including the hotel, residential, public foreshore access and skywalk components.

The subdivision layout and development intent recognise the historical significance of the Goyder Camp site and the Fort Hill peninsula in the history of the Darwin area before and after European settlement and as a critical site for the future development of the city. The preservation and expansion of the Goyder Camp site as a key public space provides the potential to re-instate this precinct to its former status as a meeting, trading and arrival gateway for Darwin.

The redevelopment of the site re-imagines the precinct for the new century as a gateway for tourism and business travellers to the Northern Territory as well as a connected and activated waterfront precinct for the residents of Darwin.

The proposed development and activation of this site allows for the creation of an iconic waterfront precinct that connects the city of Darwin to the water, provides an international tourism destination and recognises and enhances the communication of the sites' history.



Check all dimensions and the conditions prior to commencement of any work, the accuracy or ordering of any materials, fixtures, plant, services or equipment and the preparation of shop drawings and/or the fabrication of any components.

All drawings to be used in conjunction with all technical documents and all other consultants documents.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

14	22/05/18	Issued for Planning Approval	BS	BS
Revised	Date	Description	Initial	Checked

Darwin Luxury Hotel

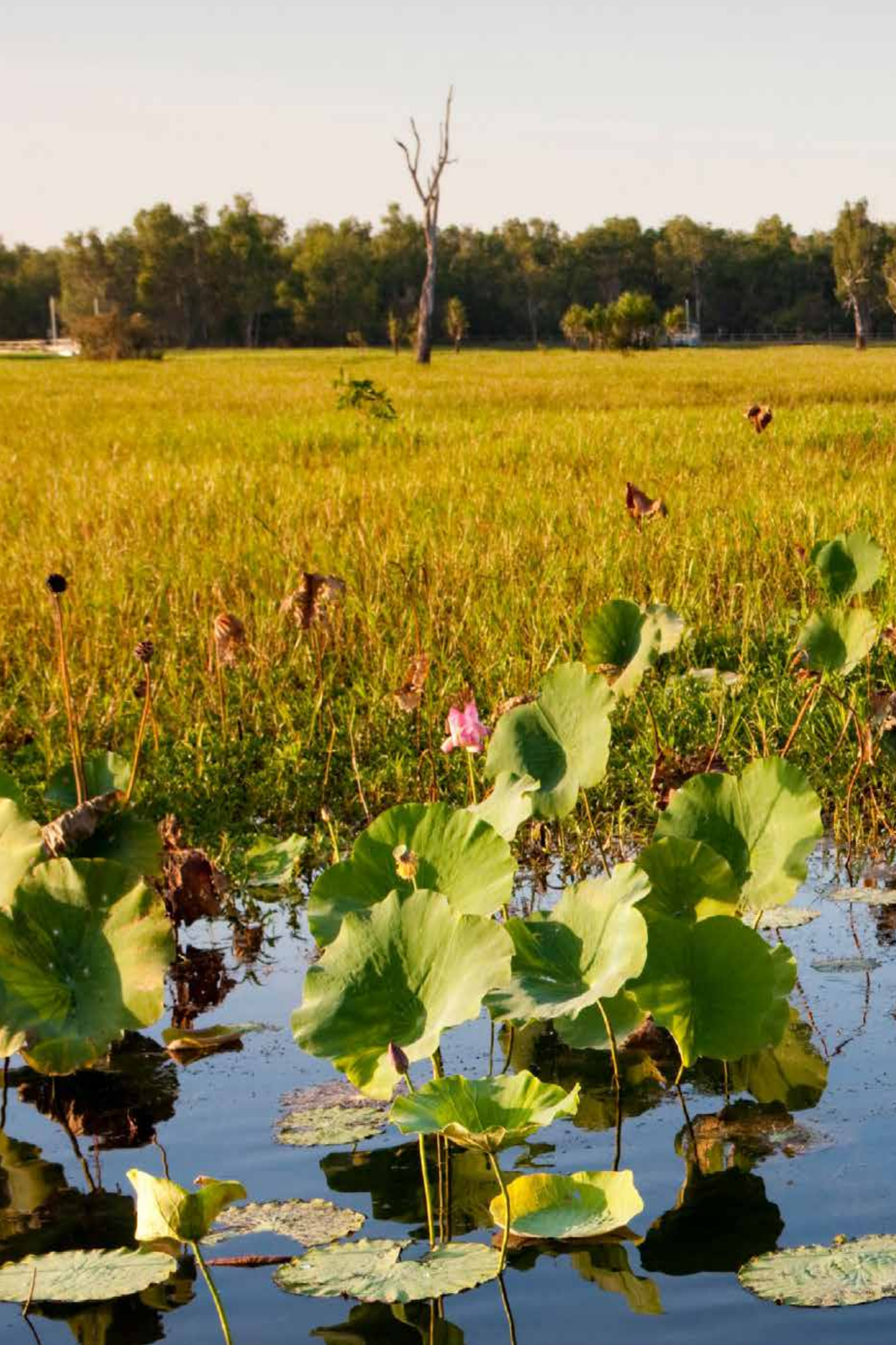
Masterplan

Scale	1:1000 @A1		
Drawn	BS	Checked	BS
Project No.	m12069		
Status	FOR PLANNING APPROVAL		
Plot Date	22/5/2018 12:16 PM		
Plot File	M:\12069-12069-12069_A01.dwg		
Drawing No.	A01.01		

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http://www.batesmart.com.au

Bates Smart Architects Pty Ltd ABN 68 084 740 986



3.2 EIS COMPARATIVE ANALYSIS

An Environmental Impact Statement was prepared for the original development at the Darwin Waterfront. The original developer of the Darwin Waterfront, is no longer involved with the development of the land and as such the original development concept has altered. A Comparative Environmental Impact and Mitigation Analysis has been prepared for the Landbridge Luxury Waterfront Development at the site to review any changes to environmental considerations. On 10 March 2017, the assessment was submitted to the NT Environment Protection Authority (EPA). On 16 May 2017, correspondence was received from NT EPA confirming:

“...that the environmental significance of the project has not changed and has does not require further assessment under the EA Act.”

The letter from the NT EPA is at
ATTACHMENT L.

3.3 SITE SUITABILITY AND STORM SURGE

Site preparation, earthworks and a sea wall are proposed to ensure the site is suitable for future development. These works are proposed within a separate application for residential, luxury hotel, skywalk and associated infrastructure, however have been referenced here given the subdivision's reliance on the works being undertaken.

The various materials contaminating the site will be managed as a part of the site preparation works. A draft Remediation Strategy has been prepared by SLR Consulting and will be progressed following development consent. Two strategies are suggested, excavate and reprocess material for reuse or disposal and cap and contain other material beneath sealed roadways.

The earthworks strategy is based on excavating the existing surface to form the underside of the basement for the future hotel and filling to the required levels for the future hotel. Earthworks will be largely contained to Lots A and B. The rationale being that Lot A and B are identified for imminent development. There will be no detriment to the suitability of the other allotments which will remain in their current state, as confirmed by BMTWBM in their Basis of Design Report for the seawall at [ATTACHMENT M](#).

