Business Papers

1st Ordinary Council Meeting

Tuesday, 13 June 2017
5.00pm

Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend a 1st Ordinary Council Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 13 June 2017, commencing at 5.00pm.

B P DOWD
CHIEF EXECUTIVE OFFICER

CITY OF DARWIN

ONE HUNDRED AND FOURTEENTH ORDINARY MEETING OF THE TWENTY-FIRST COUNCIL

TUESDAY, 13 JUNE 2017

MEMBERS: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chair); Member R K Elix; Member J A Glover; Member G J Haslett; Member R M Knox; Member G A Lambert; Member G Lambrinidis; Member S J Niblock; Member M Palmer; Member R Want de Rowe; Member E L Young.

OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Dr D Leeder; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Ms A Malgorzewicz; Executive Manager, Mr M Blackburn; Committee Administrator, Mrs P Hart.

Enquiries and/or Apologies: Penny Hart
E-mail: p.hart@darwin.nt.gov.au
PH: 8930 0670

WEBCASTING DISCLAIMER

The City of Darwin is live webcasting the Open Section of Ordinary Council Meetings. Audio-visual recording equipment has been configured to avoid coverage of the public gallery area and the City of Darwin will use its best endeavours to ensure images in this area are not webcast. However the City of Darwin expressly provides no assurances to this effect and in the event your image is webcast, you will by remaining in the public gallery area be taken to have given the City of Darwin a non-exclusive licence to copy and broadcast your image worldwide for no reward.

*** * * INDEX * * *** **PAGE**

1. ACKNOWLEDGEMENT OF COUNTRY 6

2. THE LORD'S PRAYER 6

3. MEETING DECLARED OPEN 6

4. APOLOGIES AND LEAVE OF ABSENCE 6

5. ELECTRONIC MEETING ATTENDANCE 7

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF 7

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

7.1 Ordinary Council Meeting 30/05/17.....7

8. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING/S

8.1 Business Arising 7

9. MATTERS OF PUBLIC IMPORTANCE.....8

10. DEPUTATIONS AND BRIEFINGS.....8

11. PUBLIC QUESTION TIME.....8

12. CONFIDENTIAL ITEMS

12.1 Closure to the Public for Confidential Items.....9
12.2 Moving Open Items Into Confidential.....9
12.3 Moving Confidential Items Into Open.....9

13. PETITIONS.....9

14. NOTICE(S) OF MOTION.....9

15.1 OFFICERS REPORTS (ACTION REQUIRED)

15.1.1 Review of Policy No 061- Elected Members Induction and Training Policy 11
15.1.2 Council Responses to Liquor Licence Applications - June 2017 17

15.2 OFFICERS REPORTS (RECEIVE & NOTE).....28

16. TOWN PLANNING REPORT/LETTERS

16.1 Council Responses to Planning Applications - June 2017.....30
16.2 Planning Scheme Amendment PA2017/0203 - Clause 7.5 (Private Open Space) 55
16.3 Naming of One New Road - Flightpath Road - Department of Infrastructure, Planning and Logistics, Berrimah North 74

17. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED.....83

18. REPORTS OF REPRESENTATIVES 83

19. QUESTIONS BY MEMBERS 83

20. GENERAL BUSINESS.....83

21. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING 83

22. CLOSURE OF MEETING TO THE PUBLIC 83

23. ADJOURNMENT OF MEETING AND MEDIA LIAISON.....83

1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD'S PRAYER

3. MEETING DECLARED OPEN

4. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

4.1 Apologies

4.2 Leave of Absence Granted

A. THAT it be noted Member G A Lambert is an apology due to a Leave of Absence previously granted on 16 May 2017 for the period 1 June to 5 July 2017.

B. THAT it be noted Member R M Knox is an apology due to a Leave of Absence previously granted on 30 May 2017 for the period 8 to 16 June 2017.

C. THAT it be noted Member S J Niblock is an apology due to a Leave of Absence previously granted on 30 May 2017 for the period 11 to 19 June 2017.

4.3 Leave of Absence Requested

5. ELECTRONIC MEETING ATTENDANCE
Common No. 2221528

5.1 Electronic Meeting Attendance Granted

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 16/04/12, the following members were granted permission for Electronic Meeting Attendance at this the One Hundred and Fourteenth Ordinary Council Meeting held on Tuesday, 13 June 2017:

- Member R M Knox
- Member S J Niblock

5.2 Electronic Meeting Attendance Requested

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF
Common No. 2752228

6.1 Declaration of Interest by Members

6.2 Declaration of Interest by Staff

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
Common No. 1955119

7.1 Confirmation of the Previous Ordinary Council Meeting

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 30 May 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

8. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING/S

8.1 Business Arising

9. MATTERS OF PUBLIC IMPORTANCE

10. DEPUTATIONS AND BRIEFINGS

Nil

11. PUBLIC QUESTION TIME

12. CONFIDENTIAL ITEMS

Common No. 1944604

12.1 Closure to the Public for Confidential Items

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the following Confidential Items:-

Item	Regulation	Reason
C25	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C27.1	8(e)	information provided to the council on condition that it be kept confidential
C29.1.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C29.1.2	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C29.1.3	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C29.1.4	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

12.2 Moving Open Items Into Confidential

12.3 Moving Confidential Items Into Open

13. PETITIONS

14. NOTICE(S) OF MOTION

15.1 OFFICERS REPORTS (ACTION REQUIRED)

ENCL: YES	1ST ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM:	15.1.1

REVIEW OF POLICY NO. 061 – ELECTED MEMBER INDUCTION AND TRAINING POLICY

REPORT No.: 17TC0037 MB:ph COMMON No.: 2078949 DATE: 13/06/2017

Presenter: **Executive Manager, Mark Blackburn**

Approved: **Chief Executive Officer, Brendan Dowd**

PURPOSE

The purpose of this report is to review Policy No 061 - Elected Member Induction and Training Policy.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal
5 Effective and Responsible Governance
Outcome
5.3 Good governance
Key Strategies
5.3.2 Display contemporary leadership and management practices

KEY ISSUES

- In accordance with Policy No 032 - Policy and Procedures Framework, policies will be reviewed during each Council term.
- Officers consider that Policy 061 Elected Members Induction and Training Policy **Attachment A** does not require any amendments and recommends that Council re-endorse this policy.

RECOMMENDATIONS

A. THAT Report Number 17TC0037 MB:ph entitled, Review of Policy No 061- Elected Members Induction and Training Policy is received and noted.

B. THAT Council endorse Policy No 061 - Elected Members Induction and Training Policy at **Attachment A** to Report Number 17TC0037 MB:ph entitled, Review of Policy No 061 Elected Members Induction and Training Policy.

BACKGROUND

In accordance with Council Policy No 032 Policy and Procedures Framework, policies will be reviewed during each Council term, in line with any reviews to the Strategic Plan or when there is a change to circumstances or legislation.

DISCUSSION

The Chief Executive Officer received very positive feedback from Council following the three week induction and training program in 2012.

A similar three week program is under development for the 22nd Council.

It is recommended that Council re- endorse the current Policy No 061 - Elected Member Induction and Training Policy (**Attachment A**).

CONSULTATION PROCESS

This report was considered by the Executive Leadership Team on 7 June 2017 and now referred to Council for consideration.

POLICY IMPLICATIONS

Policy review completed by the 21st Council.

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

MARK BLACKBURN
EXECUTIVE MANAGER

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

For enquiries, please contact Mark Blackburn on 8930 0516 email: m.blackburn@darwin.nt.gov.au

Attachments:

Attachment A: Policy No 061 Elected Members Induction and Training Policy

policy

Title: **Elected Member Induction and Training Policy**

Policy No: 061

Adopted By: Council

Next Review Date: 01/10/2015

Responsibility: Chief Executive Officer

Document Number: 2119343

Version	Decision Number	Adoption Date	History
1	20\4447	27/09/2011	Adopted
2			
3			
4			

1 Policy Summary

The Policy commits the Council to implementing a structured induction program after each general election and ongoing targeted support in corporate governance with a view to:

- Establishing a clear understanding of the roles and responsibilities of the City of Darwin, individual Elected Members and the CEO and Council staff;
- Developing a strong professional working relationship between the Elected Members and between the Elected members and senior staff led by the CEO; and
- Reviewing City of Darwin's strategic direction and major projects establishing a firm basis for the forthcoming Council term.
- Ensuring a high standard of corporate governance is applied.

2 Policy Objectives

The intent of this policy is to confirm the commitment of City of Darwin to a formalised process for inducting the newly elected Council following each general election and the provision of ongoing training and support in corporate governance.

3 Background

All Elected Member positions become vacant at the end of each term of office. The vacant positions are filled at a general election and the newly elected Members form a new Council.

Ensuring the Council Members are able to fulfil their roles appropriately, including the establishment of goals and priorities for the forthcoming Council term, and

building a positive team relationship with the Chief Executive Officer and other senior staff can be substantially enhanced through a structured induction program.

4 Policy Statement

An Induction Program will be designed by the Chief Executive Officer and presented to the outgoing Council for consideration prior to each general election. Once adopted by Council the CEO has delegated authority to make any necessary arrangements.

All Elected Members are expected to actively participate in the Induction Program of the Council and ongoing training in corporate governance.

Induction Program Content

The program will include the following:

- **Orientation**

  The Induction Program will include an orientation component for first time Council Members.

- **Relationship Building**

  The Induction Program will focus on building professional working relationships recognising that, although they have different roles and responsibilities, Council Members and the Chief Executive Officer, have shared responsibility for the development of strategies, priority setting, efficient resource use and overall performance of services delivered to the community. The development of a strong working relationship based on a clear understanding of the different but complementary roles of the Council as a whole, individual Council Members, and the Chief Executive Officer is fundamental to effective operations and achieving outcomes for the Council and its community.

- **Strategic Directions**

  As an early priority the new Council needs to review the strategic directions, initiatives and major projects approved by the previous Council and the Induction Program will include briefings with sufficient detail to ensure that all Council Members have a common understanding of key policy areas and ongoing projects.

- **Conduct of Elected Members and Procedure at Meetings**

  Equally important to decision making is the smooth functioning of the elected Council and the cooperation of Elected Members. The Induction Program will provide for information and discussion of the law and procedure of meetings, a review of City of Darwin's Code of Conduct for Elected Members and sufficient opportunities for team building amongst Council Members.

The CEO will arrange an orientation program including an overview of Meeting Procedures for any first time Elected Member elected at a By-election and, with the Lord Mayor, brief the newly Elected Member on roles and responsibilities and Council's strategic priorities.

- **Corporate Governance**

The Chief executive Officer will consult with Elected Members at the conclusion of the Induction Program to develop a needs based corporate governance training and support program.

5 Legislation, Terminology and References

Induction is defined as the work done with the newly elected Council, the individual Members of the Council and members of the Council staff over the first six months of the new Council in order to prepare them to capably perform their different roles. Orientation, providing new and newly elected Council Members with an understanding of the environment they will work within, is one aspect of induction.

6 Implementation and Delegation

The CEO has delegated authority to implement the approved program including authority to set dates/times for workshops and the like so that early advice can be given to candidates after the close of nominations and to arrange any necessary external resources.

7 Evaluation and Review

This Policy should be evaluated six months prior to each General Election on the basis of compliance with the policy, Elected Member satisfaction with policy outcomes and any operational issues identified by the CEO.

ENCL: YES	1ST ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM: 15.1.2

COUNCIL RESPONSES TO LIQUOR LICENCE APPLICATIONS - JUNE 2017

REPORT No.: 17C0042 MG:kl **COMMON No.: 3198011** **DATE: 13/06/2017**

Presenter: **Manager Recreation, Events & Customer Services, Matt Grassmayr**

Approved: **General Manager Community & Cultural Services, Anna Malgorzewicz**

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Liquor Licence Applications.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal
1. Collaborative, Inclusive and Connected Community
Outcome
1.4 Improved relations with all levels of government and significant stakeholders
Key Strategies
1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- Council has been advised of 4 liquor licence applications for comment.
- This report details City of Darwin Officers' recommended responses to the Northern Territory Government for the licence applications.
- Council has endorsed its 'Safer Vibrant Darwin Plan 2016-2019', which outlines strategic directions and action that contribute to a safer, more vibrant community. Recommendations within this report align with the framework.

RECOMMENDATIONS

A. THAT Report Number 17C0042 MG:kl entitled Council Responses To Liquor Licence Applications - June 2017, be received and noted.

