



Business Papers

Town Planning Committee Meeting

Tuesday, 2 February 2016
5:00pm

Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend a Town Planning Committee Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 2 February 2016, commencing at 5.00 pm.



B P DOWD
CHIEF EXECUTIVE OFFICER

Office Use Only

Placed on Public Notice Board: _____

OPEN SECTION

TP/1

CITY OF DARWIN

TOWN PLANNING COMMITTEE

TUESDAY, 2 FEBRUARY 2016

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

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Infrastructure, Mr L Cercarelli; Executive Manager, Mr M Blackburn; Manager Design, Projects & Planning, Mr D Lelekis; Strategic Town Planner, Ms C Robson; Planning Officer, Mr B Sellers; Town Planner, Ms N Smith; Executive Assistant, Ms A Smit.

Enquiries and/or Apologies: Arweena Smit
E-mail: a.smit@darwin.nt.gov.au - PH: 89300 685
OR Phone Committee Room 1, for Late Apologies - PH: 89300 519

Committee's Responsibilities

- Development Applications referred from the Development Consent Authority
- Town Planning Strategy, Policies and Procedures
- Development and Planning Matters referred to Council from Developers, Community Groups and Individuals
- Signage Applications, Policies and Procedures

THAT effective as of 16 April 2012 Council, pursuant to Section 32 (2)(b) of the Local Government Act 2008, hereby delegates to the Town Planning Committee the power to make recommendations to Council and decisions relating to Town Planning matters within the approved budget.

***** INDEX *****

PAGE

- | | | |
|-----------|---|----------|
| 1. | MEETING DECLARED OPEN | 3 |
| 2. | APOLOGIES AND LEAVE OF ABSENCE | 3 |

OPEN SECTION

TP/2

3.	ELECTRONIC MEETING ATTENDANCE	3
4.	DECLARATION OF INTEREST OF MEMBERS AND STAFF	3
5.	CONFIDENTIAL ITEMS	3
6.	WITHDRAWAL OF ITEMS FOR DISCUSSION	4
7.	CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING	
	• Tuesday, 6 October 2015.....	4
8.	BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING	
8.1	Business Arising	4
9.	DEPUTATIONS AND BRIEFINGS.....	4
10.	OFFICERS REPORTS	
10.1	Section 4440 (10) Boulter Road, Berrimah - Rezone from Zone R (Rural) And Zone Rd (Restricted Development) to Zone LI (Light Industry) Pa2015/0880	5
10.2	Signage Application – A&N Fitness - Lot 2322 (56) Smith Street, Darwin City	53
10.3	Council Responses to Development Applications - January 2016.....	62
10.4	Strategic Planning Issues - February 2016.....	95
11.	INFORMATION ITEMS	98
12.	GENERAL BUSINESS.....	98
13.	CLOSURE OF MEETING.....	98

OPEN SECTION

TP/3

Town Planning Committee Meeting – Tuesday, 2 February 2016

1. MEETING DECLARED OPEN

2. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

2.1 Apologies

2.2 Leave of Absence Granted

()

- A. THAT it be noted Member M Palmer is an apology due to a Leave of Absence previously granted on 24 November 2015 for the period 23 January to 8 February 2016.

DECISION NO.21\() (02/02/16)

3. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

3.1 Electronic Meeting Attendance Granted

Nil

4. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Common No. 2752228

5. CONFIDENTIAL ITEMS

Common No. 1944604

Nil

OPEN SECTION

TP/4

Town Planning Committee Meeting – Tuesday, 2 February 2016

6. WITHDRAWAL OF ITEMS FOR DISCUSSION

() COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the Town Planning Committee Meeting held on 2 February 2016 be received and considered individually.

DECISION NO.21\() (02/02/16)

7. CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING

() COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous Town Planning Committee Meeting held on Tuesday, 6 October 2015, tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\() (02/02/16)

8. BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING

8.1 Business Arising

9. DEPUTATIONS AND BRIEFINGS

Nil

ENCL: TOWN PLANNING COMMITTEE/OPEN **AGENDA ITEM:** 10.1
YES

SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO ZONE LI (LIGHT INDUSTRY) PA2015/0880

REPORT No.: 16TS0018 CR:jg **COMMON No.:** 3302801 **DATE:** 02/02/2016

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to refer to Council for comment, Pursuant to Section 19 of the *Planning Act*, the following development application: Section 4440 (10) Boulter Road, Berrimah - Rezone from Zone R (Rural) and Zone RD (Restricted Development) to Zone LI (Light Industry) PA2015/0880.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

1.4 Improved relations with all levels of government and significant stakeholders

Key Strategies

1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- On 8 December 2015, Council endorsed that no further rezoning within the Berrimah North Area Plan be supported until a fully funded implementation plan is finalised for necessary stormwater and road infrastructure.
- It is therefore recommended that Council objects to the proposed rezoning of Section 4440 (10) Boulter Road, Berrimah.
- The site has approval for subdivision into four lots to reflect the existing joint ownership arrangement (DP15/0443) and, notwithstanding the requirement for a schematic stormwater management plan under the conditions of the subdivision permit, there is no certainty that redevelopment of the lots will proceed in a concurrent manner that would allow for a coordinated approach to stormwater management on-site.
- There is concern that proposals to fill the site (to address Q100 flooding and accommodate gravity feed to sewers) may result in a displacement of localised flooding onto Amy Johnson Avenue, Boulter Road and/or adjoining properties.