"that the fill relating to the seawall and hotel will provide no perceptible change to these levels or impact on adjacent properties".

The works will ensure that Lot A and Lot B are suitable for development and works will raise the level to above RL 6.5 metres AHD generally and the habitable hotel areas to RL 8.0 metres. Refer Civil Engineering Report by Robert Bird Group at [ATTACHMENT H](#).

A sea wall is proposed along the seaward boundary of Lot A to provide protection to the site from storm surge and provide ground retention for the intended development of Lot A and Lot B. The sea wall has been designed to facilitate public foreshore access incorporating a 4.0-metre-wide pedestrian and cycling thoroughfare. [FIGURE 8](#) identifies the cross-section of the sea wall. The new wall replaces the existing sea wall form.

The sea wall will include a reinforced concrete vertical piled wall, incorporating a headstock to facilitate the pedestrian and bicycle access at 5.5 metres AHD, a level consistent with the existing foreshore access at the Darwin Waterfront. A vertical concrete wave barrier will be positioned above the headstock to a height of 7.5 AHD.

The protection provided by the sea wall will prevent property and infrastructure damage and reduce risk of loss of life in extreme storm and cyclonic events and is an integral part of the overall development of the site, while also facilitating waterfront recreation and access for pedestrians and cyclists. [FIGURES 9](#) and [10](#) is an image of the proposed pedestrian access.

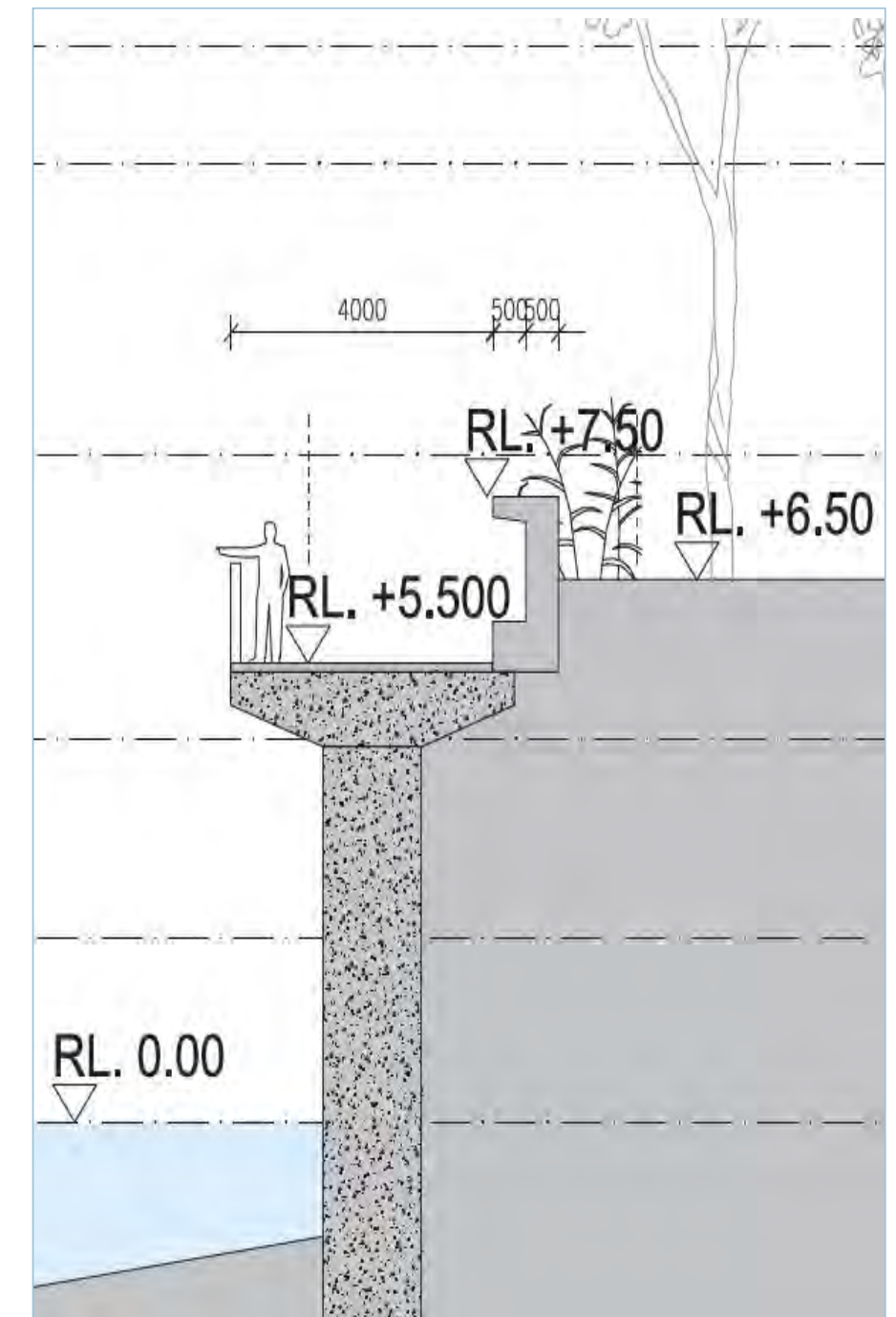


FIGURE 10: CROSS-SECTION OF THE DEFENCE WALL
SOURCE: BATES SMART

FIGURE 9: IMAGE OF PROPOSED PEDESTRIAN FORESHORE ACCESS



FIGURE 10: IMAGE OF PROPOSED PEDESTRIAN ACCESS





3.4 STORMWATER

A Site Based Stormwater Management Plan has been prepared by Robert Bird Group and is attached at [ATTACHMENT E](#). The plan identifies existing and proposed catchment areas and how stormwater will be treated, directed and discharged. Existing stormwater infrastructure is discussed in Section 2.2.1 of this report.

The underground stormwater pipeline will be relocated to be parallel with the external edge of the property boundary. The unformed drainage path and sheet flow over Jervois Park will be controlled. The road network will include stormwater pipes and infrastructure. This system will traverse the southern boundary of Lot B and discharge at the termination of the proposed sea wall on Lot 10187 Town of Darwin (Kitchener Drive, Darwin City). Gross pollutant traps (GPTs) will be included in the networks as necessary.

The proposed stormwater infrastructure will accommodate all flows anticipated from changes to the hydrology as a result of changes to ground levels and contours resulting from the early works and subdivision. The proposed stormwater infrastructure will ensure that all flows leaving the site will be treated to acceptable levels.

The Stormwater Management Plan has also assessed potential flows from the future development of the site. This provides assurance that infrastructure will not need to be upgraded in future when the site is further developed.

