



Business Papers

Ordinary Council Meeting

**Tuesday, 15 August 2017
5.00pm**



Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend an Ordinary Council Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 15 August 2017, commencing at 5.00pm.

A handwritten signature in black ink, appearing to read 'B P Dowd', is positioned above the printed name.

B P DOWD
CHIEF EXECUTIVE OFFICER

CITY OF DARWIN

**ONE HUNDRED AND EIGHTEENTH ORDINARY MEETING
OF THE TWENTY-FIRST COUNCIL**

TUESDAY, 15 AUGUST 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 City Futures, Mr G Rosse; General Manager City Life, Ms A Malgorzewicz; General Manager City Operations, Mr L Cercarelli; General Manager City Performance, Dr D Leeder; Committee Administrator, Mrs P Hart.

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

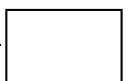
WEBCASTING DISCLAIMER

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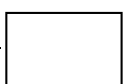
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1. ACKNOWLEDGEMENT OF COUNTRY

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

Nil

4.3 Leave of Absence Requested

5. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

5.1 Electronic Meeting Attendance Granted

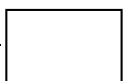
5.2 Electronic Meeting Attendance Requested

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, 25 July 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

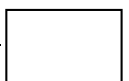
8.1 Business Arising

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:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C25.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C29.1	8(d)	information subject to an obligation of confidentiality at law, or in equity

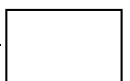
12.2 Moving Open Items Into Confidential

12.3 Moving Confidential Items Into Open

13. PETITIONS

14. NOTICE(S) OF MOTION

Nil



15.1 OFFICERS REPORTS (ACTION REQUIRED)

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

COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATIONS - AUGUST 2017

REPORT No.: 17CL0006 EB:kl COMMON No.: 3582202 DATE:15/08/2017

Presenter: Darwin Safer City Coordinator, Elly Bug

Approved: Acting General Manager City Life, Matt Grassmayr

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 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 three 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 actions that contribute to a safer, more vibrant community. Recommendations within this report align with the framework.

RECOMMENDATIONS

- A. THAT Report Number 17CL0006 EB:kl entitled Council Response To Liquor Licence Applications - August 2017, be received and noted.
- B. THAT Council endorse the letter to the Director-General of Licensing at **Attachment A** to Report Number 17CL0006 EB:kl entitled Council Responses To Liquor Licence Applications - August 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 Territory Tough Pty Ltd trading as Good Thanks.

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 REPORT NUMBER: 17CL0006 EB:kl
 SUBJECT: COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATIONS - AUGUST 2017

- C. THAT Council endorse the letter to the Director-General of Licensing at **Attachment B** to Report Number 17CL0006 EB:kl entitled Council Responses To Liquor Licence Applications - August 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 The Parap Tavern.
- D. THAT Council endorse the letter to the Director-General of Licensing at **Attachment C** to Report Number 17CL0006 EB:kl entitled Council Responses To Liquor Licence Applications – August 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 SKYCITY Darwin.

BACKGROUND

PREVIOUS DECISIONS

DECISION NO.21\5529 (27/06/17)

NT Alcohol Policies and Legislation Review

Report No. 17C0045 KH:es (27/06/17) Common No. 3562620

- B. *THAT Council endorse the City of Darwin response submission to the Northern Territory (NT) Government Review of Alcohol Policies and Legislation at **Attachment A** as amended to suggest some stronger responses to licensing, takeaway licenses, closing hours, provision of support facilities, review of dry area legislation enforcement, impact on residents and other administrative matters to report Number 17C0045 KH:es entitled NT Alcohol Policies and Legislation Review.*

DECISION NO. 20\2776 (11/05/10)

Status of Council's Objection to an Application for a Variation of the Liquor Licence Conditions for Hot Rock Restaurant and Bar

Report No. 10C0065 AF:kl (05/05/09) Common No. 1723985

- B. *THAT Council proceeds to object to all new applications in the municipality for extensions of late night trading hours after 2.00am*

Considerations under the *Liquor Act*

Licensing NT has advised City of Darwin that the following sections of the *Liquor Act* are relevant to this application:

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

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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

City of Darwin received three liquor licence applications that Council Officers cannot identify any reason that would be grounds for objection under Section 47F(2) of the *Liquor Act*. Response to these applications is provided in **Attachments A, B** and **C** to this report. Details of the applications are as follows:

Applicant	Description of Application
<p>Territory Tough Pty Ltd, trading as Good Thanks.</p> <p>33 Knuckey Street, Darwin</p>	<p>Application for a New Restaurant Liquor Licence.</p> <p>Territory Tough Pty Ltd, trading as Good Thanks has applied for a new Liquor Licence. The business proposed to be conducted on the premises will be in the nature of a restaurant.</p> <p>Planned trading hours are 12:00pm to 23:59pm Monday to Thursday and Sunday. On Fridays and Saturdays, trade will commence at 12:00pm and continue up until 2:00am the following day. Trading on Good Friday or Christmas Day has not been requested. The Licence applied for is a Restaurant Authority Licence, whereby alcohol is to be sold and served ancillary to a meal.</p> <p>There is a requirement to publically advertise this application with it being an application for a new Liquor Licence. As is required, two notices of Application for Grant of New Liquor Licence were made on 8th and 12th of July.</p> <p>In reviewing this application, Council Officers do not identify any grounds for objection under section 47F(2) of the Liquor Act.</p> <p>Support for the application for a New Restaurant Liquor</p>

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Applicant	Description of Application
	<p>Licence is made based on the sound business model presented, agreeable operating hours and Council's commitment to support small business and new enterprises. Supporting this business contributes to the vibrancy and opportunities offered in the Darwin City.</p> <p>No Council owned or controlled land is affected by the proposal.</p> <p>Council Officers recommend that Council do not object to this new application for a Liquor Licence.</p>
<p>The Parap Tavern 15 Parap Road, Parap, NT 0820</p>	<p>Application for a Material Alteration to Liquor Licence.</p> <p>The Parap Tavern is applying for material alterations for their outdoor area, access and egress for their premises.</p> <p>The proposed Material Alterations are as follows:</p> <ul style="list-style-type: none"> • Construction of an enclosed area (fencing) at the north eastern corner of the premises. This includes the partial enclosing of the former porch entrance a • Constructions that would alter access to and from the premises, including the filling in of ramp access and the deletion of stairs to and from the former porch entrance area. • Upon completion, the construction will alter the current external appearance of the premises. <p>No Council owned or controlled land is affected by the proposal.</p> <p>There is no requirement for advertising with this application as it has been determined by Licensing NT that The Parap Tavern is not asking for any extra hours or extension of their licensed area. Therefore, the material alteration is deemed not to be in the public interest and while stakeholders may make comment, an objection under Section 47F(2) is not available.</p> <p>Council Officers recommend that Council support this variation.</p>

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 REPORT NUMBER: 17CL0006 EB:kl
 SUBJECT: COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATIONS - AUGUST 2017

Applicant	Description of Application
<p>SKYCITY Darwin</p> <p>Lot 5244 Gilruth Avenue, Darwin</p>	<p>Application for a Permanent Variation to Liquor Licence. Application for Material Alterations to Liquor licence.</p> <p>SKYCITY Darwin has applied for a Permanent Variation to Liquor Licence.</p> <p>The proposed variation is:</p> <ul style="list-style-type: none"> • To permanently vary their liquor licence to add a Pop Up bar on the balcony of The Sandbar within their existing licensed premises. This will be used during live music and other events to cater for people attending those events. This bar will only operate within their existing licensed hours. • City of Darwin has previously approved Temporary Variations for this purpose and now wish to make the bar a permanent alteration for use as required. <p>SKYCITY Darwin has applied for Material Alterations to Liquor Licence. The proposed material alterations are as follows:</p> <ul style="list-style-type: none"> • SKYCITY Darwin applies to materially alter the licensed premises by increasing the area used for the sale of liquor through the construction of two extra bar/service areas in the venue. This includes a new bar in The Vue Restaurant as well as a new poolside bar to serve patrons at the 'Starbeque' events and other events poolside as required. <p>There is no requirement for advertising with this application as it has been determined by Licencing NT that SKYCITY Darwin is not asking for any extra hours or extension of their licensed area. Therefore, the variation is deemed not to be in the public interest and while stakeholders may make comment, an objection under Section 47F(2) is not available.</p> <p>No Council owned or controlled land is affected by the proposal.</p> <p>Council Officers recommend that Council support this variation.</p>

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REPORT NUMBER: 17CL0006 EB:kl
SUBJECT: COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATIONS - AUGUST 2017

CONSULTATION PROCESS

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

- Manager Vibrant Communities

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

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REPORT NUMBER: 17CL0006 EB:kl
SUBJECT: COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATIONS - AUGUST 2017

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.