PAGE: 2
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM
 ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO
 ZONE LI (LIGHT INDUSTRY) PA2015/0880

The applicant has not submitted details of the extent of fill required to develop the site for light industry, or hydraulic modelling or potential changes in flood extent outside the boundaries of the site.

RECOMMENDATIONS

THAT the Committee resolve under delegated authority:

- A. THAT Report Number 16TS0018 CR:jg entitled Section 4440 (10) Boulter Road, Berrimah - Rezone from Zone R (Rural) and Zone RD (Restricted Development) to Zone LI (light Industry) PA 2015/0880 be received and noted.
- B. THAT Council endorse the submission, dated 5 February 2016, to the Reporting Body within **Attachment B** to Report Number 16TS0018 CR:jg entitled Section 4440 (10) Boulter Road, Berrimah - Rezone from Zone R (Rural) and Zone RD (Restricted Development) to Zone LI (Light Industry) PA 2015/0880.

BACKGROUND

Site and Surrounds

The site is located on the corner of Boulter Road and Amy Johnson Avenue. It is bounded by Amy Johnson Avenue to the west (opposite Darwin Airport), Boulter Road to the north, crown land to the south and a mix of crown land and community purpose uses to the east.

The front portion of the site is currently occupied by two separate businesses with shared access from Boulter Road. The western portion is occupied by a horticultural business focussing on flowers and plant seedlings. The eastern section is occupied by Gimbells Landscaping, who operate a depot from the site comprising administrative buildings, sheds, plant and seedling storage, and vehicle storage.

The larger southern portion of the site zoned Zone RD (Restricted Development) is generally vacant.

A number of residential zoned sites further along Boulter Road are currently subject to planning applications, under construction, or have already been developed for medium density development.

PAGE: 3
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO ZONE LI (LIGHT INDUSTRY) PA2015/0880



Figure 1 Subject Site

Section 4106, directly to the north of the subject site, has a current a planning scheme amendment application over it (PA2014/0168). This application seeks to rezone that site, from Zone CP (Community Purposes) to Zone MD (Multiple Dwelling Residential). Council objected to the application for a number of reasons, predominantly relating to site constraints.

In addition to specific site issues, it was recommended (and endorsed) that Council not support any further rezoning within the Berrimah North Area Plan until a fully funded implementation plan is finalised for necessary stormwater and road infrastructure upgrades.

Site Development History

There is a substantial planning history on the site, as detailed below by each Development Permit number, starting with the most recent application.

DP15/0443 – A subdivision permit issued to create four lots on Section 4440. The purpose of the application was to facilitate ownership of separate allotments by joint owners. The approved subdivision plan (shown in Figure 2) allowed for the inclusion of a 40m wide road reserve to facilitate a connector road from Amy Johnson Avenue, generally in accordance with the Berrimah North Area Plan, with a 30m easement for a future north-south connector road through the site.

The permit was issued subject to two conditions precedent and nine general conditions.

Condition Precedent 1 required amended plans showing staging (2 stages) of the development to enable Lots 1 and 2 to be titled independently of proposed Lots 3

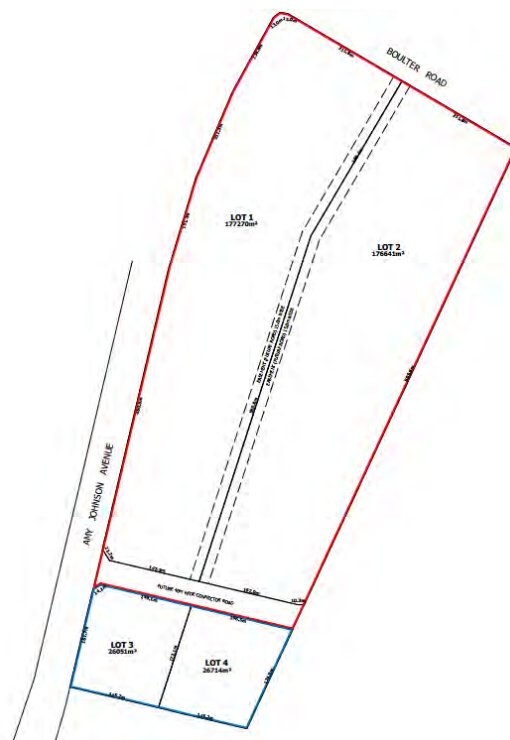
PAGE: 4
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO ZONE LI (LIGHT INDUSTRY) PA2015/0880

and 4. Condition 10 prevents the issue of titles for Lots 3 and 4 until the east-west connector road from Amy Johnson Avenue is established and access to each lot is to the satisfaction of City of Darwin.

Condition Precedent 2 required the submission to and approval by City of Darwin of a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system, The plan is to include details of site levels and Council's stormwater drain connection point/s and indicate how stormwater will be collected on the site and connected underground to Council's system.

General Condition 8 required engineering design and specifications for the proposed and affected roads, stormwater drainage, vehicular access, pedestrian/cycle corridors and streetscaping to be to the technical requirements of City of Darwin and to the satisfaction of the consent authority.