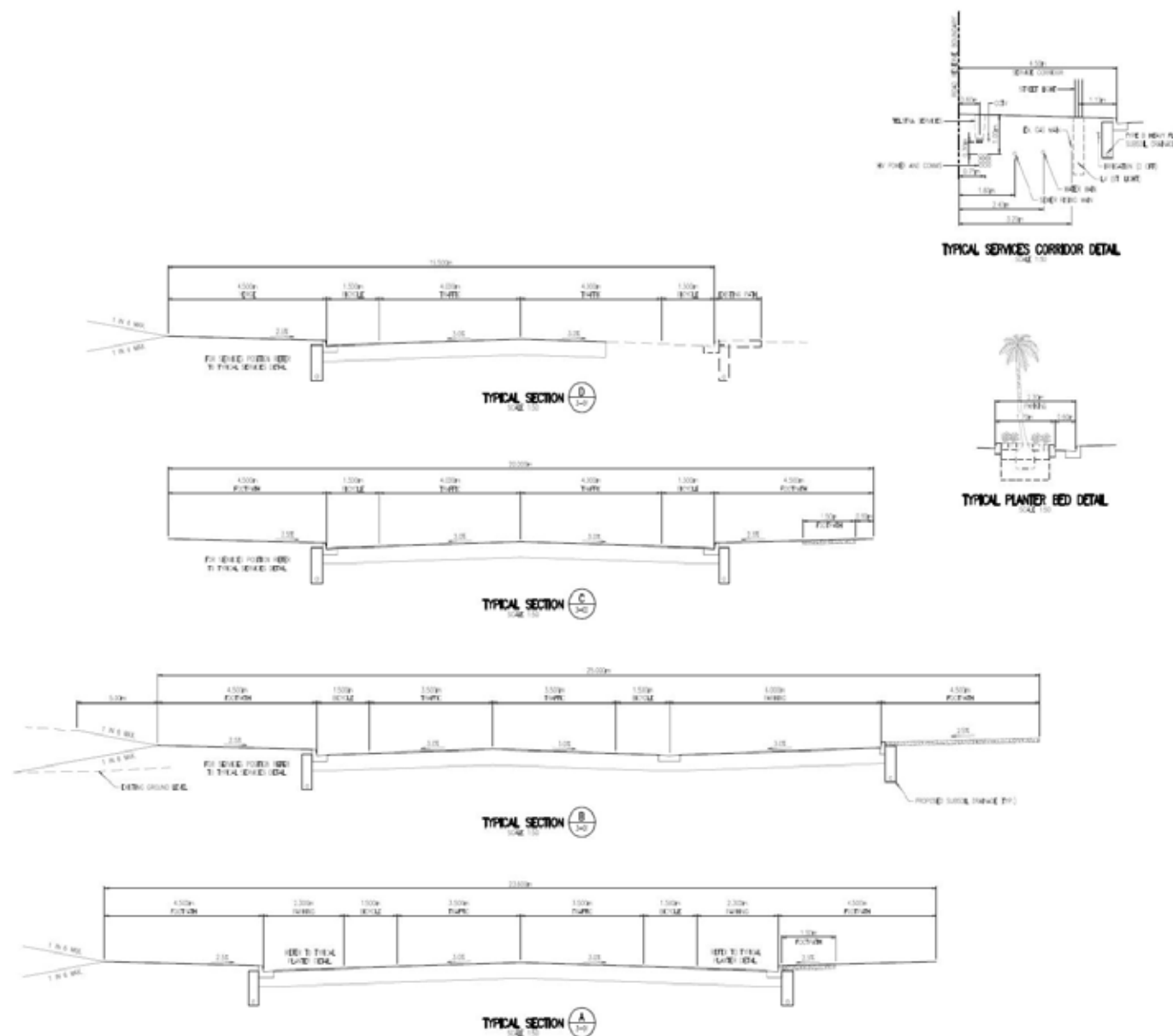


FIGURE 11: TYPICAL CROSS-SECTIONS.
SOURCE: ROBERT BIRD GROUP CIVIL ENGINEERING REPORT

3.5 ACCESS

The realignment forms an extension to Kitchener Drive which runs parallel to the east of Anchorage Court in a southerly direction before turning east at the Stokes Hill Wharf and then connects to Anchorage Court. Road design is explained further in the report by Robert Bird Group (refer Section 5.5 in Civil Engineering Report at [ATTACHMENT H](#)) and Tonkin Consulting (Traffic Impact Assessment at [ATTACHMENT G](#)). Typical cross-sections of the proposed road layout are below at [FIGURE 11](#).

Turn-paths and future traffic generation and movements have been considered throughout the road design, including provision for large tourist busses. The Tonkin Consulting report identifies that the road reserve widths are generally 20 metres.

There are some exceptions including:

- increase in some lane widths to accommodate truck and bus movements;
- areas with on-street parking wider;
- travel lanes reduced to 3.5 metres on Kitchener Drive between Anchorage Court and Hughes Avenue to match existing; and
- the area in front of Goyder Park will be defined as a shared vehicle/pedestrian space to encourage lower speeds.

The creation of a new ring road from Kitchener Drive to the cruise ship terminal allows for the efficient servicing of the port functions and creates a legible street structure enabling future mixed-use development of the lots. This street network allows for future flexibility and activation of the lots and the accommodation of various uses including: tourist accommodation, cafes, bars, restaurants, retail, commercial and parking facilities and waterfront residential. The proposed road alignment results in ample opportunities for active frontages and access to each proposed lot.

The new road network has been designed to resolve the intersection with Hughes Avenue and access to Jervois Park and the Deckchair Cinema along Kitchener Drive. The new road alignment intentionally intersects with Kitchener Drive to the east of Hughes Avenue, protecting its status as a local road and directing port and tourism traffic along major roads. In addition, the circulation of the new road to Kitchener Drive is given priority, intentionally slowing traffic travelling through the proposed shared zone adjacent to Goyder Park and allowing safe pedestrian circulation.



3.6 PEDESTRIAN CONNECTIVITY

The proposed road and pedestrian network will be a critical, complimentary asset in the promotion of the hotel, cruise ship terminal, future port facilities, convention centre and Darwin in general. The area is to function as a destination for international business travellers and point of access to the Northern Territory and Australia as a whole, in addition to a connected and active waterfront precinct for the residents of Darwin.

Strong pedestrian connections will be provided through:

- a 4.0-metre wide waterfront access on the perimeter of Lot A and Lot B for pedestrian connectivity and recreation opportunities around the site and connecting with Jervois Park;
- construction of a new public pedestrian skywalk from the Esplanade, with a lift shaft and stairs adjacent Goyder Park, and terminating at the hotel's publicly available amenities. Note, this will be provided and detailed within the separate application for the Land bridge Luxury Waterfront Development;
- introduction of a shared pedestrian and vehicle zone in the Hughes Avenue, Kitchener Drive and Deckchair Cinema access road location. The shared space will create a link between Jervois Park, Goyder Park and the completed stages of the Darwin Waterfront, activating these existing green spaces and improving their attractiveness for use by the public;

- a comprehensively planned tourism hub, combining the luxury hotel, cruise ship terminal, new skywalk connection to the CBD, and future mixed-use development. This will improve the visitor experience and provide additional access and quality accommodation focused on a celebration of Darwin's unique history, culture and environment;
- completing important connections from civic, cultural and historical sites along the Darwin Harbour, from Lameroo Beach, Goyder Camp, Hughes Avenue, Fort Hill and Lovers Walk, Stokes Hill and the significant Larrakeyah sites, to modern Darwin and its civic, tourism and lifestyle hubs;
- over 1.5 kilometres of new and landscaped footpaths and cyclepaths throughout the proposed road network; and
- pedestrian paths that are designed to enhance the historical and cultural understanding of Darwin and offer opportunities for meaningful way-finding and storytelling.