B. THAT Council endorse the letter to the Director-General of Licensing at **Attachment A** to Report Number 17C0042 MG:kl entitled Council Responses To Liquor Licence Applications - June 2017, noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act to the application from Double Tree by Hilton Esplanade Darwin.

C. THAT Council endorse the letter to the Director-General of Licensing at **Attachment B** to Report Number 17C0042 MG:kl entitled Council Responses To Liquor Licence Applications – June 2017, noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act to the application from Darwin Railway Sports and Social Club.

D. THAT Council endorse the letter to the Director-General of Licensing at **Attachment C** to Report Number 17C0042 MG:kl entitled Council Responses To Liquor Licence Applications - June 2017, noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act to the application from Darwin Ski Club.

E. THAT Council endorse the letter to the Director-General of Licensing at **Attachment D** to Report Number 17C0042 MG:kl entitled Council Responses To Liquor Licence Applications – June 2017, noting Council objects under Section 47F(2) of the Liquor Act to the application from Horizen Café.

BACKGROUND

City of Darwin received 4 liquor licence applications for comment.

Considerations under the Liquor Act

Licensing NT has advised City of Darwin that the following sections of the Liquor Act are relevant to these applications:

Under section 32A(5) of the Liquor Act, “If the application relates to premises within the area of a shire council or a regional council, the Director-General must, as soon as reasonably practicable, inform the CEO of the council that the application has been made.”

Grounds For Objection Under Section 47F(2) Of The Liquor Act
Pursuant to Section 47F(2) of the Liquor Act, an objection may only be made on the grounds that the grant of the licence may or will adversely affect:

(a) The amenity of the neighbourhood where the premises the subject of the application are or will be located; or

(b) Health, education, public safety or social conditions in the community.
Under Section 32A(2) of the Liquor Act, where the Director-General deems that the notice of publication is not required Section 47F does not apply. The Director-General may seek advice from stakeholders, but an objection under Section 47F(2) is not available as the application is not required to be published.

DISCUSSION

Liquor Licence Applications that City of Darwin Officers cannot identify any reason that would be grounds for objection under Section 47F(2) of the Liquor Act.

City of Darwin received 3 liquor licence applications that Council Officers cannot identify any reason that would be grounds for objection. Responses to these applications are provided in **Attachments A, B & C** to this report.

Applicant	Description of Application
Double Tree by Hilton Esplanade Darwin 116 Esplanade Darwin	Application for a Permanent Variation to Liquor Licence. Double Tree by Hilton Esplanade Darwin has applied for a Permanent Variation to Liquor Licence. The proposed variation is: • To remove the takeaway condition from their liquor licence. There is no requirement for advertising with this application as it has been determined by Licensing NT that the removal of the takeaway conditions are deemed not to be in the public interest. Therefore, while stakeholders may make comment, an objection under Section 47F(2) is not available. No Council owned or controlled land is affected by the proposal. Council advocates for supply reduction, demand reduction and harm minimisation to meet the objectives of the Safer Vibrant Darwin Plan. The removal of the ability to serve takeaway aligns with this framework and Council Officers recommend that Council support this variation.

Applicant	Description of Application
Darwin Railway Sports and Social Club 1/16 Somerville Gardens Parap	Application for a Permanent Variation to Liquor Licence. Darwin Railway Sports and Social Club has applied for a Permanent Variation to Liquor Licence. The proposed variation is: • To remove the takeaway condition from their liquor licence. There is no requirement for advertising with this application as it has been determined by Licensing NT that the removal of the takeaway conditions are deemed not to be in the public interest. Therefore, while stakeholders may make comment, an objection under Section 47F(2) is not available. No Council owned or controlled land is affected by the proposal. Council advocates for supply reduction, demand reduction and harm minimisation to meet the objectives of the Safer Vibrant Darwin Plan. The removal of the ability to serve takeaway aligns with this framework and Council Officers recommend that Council support this variation.
Northern Territory Water Ski Association “Darwin Ski Club”	Application for a Permanent Variation to Liquor Licence. Darwin Ski Club has applied for a Permanent Variation to Liquor Licence. The proposed variation is: • To permanently vary their liquor licence to add a Pop Up bar (2mx3m) to the grass area on their existing licensed premises. This will be used during function type events to cater for people attending those events. This bar will only operate within their existing licensed hours. There is no requirement for advertising with this application as it has been determined by Licensing NT that Darwin Ski club is not asking for any extra hours or extension of their licensed area, the variation is deemed not to be in the public interest. Therefore, while stakeholders may make comment, an objection under Section 47F(2) is not available.

Applicant	Description of Application
	No Council owned or controlled land is affected by the proposal. Council Officers recommend that Council support this variation.

Liquor Licence Applications that City of Darwin Officers recommend Council object to.

Council has received one application that Council Officers recommend Council object to. A response to this application is provided in **Attachment D** to this report.

Applicant	Description of Application
Horizen Café 6 Carey Street, Darwin	Application for a Permanent Variation to Liquor Licence. Horizen Café has applied for a Permanent Variation to Liquor Licence. The proposed variation is: • An application to permanently vary Horizen Café's Restaurant Licence to an "On" Liquor Licence. Horizen Café is a pre-existing café established in the Ramada Suites Zen Quarter Building. Horizen café operations holds a restaurant liquor licence. The current licensed area is level three including the cafe/restaurant inside, outside and the pool area. Currently guests are only able to consume liquor purchased in the cafe/restaurant in the licensed area or purchase liquor from outside off licenses for consumption in their rooms. The proposal to vary to an "On" Liquor Licence will allow takeaway sales from Horizen Café, however it will limit guests and residents staying at the Ramada Suites to purchase alcohol exclusively from the café. Alcohol purchased outside would not be able to be taken onto the premises. The proposed variation would not allow alcohol to be taken off the premises, but this would be difficult to regulate.

Applicant	Description of Application
	No Council owned or controlled land is affected by the proposal. City of Darwin has endorsed the Safer Vibrant Darwin Plan 2016-2019 which includes Supply Reduction Advocacy as a priority area. City of Darwin seeks a decline in the volume of alcohol being consumed and an overall reduction in alcohol supply and takeaway licences. One of the principles of the Darwin Safer City Program is supply reduction advocacy to address the adverse impacts of alcohol and to ensure the amenity and safety of the community. The variation of Horizen Café's Restaurant Licence to an "On" Liquor Licence increases the number of takeaway outlets within the CBD and may adversely affect the amenity of the neighbourhood and or the health, education, public safety or social conditions in the community, which is grounds for objection under Section 47F(2) of the Liquor Act. Given that Council has committed significant resources to address the adverse impacts of alcohol, Council should object to this application.

CONSULTATION PROCESS

In preparing this report, the following City of Darwin Officers were consulted:

- Manager Community Development

In preparing this report, the following External Parties were consulted:

- Principal Liquor, Gaming & Racing Licensing Officer, Licensing NT

POLICY IMPLICATIONS

Council has endorsed the Safer Vibrant Darwin Plan 2016-2019. This Plan provides Council a framework to work towards a safer, healthier and more inclusive community. Underpinning the Plan is a focus on reducing the harms associated with excessive alcohol consumption and abuse. Council advocates for supply reduction, demand reduction and harm minimisation to meet the objectives of the Safer Vibrant Darwin Plan.

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Risk, legal and legislative implications, if applicable, are noted in individual letter responses.

ENVIRONMENTAL IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

MATT GRASSMAYR
MANAGER RECREATION, EVENTS & CUSTOMER SERVICES

ANNA MALGORZEWICZ
GENERAL MANAGER COMMUNITY & CULTURAL SERVICES

For enquiries, please contact Anna Malgorzewicz on 89300633 or email: a.malgorzewicz@darwin.nt.gov.au.

Attachments:

Attachment A: Draft letter to the Director-General noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act for the application from Double Tree by Hilton Esplanade Darwin.

Attachment B: Draft letter to the Director-General noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act for the application from Darwin Railway Sports and Social Club.

Attachment C: Draft letter to the Director-General noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act for the application from Darwin Ski Club.

Attachment D: Draft letter to the Director-General noting Council's objection to the application from Horizen Café under Section 47F(2) of the Liquor Act.

14 June 2017 Please quote: 3198011 AM:kl

Director-General
Gambling and Licensing Services
GPO BOX 1154
DARWIN NT 0800

Dear Director-General

PERMANENT VARIATION TO LIQUOR LICENCE – DOUBLE TREE BY HILTON ESPLANADE

At the 1st Ordinary Council meeting on 13 June 2017, Council considered the above liquor licence application.

Council wishes to advise it has not identified any reason that would be grounds for objection under Section 47(2) of the Liquor Act for the application for the Permanent Variation to Liquor Licence by Double Tree by Hilton Esplanade Darwin.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER

COMMUNITY & CULTURAL SERVICES

DRAFT

14 June 2017 Please quote: 3198011 AM:kl

Director-General
Gambling and Licensing Services
GPO BOX 1154
DARWIN NT 0800

Dear Director-General

PERMANENT VARIATION TO LIQUOR LICENCE – DARWIN RAILWAY SPORTS AND SOCIAL CLUB

At the 1st Ordinary Council meeting on 13 June 2017, Council considered the above liquor licence application.

Council wishes to advise it has not identified any reason that would be grounds for objection under Section 47(2) of the Liquor Act for the application for the Permanent Variation to Liquor Licence by Darwin Railway Sports and Social Club.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER

COMMUNITY & CULTURAL SERVICES

DRAFT

14 June 2017 Please quote: 3198011 AM:kl

Director-General
Gambling and Licensing Services
GPO BOX 1154
DARWIN NT 0800

Dear Director-General

PERMANENT VARIATION TO LIQUOR LICENCE – DARWIN SKI CLUB

At the 1st Ordinary Council meeting on 13 June 2017, Council considered the above liquor licence application.

Council wishes to advise it has not identified any reason that would be grounds for objection under Section 47(2) of the Liquor Act for the application for the Permanent Variation to Liquor Licence by Darwin Ski Club.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER

COMMUNITY & CULTURAL SERVICES

DRAFT

14 June 2017 Please quote: 3198011 AM:kl

Director-General
Gambling and Licensing Services
GPO BOX 1154
DARWIN NT 0800

Dear Director-General

PERMANENT VARIATION TO LIQUOR LICENCE – HORIZEN CAFE

At the 1st Ordinary Council meeting on 13 June 2017, Council considered the above liquor licence application.

Council has endorsed the Safer Vibrant Darwin Plan, which outlines its intention to contribute to a safer, more vibrant community. One of the principles of the Darwin Safer City Program is supply reduction advocacy to address the adverse impacts of alcohol and to ensure the amenity and safety of the community.

The variation of Horizen Café's Restaurant Licence to an "On" Liquor Licence increases the number of takeaway outlets within the CBD and may adversely affect the amenity of the neighbourhood and or the health, education, public safety or social conditions in the community, which is grounds for objection under Section 47F(2) of the Liquor Act.

Given that Council has committed significant resources to address the adverse impacts of alcohol, Council objects to this application.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER

COMMUNITY & CULTURAL SERVICES

DRAFT

15.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil

16. TOWN PLANNING REPORT/LETTERS

ENCL: YES	1ST ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM: 16.1
	COUNCIL RESPONSES TO PLANNING APPLICATIONS - JUNE 2017	
REPORT No.: 17TS0050 BS:hd	COMMON No.: 2547669	DATE: 13/06/2017

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Planning Applications received between 20 May and 2 June 2017.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal
1. Collaborative, Inclusive and Connected Community
Outcome
1.4 Improved relations with all levels of government and significant stakeholders
Key Strategies
1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- A summary of City of Darwin responses to the Development Consent Authority for Development Applications exhibited between 20 May and 2 June 2017.

RECOMMENDATIONS

A. THAT Report Number 17TS0050 BS:hd entitled Council Responses to Planning Applications - June 2017, be received and noted.

B. THAT Council endorse the responses to the Development Consent Authority within **Attachment A** and **B** to Report Number 17TS0050 BS:hd entitled Council Responses to Planning Applications - June 2017.

BACKGROUND

City of Darwin responded to seven Development Applications received between 20 May and 2 June 2017.

DISCUSSION

City of Darwin officers recommend supporting six of the seven Development Applications received.