Figure 2 Submitted subdivision plan



Source: DP15/0443

PA2009/1407 – A Planning Scheme Amendment was approved to introduce Clause 14.1.2 to the Area Plan and Planning Principles for Berrimah North.

DP09/0330 – A subdivision permit was issued on 24/4/2009 to create 2 lots.

PA2007/0821 – A Planning Scheme Amendment was approved to rezone part of site from Zone RD (Restricted Development) to Zone R (Rural).

PAGE: 5
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO ZONE LI (LIGHT INDUSTRY) PA2015/0880

DP03/0195 – A development permit was issued for use and development of the land for the purposes of agriculture including the placement of two demountables and three shipping containers on the site.

DP97/0761A – A variation to a development permit was issued on 9/1/1998 for the construction of a storage shed for equipment and products related to the primary use of the site.

DP97/0761 – A development permit was issued on 17/12/1997 for offices on the site.

PA1997/0279 – A Planning Scheme Amendment was approved to rezone the site from Zones FU, RC and CP to Zone RD.

DP95/0369 – A development Permit was issued on 14/7/1995 for a nursery on the site.

DISCUSSION

Current Proposal

The application seeks to rezone part of the subject site, Section 4440, from Zone R (Rural) and Zone RD (Restricted Development) to Zone LI (Light Industry). The total site has an area of 42ha. The area of the site to be rezoned as Zone LI has not been indicated but appears to be approximately 38ha.

Figure 3 Proposed rezoning



Source: PA2015/0880

PAGE: 6
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO ZONE LI (LIGHT INDUSTRY) PA2015/0880

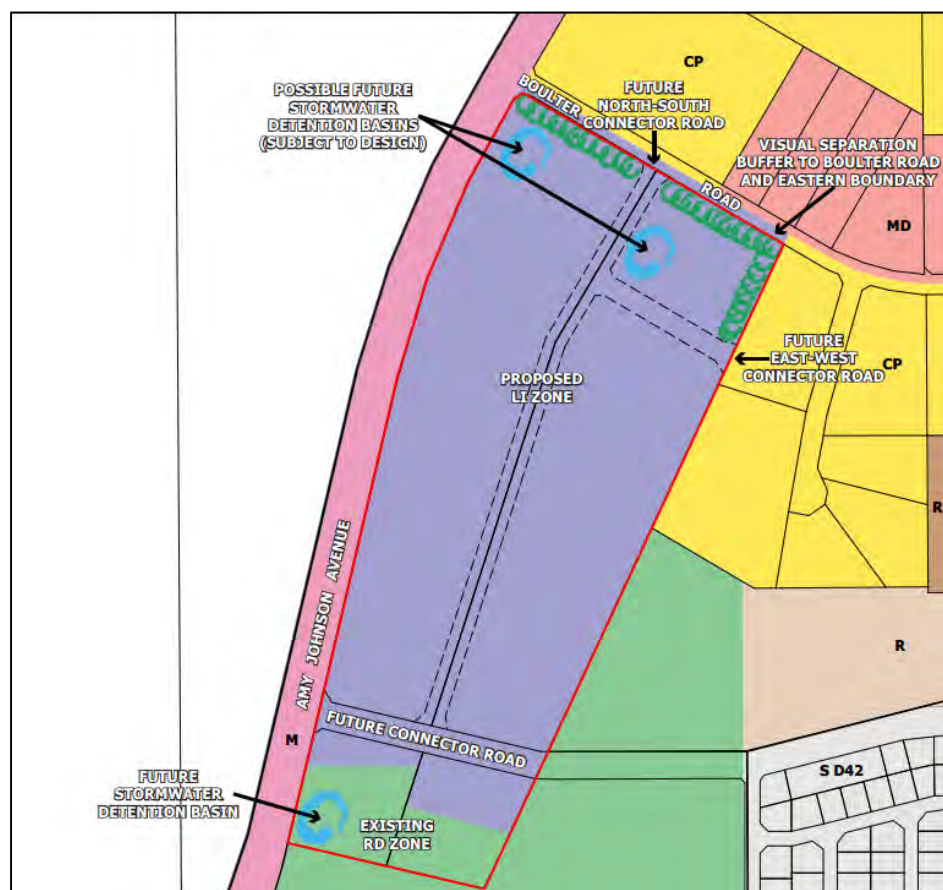
The proponents have submitted a Future Development Structure Plan which shows a future connector road from Amy Johnson Avenue (identified in the subdivision approved on-site), a future north-south connector road from Boulter Road (identified in the approved subdivision by way of an easement) and a future east-west connector from this new connector road to the CP zoned lands to the east.

The plan also identifies landscaping on the site along Boulter Road and along part of the boundary with the adjoining CP land to create a visual separation buffer to the land.

Possible future stormwater detention basins (which will be subject to design) have been identified on Lots 1, 2 and 3.

However, the current application is for a blanket LI rezoning across most of the site and this Structure Plan will have no statutory status.