The development agreement between the NT Government and Landbridge requires the construction of a skywalk to provide direct access from The Esplanade to Goyder Park and the hotel. Access will be available via the skywalk to the hotel's publicly available amenities. While not forming part of this application, the skywalk is detailed in the separate but related application.



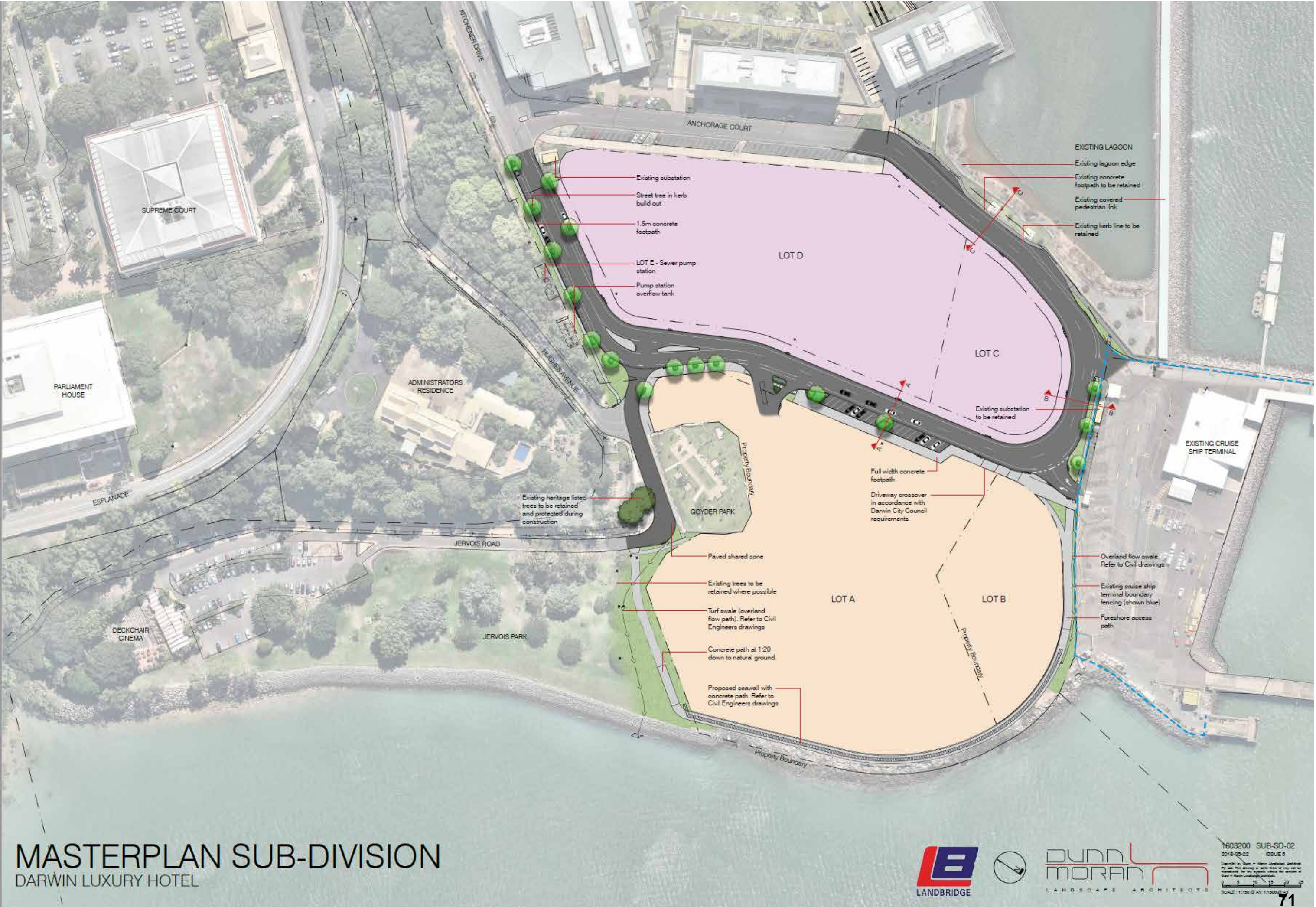
3.7 LANDSCAPING

A Subdivision Landscape Plan, prepared by Dunn Moran Landscape Architects, is attached at [ATTACHMENT N](#) and at [FIGURE 12](#). Landscaping will be provided within the road reserves that result from the subdivision. The species selected consider height and mass while ensuring shade is provided to pedestrians.

The planting of street trees proposed includes *Allosyncarpia termata*, *Barringtonia asiatica*, *Peltophorum pterocarpum* and verge understorey planting including; *Gardenia 'Glennie River'*, *Hymenocallis littoralis*, *Liriope* and *Rhoeo discolor*. Once established the street trees will require minimal to no watering during the dry-season.

The existing trees of heritage importance to the north of the shared pedestrian and vehicle zone will be retained and protected through the road works construction. It is the intention to also retain the existing trees within the adjacent Jervois Park.

A grassed swale is proposed along the boundary of Jervois Park and Lot A. A 4.0 metre-wide landscape strip is also proposed adjacent to the common boundary between Lot A and Jervois Park, providing an effective visual buffer.



3.8 SERVICES

Demand calculations have been undertaken on a development scenario consistent with the current land zoning, area plan and planning principles and are considered suitable for a range of potential development outcomes. All services will be located within road reserves or easements will otherwise be retained or created where necessary.

Investigations into the sewage infrastructure requirements for the area have determined the need for a sewer pump. Lot E is proposed for that purpose, to contain the additional sewage pump infrastructure.

The Site Services Report by Robert Bird Group (Attachment H) identifies upgrades for electricity, water, sewer and communications. A summary is provided below.