ELLY BUGG
DARWIN SAFER CITY
COORDINATOR

MATT GRASSMARY
ACTING GENERAL MANAGER
CITY LIFE

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 Territory Tough Pty Ltd trading as Good Thanks.
- 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 The Parap Tavern.
- 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 SKYCITY Darwin.

16 August 2017

Please quote: 3582202 AM:kl

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

Dear Director-General

APPLICATION FOR A NEW RESTAURANT LIQUOR LICENCE – TERRITORY TOUGH PTY LTD T/A GOOD THANKS

At the 1st Ordinary Council meeting on 15 August 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 of a new Liquor Licence by Territory Tough Pty Ltd t/as Good Thanks.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER
CITY LIFE

16 August 2017

Please quote: 3582202 AM:kl

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

Dear Director-General

**APPLICATION FOR A MATERIAL VARIATION TO LIQUOR LICENCE – THE
PARAP TAVERN**

At the 1st Ordinary Council meeting on 15 August 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 of a Material Variation of a Liquor Licence by The Parap Tavern.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER
CITY LIFE

16 August 2017

Please quote: 3582202 AM:kl

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

Dear Director-General

APPLICATION FOR A PERMANENT VARIATION AND MATERIAL ALTERATIONS TO LIQUOR LICENCE – SKYCITY DARWIN

At the 1st Ordinary Council meeting on 15 August 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 of a Permanent Variation and a Material Variation of a Liquor Licence by SKYCITY Darwin.

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER
CITY LIFE

15.2 OFFICERS REPORTS (RECEIVE & NOTE)

ENCL: ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 15.2.1
 YES

MONTHLY FINANCIAL REPORT - JULY 2017

REPORT No.: 17CP0010 MC:jg COMMON No.: 2476534 DATE: 15/08/2017

Presenter: Manager Finance, Miles Craighead

Approved: General Manager City Performance, Diana Leeder

PURPOSE

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ending 31 July 2017 in accordance with the Local Government (Accounting) Regulations.

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

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

5.5.1 Manage Council's business based on a sustainable financial and asset management strategy

KEY ISSUES

- The first quarter of monthly reports while providing minimal information meet Council's statutory requirements.
- Preparation of the 2016/17 annual financial statements for audit and related issues are the current focus.

RECOMMENDATIONS

THAT Report Number 17CP0010 MC:jg entitled Monthly Financial Report - July 2017, be received and noted.

PAGE: 2
REPORT NUMBER: 17CP0010 MC:jg
SUBJECT: MONTHLY FINANCIAL REPORT - JULY 2017

BACKGROUND

Council has endorsed the format of the Monthly Financial Report. It is in compliance with the Local Government Accounting Regulations in respect of monthly financial reporting.

DISCUSSION

The following statements are included at **Attachment A**.

Overall Income Statement

The Overall Income Statement contains all sources of Council's income (revenue) and operating expenses. Processing of End of Financial Year adjustments is not yet completed and will impact on reported results.

Municipal Plan Summary

The Municipal Plan Summary follows a similar format to the statement of cash flows, but is based on working capital rather than cash. The actual transfers to and from cash-backed reserves will not be processed until the end of the 1st quarter. Elected Members can also refer to the quarterly budget reviews for more detailed final information as these become available.

Investments Report

This report details all cash and investments held by institutions and provides information on interest rate returns, maturities and policy compliance.

Accounts Receivable Report

Details rate receipt collection, outstanding general debtors and performance on rates recovery compared to the previous year. The report includes additional information on infringement debtors, rates arrears, rates struck and rates outstanding (bar chart).

CONSULTATION PROCESS

Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Nil

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SUBJECT: MONTHLY FINANCIAL REPORT - JULY 2017

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The information that is provided is considered to more than achieve statutory compliance as set out below:

Part 8 of the Local Government (Accounting) Regulations require that a monthly financial report is presented to Council.

Regulation 18 states:-

1. The CEO must, in each month, lay before a meeting of the council a report, in a form approved by the council, setting out:
 - a) The actual income and expenditure of the council for the period from the commencement of the financial year to the end of the previous month; and
 - b) The forecast income and expenditure for the whole of the financial year
2. The report must include:
 - a) Details of all cash and investments held by the council (including money held in trust); and
 - b) A statement on the debts owed to the council including the aggregate amount owed under each category with a general indication of the age of the debts; and
 - c) Other information required by the Council.
3. If a council does not hold a meeting in a particular month, the report is to be laid before the council committee performing the council's financial functions for the particular month.

It should be noted that monthly financial reports are not independently audited, but are subject to internal control and review processes.

ENVIRONMENTAL IMPLICATIONS

Nil

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REPORT NUMBER: 17CP0010 MC:jg
SUBJECT: MONTHLY FINANCIAL REPORT - JULY 2017

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.

MILES CRAIGHEAD
MANAGER FINANCE

DIANA LEEDER
GENERAL MANAGER
CITY PERFORMANCE

For enquiries, please contact Miles Craighead on 8930 0523 or email:
m.craighead@darwin.nt.gov.au.

Attachments:

Attachment A: Monthly Financial report – July 2017

Income Statement
For the Period Ended 31/07/2017



	<u>2017/18</u>				
	Full Original Budget \$'000	Full Amended Budget \$'000	YTD Actual \$'000	YTD v FAB %	
% of year elapsed				8%	
Income from Continuing Operations					Comment
Rates & Annual Charges	69,069	69,069	69,191	100%	No issues
User Charges, Fees & Other	26,341	26,341	1,727	7%	No issues
Interest & Investment Revenue	1,953	1,953	170	9%	No issues
Grants & Contributions - Operating	5,143	5,143	15	0%	No issues
Total Income from Continuing Operations	102,506	102,506	71,103	69%	
Less Expenses from Continuing Operations					
Employee Costs	32,313	32,313	1,965	6%	No issues
Borrowing Costs	291	291	-	0%	No issues
Materials and Services	49,429	49,429	1,107	2%	No issues
Depreciation and Amortisation	24,037	24,037	-	0%	No issues
Total Expenses from Continuing Operations	106,070	106,070	3,072	3%	
Operating Result - Continuing Operations	(3,564)	(3,564)	68,031		
Grants & Contributions - Capital	2,113	2,113	-	0%	No issues
Net Operating Result For the Year	(1,451)	(1,451)	68,031		

Income Statement

Explanation of Columns: "Full Original Budget" and "Full Amended Budget" are full year. YTD Actual is year to date. YTD v FAB is the % of actuals achieved against the full year original budget.

Outlines income and operating expenses. Excludes capital expenditure and instead recognises depreciation expense. The net operating surplus or deficit for the reporting period is a measure of Council's financial performance. This figure is determined by deducting total operating expenses including depreciation from total operating revenue.

Operating income: Rates represents the revenue being struck for the full year, assessments are being issued in August.

Operating expenses: Overall expenditure appears reasonable for this 1st month of the financial year. Depreciation has not been processed this month due to finalising 16/17 asset accounting.

Capital income: No revenue recognised as yet.

Finance: There are no overall concerns in relation to the original budget.



**Municipal Plan Summary
For the Period Ended 31/07/2017**

	Full Original Budget \$'000	<u>2017/18</u> Full Amended Budget \$'000	YTD Actual \$'000	YTD v FAB %
% of year elapsed				8%
Funds From Operating Activities				
Net Operating Result From Above	(1,451)	(1,451)	68,031	
Add back depreciation (not cash)	24,037	24,037	-	
Add back Loss on Asset Disposal (non cash)	-	-	-	
Net Funds Provided (or used in) Operating Activities	22,586	22,586	68,031	
Funds From Investing activities				
Sale of Infrastructure, Property, Plant & Equipment	783	783	49	6%
Purchase of Infrastructure, Property, Plant & Equipment	(21,633)	(21,633)	(320)	1%
Net Funds Provided (or used in) Investing Activities	(20,850)	(20,850)	(271)	
Funds From Financing Activities				
Proceeds from borrowings & advances	2,100	2,100	-	0%
Repayment of borrowings & advances	(384)	(384)	-	0%
Net Funds Provided (or used in) Financing Activities	1,716	1,716	-	
Net Increase (-Decrease) in Funds Before Transfers	3,452	3,452	67,760	
Transfers from (-to) Reserves	(3,452)	(3,452)	-	
Net Increase (-Decrease) in Funds After Transfers	-	-	67,760	

Municipal Plan Summary

Outlines This statement outlines Councils entire budget in accordance with the published municipal plan. It shows the effect on General Funds (original budget - break even/nil). It groups items into operating, investing and financing and has a very close relationship to cash flows , which is why it is presented in the same international format. It eliminates the depreciation calculation and discloses totals for asset sales and purchases as well as loan raising and repayments. Finally it discloses the transfers to & from cash backed reserves which are detailed in the quarterly budget review reports (actual transfers to/from reserves are not actioned until the end of the 1st quarter).