Figure 4 Zoning and Indicative Future Development Structure Plan



Source: PA2015/0880

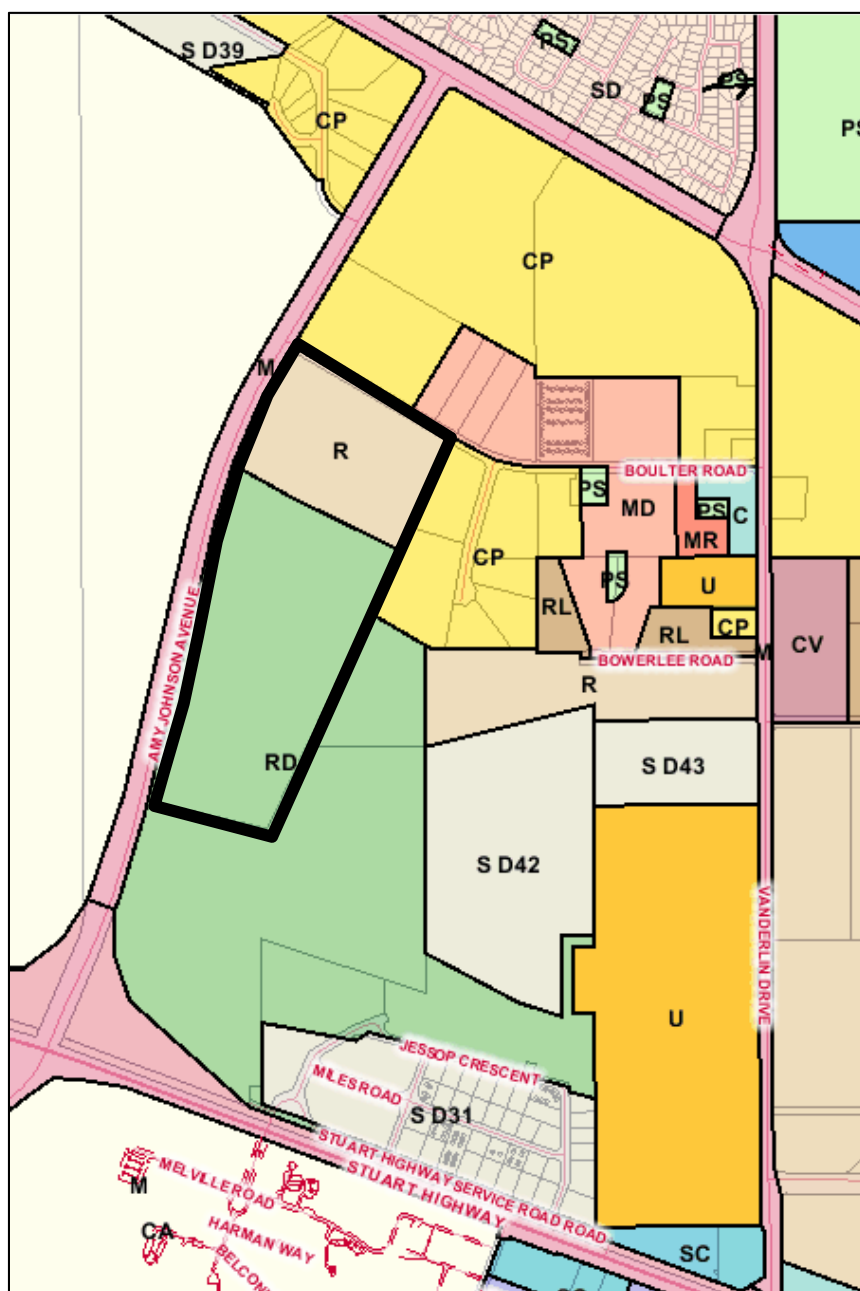
PAGE: 7
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO ZONE LI (LIGHT INDUSTRY) PA2015/0880

Application Assessment

NT Planning Scheme

The northern section of the site is currently zoned R (Rural) and the lower two-thirds of the site is zoned RD (Restricted Development). (Refer to **Figure 5** below).