Electricity

The proposed electrical services are as follows:

- the Hughes Avenue feeder will reticulate underground from the ring main unit (RMU) adjacent Goyder Park through the services corridor along the new road between the hotel development site and the future development for Lots C and D, and terminate in the proposed hotel's indoor substation;
- from the new hotel indoor substation, the high-voltage (HV) feeder will continue along the same road and terminate in the existing Cruise Ship Terminal HV intake station. The existing HV service to the Cruise Ship Terminal that reticulates through future development Lots C and D from existing Power and Water Corporation (PWC) substation 3365 located at the junction of Kitchener Drive and Anchorage Court is to be removed;
- to complete the HV ring main the HV feeder from Hughes Avenue is required to reticulate from the Cruise Ship Terminal HV intake station and connect to an existing spare HV node located in existing PWC substation 3270 located in Building 6 of the existing waterfront development;
- to allow for future development of Lots C and D, PWC require a further HV connection from the new hotel indoor substation to an existing spare HV node located in existing PWC substation 3271 located in Building 4 of the existing waterfront development. The purpose of this connection is to complete the HV ring main within the entire Waterfront Precinct, where three HV feeders are present. Installation of this HV connection lies within the headworks for the future development of Lots C and D. Spare electrical conduits will be provided for this future HV connection under the early works package of the current development; and
- the existing LV services to the Deckchair Cinema, World War II Tunnels and the Origin Gas Facility on Jervois Road reticulate underground from existing PWC substation 3365 through site D1, the current proposed development site and Goyder Park to the junction of Jervois Road and Kitchener Drive. From here the LV services reticulate on overhead power poles along Jervois Road. A new PWC LV service is proposed originating at PWC substation 3271 located in Building 4 of the existing waterfront development, and reticulating outside of the property boundaries to the junction of Jervois Road and Kitchener Drive where an LV pillar will be installed. A metering panel will be installed on the existing overhead power pole in this location. The existing underground LV services running through the proposed lots will be removed.

Water

The proposed water reticulation is as follows:

- provide a 225-millimetre diameter water main from the existing 225-millimetre tee on the 375 millimetre main along the verge of Lots C and D of the new road reserve providing a loop connecting with the future connection and end of the existing 225-millimetre main crossing Anchorage Court;
- abandon existing 200-millimetre diameter main across the site and currently providing water supply to the Cruise Ship Terminal; and
- realignment of existing 375-millimetre diameter main at Jervois Road intersection.

Sewer

Sites for the created subdivision are proposed to be serviced by the following:

- 225/300-millimetre gravity sewer line from the Cruise Ship Terminal along the eastern verge of the new north-south road; and
- proposed pump station PS4 to be constructed on the north-western side of Kitchener Drive within Lot E.

The existing Deckchair Cinema is noted to be not part of the previous Darwin Waterfront master plan and is not required to be accommodated by the proposed pump station. The existing rising main from the Cruise Ship Terminal to be diverted to connect with the new gravity line and into the Pump Station PS4 pump station. The existing rising main along Anchorage Court is to be decommissioned.

The manhole near the Cruise Ship Terminal can be used to accommodate ship discharges for the Cruise Ship Terminal and port. A 20 L/s ship discharge was allowed in the master planning in the Design Philosophy Report and will be accommodated in conjunction of the subdivision flows in proposed gravity main leading to pump station PS4.

The master plan has allowed for the discharge of sewer flows for Lot A into the pump station PS4 to be conveyed and

treated external to the site. The Darwin Luxury Hotel within Lot A is proposed to include on-site sewer treatment and water reuse.

Communications

The communications consultant WSP have had discussions with NBN Co and Telstra regarding telecommunications services. The existing underground NBN Co fibre services enter the Waterfront Precinct via Hughes Avenue and reticulate to the Deckchair Cinema, World War II Tunnels and the Origin Gas Facility via existing Kitchener Drive and Jervois Road. These services are to remain as is.

The existing underground NBN Co fibre service also reticulates via existing Kitchener Drive to the Cruise Ship Terminal. This service will require relocation due to the new road arrangement. The new fibre service will follow the electrical services through the new services corridor along the new road and connect to an existing NBN Co pit located at the boundary of the Cruise Ship Terminal.

A new underground NBN Co fibre service will be provided via new conduit from an existing pit at the junction of Hughes Avenue and Kitchener Drive to the new hotel development main communications room. NBN Co will provide termination equipment within the communications

room and will draw new fibre cabling from the existing through the new conduit and terminate in the communications room.

Existing Telstra services reticulate in the same manner as the NBN services. Existing Telstra services to Jervois Road are to remain as is except where existing Telstra services will require relocating due to the new road arrangement. New Telstra services will reticulate through the new services corridors.

Gas

Origin Energy have advised that they intend on providing new gas pipework to connect the existing pipework currently terminated at Jervois Road and Anchorage Court, therefore allowing the existing Waterfront Precinct to be supplied from the existing underground storage tank on Jervois Road. This new pipework would also be appropriately sized to allow gas service to the current hotel development for Lots A and B and for the future development of Lots C and D. The new gas pipework to the hotel will reticulate in the new services corridor.



3.9 ACOUSTICS

Preliminary acoustic investigations were completed by WSP in February 2018 in order to quantify the existing local noise environment around the subject site. The noise environment was found to consist of road traffic noise movements along Kitchener Drive and Anchorage Court, general foot traffic, buses in the Fort Hill Wharf terminal, cruise ships, mechanical plant from the Charles Darwin University buildings and the Deckchair Cinema.

As a result of this specific development application for subdivision, no new noise sensitive uses will be created, nor will any new noise generating sources be placed on the subject site. Therefore an acoustic assessment at this time is deemed not required.

Adequate control of noise intrusion and emissions from potential future site uses such as residential, hotel or retail are expected to be achievable through the acoustic consideration during the design of building façades, orientation and placement of outdoor entertainment areas, and plant placement and performance specifications. Noise emissions will be required to be controlled in accordance with NT EPA and guidelines from the Darwin Waterfront Corporation guidelines where applicable.



3.10 CULTURE AND HERITAGE

In-Depth Archaeology has provided several recommendations for works across the site and are contained within the Archaeological Assessment. Appropriate practices and protections will be put in place as part of the Construction Management Plan.

3.11 CONSTRUCTION MANAGEMENT

A draft Construction and Environmental Management Plan has been prepared by SLR Consulting and is at [ATTACHMENT O](#). The plan will ensure that the development of the site is undertaken appropriately, employing environmental management practices to prevent adverse effects on the surrounding environments.

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

4.1 46(3) (A) – COMPLIANCE WITH THE PLANNING SCHEME

The NT Planning Scheme provides the following extract in relation to Zone CB:

“Clause 5.7 (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.

Clause 5.7 (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 subdivision and associated development works align with the purpose of Zone CB as they will facilitate future development on the site in accordance with the zone and the relevant planning principles and area plan by creating suitable land parcels for development with appropriate protection from storm surge. Future development of Lot A and B will provide tourist accommodation in the form of the luxury hotel, residential and commercial activities.

The subdivision application has considered pedestrian and vehicle movement and proposes foreshore pedestrian access, a street network that will encourage pedestrian activity and linkages to major nodes, while also proposing a network that is efficient and suitable for vehicle movements.

CLAUSE 6.14 relates to development of land that is subject to flooding and storm surge. The site is currently at risk of storm surge, is currently at an AHD of (in the majority) between AHD 5.0 to 6.0 and therefore subject to both primary and secondary storm surge. The clause advises that residential uses, strategic and community services should be avoided in the primary and secondary storm surge areas.