Development Applications supported, subject to normal Council conditions

The table below describes the Development Applications that have been supported by City of Darwin officers, subject to Council's normal Development Permit conditions in regard to issues including, but not necessarily limited to, waste collection, access and stormwater drainage.

Responses to these Development Applications are provided as **Attachment A** to this report.

Property Address	Description of Development Proposal
Lot 11147- Town of Nightcliff **6 Lemke Street, Muirhead**	Unit title scheme subdivision to create two units and common property (Muirhead duplex)
Lot 9243 - Town of Nightcliff **11 Camphor Street, Nightcliff**	Alterations and additions to an existing licensed club (Nightcliff Sports Club)
Lot 1836, 1837, 4861, 4862, 4863, 8635 - Town of Nightcliff **4, 6, 6A, 8 & 10 Pearce Place & 9 Sprigg St, Millner**	Change of use from shop/office to medical clinic (Rapid Creek Business Centre)
Lot 6441 - Hundred of Bagot **631 Stuart Highway, Berrimah**	Change of use from office to office and medical clinic (Berrimah Business Park)
Lot 6656 - Town of Darwin **30 Frances Bay Drive, Darwin**	Alterations and additions to an existing restaurant (Fisherman's Wharf)
Lot 3584 - Town of Darwin **49 Wilmot Street, The Narrows**	Carport addition to an existing single dwelling with a reduced secondary street setback (Requires 1.5 metres, proposes 0.8 metres. Landscaping plan requested to minimise the variation)

Development Applications that have been objected to:

The table below describes the Development Application that has been objected to by City of Darwin officers, for the reasons outlined below.

The response to this Development Application is provided as **Attachment B** to this report.

Property Address	Description of Development Proposal	Objected / Not Supported
Lot 1211 - Town of Darwin **13 Lambell Terrace, Larrakeyah**	3 single dwellings in 3 single storey buildings	Objected to under Section 49 of the *Northern Territory Planning Act* due: • insufficient front setback; • insufficient private open space; • no adequate landscaping plan provided; • concerns regarding traffic impacts; and • other variances from the Zone MD objectives.

CONSULTATION PROCESS

In preparing this report, the following City of Darwin officers were consulted:

- Acting Strategic Town Planner
- Planning Officer

POLICY IMPLICATIONS

Relevant Council policies are noted in individual letter responses.

BUDGET AND RESOURCE IMPLICATIONS

Budget implications may arise from individual development applications, including payment in lieu of car parking, payment of various contribution plans, and long term upgrading of infrastructure and services as a result of accumulative development.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Risks, legal and legislative implications, if applicable, are noted in individual letter responses.

ENVIRONMENTAL IMPLICATIONS

Environmental implications, if applicable, are noted in individual letter responses.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

DROSSO LELEKIS
MANAGER DESIGN, PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

For enquiries, please contact David Burrow on 8930 0412 or email: d.burrow@darwin.nt.gov.au.

Attachments:

Attachment A: Letters of support, subject to normal Council conditions, for Development Applications not yet considered by the Development Consent Authority

Attachment B: Letter of objection, for Development Applications not yet considered by the Development Consent Authority

ATTACHMENT A

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

24 May 2017

Please quote: 3532345 BS:hd
Your reference: PA2017/0213

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

Dear Mr Brennan

Parcel Description: **Lot 11147- Town of Nightcliff**
6 Lemke Street, Muirhead

Proposed Development: **Unit title scheme subdivision to create 2 units and common property**

Thank you for the Development Application referred to this office 10 May 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

No issues are raised for this Development Application in relation to matters that fall within the responsibility of City of Darwin.

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

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

26 May 2017

Please quote: 3533537 DB:hd
Your reference: PA2017/0212

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

Dear Mr Brennan

Parcel Description: **Lot 9243 - Town of Nightcliff**
11 Camphor Street, Nightcliff

Proposed Development: **Alterations and additions to an existing licensed club**

Thank you for the Development Application referred to this office 11 May 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

i). **City of Darwin supports the granting of a Development Permit provided the following issues are adequately addressed:**

a). The subject land abuts a Council reserve. At a minimum a dilapidation report and an Environment and Construction Management Plan (ECMP) are required.

b). It is noted that the current waste receptacles for the licensed club are located outside of the subject land within Council's reserve. Council requests that a waste storage area be established onsite. This can be achieved through the provision of a Waste Management Plan demonstrating waste disposal, storage and disposal and removal in accordance with City of Darwin's Waste Management Policy 054.

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 Council owned land to the satisfaction of the General Manager Infrastructure, City of Darwin at no cost to Council.**

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

1). The plan shall include details of site levels and City of Darwin's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to City of Darwin's system.

2). City of Darwin requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into City of Darwin's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

c). **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's Infrastructure department.

d). **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,
- haulage routes,
- storm water drainage,
- use of City of Darwin land, and
- how this land will be managed during the construction phase;

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

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

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

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 Council's land adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.

- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.

- Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.

- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the

requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

26 May 2017

Please quote: 3533594 DB:hd
Your reference: PA2017/0193

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

Dear Mr Brennan

Parcel Description: **Lots 1836, 1837, 4861, 4862, 4863, 8635 - Town of Nightcliff**
4, 6, 6A, 8 & 10 Pearce Place & 9 Sprigg St, Millner

Proposed Development: **Change of use from shop/office to medical clinic**

Thank you for the Development Application referred to this office 11 May 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

i). **City of Darwin does not object to the granting of a Development Permit and offers the following comments.**

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.

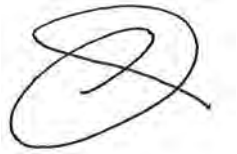
- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.

- 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.

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
STRATEGIC TOWN PLANNER

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

26 May 2017

Please quote: 3533655 DB:hd
Your reference: PA2017/0198

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

Dear Mr Brennan

Parcel Description: **Lot 6441 - Hundred of Bagot**
631 Stuart Highway, Berrimah

Proposed Development: **Change of use from office to office and medical clinic**

Thank you for the Development Application referred to this office 11 May 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

No issues are raised for this Development Application in relation to matters that fall within the responsibility of City of Darwin.

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

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

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

26 May 2017

Please quote: 3538769 DB:hd
Your reference: PA2017/0210

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

Dear Mr Brennan

Parcel Description: **Lot 6656 - Town of Darwin**
30 Frances Bay Drive, Darwin

Proposed Development: **Alterations and additions to an existing restaurant**

Thank you for the Development Application referred to this office 19 May 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

i). **City of Darwin does not object to the granting of a Development Permit.**

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

a). **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.

b). **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 the General Manager Infrastructure, City of Darwin.

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

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

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.

- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- 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.

- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.

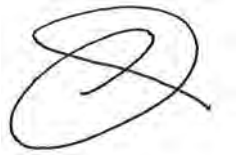
- Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.

- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to a separate application to City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

2 June 2017

Please quote: 3538806 DB:hd
Your reference: PA2017/0176

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

Dear Mr Brennan

Parcel Description: **Lot 3584 – Town of Darwin**
49 Wilmot Street, The Narrows

Proposed Development: **Carport addition to an existing single dwelling with a reduced secondary street setback**

Thank you for the Development Application referred to this office 19 May 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

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

a). The proposed development is located within one metre of the allotments secondary road frontage. Subsequently, the proposal has the ability to impact upon the amenity of the locality. Council requests that the applicant take steps to mitigate the impact of the proposed development through the provision and maintenance of landscaping within the nature strip to the satisfaction of Council at the applicants expense. This should include a minimum of one tree located directly adjacent the eastern allotment boundary within the road verge.

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 the General Manager Infrastructure, City of Darwin at no cost to Council.**

b). **Landscaping for the portion of road verge located between the eastern allotment boundary and City of Darwin curbing be provided to the satisfaction of City of Darwin at the applicants cost prior to the commencement of any building work. This shall include a minimum of one tree located directly adjacent the development.**

c). **This is in order to mitigate the impact of the reduced setback and any removal of existing vegetation that may be required within the allotment.**

d). **City of Darwin requests that the Authority require a schematic plan demonstrating that stormwater run-off is capable of being discharged across the lot surface to the main drainage system or to an approved alternate connection.** The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged to City of Darwin's drainage network.

1). City of Darwin stormwater discharge guidelines do not allow concentrated discharge of stormwater from a single dwelling lot to adjoining properties or the road reserve. All stormwater is to be piped or dispersed via sheet flow to the road reserve.

e). **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 the General Manager Infrastructure, City of Darwin.

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

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

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.

- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.

- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, City of Darwin.

- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided, stormwater shall be collected and discharged into City of Darwin's drainage network, and reinstatement works carried out, all of which is to be provided at the applicant's expense and to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

- Any gate over an access to a public road shall be placed on the subject site at least 4.5 metres from the face of the kerb line of the adjoining public road.

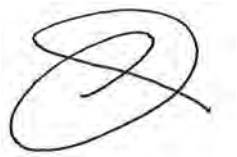
- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue Darwin NT 0800 GPO Box 84 Darwin NT 0801 E darwin@darwin.nt.gov.au P 08 8930 0300 F 08 8930 0311

2 June 2017

Please quote: 3542475 DB:hd
Your reference: PA2017/0063

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

Dear Mr Brennan

Parcel Description: **Lot 1211 - Town of Darwin**
13 Lambell Terrace, Larrakeyah

Proposed Development: **3 single dwellings in 3 single storey buildings**

Thank you for the Development Application referred to this office 25 May 2017, concerning the above. This letter may be placed before City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

It is noted that some of the issues listed below were previously mentioned in the Development Application for sub-division PA2017/0077. At the time these comments were considered to not relate to the subdivision application. Subsequently, some of those issues previously raised by Council are reiterated below.

The following issues are raised for consideration by the Authority:

i). **City of Darwin strongly objects to the granting of a Development Permit under Section 49 of the *Northern Territory Planning Act* for the following reasons:**

Multiple Dwelling Residential – Zone MD, Clause 5.2 of the Northern Territory Planning Scheme (Scheme), is intended to provide for a range of housing options. However, the scale, character and architectural style of infill development within Zone MD should be compatible with the streetscape and surrounding development. In addition, development on lots less than 600m^2 in area should be integrated in terms of design and site layout with adjacent development and street infrastructure.

This proposal does not meet the objectives of Clause 5.2 and is incompatible within the locality for the following reasons:

a). **Reduced Front Setback**

As the proposed dwellings are located within allotments comprising less than 600m^2 but not less than 300m^2, City of Darwin considers Clause 7.3.3 of the Scheme to be crucial in assessing this Development Application. The proposed developments do not meet the provisions of Clause 7.3.3 for the following reasons:

Clause 7.3.3 Reduced Setbacks for Single Dwellings on Lots less than 600m^2 but not less than 300 m^2 subclause (4) of the Scheme states that "Despite Table A to clause 7.3, a single dwelling on a lot subject to this clause may, in accordance with the table to this clause, have a reduced front setback to **habitable rooms** only…" The plans indicate that the proposed development will have a reduced front setback for a non-habitable carport. Subsequently, the proposed variation to the front setback does not comply with Clause 7.3.3 of the Scheme.

Furthermore, Table to Clause 7.3.3 allows the front building setback (to) be reduced for **habitable rooms** to no less than 3 metres subject to the provisions of sub clause 4. Sub clause 4 of the Scheme specifies that a "reduced front setback to **habitable rooms** (can) only (occur), providing … (b) that any non-habitable structure, such as any garage or carport, shall have a front setback of no less than 6m…" Subsequently, the proposed variation to the front setback does not comply with Table to Clause 7.3.3 of the Scheme.

Clause 7.3.3 of the Scheme ensures that any proposed developments consider passive surveillance and that the scale, character and architectural style of any proposed developments are compatible within the locality. City of Darwin requests that the provisions of Clause 7.3.3 of the Scheme be adhered to prior to any permit being granted.

b). **Reduced Private Open Space Area**

Table to Clause 7.5 Minimum Areas of Private Open Space specifies that **single dwellings** on a lot of less than 600m^2 should provide 50m^2 of Private Open Space Area (exclusive of driveways and parking areas) but inclusive of an area with minimum dimensions of 6m x 6m. It is noted that the applicant has provided the minimum of 50m^2 of Private Open Space Area and requested a variation of the minimum dimensions to 5m x 6m.