Figure 5 Zoning Map

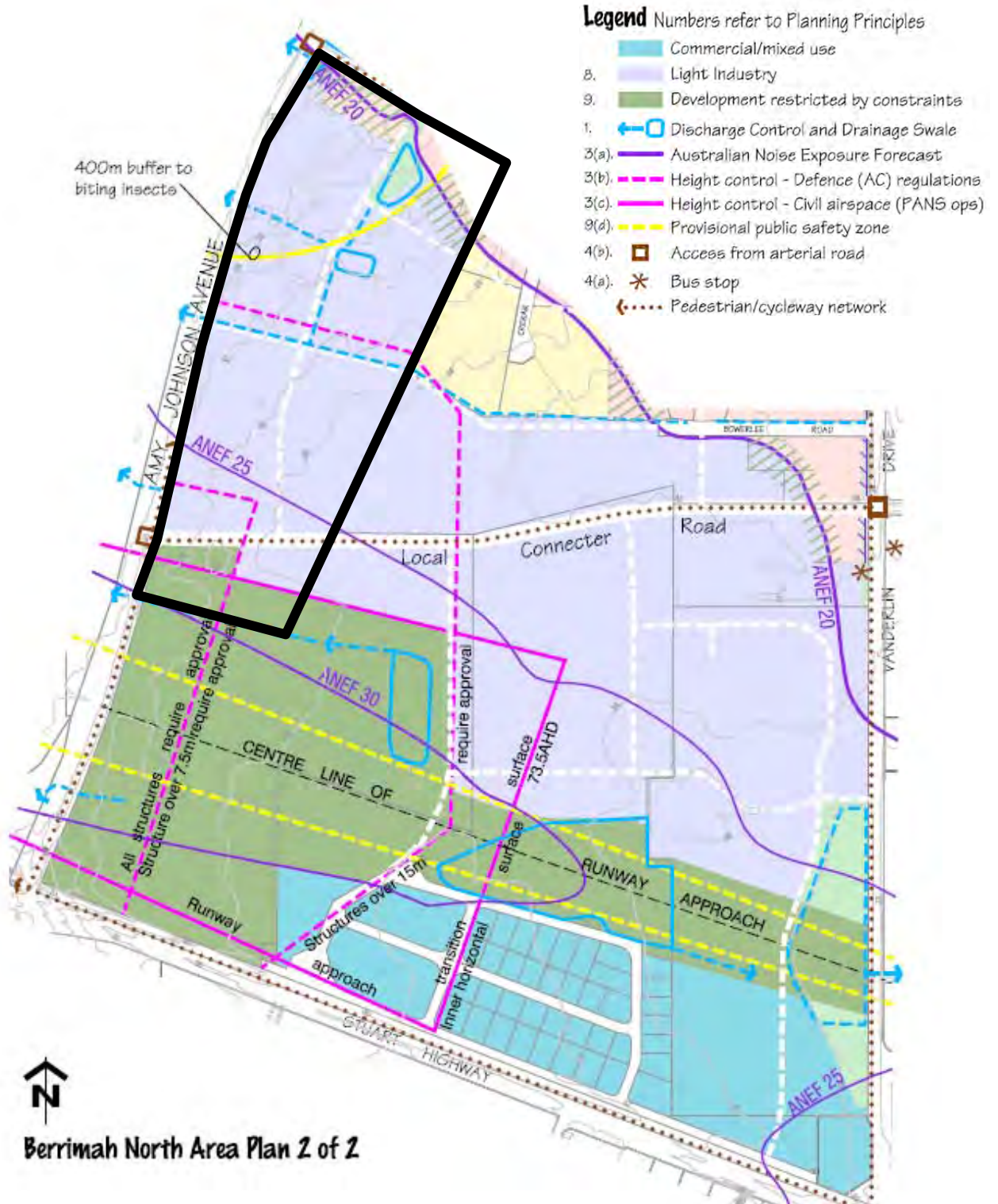


Source: NT Atlas

Despite the RD Zoning, the Berrimah North Area Plan (Maps 1 and 2) identifies part of the site for Light Industry (Refer to **Figure 6** over).

PAGE: 8
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO ZONE LI (LIGHT INDUSTRY) PA2015/0880

Figure 6 Berrimah North Area Plan (2 of 2)



Source: NT Planning Scheme

PAGE: 9
REPORT NUMBER: 16TS0018 CR:jg
SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM
ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO
ZONE LI (LIGHT INDUSTRY) PA2015/0880

The Berrimah North Area Plan shows the potential for the zoning on the site to change to a mixture of Residential, Open Space (accommodating drainage features), Light Industry and Restricted Development.

The proposal seeks to take up the LI zoning and to extend this into the areas identified for residential and open space/drainage features.

A rural residential buffer has been identified to the north of the site; the purpose of which is to reduce residential density where land is affected by constraints such as biting insects. A biting insect buffer crosses the northern portion of the site.

A number of drainage swales have been indicated on the site with a discharge control point on Lot 2, with stormwater discharging towards Amy Johnson Avenue.

The site's proximity to Darwin Airport and the RAAF base presents a number of constraints which are articulated in the Planning Principles. There are airport related height limits on the southern portion of the site controlled by Defence (AC) regulations and Civil Airspace (PANS ops). The Australian Noise Exposure Forecast (ANEF) contour 20 and 25 also run through the site.

Waterlogged soils

Though no details of waterlogging soils have been submitted with this application, an area of approximately 2.5ha in the north-west corner of the site was identified by the Department of Land Resource Management in the previous subdivision application (DP15/0443) as being constrained by imperfect to poor soil drainage.

Stormwater drainage

The site is located in the Rapid Creek Catchment and stormwater from the site currently drains to Amy Johnson Avenue, where it is collected via a number of table drains, which ultimately drain to Marrara Swamp. Adjacent properties generally discharge to existing open channels, with the exception of Lot 4882 (to the east of the site), which partially sheet-flows across the site.

The services report prepared by Byrne Design indicates that given the site's proximity to the Marrara Swamp, some of the land is constrained due to Q100 flood levels and that this will need to be considered during the design phase to establish the extent of earthworks required or extent of land which will be subject to restricted development. It would appear from the maps included in the application, that the site floods up to 0.5m in areas.

To ensure that post development peak flows are controlled at current levels, a detention basin is proposed in the north-western corner of the site to service Lots 1 and 2 (location to be determined at design stage). It is proposed that all of Lot 2 and part of Lot 1 will divert to this basin with the remaining of Lot 1 continuing to discharge to the existing culverts (similar to existing flow rates). A detention basin is also planned for the south-western corner of Lot 3 in the area zoned RD. It should be noted that the Indicative Structure Plan shows detention basins in both Lots 1 and 2.