The application is for subdivision and there will be no land uses established through this application. Excavation and fill and the construction of a reinforced concrete sea wall are proposed to improve the suitability for development and reduce the risk of storm surge to Lot A and Lot B. Earthworks will be largely contained to Lots A and B. The rationale being that Lot A and B are identified for imminent development.

The works will ensure that the lot is suitable for development as it will be elevated to above 6.5 metres AHD, allowing for future floor levels to be 8.0 metres AHD. There will be no detriment to the suitability of the other allotments which will remain in their current state.

The sea wall will include a reinforced concrete vertical pile, incorporating a headstock to facilitate pedestrian and bicycle access at 5.5 metres AHD. A vertical concrete wave barrier then sits above the headstock to a height of 7.5 AHD.

CLAUSE 11.1.1 specifies minimum lot sizes and requirements for subdivisions and applies to the following:

“The purpose of this clause is to ensure that unzoned land and lots in Zones SD, MD, MR, HR, RR, RL, R, LI, GI, DV, FD, RD, H, WM and T will be of a size capable of accommodating potential future uses.”

There is no prescribed minimum lot size within Zone CB and accordingly the proposal complies.

The subdivision design has however considered:

- suitable lot sizes for staged development of the site that can accommodate a range of future development opportunities and do not inhibit potential land uses appropriate for the zone and envisaged by the Darwin City Waterfront Area Plan;
- pedestrian infrastructure that will encourage activity and provide linkages to major nodes;
- road and service infrastructure to meet the requirements of the existing users of the road and all foreseeable requirements; and
- the necessary site preparation, excavation and fill and sea wall works to ensure that Lot A and Lot B are suitable for the intended Landbridge Luxury Waterfront Development.

CLAUSE 14.1.1 provides planning principles and an area plan for the Darwin City Waterfront. On 21 November 2007, the NT Planning Scheme was amended with the clause in its current form. The clause provides direction on multiple aspects of development at the Darwin City Waterfront, including land uses, relationships with surrounding area, heritage, appropriate and quality design and storm surge. The subdivision application responds to the planning principles and area plan and will enable development in accordance with the objectives.

“1. Provide a diversity of uses that reinforce the area’s primary focus for leisure, entertainment and waterside living while reflecting its maritime and historical connections including:

- a. a major convention and exhibition centre;*
- b. cultural and leisure facilities (interpretive centres, galleries and the like);*
- c. recreational facilities (parks, safe swimming areas and the like);*
- d. tourist accommodation (hotel/serviced apartments);*
- e. a range of residential units;*
- f. cafes, bars and restaurants;*
- g. ground and first floor specialty retail and offices;*
- h. marina facilities; and*
- i. car parking.*

The subdivision will facilitate further development on the site in accordance with this clause, the NT Planning Scheme and associated policy documents. The subdivision design demonstrates consistency with the diversity of uses including leisure, entertainment, tourist accommodation, cafes, bars and restaurants, retail, car parking facilities, in addition to waterfront residential development. The enabling works associated with the subdivision will improve the suitability of the site for the development of a wide range of uses and will not inhibit the development opportunity for the site.

The proposed configuration of public roads and pedestrian connections provides connectivity and functionality to the existing and future port facilities, including tourist and passenger transport and connections to and from the cruise ship terminal.

“2. Promote an integrated mixed use development model that:

- a. is consistent with the operational requirements of the port;*

The subdivision and early works will facilitate the future development of the site in line with the Darwin City Waterfront Planning Principles and Area Plan providing a diversity of uses that are consistent with the operational

requirements of the port. The road network has taken into consideration the requirements associated with servicing an operating cruise ship terminal. The proposed pedestrian links will provide the connection between the city and the cruise ship terminal which currently does not exist.

- b. considers the impact of lighting installations on shipping navigation aids;*

The proposed street lighting will be designed to the relevant Australian Standards and is a relatively low level of light. There are no anticipated impacts on shipping navigation aids as a result of the proposed street lighting and the Darwin Port has provided a letter of no objection, refer **ATTACHMENT P**.

- c. accommodates Department of Defence requirements for a marshalling area adjacent Fort Hill Wharf, fuel supply pipelines, heavy vehicle access and associated operational safety and security requirements;*

Department of Defence Marshalling area adjacent Fort Hill wharf and fuel supply pipelines are no longer relevant. Ring road design has taken into consideration heavy vehicle access and associated operational safety and security requirements.

- d. accommodates the provision of utility services to Stokes Hill, Fort Hill and Iron Ore wharves and users of those wharves;*

This application will not prejudice the supply of utility services to surrounding wharves or their users.

- e. accommodates the safety requirements of ship refuelling at the wharves;*

All re-fuelling is now undertaken by Road Fuel tanker. When re-fuelling is underway, contractors comply with Darwin Port Operations Pty Ltd Bunkering and Non-Cargo Liquid Transfers at EAW and FHW Port Notice.

- f. co-locates noise tolerant uses, protects noise sensitive uses by locating them away from potential noise sources and employs appropriate noise attenuation measures;*

All works occurring in association with this application will be undertaken in accordance with the Environmental Protection Authority’s construction noise regulations.

- g. considers the proximity of the Naval Fuel Installation and the Stokes Hill Aboriginal Sacred Site in determining possible future uses for that part of Stokes Hill within the Darwin City Waterfront; and*

The Naval Fuel Installation is no longer in use and refuelling is undertaken by road fuel tanker. The Aboriginal Sacred Site referred to is a considerable distance from the area of proposed works.

- h. positions marine structures to ensure no adverse impacts on the operation of the port having regard to tidal studies and foreshore impacts.*

The sea wall will formalise the shoreline around Lot A. The wall is entirely terrestrial and is landward of the existing unconsolidated revetment wall and is clear of any port navigation channels. The design of the sea wall has included numerical modelling of design events causing elevated storm surge waves. The nearshore area is overlain by fine silts indicating relatively benign ambient conditions with minimal along shore coastal processes.

“3. Preserve, recognise and integrate declared heritage places, other sites of historical significance and aboriginal sacred sites within the area and nearby through:

- a. development of a culture and heritage trail that connects and interprets sites;*
- b. responsive design that respects items of significance and their setting;*
- c. retention of the site of Goyder’s Camp as a public open space area; and*
- d. preservation of nominated key views from Government House to the water and wharves.”*

The subdivision is an enabler for future development at the site and will not in itself result in the establishment of new uses. However, the importance and significance of Goyder Park as a public and historic place is recognised. Goyder Park is considered to provide an important role as a meeting place and node within the pedestrian circulation hub to enhance connections between the Darwin Waterfront, Jervois Park, The Esplanade and the CBD.

“4. Provide a safe, secure and equitable built environment and public domain that includes:

- a. a legible street structure which connects with the adjacent street network;*

The proposed road alignment will connect Kitchener Drive to Anchorage Court via the Fort Hill Wharf. The road alignment will relocate this loop to the east of Hughes Avenue reinforcing the major access to and from the site along Kitchener Drive.