Full Amended Budget: Some carry forward from 2016/17 have been approved but are not included in the amended budget in this report. This will be addressed in future reports.

Manager Finance: There are no overall concerns in relation to the budgets.


CASH AND INVESTMENTS SUMMARY

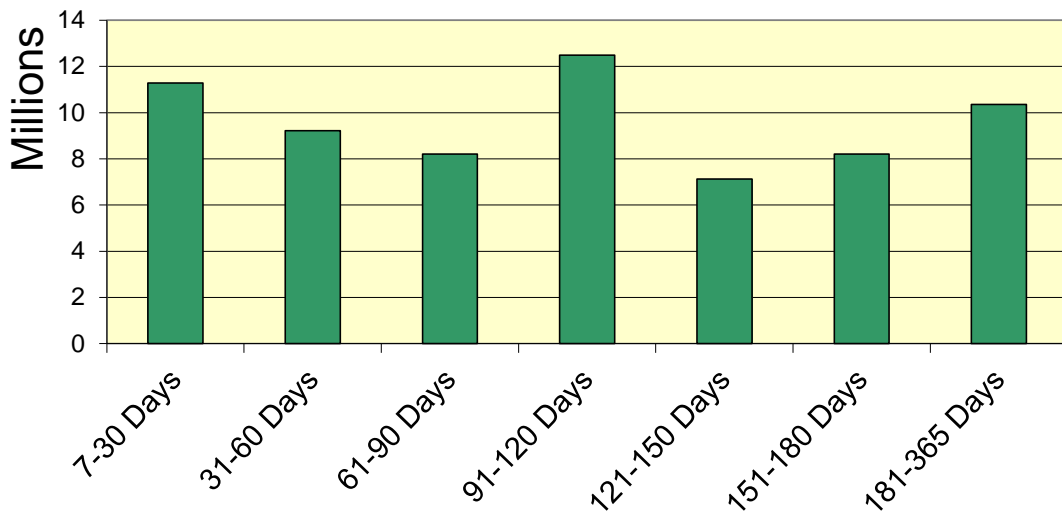
As at 31 July, 2017 Council's short term cash position was as follows:

1. General Fund

Cash at Bank	\$	3,910,086
Short Term Investments	\$	65,714,729
Total Funds	\$	69,624,815

Council has an arrangement with its financial institution the Commonwealth Bank of Australia to offset Council's overdraft facility against pooled funds held in Council's Trust Account and General Account.

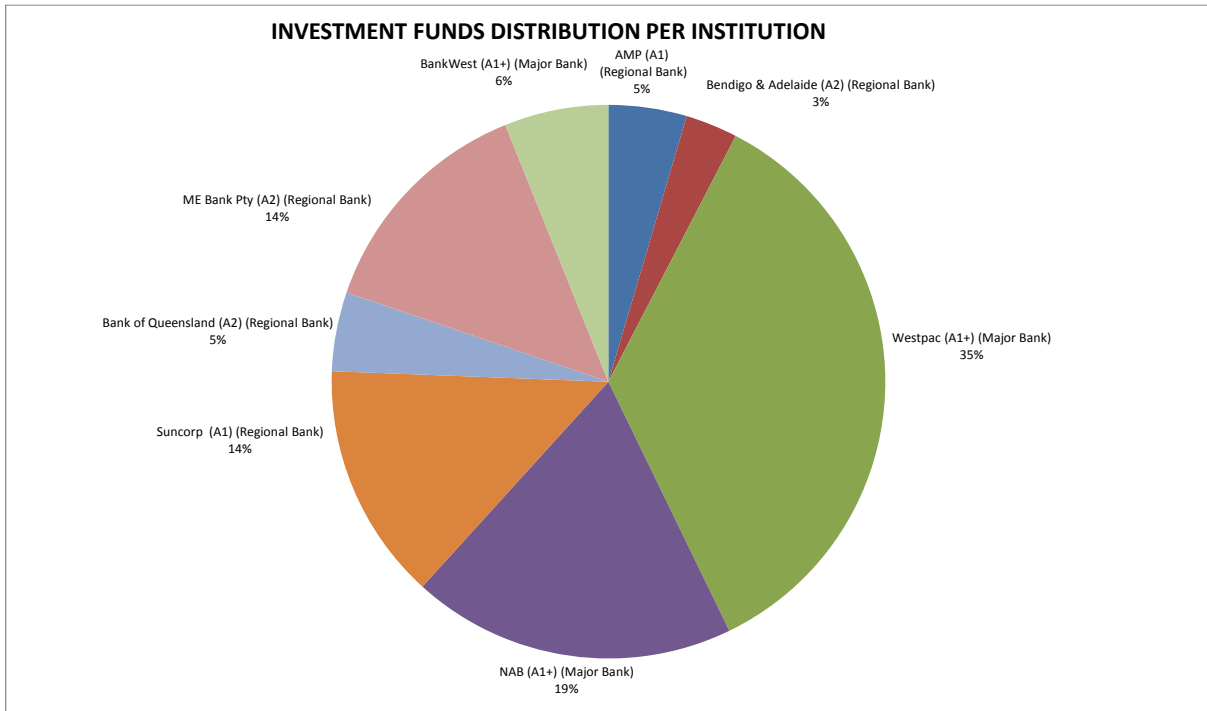
FUNDS INVESTED MATURITY PROFILE
As at 31 JULY 2017



2. Trust Account

Cash at Bank	\$592,525.40
Total Funds	\$592,525.40

INVESTMENTS REPORT TO COUNCIL AS AT 31 JULY 2017



Investment Policy Limits

	Policy Max.	Actual Portfolio
Short Term		
A1+	100%	61%
A1	45%	18%
A2	25%	21%
Unrated*	10%	0%

Total 100%

	Policy Max.	% Over Total Investment
Individual Banks		
National Australia Bank (A1+) (AA-)	40%	19%
Westpac (A1+) (AA-)	40%	35%
AMP (A1) (A)	30%	5%
Suncorp-Metway (A1) (A+)	30%	14%
Bankwest (A1+) (AA-)	30%	6%
Bank of Qld (A2) (BBB+)	30%	5%
Bendigo and Adelaide Bank Ltd (A2) (BBB+)	10%	3%
ME Bank (A2) (BBB)	10%	14%

Total 100%

	Policy Min.	Policy Max.	Actual Portfolio
Counterparty			
Major Banks	15%	100%	55%
Regional Banks	0%	45%	45%
Credit Unions/Building Societies/ Other ADI's	0%	45%	0%

Total 100%

	Policy Min.	Policy Max.	Actual Portfolio
Term to Maturity			
< 1 Year	30%	100%	100%
> 1 Year	0%	50%	0%
> 3 Years	0%	30%	0%
> 5 Years	0%	10%	0%

Total 100%

Note: Grandfathering applies to ME Bank (A2) (BBB), it has become ineligible as a result of a change of investment policy. Please refer to Investment Policy # 024, page 6. Downgrades & "Grandfathering"