PAGE: 10
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM
 ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO
 ZONE LI (LIGHT INDUSTRY) PA2015/0880

A detailed assessment of the basin design is to be undertaken at a later design stage based on the currently approved subdivision. It is noted in the application that further subdivision and/or earthworks will require redesign of stormwater and detention systems. Due to existing topography, underground stormwater drainage cannot be accommodated on the site (which is too flat). It is therefore proposed to use open drains to divert stormwater to the proposed detention system.

While the site is still registered as a single lot, there is approval for the creation of four separate lots. Conditions on the subdivision permit (DP15/0443) require the approval of a schematic stormwater management plan, however following the issue of titles for Lots 1 and 2, they can be held in separate ownership and may not be developed concurrently. This may present problems in how the stormwater management plan is implemented.

To achieve flood immunity on the area of the site, it is proposed to fill the site, though the extent has not been quantified. Fill will also be required to achieve gravity feed in the proposed sewers (see below). There is no comment on how the proposed fill may impact on potential flood risk to Amy Johnson Avenue, Boulter Road or adjoining properties.

Infrastructure Plans

Substantial infrastructure and service upgrades (including power, water, sewer, roads, stormwater and open space) will be required to accommodate future development of the land for light industry. The proponent states that extent of upgrades undertaken by the developer of Section 4440, and/or the extent of contribution payable will be subject to broader infrastructure plans from the Northern Territory Government, Power and Water Corporation and City of Darwin, along with the formalisation of contribution plans for the area.

ANEF

At present, all development on the site requires consent in accordance with Clause 6.9.2 of the Planning Scheme, as the use or development of land in Zones R and RD, that is near an airport and subject to the ANEF 20 contour or higher requires consent. The rezoning of the site to Zone LI will remove this constraint and light industrial uses will be permissible on the site. Although any development will still need to comply with the noise attenuation guidelines of AS2021-2000.

Biting Insects

Part of the subject site is within a Biting Insect Buffer area. To address biting insects, the design of the stormwater drainage systems will need to incorporate measures to prevent the creation of stagnant water and increased/permanent surface flows to Marrara swamp.

While the current application does not propose a zone in which likely land uses are sensitive to biting insects, the increasing urbanisation in the Marrara Swamp catchment could lead to increased areas and periods of time that mosquito breeding

PAGE: 11
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM
 ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO
 ZONE LI (LIGHT INDUSTRY) PA2015/0880

habitats are available, therefore worsening the biting insect potential in the area to the detriment of existing and future surrounding residents.

Traffic Impacts

The application is accompanied by a TIA (Traffic Impact Assessment). The TIA concludes that the proposed rezoning has no impact on accessibility with additional trips associated with the proposed rezoning less than 5% of the total forecast traffic volumes. It also concludes that there is sufficient capacity in the proposed design and layout of roads and intersections within the Berrimah North Area Plan to accommodate the resultant increase in traffic with negligible impact on the forecast performance of these roads and intersections.

It is recommended in the TIA that the relevant planning and road authorities assess all intersections proposed under the Berrimah North Area Plan, including how they interface with the external road network to ensure design of the intersections with the external road networks are not compromised by the location and control of proposed internal intersections. In particular, it is noted that the proposed road running north-south through Lot 4440 is approximately 230m east of Amy Johnson Avenue and has the potential to adversely affect intended control and/or layouts of intersections with Amy Johnson Avenue. It is however outside the remit of this application and an easement has been approved under DP15/0443.

It is noted that a road study for the entire Berrimah North Area has been conducted and it is the responsibility of the applicant to conduct their study within the context of the previous study.

It is recommended that prior to the development of each site, a Traffic Impact Assessment be required taking into account the proposed site layout and traffic generation rates associated with the development. These Traffic Impact Assessments will need to reference the Berrimah North Study.

Summary

It is recommended that Council objects to the proposed rezoning on the following grounds:

- While the proposed rezoning is generally in accordance with the Berrimah North Area Plan, the proposed rezoning is considered premature at this time.

Substantial infrastructure and service upgrades (sewerage, water, power, roads and stormwater drainage) will be required to accommodate future development of the land for light industrial purposes. As acknowledged in the application, that extent of upgrades undertaken by the developer of Section 4440, and/or the extent of contribution payable will be subject to broader infrastructure plans from the Northern Territory Government, Power and Water Corporation and City of Darwin, along with the formalisation of contribution plans for the area.

PAGE: 12
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM
 ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO
 ZONE LI (LIGHT INDUSTRY) PA2015/0880

On 8 December 2015, Council endorsed a recommendation that no further rezoning within the Berrimah North Area Plan be supported until a fully funded implementation plan is finalised for necessary stormwater and road infrastructure.

In the absence of formal contribution plans and a fully funded implementation plan for necessary stormwater and road infrastructure, the current proposal is considered premature.

- The site has approval for subdivision into four lots to reflect the existing joint ownership arrangement (DP15/0443) and, notwithstanding the requirement for a schematic stormwater management plan under the conditions of the subdivision permit, there is no certainty that redevelopment of the lots will proceed in a concurrent manner that would allow for a coordinated approach to stormwater management on site.
- There is concern that proposals to fill the site (to address Q100 flooding and accommodate gravity feed to sewers) may result in a displacement of localised flooding onto Amy Johnson Avenue, Boulter Road and/or adjoining properties.