If no reduction in the front setback was present such a variation might be considered, however, subject to Clause 7.3.3 of the Scheme "a reduced front setback to **habitable rooms** (can) only (occur) providing: the area of the reduction is to allow an equal increase to the minimum provision of compliant private open space in accordance with 7.5 (emphasis added)." Subsequently, it is considered that due to the reduction in the front setback, such a variation to the requirements for Private Open Space Area should not be granted.

Furthermore, the compounding effect of minimal private open space, reduced front setbacks and site coverage of over 50% is considered to be incompatible with the scale, character and architectural style within the locality.

c). **Landscaping**

The Landscaping Plan submitted does not provide any detail with regard to the species and location of certain plantings. Subsequently, Council cannot provide sufficient comment on the proposed landscaping plan, particularly with regard to Clause 6.12 sub clause 3 which states that "landscaping should be designed so that … (3) it takes into account the existing streetscape, or any landscape strategy in relation to the area." Subsequently, City of Darwin recommends that the applicant provide an amended landscaping plan prepared by a suitably qualified person indicating the species, placement of species and demonstrating how the landscaping will complement the character of the area.

In addition, the applicant should provide landscaping within the road verge to the satisfaction of City of Darwin at the applicants expense.

d). **Traffic Engineers' Assessment Report**

As per Condition 4 of Development Permit DP17/0135 relating to the subdivision of the subject land, City of Darwin and the Consent Authority require a traffic engineer's assessment report detailing adequate sightlines for pedestrians, cyclists and vehicles in regard to the proposed crossovers. Due to the limited amount of information currently provided, Council requests that this information be provided prior to this Development Application being determined in order to prevent any possible complications.

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 the General Manager Infrastructure, City of Darwin at no cost to Council.**

b). **Access to the site shall meet City of Darwin requirements, particularly the width of the proposed crossovers. City of Darwin is requesting that the applicant provide an engineer's traffic assessment detailing adequate access sightlines for pedestrians, cyclists and vehicles.**

c). **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.**

d). **A landscaping plan for any portion of the road verge located between the allotment boundaries and City of Darwin curbing must be provided to the satisfaction of City of Darwin prior to the commencement of any building work.**

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). **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 the General Manager Infrastructure, City of Darwin.

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

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

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

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.

- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, City of Darwin.

- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided, stormwater shall be collected and discharged into City of Darwin's drainage network, and reinstatement works carried out, all of which is to be provided at the applicant's expense and to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.

- Stormwater connections to City of Darwin stormwater system and works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

If you require any further discussion in relation to this application, please feel free to contact me on 8930 0412.

Yours faithfully

DAVID BURROW
ACTING STRATEGIC TOWN PLANNER

ENCL: YES	1ST ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM: 16.2

PLANNING SCHEME AMENDMENT PA2017/0203 - CLAUSE 7.5 (PRIVATE OPEN SPACE)

REPORT No.: 17TS0055 DB:hd **COMMON No.: 3539480** **DATE: 13/06/2017**

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to refer to Council for comment, Pursuant to Section 19 of the *Planning Act*, the following development application: Planning Scheme Amendment PA2017/0203 - Clause 7.5 (Private Open Space)

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal
1. Collaborative, Inclusive and Connected Community
Outcome
1.4 Improved relations with all levels of government and significant stakeholders
Key Strategies
1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- The proposed amendment will amend the Planning Principles and Table within Clause 7.5 and associated table of the Northern Territory Planning Scheme (NTPS), in order to alter the requirements for private open space.
- The proposed amendment will separate the requirements for private open space between covered and uncovered areas.
- The proposed amendment will reduce the minimum dimensions required for private open space.
- It is recommended that Council not support the proposed Planning Scheme Amendment to reduce the requirements for private open space until further research, explanation and justification is received into the relevance of these changes, with particular regard to the proposed minimum dimensions.

RECOMMENDATIONS

A. THAT Report Number 17TS0055 DB:hd entitled Planning Scheme Amendment PA2017/0203 - Clause 7.5 (Private Open Space), be received and noted.

B. THAT Council endorse the submission, dated 14 June 2017, to the Reporting Body within **Attachment A** to Report Number 17TS0055 DB:hd entitled Planning Scheme Amendment PA2017/0203 - Clause 7.5 (Private Open Space).

BACKGROUND

The proposed amendment relates to Clause 7.5 Minimum Areas of Private Open Space of the NTPS. The proposed amendment was distributed to industry groups, accompanied by workshops with builders and designers conducted earlier this year. City of Darwin has only recently been made aware of the proposed changes through the Statutory Process.

DISCUSSION

Proposed Amendment

The NTPS amendment to Clause 7.5 Minimum Areas of Private Open Space will restructure existing subclauses 1, 2, 3 and 5 in order to clarify and separate the purposes of the clause and performance criteria.

The only notable addition to Clause 7.5 is the revision of subclause 2c which currently states that “private open space areas should be permeable and open to the sky.” This has been replaced with subclause 2d which “ensure(s) that at least half of the private open space is permeable and open to the sky… (emphasis added).”

The proposed changes to table to Clause 7.5 Minimum Areas of Private Open Space are provided within **Attachment A**. The following is a breakdown of the changes for each dwelling type listed.

A multiple dwelling without direct ground level access: currently requires 12m^2 inclusive of an area with minimum dimensions of 2.8m x 4m. The proposed amendment will remove the requirement for a minimum dimension of 4 metres.

A multiple dwelling with direct ground level access: currently requires 45m^2 but inclusive of an area with minimum dimensions of 5m x 5m permeable and open to the sky (sub clause 2c). The proposed amendment will increase the minimum requirements to 69m^2 and require 45m^2 open vertically to the sky with no dimension less than 1.5 metres, as well as 24m^2 all or partly covered, with no dimension less than 4 metres. In addition, any excess area open vertically to the sky may substitute for the requirement for the covered area.

A single dwelling on a lot less than 450m^2 but not less than 300m^2: currently requires 50m^2 but inclusive of an area with minimum dimensions of 6m x 6m which should be permeable and open to the sky (sub clause 2c). The proposed amendment will increase the minimum requirements to 69m^2 and require 45m^2 open vertically to the sky with no dimension less than 1.5 metres as well as 24m^2 all or partly covered, with no dimension less than 4 metres. In addition, any excess area open vertically to the sky may substitute for the requirement for the covered area.

Independent unit in addition to the private open space requirement for the single dwelling: currently required 45m^2 but inclusive of an area with minimum dimensions of 5m x 5m which should be permeable and open to the sky (sub clause 2c). The proposed amendment will increase the minimum requirements to 69m^2 and require 45m^2 open vertically to the sky with no dimension less than 1.5 metres as well as 24m^2 all or partly covered, with no dimension less than 4 metres. In addition, any excess area open vertically to the sky may substitute for the requirement for the covered area.

Single dwelling on a lot no less than 450m^2: currently a single dwelling on an allotment greater than 600m^2 has no specified requirement for private open space. However, a single dwelling on an allotment between 450m^2 and 600m^2 requires 50m^2 but inclusive of an area with minimum dimensions of 6m x 6m which should be permeable and open to the sky (sub clause 2c). The proposed amendment will increase the minimum requirements to 69m^2 and require 50m^2 of private open space, for any dwelling on allotment greater than 450m^2, open vertically to the sky with no dimension less than 1.5 metres as well as 24m^2 all or partly covered, with no dimension less than 6 metres. In addition, any excess area open vertically to the sky may substitute for the requirement for the covered area.

<u>Comment</u>

As listed above there are various changes to Clause 7.5 of the NTPS. The changes are predominantly to do with formatting. An increase in the total requirement for private open space from 50/45m^2 to 69/64m^2 is considered generally acceptable.

The following concerns have been raised with regard to the proposed amendments.

Open vertically to the sky, with no dimension less than 1.5 metres
The current Clause 7.5 requires the inclusion of an area of private open space 5m x 5m/6m x 6m. The proposed amendment will require a minimum dimension of only 1.5 metres for any private open space open vertically to the sky. A minimum dimension of 1.5 metres is considered likely to lead to areas being created which are unable to be used effectively for recreation and/or deep soil planting (subclause 2e). 1.5 metres is also the required setback for single dwellings along the rear and side allotment boundaries. Subsequently, rear and side setbacks would likely be used as private open space rather than providing usable private open spaces areas with appropriate dimensions.

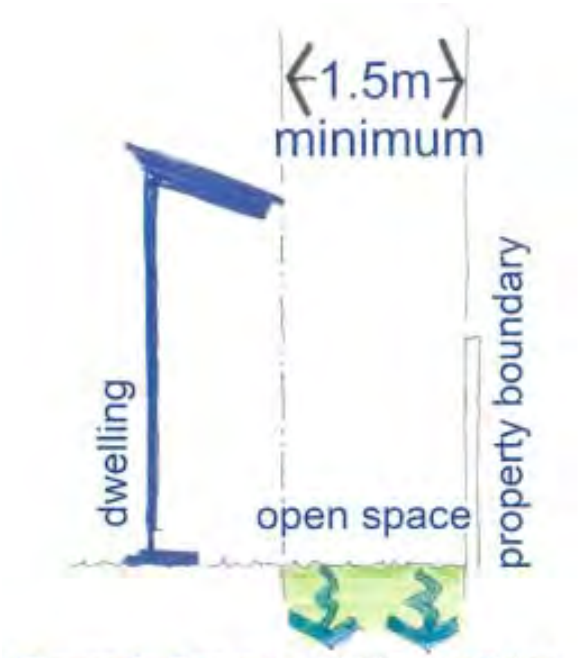


Figure 2: Example within a building setback

Further explanation and justification is required from the Department of Infrastructure, Planning and Logistics for the changes in minimum dimensions to 1.5 metres for private open space areas.

The intent of the amendment

The Department of Planning and Logistics note that "in 2015, urban Councils and industry agencies raised concern with the growing 'sea of roofs' and reduced potential for 'leafy suburbs' to mature. Consequently, in September 2015 clause 7.5 was amended to require private open space to be 'open to the sky' with an area of tree planting."

The proposed amendments come as a response to "the prevalence of ground level construction; and rather gradual adaption to the more relaxed setback rules for smaller allotments."

However, private open space area is generally used to offset the prevalence of ground level construction and ensure sufficient space for outdoor recreation and vegetation for the residents. Furthermore, the relaxation of consistent setbacks, including the ability to have 'zero lot boundaries', intensifies the need to provided adequate private open space within allotments.

Private open space has the ability to contribute to an urban forest which in turn is likely to assist in reducing overall temperatures within residential areas. Subsequently, reductions in private open space, either in area or dimension are likely to create additional demand on public open space for both recreation and vegetation.

Summary

The proposed Planning Scheme Amendment will:

- Result in restructuring existing Clause 7.5 in order to clarify and separate the purpose of the clause and performance criteria including:
  - Ensure that at least half of the private open space is permeable.
- Result in restructuring and numerical changes to table in Clause 7.5, including;
  - Increasing the total private open space area required;
  - Separating the requirement for covered and uncovered private open space;
  - Reducing the minimum dimensions for private open space; and
  - Adding minimum private open space requirements for a single dwelling on any lots greater than 600m^2.

Although the changes to Clause 7.5 and the table in Clause 7.5 of the NTPS are considered to be generally acceptable, the minimum dimension of 1.5 metres for private open space open vertically to the sky (uncovered) is not, unless it can be demonstrated that such minimal dimensions are capable of providing adequate private open space for uses such as general recreation and deep soil planting for shade trees. A minimum dimension of 1.5 metres is considered to significantly restrict usable private open space. In addition, it is recommended that Council seek further explanation and justification for the proposed Planning Scheme Amendment and its impact on Council's public open space infrastructure.

CONSULTATION PROCESS

In preparing this report, the following City of Darwin officers were consulted:

- Acting Strategic Town Planner
- Planning Officer

In preparing this report, the following External Parties were consulted:

- Department of Infrastructure, Planning and Logistics

POLICY IMPLICATIONS

City of Darwin policies are unlikely to be impacted as private open space does not impact on Council land.

BUDGET AND RESOURCE IMPLICATIONS

No budget or resource implications have been identified.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

No risk, legal, legislative implications is expected from this application.

ENVIRONMENTAL IMPLICATIONS

The amendments to the requirements for private open space have the potential to affect development of the City of Darwin as a tropical and liveable city.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

DROSSO LELEKIS
MANAGER DESIGN, PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

For enquiries, please contact David Burrow on 8930 0412 or email: c.robson@darwin.nt.gov.au.