INVESTMENTS REPORT TO COUNCIL AS AT 31 JULY 2017



Investment Portfolio

CREDIT RATING	COUNTERPARTY	INV TYPE	AMOUNT	INTEREST RATE	MATURITY DATE	DAYS TO MATURITY	WEIGHTED AVERAGE RATE	INSTITUTION TOTALS	%
(ST) (LT)									
Major Banks Total @ Invested			\$ 35,576,142.61	54.14%	of portfolio				
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,000,000.00	2.77%	August 1, 2017	1	0.000421519	\$ 12,448,191.98	18.94%
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,049,614.66	2.69%	August 22, 2017	22	0.000429655		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,020,808.22	2.72%	August 22, 2017	22	0.000422523		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,018,733.16	2.62%	September 12, 2017	43	0.000406162		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,000,000.00	2.60%	October 17, 2017	78	0.000395650		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,034,485.07	2.61%	November 14, 2017	106	0.000410868		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,034,485.07	2.61%	November 14, 2017	106	0.000410868		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,111,197.94	2.60%	November 28, 2017	120	0.000439645		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,000,000.00	2.61%	December 12, 2017	134	0.000397171		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,070,134.13	2.49%	January 30, 2018	183	0.000405485		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,089,503.86	2.50%	February 6, 2018	190	0.000414482		
(A1+) (AA-)	National Bank of Australia	TD	\$ 1,019,229.87	2.53%	February 6, 2018	190	0.000392401		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.70%	August 1, 2017	1	0.000410867	\$ 23,127,950.63	35.19%
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.73%	August 15, 2017	15	0.000415432		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.73%	August 15, 2017	15	0.000415432		
(A1+) (AA-)	Westpac	TD	\$ 1,016,684.93	2.77%	August 29, 2017	29	0.000428552		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.76%	August 29, 2017	29	0.000419997		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.76%	August 29, 2017	29	0.000419997		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.77%	September 5, 2017	36	0.000421519		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.76%	September 5, 2017	36	0.000419997		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.77%	September 12, 2017	43	0.000421519		
(A1+) (AA-)	Westpac	TD	\$ 1,018,986.30	2.73%	September 26, 2017	57	0.000423319		
(A1+) (AA-)	Westpac	TD	\$ 1,019,619.18	2.80%	October 10, 2017	71	0.000434444		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.80%	October 10, 2017	71	0.000426084		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.74%	December 12, 2017	134	0.000416954		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.67%	January 16, 2018	169	0.000406302		
(A1+) (AA-)	Westpac	TD	\$ 1,037,372.55	2.67%	January 23, 2018	176	0.000421486		
(A1+) (AA-)	Westpac	TD	\$ 1,019,235.62	2.65%	January 23, 2018	176	0.000411015		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.65%	January 30, 2018	183	0.000403258		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.65%	January 30, 2018	183	0.000403258		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.55%	February 13, 2018	197	0.000388041		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.68%	February 13, 2018	197	0.000407823		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.68%	February 20, 2018	204	0.000407823		
(A1+) (AA-)	Westpac	TD	\$ 1,016,052.05	2.70%	February 20, 2018	204	0.000417462		
(A1+) (AA-)	Westpac	TD	\$ 1,000,000.00	2.67%	February 27, 2018	211	0.000406302		
Regional Banks Total @ Invested			\$ 30,138,586.10	45.86%	of portfolio				
(A1) (A)	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	December 5, 2017	127	0.000418475	\$ 3,000,000.00	4.57%
(A1) (A)	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	December 5, 2017	127	0.000418475		
(A1) (A)	AMP Bank Limited	TD	\$ 1,000,000.00	2.75%	January 2, 2018	155	0.000418475		
(A1+) (AA-)	Bankwest	TD	\$ 1,000,000.00	2.60%	November 28, 2017	120	0.000395650	\$ 4,000,000.00	6.09%
(A1+) (AA-)	Bankwest	TD	\$ 1,000,000.00	2.60%	January 2, 2018	155	0.000395650		
(A1+) (AA-)	Bankwest	TD	\$ 1,000,000.00	2.55%	January 9, 2018	162	0.000388041		
(A1+) (AA-)	Bankwest	TD	\$ 1,000,000.00	2.55%	January 9, 2018	162	0.000388041		
(A2) (BBB+)	Bendigo Adelaide Bank	TD	\$ 1,000,000.00	2.75%	August 8, 2017	8	0.000418475	\$ 2,000,000.00	3.04%
(A2) (BBB+)	Bendigo Adelaide Bank	TD	\$ 1,000,000.00	2.75%	August 8, 2017	8	0.000418475		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,018,273.97	0.00%	October 17, 2017	78	0.000000000	\$ 9,102,258.98	13.85%
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,017,593.97	0.00%	November 7, 2017	99	0.000000000		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,036,914.32	2.60%	November 7, 2017	99	0.000410255		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,014,738.36	2.60%	November 21, 2017	113	0.000401481		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,000,000.00	2.60%	November 21, 2017	113	0.000395650		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,014,738.36	2.60%	November 28, 2017	120	0.000401481		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,000,000.00	2.60%	December 19, 2017	141	0.000395650		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,000,000.00	2.60%	December 19, 2017	141	0.000395650		
(A1) (A+)	Suncorp-Metway Limited	TD	\$ 1,000,000.00	2.60%	December 19, 2017	141	0.000395650		
(A2) (BBB+)	Bank of Queensland Limited	TD	\$ 1,018,163.56	2.62%	September 26, 2017	57	0.000405935	\$ 3,036,327.12	4.62%
(A2) (BBB+)	Bank of Queensland Limited	TD	\$ 1,018,163.56	2.62%	October 24, 2017	85	0.000405935		
(A2) (BBB+)	Bank of Queensland Limited	TD	\$ 1,000,000.00	2.63%	January 16, 2018	169	0.000400215		
(A2) (BBB)	ME Bank	TD	\$ 1,000,000.00	2.77%	September 19, 2017	50	0.000421519	\$ 9,000,000.00	13.70%
(A2) (BBB)	ME Bank	TD	\$ 1,000,000.00	2.77%	September 26, 2017	57	0.000421519		
(A2) (BBB)	ME Bank	TD	\$ 1,000,000.00	2.80%	September 19, 2017	50	0.000426084		

(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.74%	October 31, 2017	92	0.000416954
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.74%	October 31, 2017	92	0.000416954
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.74%	October 31, 2017	92	0.000416954
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.73%	October 3, 2017	64	0.000415432
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.70%	October 3, 2017	64	0.000410867
(A2) (BBB)	ME Bank	TD	\$	1,000,000.00	2.68%	October 24, 2017	85	0.000407823

Credit Societies Total @ Invested \$ - 0.00% of portfolio

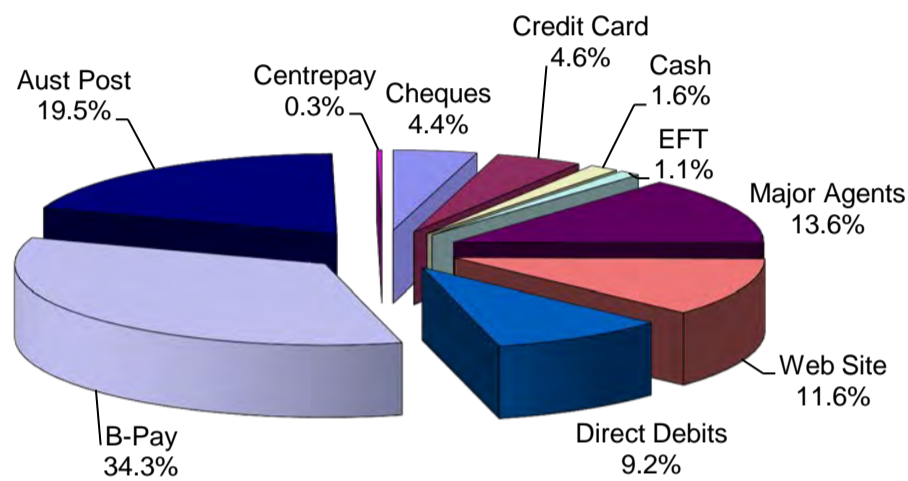
TOTAL FUNDS INVESTED	\$	65,714,729	100.00%	Average Days to Maturity	103	2.59% Weighted Average	1.69% BBSW 90 Day Rate	100.00%
GENERAL BANK FUNDS AS OF 31/7/2017	\$	3,910,086						
TOTAL ALL FUNDS	\$	69,624,815						
Total Budget Investment Earnings	\$	1,647,555						
Year to Date Investment Earnings	\$	156,607						

Type of Investment	Amount	% Portfolio
Term Deposit	\$ 65,714,728.71	94%
Bank Bills	\$ -	
Negotiable Certificate of Deposit	\$ -	
CBA At Call	\$ 3,910,085.99	6%
	\$ 69,624,814.70	100%