The road connection to Hughes Avenue and Jervois Road will be a smaller cross section to enforce a slow speed environment along the Goyder Park frontage enabling improved pedestrian movements through this area. Pedestrian connections are further enhanced through the provision of the waterfront access around the site.

- b. facilities to accommodate public transport provision (buses, minibuses, taxis, private hire cars and the like);*

The road has been designed to accommodate allow public transport movements including widening around bends for bus movements.

- c. a pedestrian link from Smith Street allowing direct access to the site from the CBD;*

The proposed subdivision will include a network of footpaths within the defined road reserves. This allows for connections to be developed between the site and the existing pedestrian bridge connection to Smith Street.

- d. pedestrian and cycle paths which are well connected to existing adjacent routes;*

The network of pedestrian paths, including the waterfront access, will link with Jervois Park (with stairs to the Esplanade at the northern end), Hughes Avenue (footpaths to the Esplanade) and the path along the lagoon breakwater (adjacent the cruise ship terminal). Extension of Kitchener Drive will include extension of the footpath and will therefore link Goyder Park and Jervois Park with the waterfront area.

- e. uninterrupted public access to the water’s edge for the full extent of the site having regard to security, safety and operational requirements of users of the wharves;*

The proposal includes uninterrupted public access to the water’s edge atop of the sea wall. The access will be 4.0 metres wide, allowing for enjoyment and use by the

public. The sea wall has been designed such that the handrails are collapsible in storm surge events to reduce the extent of damage to the wall and the site infrastructure. The sea wall is of a width that allows for an emergency service or maintenance vehicle.

f. a series of connected, landscaped public open spaces that are designed to facilitate comfortable and safe use during the day and night;

The proposed road alignment includes pedestrian and cyclist paths and includes a link between Jervois Park with Goyder Park through a shared space. The shared space will activate Jervois Park and Goyder Park and improve their attractiveness as public spaces. The pedestrian network connects the foreshore area to the existing developed stages of the Waterfront development.

A Landscape Plan, prepared by Dunn Moran Landscape Architects, is attached at **ATTACHMENT N**. Landscaping will be provided within the road reserves and adjacent to pedestrian linkages that result from the subdivision. The species selected consider height and mass while ensuring shade is provided to pedestrians. The planting of street trees proposed includes *Allosyncarpia termata*, *Barringtonia asiatica*, *Peltophorum pterocarpum* and verge understorey planting including; *Gardenia 'Glennie River'*, *Hymenocallis*

littoralis, *Liriope* and *Rhoeo discolor*.

g. impounded water bodies with appropriate water quality for their intended use;

There are no water bodies intended for the site or proposed through this application.

h. positive relationships between buildings and streets to promote passive surveillance; and

There are no buildings proposed through this application.

i. active public or visually interesting ground floor uses.

The proposed development does not contain building development and as such this clause is not relevant.

5. Promote climatically responsive, energy efficient urban design and architecture that contributes to the character of the precinct by:

a. implementing sensitive water use practices across the site;

Landscaping will be provided within the road reserves and adjacent to Jervois Park that result from the subdivision. The species selected consider height and mass while ensuring shade is provided to pedestrians.

The planting of street trees proposed includes *Allosyncarpia termata*, *Barringtonia asiatica*, *Peltophorum pterocarpum* and verge understorey planting including; *Gardenia 'Glennie River'*, *Hymenocallis littoralis*, *Liriope* and *Rhoeo discolor*. Once established the street trees will require minimal to no watering during the dry-season.

A Landscape Plan, prepared by Dunn Moran Landscape Architects, is attached at **ATTACHMENT N**.

b. implementing a whole-of-site water management system which addresses both stormwater and groundwater;

Seasonal rainfall onto the grassed verges will infiltrate into the groundwater system. Stormwater flows from the road network will be collected by the civil drainage system. An overland flow grassed swale in Jervois Park will be retained.

c. incorporating strong landscape treatments to provide shade and which providing connected shade and weather protection structures linking all areas of high public use to the main axis of the CBD, Smith Street;

The proposed street trees have been located in kerb build-outs being a continuation of the streetscape treatment from Kitchen-er Drive. The tree species selected include large canopy trees that will provide shade

to the pedestrian footpath linking the site to existing footpaths in the surrounding area.

A 4.0 metre-wide landscape bed is also proposed adjacent to the common boundary between Lot A and Jervois Park, which includes pedestrian connections, providing a visual softening, shading and cooling element for this thoroughfare.

d. facilitating natural cross ventilation;
e. integrating generous balconies for outdoor living;
f. minimising direct solar penetration to all buildings through orientation and use of screens, awnings, eaves and the like; and
g. using construction materials appropriate to a tropical marine environment.

There are no buildings proposed in this application.

6. Relate the scale of development to both the surroundings and to reflect the desired future character by:

- a. considering the visual and acoustic privacy of adjoining residential development;
- b. creating positive mixed use relationships to reduce impacts between public and private uses;
- c. recognising the existing and ongoing requirements of users of the wharves and other adjacent facilities and land uses;
- d. generally siting development below the level of the vegetated escarpment;
- e. locating residential tower development at the periphery of the site and generally out of view of the CBD;
- f. considering view corridors in the siting and orientation of buildings and distribution of building heights;
- g. incorporating a range of building heights within identified building areas; and

The proposed development does not contain building development and as such this clause is not relevant.

h. considering the safety and security requirements of adjacent wharf facilities and the Defence (Areas Control) Regulations.

The proposed development will not jeopardise the continuation of wharf activities presently being undertaken by private and public operators at the Stokes Hill Wharf. There are no longer areas within Defence Regulations. Darwin Port has provided a letter of no objection regarding the impact of the development to the cruise ship terminal.

7. Consider storm surge levels by:

- a. including a marina and seawall, with a minimum top level of 5.5m AHD;
- b. siting the lowest floors (commercial and residential) within the development at a minimum of 6.5m AHD; and
- c. providing appropriate coastal protection particularly to residential and commercial properties.

A sea wall is proposed to provide site protection from storm surge in addition to providing ground retention for the intended development of the site. The sea wall has also been designed to facilitate public foreshore access with the incorporation of a 4.0-metre-wide pedestrian and cycling thoroughfare.

The sea wall will include a reinforced concrete vertical piled wall, incorporating a headstock to facilitate the pedestrian and bicycle access at 5.5 metres AHD. A vertical concrete wave barrier then sits above the headstock to a height of 7.5 AHD. The protection provided by the sea wall will prevent property and infrastructure damage and reduce risk of loss of life and is an integral part of the overall development of the site, while also facilitating waterfront access for pedestrians and cyclists.

The earthworks strategy is based on excavating the existing surface to form the underside of the basement for the future hotel and filling to the required proposed levels for the future hotel. Earthworks will be largely contained to Lots A and B. The rationale being that Lot A and B are identified for imminent development. There will be no detriment to the suitability of the other allotments which will remain in their current state. The works will ensure that Lot A and Lot B are suitable for development and works will raise the level to above RL 6.5 metres AHD generally and the habitable hotel areas to RL 8.0 metres.