Attachments:

Attachment A: City of Darwin, Letter of Response to Reporting Body, dated 14 June 2017
Attachment B: Development Application, Planning Scheme Amendment PA2017/0203 - Clause 7.5 (Private Open Space)

CITY OF DARWIN
ABN 11 503 313 301

Civic Centre Harry Chan Avenue
Darwin NT 0800
GPO Box 84 Darwin NT 0801
E darwin@darwin.nt.gov.au
P 08 8930 0300
F 08 8930 0311

14 June 2017

Please quote: 3539480 :hd
Your reference: PA2017/0203

Mr Brendan Dowd
Chairman
NT Planning Commission
GPO Box 1680
DARWIN NT 0801

Dear Mr Dowd

Northern Territory Planning Scheme Amendment to Clause 7.5 (Minimum Private Open Space Area)

Thank you for the Proposed Planning Scheme Amendment referred to this office 22 May 2017, concerning the above. This letter was placed before City of Darwin's Ordinary Council Meeting held 13 June 2017. Council endorsed the letter, as below.

City of Darwin does not support the amendments to Clause 7.5 (Minimum Private Open Space Area) of the Northern Territory Planning Scheme for the following reasons.

a). **Intent of Planning Scheme Amendment**

City of Darwin is concerned with the lack of explanation behind this Planning Scheme Amendment. As mentioned in the proposal "in 2015, urban Councils and industries raised concern with the growing 'sea of roofs' and reduced potential for 'leafy suburbs' to mature." City of Darwin continues to be concerned about the prevalence of ground level construction and lack of vegetated open space. An increase in private open space could contribute to an urban forest which will likely assist in reducing overall temperatures within residential areas.

The current requirements for private open space area are thought to assist with supporting vegetation and a contribution to an urban forest. There appears to be limited explanation behind the removal of these requirements from the proposed amendment.

City of Darwin requires additional analysis into the need for these amendments to private open space and any subsequent reductions in area or dimensions. This should also be assessed in relation to the amount and quality of public open space.

…/2

b). **Minimum dimension of 1.5 metres**
City of Darwin notes that Table to Clause 7.5 of the Northern Territory Planning Scheme currently requires 45/50m^2 of private open space inclusive of an area with minimum dimensions of 5m x 5m/6m x 6m. These minimum dimensions currently ensure that at least some usable private open space will be provided with suitable dimensions. The proposed minimum dimension of 1.5 metres for private open space open vertically to the sky is considered insufficient in providing adequate usable private open space.

City of Darwin requires additional explanation and justification with regard to the inclusion of this minimum dimension. City of Darwin also requests an increase in the minimum dimensions for private open space open vertically to the sky in order to ensure usable private open space is provided.

City of Darwin acknowledges the proposed restructuring of Clause 7.5 to clarify and separate the purpose of the clause and performance criteria, and to be consistent with other clauses within the Northern Territory Planning Scheme.

The separation of requirements for private open space into covered and uncovered with an overall increase from 45/50m^2 to 64/69m^2 is considered generally acceptable in ensuring private open space is provided.

However, City of Darwin requires additional explanation and justification for the changes to Clause 7.5 Minimum Areas of Private Open Space, with particular clarification as to whether the proposed minimum dimension of 1.5 metres is adequate for the needs of residents and the supporting of vegetation.

If you require any further discussion in relation to this application, please contact me on 08 8930 0528 or c.robson@darwin.nt.gov.au.

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

NORTHERN TERRITORY OF AUSTRALIA

PROPOSAL TO AMEND NT PLANNING SCHEME
PA2017/0203

The Minister for Infrastructure, Planning and Logistics is seeking comment on an amendment to Clause 7.5 (Private Open Space) of the NT Planning Scheme.

The purpose of this amendment is to clarify the intended function of private open space and to provide greater flexibility with respect to dwelling design.

The current Clause 7.5 (Private Open Space) and proposed amendments are at pages 3 to 6 of this Exhibition Package, following a brief background. An accompanying fact sheet on the application of Clause 7.5 is at pages 7 to 10.

Period of Exhibition and Lodging a Submission

The exhibition period is from Friday, 19 May 2017 to Friday, 16 June 2017.

Written submissions about the proposed planning scheme amendment are to be received by 11:59pm on Friday, 16 June 2017 and addressed to:

NT Planning Commission
GPO Box 1680
DARWIN NT 0801; or

Email: planning.dlpe@nt.gov.au; or

Fax: (08) 8999 7189; or

Hand delivered to:
Level 2, Energy House,
18 – 20 Cavenagh Street, Darwin

For more information please contact Mr Chris Humphries, Lands Planning on telephone (08) 8924 7513.

1. PROPOSAL

A draft Planning Scheme Amendment has been prepared to alter Clause 7.5 (private open space) to clarify the purpose of the clause and to support greater flexibility in the design of private open space.

A copy of the draft Planning Scheme Amendment follows, accompanied by a fact sheet providing guidance on the application of Clause 7.5.

2. BACKGROUND

The 2007 NT Planning Scheme rationalised over 40 different planning documents into a single integrated Scheme. Clause 7.5 (Private Open Space) was introduced at this time to provide consistent minimum area and dimension requirements for private open space across the Territory. From 2007 to 2015, clause 7.5 required that single dwellings provide a minimum of 50m² of private open space inclusive of an area with minimum dimensions of 6m x 6m.

The requirements of clause 7.5 were effective for single dwellings on larger 'traditional' urban lots.

As smaller lots, especially between 300m^2 and 450m^2, have emerged as a popular product in the housing market, the traditional 'back yard' has become a much smaller outside area; and a large part of this small yard is frequently impervious or roofed.

This trend has started to compromise the potential for gardens to establish with tree planting that, in time, will create shade and contribute to the visual amenity and ambience of our new suburbs.

Figure 1 below shows side-by-side images of an older Darwin suburb of smaller houses on 800m² lots and a new suburb of large ground level homes on lots between 300m² and 450m².

Figure 1: Traditional Darwin Suburb and new 'small lot' suburb

In 2015, urban Councils and industry agencies raised concern with the growing 'sea of roofs' and reduced potential for 'leafy suburbs' to mature. Consequently, in September 2015 clause 7.5 was amended to require private open space to be 'open to the sky' with an area suitable for tree planting. A fact sheet followed the amendment with guidelines on how to comply with the new requirements.

3. DISCUSSION

The ‘open to the sky’ requirement presented difficulties for some builders of single dwellings on lots between 300m² and 450m². Contributing factors are the prevalence of ground level construction; and rather gradual adaption to the more relaxed setback rules for small lots, especially the opportunity of a zero building setback to one side boundary.

Planning Branch monitored the building industry situation for twelve months and, at the end of 2016, determined that options to ‘fine tune’ clause 7.5 should be developed.

In February 2017, Lands Planning proposed a subsequent amendment to Clause 7.5 to clarify the purpose of the clause and introduce a greater degree of design flexibility, especially for the smaller lots. The proposed amendment was distributed to industry groups for comment, and workshops were held to explore any issues that builders and designers might have with the proposed changes.

The proposed changes to the written clause do little more than clarify the intended purpose of private open space under the Planning Scheme. It is the “table to the clause” that provides the additional design flexibility, particularly for single dwellings on lots between 300m² and 450m². In this range of lot sizes the ‘open to the sky’ requirement is reduced from 50m² to 45m² and the minimum dimensioned area from 36m² to 24m² with no dimension less than 4m. These changes provide designers the flexibility to configure private open space around a wider range of dwelling layouts.

Following industry engagement, it has only been necessary to make minor changes to the proposed amendment, and feedback from industry on both the process and the changes has been positive.

4. CONCLUSION

The proposed amendment has been prepared to meet industry needs and is placed on public exhibition as a planning scheme amendment to invite broader comment.

Current version and proposed amendments to Clause 7.5 (private open space)

7.5 Private Open Space (Current – introduced to the Planning Scheme in September 2015)

1. The purpose of this clause is to ensure that each dwelling has private open space that is:
   (a) of an adequate size to provide for domestic purposes;
   (b) appropriately sited, permeable and open to the sky; and
   (c) inclusive of areas of deep soil for shade tree planting.

2. Private open space areas should:
   (a) satisfy the minimum area and dimensions contained in the table to this clause;
   (b) be directly accessible from the dwelling and enable an extension of the function of the dwelling; and
   (c) be permeable and open to the sky.

3. Private open space on lots less than 600m² should:
   (a) be sufficiently permeable to allow stormwater infiltration and lessen stormwater runoff from the site;
   (b) include at least one area of approximately 5m² for the deep soil planting of shade trees; and
   (c) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

4. Where the private open space is at ground level and other than for a single dwelling, or a single dwelling and associated independent unit it should be:
   (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or
   (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.

5. The location of the private open space should take into account views from the site, the natural features of the site and the location of any private open space or habitable room associated with neighbouring dwellings.

6. If a **dwelling** within a **multiple dwelling** development has no direct access at ground level to private open space, compliance with subclauses 2(c) and 3 is not required providing the **multiple dwelling** development incorporates communal open space.

7. The consent authority may approve an application for a **multiple dwelling** development comprising serviced apartments in Zone TC that is not in accordance with sub-clauses 2 and 3 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.

66

Current version and proposed amendments to Clause 7.5 (private open space)

TABLE TO CLAUSE 7.5 Minimum Areas of Private Open Space	
Type of Dwelling	**Private Open Space Area**
single dwelling on a lot of less than 600m²	50m² (exclusive of driveways and parking areas) but inclusive of-an area with minimum dimensions of 6m x 6m.
independent unit	for the **single dwelling** 50m² (exclusive of driveways and parking areas) but inclusive of an area with minimum dimensions of 6m x 6m. and for the **independent unit** 45m² (exclusive of driveways and parking areas) but inclusive of an area with minimum dimensions of 5m x 5m.
multiple dwellings (for each **dwelling** with direct ground level access).	45m² (exclusive of driveways and car **parking areas**) but inclusive of an area with minimum dimensions of 5m x 5m.
multiple dwellings (for each **dwelling** without direct ground level access).	12m² inclusive of an area with minimum dimensions of 2.8m x 4m.

7.5 Private Open Space (Proposed amendments)

The proposed amendments to clause 7.5 are shown on the following pages.
The text highlighted in red is new or altered text.

The following dot points summarise the proposed changes to the clause:

- Existing subclauses 1, 2, 3 and 5 are restructured into new subclauses 1 and 2 in order to clarify and separate the purposes of the clause and the performance criteria.
- Existing subclause 6 becomes subclause 3 without change.
- Existing subclause 7 becomes subclause 5 without change.
- Existing subclause 4 remains unchanged.

The proposed changes to the 'Table to the Clause', include :

- Lot sizes are separated into above and below 450m²
- The order of lot size is reversed to be consistent with other tables to clauses (eg. Clause 6.5.4 and Clause 7.3.3)
- The requirements for single dwellings and multiples dwellings are the same for the same density (ie. single dwellings on lots between 300m² and 450m²)
- Greater flexibility is introduced to the dimensional requirements for lots between 300m² and 450m² by reducing the minimum dimension to 4m.

Current version and proposed amendments to Clause 7.5 (private open space)

1. The purpose of this clause is to extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that is:

   (a) of an adequate size to provide for domestic purposes;

   (b) appropriately sited to provide outlook for the dwelling;

   (c) open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the site; and

   (d) inclusive of areas for landscaping and tree planting.

2. Private open space for a **single dwelling**, **multiple dwelling** or **independent unit** should:

   (a) satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;

   (b) be directly accessible from the dwelling and enable an extension of the function of the dwelling;

   (c) be located to provide views from the dwelling to open space and natural features of the site or locality, and to reduce overlooking from neighbouring open space and dwellings;

   (d) ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site;

   (e) include at least one area of 5m² for the deep soil planting of shade trees; and

   (f) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

3. If a **dwelling** within a **multiple dwelling** development has no direct access at ground level to private open space, and where on-site communal open space is provided, compliance with subclauses 1(c) and (e), 2(d) (e) and (f) is not required.

4. Where the private open space is at ground level and other than for a single dwelling, or a single dwelling and associated independent unit it should be:

   (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or

   (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.

5. The consent authority may approve an application for a **multiple dwelling** development comprising serviced apartments in Zone TC that is not in accordance with sub-clauses 2 and 3 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.