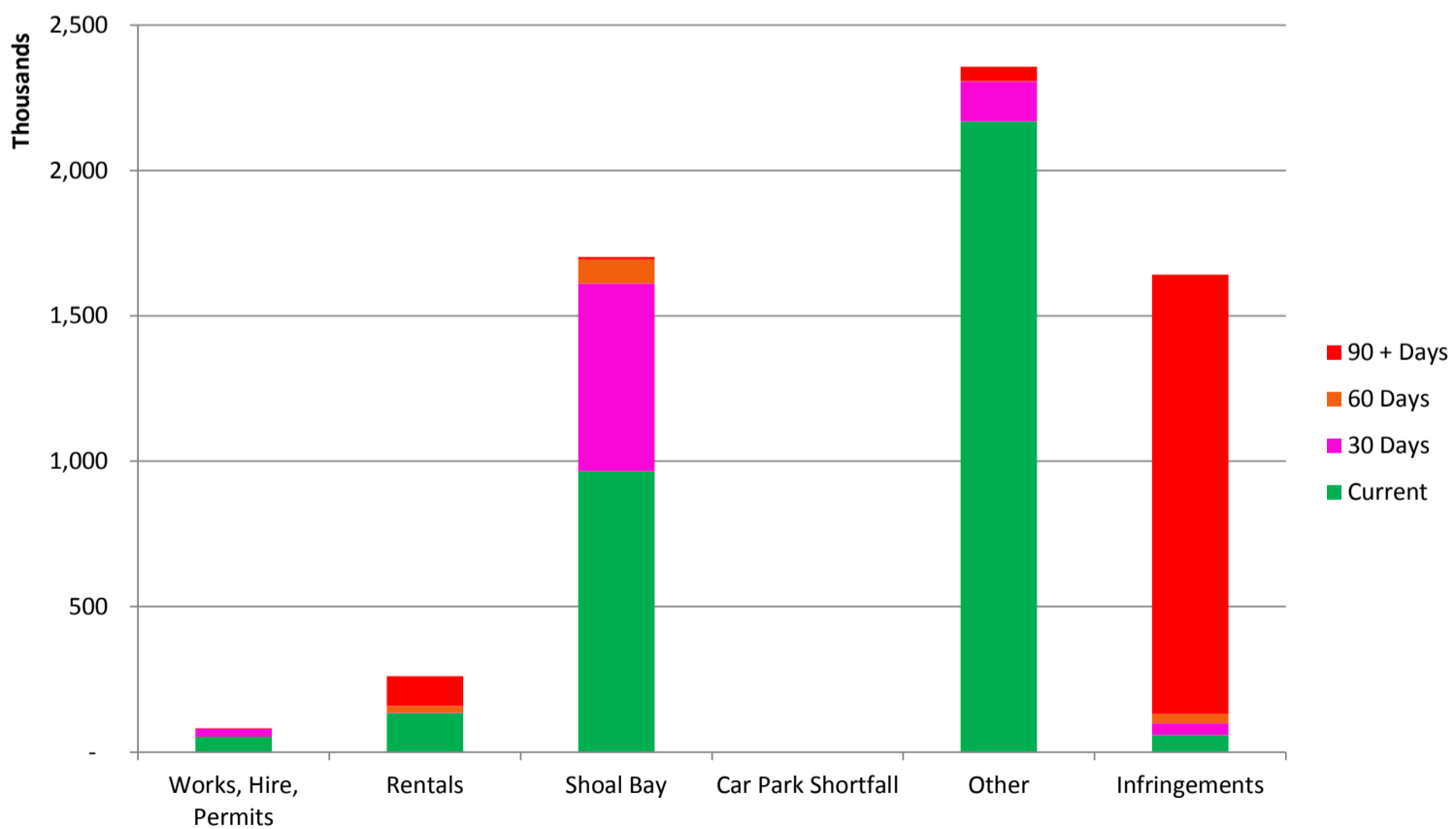


**FINANCE DEPARTMENT
SERVICE LEVEL REPORT TO COUNCIL
FOR THE MONTH OF JULY 2017**

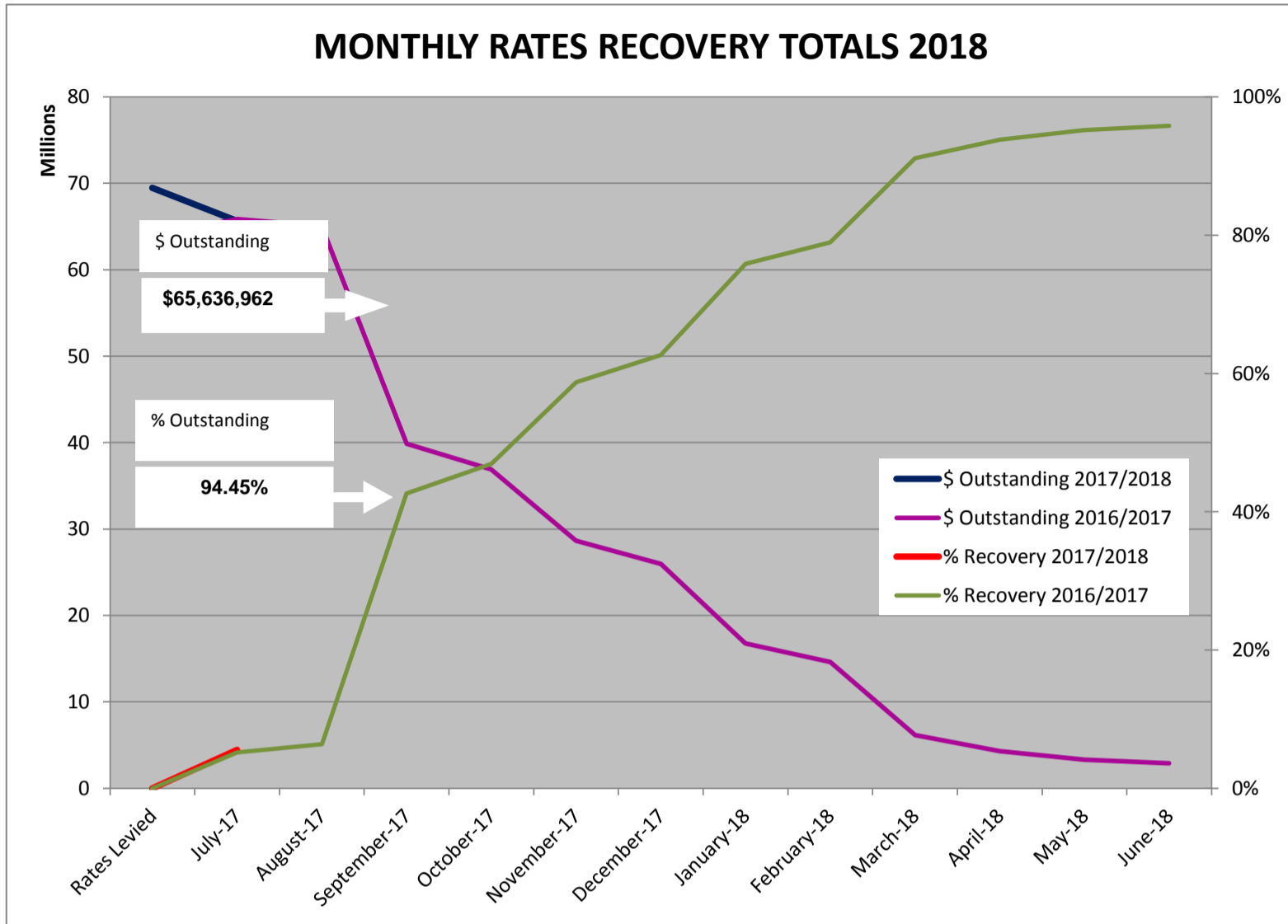
RATE RECEIPTS BY PAYMENT TYPE LAST 12 MONTHS