The applicant has not submitted details of the extent of fill required to develop the site for light industry, hydraulic modelling or potential changes in flood extent outside the boundaries of the site.

CONSULTATION PROCESS

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

- Manager Technical Services
- Strategic Town Planner
- Team Leader Development

POLICY IMPLICATIONS

As referred to in body of the report.

BUDGET AND RESOURCE IMPLICATIONS

There are no costs associated with the rezoning liable to Council. However, future upgrades to infrastructure to accommodate development on the site will require the preparation of contribution plans.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are no legal or legislative implications at this stage. However, in the absence of any stormwater management details, there is a risk of flooding on Amy Johnson Road, Boulter Road or adjacent properties.

PAGE: 13
 REPORT NUMBER: 16TS0018 CR:jg
 SUBJECT: SECTION 4440 (10) BOULTER ROAD, BERRIMAH - REZONE FROM
 ZONE R (RURAL) AND ZONE RD (RESTRICTED DEVELOPMENT) TO
 ZONE LI (LIGHT INDUSTRY) PA2015/0880

ENVIRONMENTAL IMPLICATIONS

As above, in the absence of any stormwater management details, the rezoning of the site and subsequent development may give rise to a risk of flooding on Amy Johnson Road, Boulter Road or adjacent properties.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN, PLANNING &
PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Cindy Robson on 8930 0528 or email:
 c.robson@darwin.nt.gov.au.

Attachments:

Attachment A: Development Application, Section 4440 (10) Boulter Road, Berrimah - Rezone from Zone R (Rural) And Zone RD (Restricted Development) To Zone LI (Light Industry) PA2015/0880

Attachment B: City of Darwin, draft Letter of Response to the Reporting Body, dated 5 February 2016

NORTHERN TERRITORY OF AUSTRALIA**PROPOSAL TO AMEND NT PLANNING SCHEME
PA2015/0880**

An application has been made to the Minister for Lands and Planning to amend the NT Planning Scheme by rezoning part Lot 4440 Hundred of Bagot from Zone R (Rural) and Zone RD (Restricted Development) to Zone LI (Light Industry).

Attached are:

- the Notice of Exhibition under Section 17 of the *Planning Act*;
- extracts from the NT Planning Scheme relating to Zone R (Rural);
- extracts from the NT Planning Scheme relating to Zone RD (Restricted Development);
- extracts from the NT Planning Scheme relating to Zone LI (Light Industry);
- a locality map; and
- a copy of the submitted application from Northern Planning Consultants.

The exhibition period is from Friday 8 January 2016 to Friday 5 February 2016.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday 5 February 2016 and made to:

Director, Lands Planning
Department of Lands, Planning and the Environment
GPO Box 1680
DARWIN NT 0801; or

Email: planning.dlpe@nt.gov.au

Fax: (08) 8999 7189 or

Hand delivered to Ground Floor, Arnhemica House, 16 Parap Road, Parap.

For more information please contact Stephanie Breuer, Lands Planning on ph. (08) 8999 8963.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF EXHIBITION OF PROPOSAL
TO AMEND NT PLANNING SCHEME
PA2015/0880**

I, BRUCE MICHAEL authorised delegate of the Minister under the *Planning Act*, give notice under section 17 of the *Planning Act* of the following:

- (a) a proposal to amend the NT Planning Scheme, as described in (e), is to be exhibited;
- (b) the proposed amendment is to be exhibited at the office of the Department of Lands, Planning and the Environment, Ground Floor, Arnhemica House, 16 Parap Road, Parap;
- (c) the period of exhibition is for 28 days, commencing upon first newspaper publication of the notice required by section 17(1);
- (d) written submissions regarding this exhibition should be made to:

Director, Lands Planning
Department of Lands, Planning and the Environment
GPO Box 1680
DARWIN NT 0801 or

Fax: (08) 8999 7189 or

Email: planning.dlpe@nt.gov.au

- (e) the proposed amendment is to the NT Planning Scheme, to rezone part Lot 4440 Hundred of Bagot (10 Boulter Road, Berrimah) from Zone R (Rural) and Zone RD (Restricted Development) to Zone LI (Light Industry).

Dated

5th of January

2016.

Bruce Michael

BRUCE MICHAEL
Delegate of the Minister

5.20 ZONE R – RURAL

1. The primary purpose of Zone R is to provide for a range of activities including residential, agricultural and other rural activities.
2. The larger lot sizes in this zone facilitate the separation between potentially incompatible uses and restrict closer settlement.
3. If lots are unsewered, provision for the disposal of effluent must be made on-site so that the effluent does not pollute ground or surface waters.

Clause 6.8 refers to **Demountable Structures**.

Clause 6.2 limits the height of buildings within the Municipality of Alice Springs.

Clause 6.9 controls the use and development of land within the ANEF 20 unit value contour adjacent to airports.

Clause 6.11 refers to Garages and Sheds.

Clause 6.14 refers to land subject to flooding and storm surge.

Clause 7.10.2 refers to **caravans**.

Clause 10.2 refers to the **clearing of native vegetation**.

Clause 11.1.1 refers to subdivision lot sizes and clauses 11.4 to subdivision standards.

Clause 13.5 refers to the erection of mobile telephone communications towers.

Areas potentially of environmental significance within the Shire of Litchfield are identified on the map "Priority Environmental Management Areas – Litchfield Shire" produced by the former Department of Infrastructure, Planning and Environment, see clause 2.8.