Current version and proposed amendments to Clause 7.5 (private open space)

TABLE TO CLAUSE 7.5 Minimum Areas of Private Open Space	
Type of Dwelling	**Private Open Space Areas** (exclusive of driveways and **parking areas**)
multiple dwelling without direct ground level access.	12m² with no dimension less than 2.8m.
multiple dwelling with direct ground level access.	**A.** 45m², open vertically to the sky, with no dimension less than 1.5m; and **B.** 24m², all or partly covered, with no dimension less than 4m. Any of area **B** that is vertically open to the sky may form part of area **A**.
single dwelling on a lot less than 450m² but not less than 300m².	
independent unit in addition to the private open space requirement for the **single dwelling**.	
single dwelling on a lot no less than 450m².	**A.** 50m², open vertically to the sky, with no dimension less than 1.5m; and **B.** 36m², all or any part covered, with no dimension less than 6m. Any of area **B** that is vertically open to the sky may form part of area **A**.

Northern Territory Government

NT PLANNING SCHEME – FACT SHEET

Clause 7.5 Private Open Space

30 May 2017

Overview

This fact sheet provides guidance on the interpretation of Clause 7.5 of the NT Planning Scheme in order to provide compliant areas of private open space.

Clause 7.5 requires for each dwelling:

- private open space that is permeable and open to the sky with an area suitable for shade tree planting; and
- a minimum dimensioned area of private open space that may be covered and is sited to contribute to the function of a dwelling for domestic purposes.

Dwelling compliance

In residential zones, single dwellings are permitted if the proposed dwelling will comply with all relevant provisions of the NT Planning Scheme, including Clause 7.5.

If the private open space proposed for a dwelling will not comply, a development permit is required prior to construction.

Minimum area and dimensions

Minimum area and dimensions for private open space ensure that every dwelling has an outdoor area of a useable size for domestic purposes. The minimum areas and dimensions depend on the type of dwelling proposed and the size of lot – refer to the Table to Clause 7.5 shown on this page.

The private open space requirement is to be one continuous area that complies with the minimum area and minimum dimensions.

Typical configurations of private open space for single dwellings on two typical lot sizes are included at Appendices 1 and 2.

TABLE TO CLAUSE 7.5 Minimum Areas and Dimensions of Private Open Space

Type of Dwelling	Private Open Space Areas (exclusive of driveways and **parking areas**)
multiple dwelling without direct ground level access.	12m² with no dimension less than 2.8m.
multiple dwelling with direct ground level access.	A. 45m², vertically open to the sky, with no dimension less than 1.5m, and B. 24m², all or partly covered, with no dimension less than 4m. Any of area B that is vertically open to the sky may form part of A.
single dwelling on a lot less than 450m² but not less than 300m².	
independent unit in addition to the private open space requirement for the **single dwelling**.	
single dwelling on a lot no less than 450m².	A. 50m², vertically open to the sky, with no dimension less than 1.5m, and B. 36m², all or partly covered, with no dimension less than 6m and Any of area B that is vertically open to the sky may form part of A.

Note: *private open space requirements are per dwelling and do not include driveways and parking areas.*

DEPARTMENT OF **INFRASTRUCTURE, PLANNING AND LOGISTICS**

GPO Box 1680, Darwin NT 0801 | **T:** 08 8999 6046 | **F:** 08 8999 6055 | **E:** das.dlpe@nt.gov.au
www.nt.gov.au

Directly accessible

Private open space should be directly accessible from a habitable room so that it extends the function of the dwelling.

Habitable rooms include a bedroom, lounge, kitchen, study or any room that is frequently used and for extended periods. A bathroom, laundry, corridor, stairs, lobby or similar are not considered to be habitable rooms.

Private open space is 'directly accessible' if the area complies with Clause 7.5 and a person can step from a habitable room into the private open space without having to pass through a non-habitable room, corridor or lobby. Refer to figure 1.

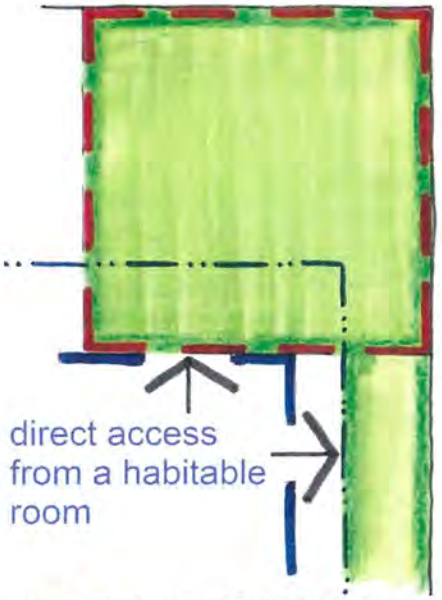


Figure 1: Example of directly accessible

Permeability and tree planting

At least half of the total private open space for a dwelling must be permeable. The permeable area is to allow the in-ground planting of vegetation for shade and amenity, and will also allow stormwater infiltration to lessen stormwater runoff from the site.

Private open space should:

a) include at least one area of approximately 5m² for the deep soil planting of shade trees; and
b) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

A practical test for a) is that the soil should be of sufficient depth for the viable planting of a tree. The planting of trees is left to the discretion of land developers and owners.

> ***Note:*** *for a dwelling within a multiple dwelling development that has no direct ground-level access to private open space, and where on-site communal open space is provided, private open space is not required to be open to the sky and permeable.*

Open to the sky

As with permeability, private open space must be open to the sky to allow for planting of vegetation and stormwater infiltration.

Figure 2 below is to clarify the minimum dimension for private open space that can be considered open to the sky. The area must be vertically open to the sky, with a width of no less than 1.5m.

Figure 2: Example within a building setback

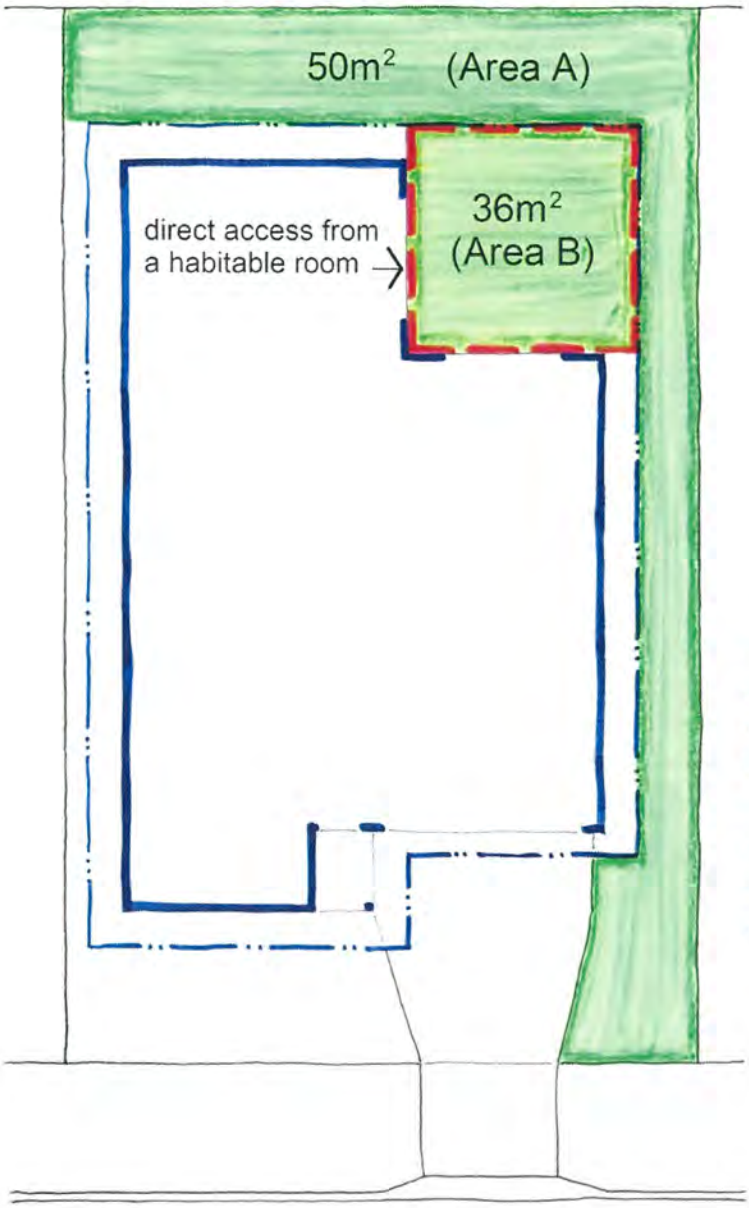
Development Application

A development application must address the provisions of section 46(3) of the *NT Planning Act*. It is recommended that you make an appointment with a planner for guidance in the preparation of your application. For more information or to make an appointment visit the Development One Stop Shop at:
www.lands.nt.gov.au/planning/onestopshop

Building Requirements

Single dwellings require a building permit prior to the commencement of works and must comply with the requirements of the *NT Building Act* A building permit will only be issued by a private building certifier once any necessary development permit (along with other matters specified in the *Building Act)* is in place. For more information, refer to:
http://www.lands.nt.gov.au/building/faqs

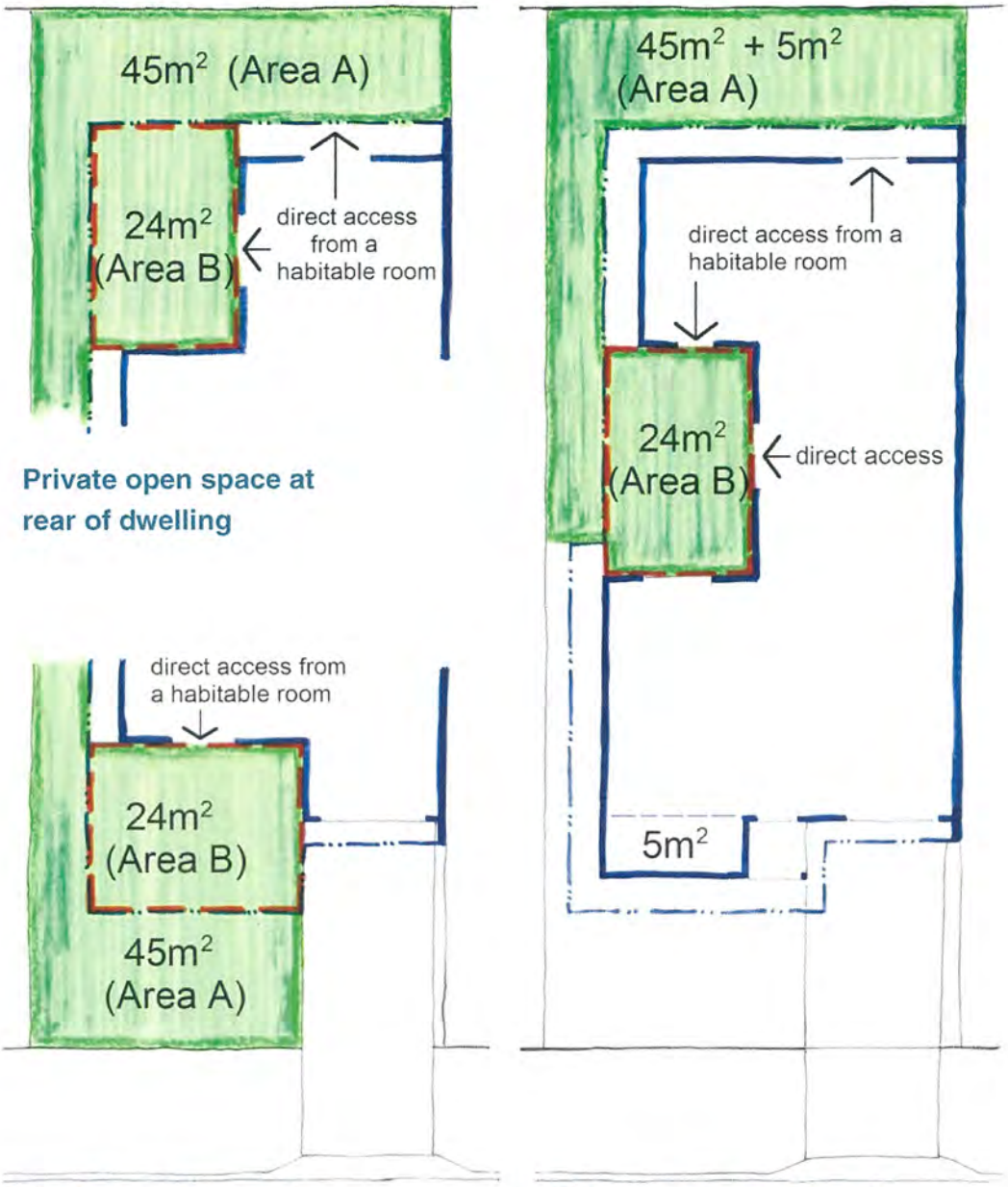
Appendix 1: Typical configuration of private open space for a single dwelling on a 450m² lot.