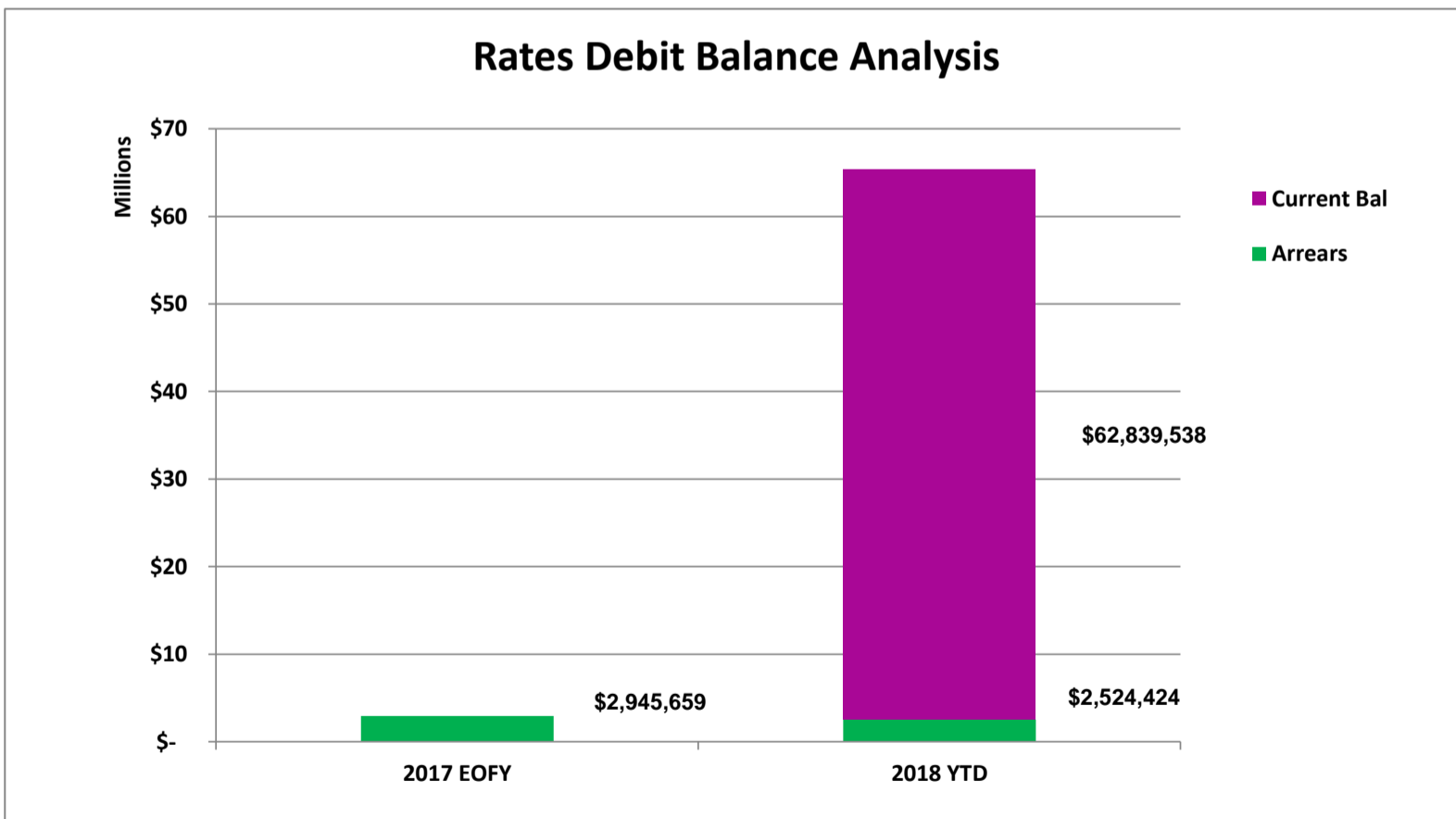
ACCOUNTS RECEIVABLE OUTSTANDING DEBTORS



Pursuant to Local Government (Accounting) Regulations Sec 18(2)(b) the chart labelled "Accounts Receivable Outstanding Debtors" represents sundry debts owed to Council on an "aged" basis.



The chart labelled "Monthly Rates Recovery Totals" represents the amounts currently outstanding in Rates to Council, rates are either due or overdue and no further "ageing" is possible.



ENCL: ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 15.2.2
 YES

QUARTERLY PERFORMANCE REPORTING - QUARTER 4

REPORT No.: 17CP0013 VG:jg COMMON No.: 1230662 DATE: 15/08/2017

Presenter: Manager Strategy & Outcomes, Vanessa Green

Approved: General Manager City Performance, Diana Leeder

PURPOSE

The purpose of this report is to provide the Council with the 4th Quarter Performance Report against the 2016/17 Municipal Plan and *Evolving Darwin Towards 2020 Strategic Plan*.

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

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.3 Understand and manage Council's risk exposure

KEY ISSUES

- Performance in this report provides annual progress towards achieving Council's *Evolving Darwin Towards 2020 Strategic Plan* and 2016/17 Municipal Plan.
- Overall, performance is tracking positively.
- Financial performance of Department budgets and program related budgets has been conservatively estimated as 90%, however updated financial performance will not be available until the 4th quarter budget review process is complete. Finance Services will report this to a future meeting.
- Action performance at year end will generally be reported as complete or fully achieved, unless there is an exception.
- Key performance indicators are now reported for the full financial year. All KPIs should now be reported against or a reason identified it was not possible.
- Content in this report will inform the development of Council's 2016/17 Annual Report.

PAGE: 2
 REPORT NUMBER: 17CP0013 VG:jg
 SUBJECT: QUARTERLY PERFORMANCE REPORTING - QUARTER 4

RECOMMENDATIONS

THAT Report Number 17CP0013 VG:jg entitled Quarterly Performance Reporting - Quarter 4, be received and noted.

BACKGROUND

In accordance with the *Local Government Act* Council prepares a Strategic Plan, annual Municipal Plan and Annual Report each year.

The Strategic Plan outlines the Council's vision and goals for the future.

The Municipal Plan outlines Council's service delivery plan which includes key actions, budgets, and key performance indicators.

Legislation requires that Council's Annual Report must contain an assessment of the Council's performance against the Municipal Plan including key actions, budgets and key performance indicators and subsequently provides a high level assessment of progress towards achieving the longer term Strategic Plan.

To support the Annual Report process, quarterly reports are presented for Council consideration. This is in line with best practice reporting for local governments in other States.

In previous quarters, the reports have been broken down by Committee. As this is the final quarterly performance report for the 21st Council of the City of Darwin a whole of Council report is provided.

PREVIOUS DECISION

DECISION NO.21\4848 (20/09/16)

Strategic Reporting

Report No. 16TC0059 VG:ph (20/09/16) Common No. 1230662

THAT the Committee resolve under delegated authority:-

- A. *THAT Report Number 16TC0057 VG:ph entitled Strategic Reporting, be received and noted.*
- B. *THAT the Committee note the revised quarterly report format is effective for the 2016/17 Municipal Plan reporting.*

PAGE: 3
 REPORT NUMBER: 17CP0013 VG:jg
 SUBJECT: QUARTERLY PERFORMANCE REPORTING - QUARTER 4

DISCUSSION

Performance Reports provide an assessment of performance against actions and key performance indicators (KPIs) for each Program Profile.

Performance overall is tracking positively at the end of Quarter 4. The 2016/17 Quarterly Performance Report – Quarter 4 is attached as **Attachment A**.

Financial Performance

Council maintains a rigorous financial performance and reporting process which includes monthly financial reports and quarterly budget reviews. It is relevant to consider the quarterly budget review data in line with the quarterly performance reports as they closely align to the program profile structure in the Municipal Plan. The quarterly budget review for the 4th quarter will not be available until the next term of Council. This performance report will be updated as more financial performance information is available and updates included in Council's 2016/17 Annual Report.

Action Performance

Action performance for Quarter 4 will generally be reported as 100% complete unless there is an exception. This is on the basis that we are delivering 100% of the program throughout the course of the year.

Actions represent the key functions and outputs delivered by each service program.

There are no areas of major concern at the end of Quarter 4.

- The Capital Works Program is on track. Recent projects delivered include the Bicentennial Park Community Playspace and significant progress on the Parap Pool Redevelopment Project.
- A Vibrant CBD Subcommittee has been established; meetings are held monthly and this Subcommittee reports to the Northern Australia Capital City Committee.
- The status of Darwin City Centre Master Plan projects has been considered by Council with some projects referred to future years for delivery. Remaining projects for 2016/17 are tracking at around 80% complete.
- Darwin Bike Plan projects were on track at year end.
- A City of Darwin Open Data Policy was adopted and an Open Data Portal released to the public.
- A new City of Darwin website was implemented.
- Significant funding applications were developed and submitted including for Shoal Bay Waste Management Facility – Leachate Treatment and the Smart Cities and Suburbs program.
- The Assets section are preparing to take over street lighting in January 2018.

PAGE: 4
REPORT NUMBER: 17CP0013 VG:jg
SUBJECT: QUARTERLY PERFORMANCE REPORTING - QUARTER 4

KPI Performance

All KPIs will now be reported on.

The majority of KPI results continue to be within an acceptable range however it can be noted that staff have identified an inability to collect some KPI data. This was identified early and amendments were made in the preparation of the 2017/18 Municipal Plan. These KPIs will be shown as 'Red'.

CONSULTATION PROCESS

In preparing the quarterly performance report, Senior Managers and key staff were consulted.

POLICY IMPLICATIONS

There are no direct policy implications as a result of this report and decision.

BUDGET AND RESOURCE IMPLICATIONS

There are no direct budget or resource implications as a result of this report. If any budget variances are identified throughout the year they will be dealt with via normal Financial Management procedures.

Work will continue with the next Council to progress integrating Council's budget and actual results into the quarterly reports on an ongoing basis.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

This report and decision supports implementing the overall intent of the *Local Government Act* for local government strategic and municipal planning and performance management.