4.2 CAPITAL CITY CHARTER

The Capital City Charter is a document confirming the commitment between the Northern Territory Government and the City of Darwin. The charter recognises six key aspects:

1. A vibrant, creative and active central city area
2. A safe community environment
3. Attractive and climatically appropriate design
4. Improved public spaces
5. Valuing cultural heritage
6. A sustainable city

The subdivision proposal responds to these aspects by facilitating lots for future development through site preparation, excavation and fill, construction of a sea wall and provision of all necessary services.

The subdivision proposal provides pedestrian linkages and infrastructure which will activate Jervois and Goyder Parks and the Darwin Waterfront area broadly, improving the attractiveness of a previously industrial area, and adding to the social fabric of Darwin. The heritage importance and value of Goyder Park has been recognised and respected in the subdivision design.

4.3 DARWIN CITY CENTRE MASTER PLAN, 2014

The Darwin City Centre Master Plan, 2014 provides guidance for the ongoing development of the City of Darwin.

Whilst the subject of this application is subdivision, the proposal forms the early stages of the development of the land as a luxury hotel, residential complex and skywalk. To this end, the future stages of the proposal adhere to the broad vision and guiding principles of the Darwin City Master Plan, in that the proposed hotel and development of the site:

- aligns with the key vision of “Darwin as the northern gateway capital city” providing tourist accommodation ancillary to the existing port activities associated with the tourism industry;
- with the goal of the design rationale to link the green and blue networks – to connect the city to the harbour;
- provide pedestrian links which assist in achieving the City recreation loop to create a walkable, bikeable city;
- ensures connections maximise land value, social and economic potential of land;
- provide connections to the harbour including access and views; and
- promotes the continuation of maritime activities and links to maintain transport, culture and tourism.

4.4 DARWIN REGIONAL LAND USE PLAN, 2015

The proposed subdivision and eventual development of the site accords with the vision underpinning the Darwin Regional Land Use Plan 2015 (DRLUP) in that it will assist in:

- further the position of Darwin in the Asia-Pacific region as an international business and tourism destination close to the economic and transport hubs of South-East Asia such as Singapore and Jakarta;
- promote Darwin as the only major city and port on Australia’s north coast, through development of the waterfront and the expansion of its role as a major service, tourism and trade centre;
- promote the waterfront as a national and international key tourist gateway to natural and cultural destinations in northern Australia;
- provide economic benefit to the region through job and business opportunity creation in both the short and long terms and improve the competitiveness of Darwin; and
- support healthy, active and enjoyable lifestyles through the provision of active transport infrastructure, and positioned to take advantage of Darwin’s harbour.

The DRLUP does not explicitly discuss the need to provide parcels of land for tourist accommodation in close proximity to the waterfront, albeit that the Northern Territory Government has acknowledged that their objective is to meet the unsatisfied demand for luxury accommodation in Darwin through a vibrant, integrated development of the waterfront. This subdivision application represents the early staged development of the Landbridge Luxury Waterfront Development, which is broadly in accordance with the vision for the DRLUP with regard to capitalising on Darwin’s unique tourism industry.

4.5 46(3) (B) – INTERIM DEVELOPMENT CONTROL ORDER

Interim Development Control Order's (IDCO) No. 24 and No. 25 apply to all land in Zone CB (Central Business) in the municipality of Darwin.

Neither IDCO has an effect on the subdivision proposal.

4.6 46(3) (C) – PUBLIC ENVIRONMENTAL REPORT/ENVIRONMENTAL IMPACT STATEMENT

An Environmental Impact Statement was prepared for the original development at the Darwin Waterfront. The original developer of the Darwin Waterfront is no longer involved with the development of the land and as such the original development concept has altered.

A Comparative Environmental Impact and Mitigation Analysis has been prepared for the Landbridge Luxury Waterfront Development at the site to review any changes to environmental considerations. On 10 March 2017, the assessment was submitted to the NT Environment Protection Authority (EPA). On 16 May 2017, correspondence was received from NT EPA confirming *“that the environmental significance of the project has not changed and has does not require further assessment under the EA Act.”*

4.7 46(3) (D) – MERITS OF PROPOSED DEVELOPMENT

The proposal has considerable merits including:

- the facilitation of land for future development through site preparation works, excavation and fill, construction of a sea wall and the provision of appropriate service and road infrastructure;
- provision of a logical and legible street network which connects public spaces;
- pedestrian and cyclist connections including a 4.0-metre-wide foreshore access; and
- a shared zone between Goyder and Jervois Park which will activate these spaces and the Darwin Waterfront area generally.

4.8 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 demonstrate the site can accommodate this form of development.

There is no anticipated detriment to the surrounding locality, rather, the proposal will provide suitable land for the intended use of the land as a hotel. Infrastructure associated with the hotel development will be formalised and constructed as a result of this subdivision which will facilitate the future development of the land for its intended purpose.

4.9 46(3) (F) – AVAILABLE PUBLIC FACILITIES/OPEN SPACE

The application is for subdivision to facilitate a mixed-use development in accordance with the NT Planning Scheme and the strategic policy. The application is consistent with the proposed Landbridge Luxury Waterfront Development and provides public spaces and activates existing open space.

4.10 46(3) (G) – AVAILABLE PUBLIC UTILITIES/INFRASTRUCTURE

Power, water, sewer and communication services and road infrastructure will be provided as a result of this application. Future development scenarios have been considered and the proposed infrastructure will be appropriate for foreseeable future development of the site.

4.11 46(3) (H) – IMPACT ON AMENITY

The proposed subdivision and associated works are not anticipated to have a detrimental impact on the surrounding locality. Rather, the proposal will enable the development of the site and a transformation from a currently unused industrial parcel of land to a luxury waterfront development.

4.12 46(3) (J) – BENEFIT/DETRIMENT TO PUBLIC INTEREST

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

4.13 46(3) (K) – COMPLIANCE WITH BUILDING ACT

A building certifier's statement has not been obtained as the land is vacant.



5.0 CONCLUSION

The application for subdivision will enable the future development of the site. The proposal has considerable merit, including the facilitation of the land for future development through site preparation, excavation and fill, a sea wall and the provision of services and road infrastructure.

The proposal will add to and positively benefit the existing pedestrian and cyclist network, including public foreshore access and a shared space between Jervois and Goyder Park. The road and pedestrian infrastructure will be landscaped and will activate the existing open spaces and the Darwin Waterfront area generally.

The application has carefully considered the NT Planning Scheme and associated policy documents, including the Darwin City Waterfront Planning Principles and Area Plan, the Capital City Charter, the Darwin City Centre Master Plan and the Darwin Regional Land Use Plan.

The proposal provides the foundation for the future development of the land in an orderly and economic manner. This represents the logical extension and development of the Waterfront area.

Accordingly, the application warrants the most favourable consideration of the relevant authorities.

Jack Priestley
23 May 2018