***Note1:** At least half of the private open space must be permeable and is to include an area of no less than 5m² for tree planting.*

***Note 2:** Any part of Area B that is vertically open to the sky may contribute to the requirement for Area A.*

Appendix 2: Typical configurations of private open space for single dwellings on 300m² lots.



Private open space at rear of dwelling

Private open space at front of dwelling

Private open space as a central courtyard

***Note1:** At least half of the private open space must be permeable and is to include an area of no less than 5m² for tree planting.*

***Note 2:** Any part of Area B that is vertically open to the sky may contribute to the requirement for Area A.*

Further Information

	Contact	Details
Development Requirements	Department of Infrastructure, Planning and Logistics - *Development Assessment Services*	Web: nt.gov.au/property/building-and-development Email: das.dlpe@nt.gov.au Ph: 08 8999 6046
Building Requirements	Private registered building certifiers	Web: ntlis.nt.gov.au/building-practitioners
	Department of Infrastructure, Planning and Logistics - *Building Advisory Services*	Web: nt.gov.au/property/building-and-development Email: bas.dlpe@nt.gov.au Ph: 08 8999 6435

ENCL: YES	1ST ORDINARY COUNCIL MEETING/OPEN	AGENDA ITEM: 16.3

NAMING OF ONE NEW ROAD - FLIGHTPATH ROAD - DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS, BERRIMAH NORTH

REPORT No.: 17TS0053 BS:hd **COMMON No.: 3536049** **DATE: 13/06/2017**

Presenter: **Manager Design, Planning & Projects, Drosso Lelekis**

Approved: **General Manager Infrastructure, Luccio Cercarelli**

PURPOSE

The purpose of this report is to respond to the Department of Infrastructure, Planning and Logistics (DIPL) who is seeking City of Darwin's written support on a proposal to name one new road north of Berrimah Business Park – "Flightpath Road".

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal
1. Collaborative, Inclusive and Connected Community

Outcome
1.4 Improved relations with all levels of government and significant stakeholders

Key Strategies
1.4.1 Actively engage with all levels of government to coordinate efficiencies and develop opportunities
1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- DIPL seeks written support from Council for the proposed naming of Flightpath Road, which will be located north of the Berrimah Business Park.
- It is recommended that Council support the proposed name, as the road is located under Darwin's International Airport flightpath.
- The proposed road name is not duplicated within the greater Darwin area. However, a business located within the vicinity has a similar name.

RECOMMENDATIONS

A. THAT Report Number 17TS0053 BS:hd entitled Naming of One New Road - Flightpath Road - Department of Infrastructure, Planning and Logistics, Berrimah North be received and noted.

B. THAT Council support the name “Flightpath Road” as proposed by the Department of Infrastructure, Planning and Logistics at **Attachment A**, to Report Number 17TS0053 BS:hd entitled Naming of One New Road - Flightpath Road - Department of Infrastructure, Planning and Logistics, Berrimah North.

BACKGROUND

The Department of Infrastructure, Planning and Logistics (DIPL) are planning a new road that will eventually connect Amy Johnson Avenue to Vanderlin Drive, refer **Attachment A**. The subject road is identified in the Berrimah North Area Plan and will adjoin the future northern end of the Berrimah Business Park, refer **Attachment B**.

DISCUSSION

DIPL is seeking Council’s written support for “Flightpath Road”. In consultation with the Place Names Unit, DIPL received a list of suitable names (included in **Attachment A**) and have chosen “Flightpath Road” from the list.

It is noted an existing business, Flight Path Golf & Outdoor Recreation is located on Vanderlin Drive and does not have any connection to the new road at this time.

Council has been advised that the name “Flightpath Road” submitted by DIPL, has been chosen as it is located underneath Darwin’s International Airport flightpath.

It is recommended that Council approve the name “'Flightpath Road” for the new road in Berrimah North.

CONSULTATION PROCESS

The Place Names Committee for the Northern Territory is responsible for public consultation of proposed road names.

In preparing this report, the following City of Darwin officers were consulted:

- Acting Strategic Town Planner
- Planning Officer

In preparing this report, the following external parties were consulted:

- Department of Infrastructure, Planning and Logistics

POLICY IMPLICATIONS

City of Darwin Policy No: 041 - Land Use Planning – General, requires names to comply with the guidelines provided on the Place Names Committee for the Northern Territory web site, which can be viewed at http://www.placenames.nt.gov.au.

It is a requirement that names should not duplicate or nearly duplicate, either in sound or spelling, an existing name in the same local government area or an adjacent locality or suburb in an adjoining local government area.

A search of the Place Names Register has confirmed that “Flightpath Road” is not duplicated within the greater Darwin area.

City of Darwin Policy No: 041 - Land Use Planning – General, can be viewed at www.darwin.nt.gov.au.

BUDGET AND RESOURCE IMPLICATIONS

No budget or resource implications have been identified.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

No risk, legal, or legislative implications are expected from this application.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

DROSSO LELEKIS
MANAGER DESIGN, PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

For enquiries, please contact David Burrow on 8930 0412 or email: d.burrow@darwin.nt.gov.au.

Attachments:

Attachment A: Application - Flightpath Road, Berrimah North
Attachment B: Berrimah North Area Plan

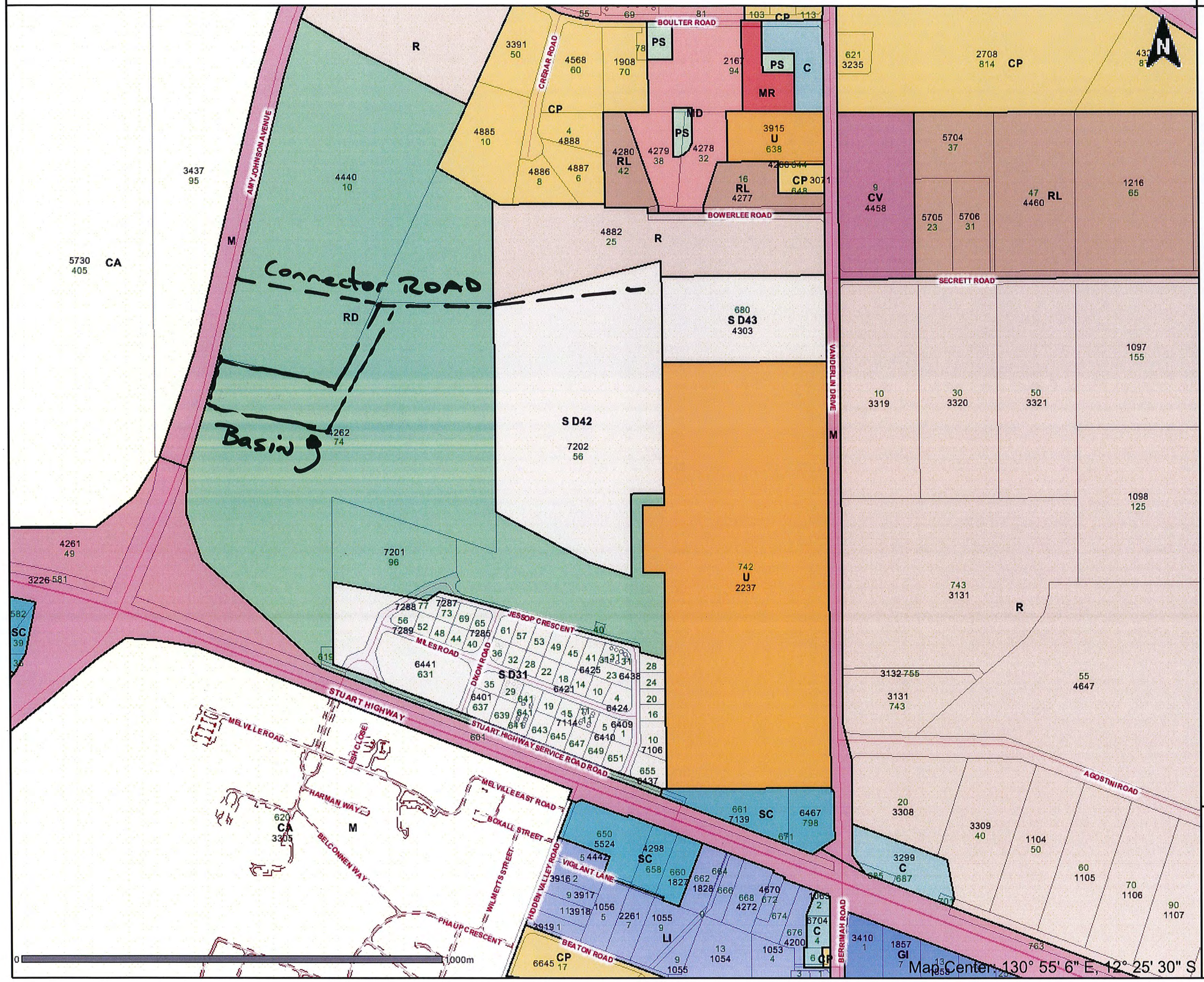
Subject: New Road - Berrimah Business Park Area

The Amy Johnson Connector Road design is close to being completed.
It is time now for consideration of the future road name.
See specifics below from the Place Name Committee. This will be a CoD road and will need CoD approval. (not sure if it has to go to a council meeting) The attached list has eight names, DIPL does not endorse Secrett Road as the numbering of this road is in the opposite direction and would require renumbering of the existing lots.
DIPL does not endorse Bowerlee Road as it is an existing road and it is not confirmed if the two roads will link together.

The preference road name is 'Flightpath Road' as it is on the flightpath of the airport.

Can you advise the process for council to approve a road name (or endorse one) and timing; and The CoD preferred name.