Ongoing benefits also include more robust and accountable reporting in the Annual Report and more informed performance guiding the development of future Strategic and Municipal Plans.

ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications as a result of this report and decision.

PAGE: 5
REPORT NUMBER: 17CP0013 VG:jg
SUBJECT: QUARTERLY PERFORMANCE REPORTING - QUARTER 4

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.

VANESSA GREEN
MANAGER STRATEGY &
OUTCOMES

DIANA LEEDER
GENERAL MANAGER
CITY PERFORMANCE

For enquiries, please contact Vanessa Green on 89300531 or email:
v.green@darwin.nt.gov.au.

Attachments:

Attachment A: City of Darwin – 2016/17 Quarterly Performance Report –
Quarter 4.

Attachment submitted electronically on the City of Darwin website:

<https://www.darwin.nt.gov.au/council/council-committees/agendas-minutes/ordinary-council-meeting-10>

16. TOWN PLANNING REPORT/LETTERS

ENCL: ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 16.1
 YES

COUNCIL RESPONSES TO PLANNING APPLICATIONS - AUGUST 2017

REPORT No.: 17CF0001 DB:hd COMMON No.: 2547669 DATE: 15/08/2017

Presenter: Manager City Planning, Cindy Robson

Approved: General Manager City Futures, Gerard Rosse

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Planning Applications received between 15 July and 4 August 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 15 July and 4 August 2017 is provided.
- A summary of City of Darwin responses to other Planning matters received between 15 July and 4 August 2017 is provided.

RECOMMENDATIONS

- A. THAT Report Number 17CF0001 DB:hd entitled Council Responses To Planning Applications - August 2017, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachments A and B** to Report Number 17CF0001 DB:hd entitled Council Responses to Planning Applications - August 2017.
- C. THAT the responses for the Planning-related matters within **Attachment C** to Report Number 17CF0001 DB:hd entitled Council Responses to Planning Applications - August 2017, be received and noted.

PAGE: 2
 REPORT NUMBER: 17CF0001 DB:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - AUGUST 2017

BACKGROUND

City of Darwin responded to nine Development Applications between 15 July and 4 August 2017.

City of Darwin responded to two other Planning matters received between 15 July and 4 August 2017.

DISCUSSION

Development Applications

Of the nine Development Applications, City of Darwin officers recommend supporting or not objecting to eight (either subject to normal or specific conditions) and recommend not supporting one application due to inadequate information. Subsequently 89% of applications were supported or not objected to and 11% of applications were not supported pending additional information.

Development Applications supported, subject to normal Council conditions

The table below describes the Development Applications that are 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 1414 & 1415 - Town of Darwin 6 & 8 Manton Street, Darwin City	Mixed use development comprising 48 x 2 bedroom multiple dwellings and ground level commercial tenancies in a 15 storey building, 1 basement & 3 above ground levels of car parking. (Raised concerns regarding full length & width awnings & requested the design be reconfigured to improve access to natural light and ventilation)
Section 6027 - Hundred of Bagot 5 Andrews Street, Berrimah	Warehouse and showroom sales with ancillary offices (Reduced front landscaping (required 3m, provided 2.5m) and back (required 5m, provided 3m) setbacks)

PAGE: 3
 REPORT NUMBER: 17CF0001 DB:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - AUGUST 2017

Property Address	Description of Development Proposal
Lot 4855 - Town of Nightcliff 17 Hakea Street, Nightcliff	Shade sail addition to an existing multiple dwelling with a reduced front setback (unit 1) (Crossovers to City of Darwin requirements)
Lot 11986 - Town of Nightcliff 49 Bridge Street, Muirhead	Unit title schemes subdivision to create 2 units and common property (Muirhead Duplex. Common property for electricity supply)
Lot 5775 - Town of Darwin 152 Alec Fong Lim Drive, East Point (Pee Wee's at the Point)	Subdivision to create one lot for the purpose of a lease in excess of 12 years (Lease area renewed with minor realignment to western boundary)
Lot 5279 - Town of Sanderson 18 Bloodwood Circuit, Karama	Carport addition to an existing single dwelling with a reduced side setback (Storm water management plan requested)
Lot 3327 - Town of Darwin 55 Hudson Fysh Avenue, Ludmilla	Change of use from office to shops (Traffic, waste and construction management plan requested)
Lot 7349 -Hundred of Bagot Makagon Road, Berrimah (Berrimah Farm)	Sales office and car parking area (Crossovers to City of Darwin requirements)

Development Applications that have either been not supported or objected to:

The table below describes the Development Application that has not been supported by City of Darwin officers, for the reasons outlined below.

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

PAGE: 4
 REPORT NUMBER: 17CF0001 DB:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - AUGUST 2017

Property Address	Description of Development Proposal	Objected / Not Supported
Lot 4150 - Town of Sanderson 144 Leanyer Drive, Leanyer	Home based child care centre	Did not support Lack of information provided including: <ul style="list-style-type: none"> •number of staff; •hours of operation; •portion of existing structure to be used for child care; and •type of vegetation to be employed in order to create an acoustic buffer. Raised concerns regarding potential to impact the amenity of the residential locality.

Other Planning Applications

Below are descriptions of other planning related Applications that have been received and responded to by City of Darwin.

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

Property Address	Description of Development Proposal	Comments
Portion 1908 – Hundred of Bagot 70 Boulter Road, Berrimah and Lot 9653 – Town of Nightcliff 9653 Progress Drive, Nightcliff	Telecommunications upgrade to existing facility	No issues

PAGE: 5
 REPORT NUMBER: 17CF0001 DB:hd
 SUBJECT: COUNCIL RESPONSES TO PLANNING APPLICATIONS - AUGUST 2017

CONSULTATION PROCESS

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

- Manager City Planning
- Town Planner

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.

CINDY ROBSON
MANAGER CITY PLANNING

GERARD ROSSE
GENERAL MANAGER CITY FUTURES

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 not supporting a Development Application not yet considered by the Development Consent Authority.

Attachment C: Letter responses to other Planning matters

21 July 2017

Please quote: 3572961 DB:hd
Your reference: PA2017/0327

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

Dear Mr Brennan

Parcel Description: **Lot 1414 & 1415 - Town of Darwin
6 & 8 Manton Street, Darwin City**

Proposed Development: **Mixed use development comprising 48 x 2
bedroom multiple dwellings and ground level
commercial tenancies in a 15 storey building,
including 1 basement level and 3 above ground
levels of car parking**

Thank you for the Development Application referred to this office 6 July 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. However, City of Darwin raises the following concerns:**

a). **Awnings**

It is acknowledged that McMinn Street is not under the care and control of Council. However, City of Darwin notes that the proposal has not included a full length or width awning to the McMinn Street façade. The need to provide awnings to support and encourage pedestrian movements around the City Centre is reinforced by the following:

- Clause 6.3.3 of the scheme states that "buildings in Central Darwin are to provide awnings to streets for the full extent of the site frontage";
- The Policy Objectives of City of Darwin Policy No. 037 – Awnings, Balconies and Verandahs on Council Property are to guide owners and developers to "enhance pedestrian amenity of footpaths", "provide

.../2

shade and weather protection to pedestrians” and “provide continuous pedestrian corridor networks”. This policy can be found at: <http://www.darwin.nt.gov.au/council/council-policies>; and

- Furthermore, Design Rationale 04 – Make a Resource Efficient & Walkable City of the Darwin City Centre Master Plan states that “a priority of the Darwin Master Plan is to make the city more walkable so that it performs better socially, economically and environmentally”.

It is the incremental changes to the public realm that will improve the walking environment for pedestrians and therefore; City of Darwin requests that full length and width awnings be provided to McMinn Street to support and encourage such movements and foster a vibrant tropical lifestyle. It is requested that the applicant actively engage with Council to resolve this issue.

City of Darwin appreciates the proposal for a full length awning along the Manton Street façade and looks forward to the application being submitted in accordance with City of Darwin Policy Number 37 - Awnings, Balconies and Verandahs on Council Property.

b). Design

It is noted that unit type(s) 2 and 2B only provide one opening for ventilation. These dwellings also incorporate an internal bedroom with no access to natural light. City of Darwin recommends that the proposal be reconfigured to improve access to natural light and ventilation.

- 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). The crossover and driveway shall meet City of Darwin requirements.**
 - c). All awnings and canopies over City of Darwin road reserves must be designed in accordance with City of Darwin Policy No. 037 – awnings, Balconies and Verandahs on Council Property and are subject to the approval of City of Darwin.**
 - d). City of Darwin requests that the Authority require a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to the 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). The 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 the City of Darwin's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

e). **Waste**

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

f). **Site Construction**

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

The ECMP should specifically address the following:

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

to the satisfaction of City of Darwin.

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

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

g). **Traffic**

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

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

In particular, the Traffic Impact Assessment must provide demonstration of pedestrian sightlines.

The report should identify any necessary upgrades to the surrounding street network as a result of the implications of the development. The developer will be required to institute all required upgrade measures resulting from the traffic assessment at no cost to City of Darwin.

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

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

a). **Awning Overhang**

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

b). **Street Trees, Verge Plantings and Footpaths**

The proposal includes plantings, new concrete footpaths and other works within City of Darwin verges. Verge plantings, footpaths and all other works are required to be upgraded in accordance with City of Darwin policies and are subject to a separate approval from City of Darwin. City of Darwin requests that the applicant first seek all required

approvals from City of Darwin for any proposed works within the road reserve.

c). **Street Trees**

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

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

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

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

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

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

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

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

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

d). **Protection of Street Trees**

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

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

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

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

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

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

f). **Building Identification**

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

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

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5 metres from the face of the kerb line of the adjoining public road.

- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.
- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.
- Any proposed awnings at the site shall be subject to City of Darwin Policy Number 37 - Awnings, Balconies and Verandahs on Council Property.
- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
- Any easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to City of Darwin and/or neighbouring property owners.

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

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

Yours faithfully



CINDY ROBSON
MANAGER CITY PLANNING

21 July 2017

Please quote: 3573485 DB:hd
Your reference: PA2017/0318

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

Dear Mr Brennan

**Parcel Description: Section 6027 - Hundred of Bagot
5 Andrews Street, Berrimah**

**Proposed Development: Warehouse and showroom sales with ancillary
offices**

Thank you for the Development Application referred to this office 7 July 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 supports 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). **A dilapidation report covering infrastructure within the road reserve to the satisfaction and at no cost to City of Darwin.**
 - b). **The crossover and driveway shall meet City of Darwin requirements.**
 - c). **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

.../2

how stormwater will be collected on the site and connected underground to City of Darwin's system.

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

d). **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.

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 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.

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

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

a). **Building Identification**

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

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

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.

- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.
- Any proposed stormwater connections to City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.

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

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

Yours faithfully



CINDY ROBSON
MANAGER CITY PLANNING

25 July 2017

Please quote: 3577433 DB:hd
Your reference: PA2017/0340

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

Dear Mr Brennan

**Parcel Description: Lot 4855 - Town of Nightcliff
17 Hakea Street, Nightcliff**

Proposed Development: Shade sail addition to an existing multiple dwelling with a reduced front setback (Unit 1)

Thank you for the Development Application referred to this office 13 July 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.**
- ii). **City of Darwin requests that should a Development Permit be issued, that the following be provided as a condition precedent:**
 - a). **All crossovers and driveways shall meet City of Darwin requirements.**
- iii). **Should the above issues be adequately addressed, City of Darwin offers the following comments:**

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

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

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

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

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.

- Sight lines shall be provided at crossovers to public streets, to the satisfaction of City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.
- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.

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

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

Yours faithfully



CINDY ROBSON
MANAGER CITY PLANNING

25 July 2017

Please quote: 3579753 DB:hd
Your reference: PA2017/0334

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

Dear Mr Brennan

**Parcel Description: Lot 11986 - Town of Nightcliff
49 Bridge Street, Muirhead**

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

Thank you for the Development Application referred to this office 18 July 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
MANAGER CITY PLANNING**

4 August 2017

Please quote: 3582611 DB:hd
Your reference: PA2017/0345

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

Dear Mr Brennan

**Parcel Description: Lot 5775 - Town of Darwin
152 Alec Fong Lim Drive, East Point**

**Proposed Development: Subdivision to create one lot for the purpose of a
lease in excess of 12 years**

Thank you for the Development Application referred to this office 20 July 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.**

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.

- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
- Any easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to City of Darwin and/or neighbouring property owners.

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

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
MANAGER CITY PLANNING

3 August 2017

Please quote: 3583647 CR:hd
Your reference: PA2017/0319

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

Dear Mr Brennan

**Parcel Description: Lot 5279 - Town of Sanderson
18 Bloodwood Circuit, Karama**

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

Thank you for the Development Application referred to this office 21 July 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 applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged to City of Darwin's drainage network; or at an adequate distance from any built form or allotment boundary. City of Darwin requires a stormwater management plan as a condition precedent.

- 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 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.

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

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

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

Yours faithfully



CINDY ROBSON
MANAGER CITY PLANNING

4 August 2017

Please quote: 3587254 DB:hd
Your reference: PA2017/0359

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

Dear Mr Brennan

**Parcel Description: Lot 3327 - Town of Darwin
55 Hudson Fysh Avenue, Ludmilla**

Proposed Development: Change of use from office to shops

Thank you for the Development Application referred to this office 27 July 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). **The crossover and driveway shall meet City of Darwin requirements.**
 - b). **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,

.../2

- 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.

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

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

The Traffic Impact Study is to also identify the risk associated with areas access and egress from the existing car parking.

The report should identify any necessary upgrades to the surrounding street network as a result of the implications of the development. The developer will be required to institute all required upgrade measures resulting from the traffic assessment at no cost to City of Darwin.

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

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of City of Darwin.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of City of Darwin.
- 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 City of Darwin.

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

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

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

Yours faithfully



CINDY ROBSON
MANAGER CITY PLANNING

4 August 2017

Please quote: 3587292 DB:hd
Your reference: PA2017/0364

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

Dear Mr Brennan

**Parcel Description: Lot 7349 - Hundred of Bagot
Makagon Road, Berrimah**

Proposed Development: Sales office and car parking area

Thank you for the Development Application referred to this office 27 July 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.**
- ii). **City of Darwin requests that should a Development Permit be issued, that the following be provided as a condition precedent:**
 - a). **The crossover and driveway shall meet City of Darwin requirements.**
- iii). **Should the above issues be adequately addressed, City of Darwin offers the following comments:**

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

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

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

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

b). **Building Identification**

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

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

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.

- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of City of Darwin.
- 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 City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5 metres from the face of the kerb line of the adjoining public road.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.

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

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

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

Yours faithfully



CINDY ROBSON
MANAGER CITY PLANNING

21 July 2017

Please quote: 3573172 DB:hd

Your reference: PA2017/0315

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

Dear Mr Brennan

Parcel Description: **Lot 4150 - Town of Sanderson**
144 Leanyer Drive, Leanyer

Proposed Development: **Home based child care centre**

Thank you for the Development Application referred to this office 6 July 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 support the granting of a Development Permit for the following reasons:**
- a). There appears to be a lack of information provided by which to make a full and proper assessment, including:
 - The number of staff to be employed at any given time;
 - The hours of operation;
 - The portion of the existing structure which is to be used for child care and the portion of the structure to be used for dwelling; and
 - The type of vegetation to be planted in order to create an acoustic / visual buffer.

 - b). The proposed home based child care centre is located over 250 metres from any commercial or community centre and has potential to impact the amenity of the residential locality.

- ii). **City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:**
- a). The crossover and driveway shall meet City of Darwin requirements.
- iii). **Should the above issues be adequately addressed, City of Darwin offers the following comments:**

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

a). **Protection of Street Trees**

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

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

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

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.

- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of City of Darwin.
- Any proposed works on/over City of Darwin property shall be subject to separate application to City of Darwin and shall be carried out to the requirements and satisfaction of City of Darwin.
- All developments on/or adjacent to any easements on-site, in favour of City of Darwin shall be carried out to the requirements and satisfaction of City of Darwin.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.

- 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 separate application to City of Darwin and shall be carried out to the requirements and satisfaction 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
MANAGER CITY PLANNING

3 August 2017

Please quote: 3583654 DB:hd

Mr Matthew Johnson
Town Planner
Aurecon
Level 10, 55 Grenfell Street
ADELAIDE SA 5000

Via Email: Matthew.D.Johnson@aurecongroup.com

Dear Mr Johnson

**Parcel Description: Portion 1908 – Hundred of Bagot
70 Boulter Road, Berrimah**

**Lot 9653 – Town of Nightcliff
9653 Progress Drive, Nightcliff**

**Proposed Development: Proposal to upgrade existing
telecommunications site without a development
permit**

Thank you for the notification referred to this office 21 July 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 notification to carry out upgrading activities, 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
MANGER CITY PLANNING**

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, 12 September 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