Amy Johnson Connector



Legend

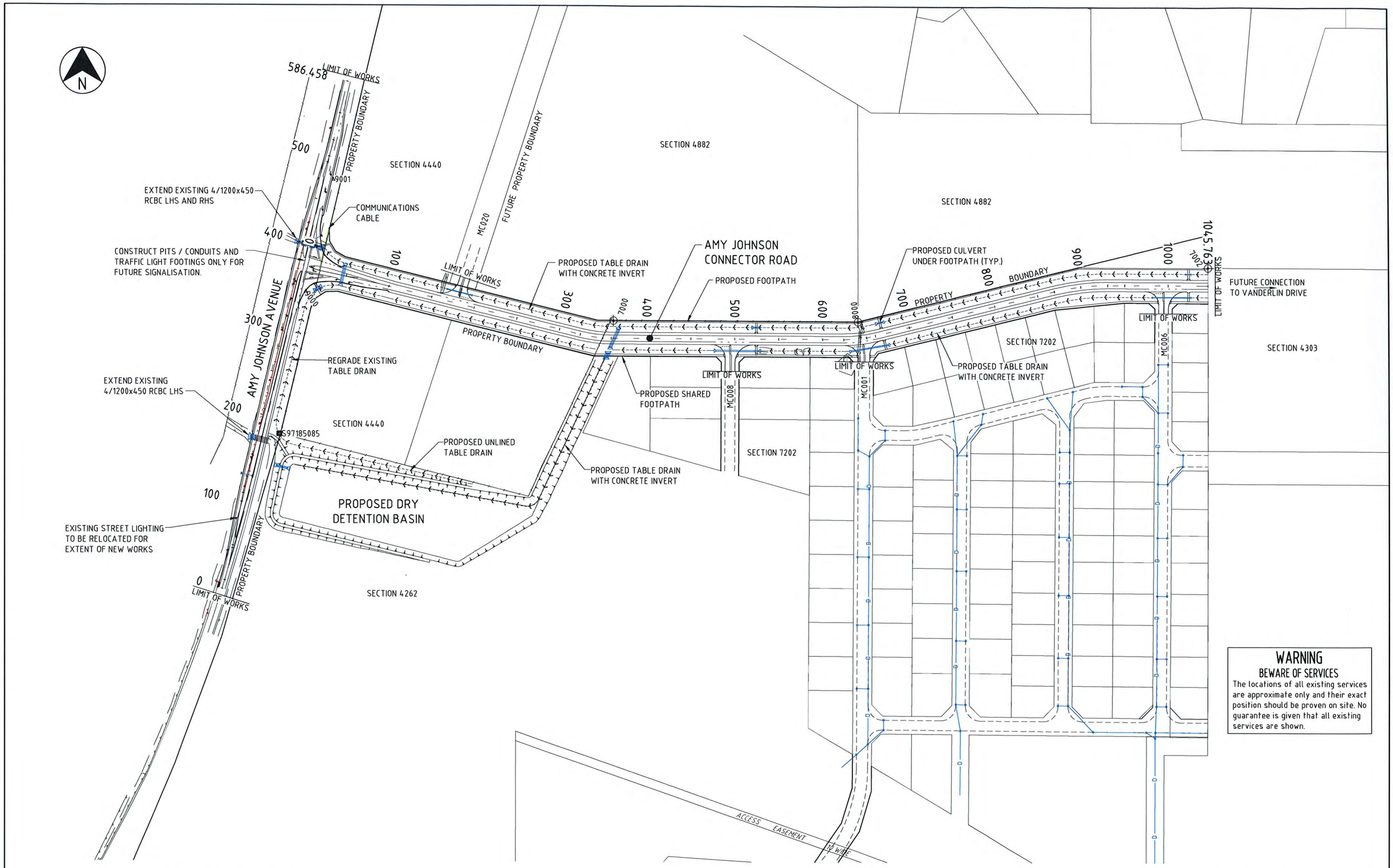
General Lines
Town Planning Zones

- A - Agriculture
- CV - Caravan Park
- CB - Central Business
- C - Commercial
- CL - Community Living
- CP - Community Purpose
- CN - Conservation
- DV - Development
- RR - Rural Residential
- GI - General Industry
- HT - Heritage
- HR - High Density
- H - Horticulture
- LI - Light Industry
- M - Main Road
- MR - Medium Density
- MD - Multiple Dwelling
- CA - No Planning Scheme Controls
- OR - Organised Recreation
- PM - Proposed Main Road
- PS - Public Open Space
- RW - Railway
- RD - Restricted Development
- R - Rural
- RL - Rural Living
- SC - Service Commercial
- SD - Single Dwelling
- S - Specific Use
- TC - Tourist Commercial
- U - Utilities
- WM - Water Management
- FD - Future Development
- JABTC - Town Centre
- JABRES - Residential
- JABSF - Service Facilities
- JABI1 - Industry
- JABREC - Recreation
- JABO - Open Space
- JABSP - Special Purpose
- JABFU - Future Use

Road Labels
Road Centrelines
- Highway
- Other Road

Street Numbers
Parcel Numbers
Cadastre
Coastline

Created by IMG
Bottom Left: 130° 54' 19", -12° 26' 01"
Top Right: 130° 55' 52", -12° 24' 58"
Approximate Scale: 1:12,000
Datum: GDA 1994
Data for information purposes only
- accuracy not guaranteed
N.T. Land Information System
Copyright Northern Territory of Australia



WARNING
BEWARE OF SERVICES
The locations of all existing services are approximate only and their exact position should be proven on site. No guarantee is given that all existing services are shown.

SCALE 1:2000 (A1)
1:4000 (A3)
0 40 80 120 160 200m
40 20

INFORMATION ONLY

No.	DESCRIPTION	DATE	INIT.	DEPT/COMPANY
-	FOR INFORMATION ONLY		TAB	JACOBS

AMENDMENTS

JACOBS

ABN 37 001 024 095 and ACN 001 024 095
Jacobs Group (Australia) Pty Ltd
2 James Street
CAIRNS, QLD 4870
AUSTRALIA
IW099600
Tel +61 7 4031 4599
Fax +61 7 4031 3967
Web www.jacobsskm.com

DRAWN	CHECKED
GAC	
DATE	DATE
DESIGNED	CHECKED
TAB	
DATE	DATE
DESIGN PROJECT LEADER	PROJECT OFFICER
R.LANGWORTHY	
DATE	DATE

Northern Territory Government

Department of Infrastructure

DARWIN
BERRIMAH NORTH
CONNECTOR ROAD TO AMY JOHNSON AVENUE
GENERAL ARRANGEMENT PLAN

FILE No.	ASSET No.	SHEET No.	DRAWING No.	AMEND.	SHEET SIZE
		3 OF 5		-	A1

New Amy Johnston Connector Road

Name : **CONCORDE**
Reserve list Comments : Proposed – In keeping with the Aviation Theme

Abbrev Biography :
The Concorde landed at Darwin Airport in 1972. The Northern Territory became the Northern Gateway from that time as part of the routes that were developed to fly traveller's around the world. The introduction of the Concorde was to reduce the flying time for overseas trips to Europe and America.

Name : **HERCULES**
Reserve list Comments : Proposed – In keeping with the Aviation Theme

Abbrev Biography :
The Hercules C130 has a long associated history with aviation and royal austrailan air force as the all purpose carrier. Delivering troops, supplies and military equipment to drop zones.

Name : **SQUADRON**
Reserve list Comments : Proposed – In keeping with the Aviation Theme

Abbrev Biography :
The Royal Australian Air Force and American Squadrons were deployed at various locations across the Northern part of the Territory including Darwin, prior to and during WW2. Units of a squadron consisted usually of 10 to 18 aircraft.

Name : **NAVIGATOR**
Reserve list Comments : Proposed – In keeping with the Aviation Theme

Abbrev Biography :
In civil aviation this was a position on older aircraft, typically between the late-1910s and the 1970s, where separate crew members (sometimes two navigation crew members) were often responsible for an aircraft's flight navigation, including its dead reckoning and celestial navigation, especially when flown over oceans or other large featureless areas where radio navigation aids were not originally available. Navigators are sometimes also called 'air navigators' or 'flight navigators'.
A navigator is the person on board a ship or aircraft responsible for its navigation. The navigator's primary responsibility is to be aware of ship or aircraft position at all times. Responsibilities include planning the journey, advising the ship's captain or aircraft commander of estimated timing to destinations while en route, and ensuring hazards are avoided. The navigator is in charge of maintaining the aircraft or ship's nautical charts, nautical publications, and navigational equipment, and generally has responsibility for meteorological equipment and communications.

Name : **FLIGHTPATH**
Comments : Proposed – In keeping with the Aviation Theme

The name for the road is taken from the location which is in the flight path to Darwin International Airport.

Name : **BOWERLEE ROAD – Commemorated**
Reserve list Comments : Possible extension to the existing road depending on road layout design and future connections

Abbrev Biography :
Named after a horse owned by Captain William Bloomfield Douglas, the first civilian Government Resident of the Northern Territory from March 1870 to June 1873. The spelling of the name is different to the name published in 1975 "Bowerlea".

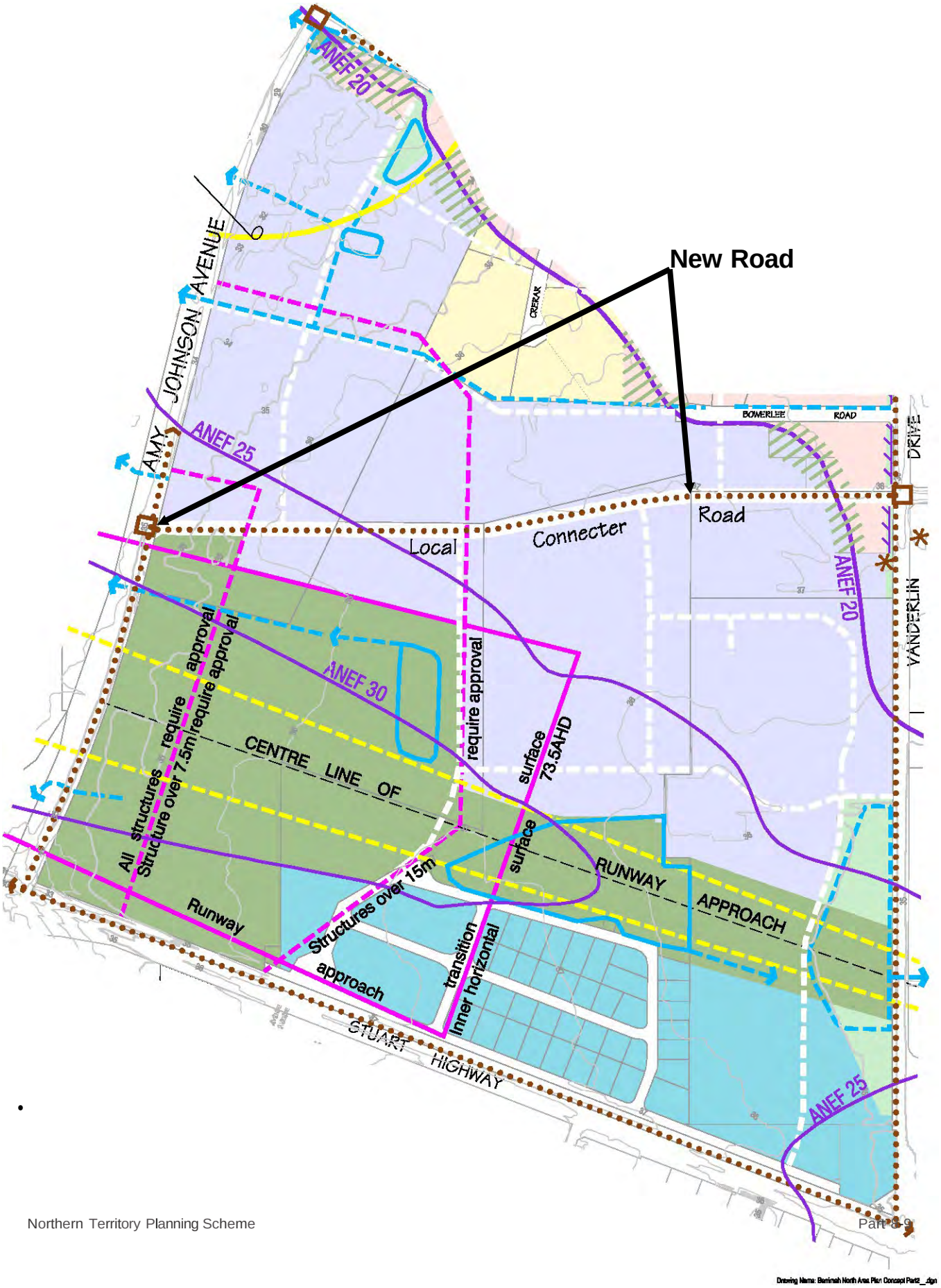
Name : **SECRETT ROAD – Commemorated**
Reserve list Comments : Possible extension to the existing road depending on road layout design and future connections

Abbrev Biography :
Named after Albert Stanley Secrett who arrived in Darwin in 1939 and worked as a supervisor in the area for the Department of Works until he resigned in 1953. He had his own contracting business in Katherine until his accidental death in 1955 leaving a widow and 6 children.

Name : **GAUGE** (Associated to the North Australian Railway)
Reserve list Comments : October 2015 PNC - Recommended Use for Road or Park. Associated to the North Australia Railway.
Reserve List Dte: 30/10/2015

Profession : Standard Gauge Railway Line
Abbrev Biography :
Named after the railway between Darwin and Pine Creek (253 km) became operational on 1 October 1889. The Australian Government took control of the Pine Creek Railway from 1 January 1911. It operated until 1 July 1918, when the line became part of the Commonwealth Railways. In the Northern Territory the completion of the Alice Springs to Darwin standard gauge rail link in January 2004 resulted in a national rail network linking all mainland State and Territory capital cities.

Berrimah North Area Plan



Northern Territory Planning Scheme

Part 3.9

Drawing Name: Berrimah North Area Plan Concept Part2_.dgn

17. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

18. REPORTS OF REPRESENTATIVES

19. QUESTIONS BY MEMBERS

20. GENERAL BUSINESS

21. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING
Common No. 2695130

THAT the next Ordinary Meeting of Council be held on Tuesday, 27 June 2017, at 5:00pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

22. CLOSURE OF MEETING TO THE PUBLIC
Common No. 2695131

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

23. ADJOURNMENT OF MEETING AND MEDIA LIAISON