ZONING TABLE – ZONE R

abattoir	x	
agriculture	P	6.1, 10.1, 10.2
animal boarding	D	6.1, 10.1, 10.2
business sign	P	6.7
caravan park	x	
caretaker's residence	x	
car park	x	
child care centre	D	6.1, 6.5.1, 8.1.5, 10.2
community centre	D	6.1, 6.5.1, 10.2
domestic livestock	P	6.1, 10.1, 10.2
education establishment	D	6.1, 6.5.1, 10.2
fuel depot	x	
general industry	x	
group home	P	7.1, 7.3, 7.10.5
home based child care centre	P	6.5.1, 7.10.6
home based contracting	P	7.10.8, 10.2
home based visitor accommodation	S	7.10.1
home occupation	P	7.10.7
horticulture	P	6.1, 10.2
hospital	x	
hostel	x	
hotel	x	
independent unit	P	6.5.1, 7.1, 7.3, 7.5, 7.10.4
intensive animal husbandry	D	6.1, 10.1, 10.2
leisure and recreation	x	
licensed club	x	
light industry	x	
medical clinic	x	
medical consulting rooms	P	6.5.1, 7.10.9
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	x	
office	x	
passenger terminal	x	
place of worship	D	6.1, 6.5.1, 10.2
plant nursery	P	6.1, 6.5.1, 10.2
promotion sign	x	
recycling depot	x	
restaurant	D	6.1, 6.5.1, 6.6, 10.2
retail agricultural stall	P	6.1, 10.2
rural industry	D	6.1, 6.5.1, 10.2, 10.6
service station	x	
shop	x	
showroom sales	x	
single dwelling	P	6.5.1, 7.1, 7.3
stables	D	6.1, 6.5.1, 10.1, 10.2
supporting accommodation	D	6.5.1, 7.1, 7.3, 7.5, 7.6, 7.7, 7.8, 10.2
transport terminal	D	6.1, 6.5.1, 6.6, 10.1, 10.2, 10.5
vehicle sales and hire	x	
veterinary clinic	D	6.1, 6.5.1, 10.2
warehouse	x	

P = Permitted S = Self Assessable D = Discretionary x = Prohibited

5.24 ZONE RD – RESTRICTED DEVELOPMENT

1. The purpose of Zone RD is to restrict development near an airport.
2. The intention is to:
 - (a) ensure development does not prejudice the safety and efficiency of an airport;
 - (b) limit the number of people who reside or work in the area; and
 - (c) retain the non-urban character of the land.

Clause 1.3 refers to Sheds.

Clause 6.8 refers to **Demountable Structures**.

Clause 6.9 controls the use and development of land within the ANEF 20 unit value contour adjacent to airports.

Clause 6.11 refers to Garages and Sheds.

Clause 6.14 refers to land subject to flooding and storm surge.

Clause 7.10.2 refers to **caravans**.

Clause 11.1.1 refers to lot sizes in this zone.

Clause 13.5 refers to the erection of mobile telephone communications towers.

ZONING TABLE – ZONE RD

abattoir	x	
agriculture	D	6.1, 6.9, 10.1, 10.2
animal boarding	D	6.1, 6.5.1, 6.9, 10.1, 10.2
business sign	P	6.7
caravan park	x	
caretaker's residence	D	6.1, 6.5.1, 6.9, 7.3, 7.10.3
car park	x	
child care centre	x	
community centre	x	
domestic livestock	x	
education establishment	x	
fuel depot	x	
general industry	x	
group home	x	
home based child care centre	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	x	
horticulture	D	6.1, 6.9, 10.2
hospital	x	
hostel	x	
hotel	x	
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	x	
licensed club	x	
light industry	x	
medical clinic	x	
medical consulting rooms	x	
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	x	
office	x	
passenger terminal	x	
place of worship	x	
plant nursery	D	6.1, 6.5.1, 6.9, 10.2
promotion sign	D	6.7
recycling depot	x	
restaurant	x	
retail agricultural stall	D	6.1, 6.9, 10.2
rural industry	x	
service station	x	
shop	x	
showroom sales	x	
single dwelling	x	
stables	D	6.1, 6.5.1, 6.9, 10.1, 10.2
supporting accommodation	x	
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	x	
warehouse	x	

P = Permitted S = Self Assessable D = Discretionary x = Prohibited

5.11 ZONE LI – LIGHT INDUSTRY

1. The primary purpose of Zone LI is to provide for **light industry** uses or development activities that will not by the nature of their operations, detrimentally affect adjoining or nearby land.
2. **Offices** are expected to primarily provide a service to the **light industry** in the zone and be of a size commensurate with the service provided.
3. **Shops** are expected to be limited to those that either service the needs of the **light industry** in the zone or would be inappropriate in a commercial zone.

Clause 6.8 refers to **Demountable Structures**.

Clause 6.2 limits the height of buildings within the Municipality of Alice Springs.

Clause 6.14 refers to land subject to flooding and storm surge.

Clause 7.10.2 refers to **caravans**.

Clause 9.1.1 describes standards for industrial developments.

Clause 11.1.1 refers to subdivision lot sizes in this zone and clauses 11.3.1 to 11.3.3 to subdivision design.

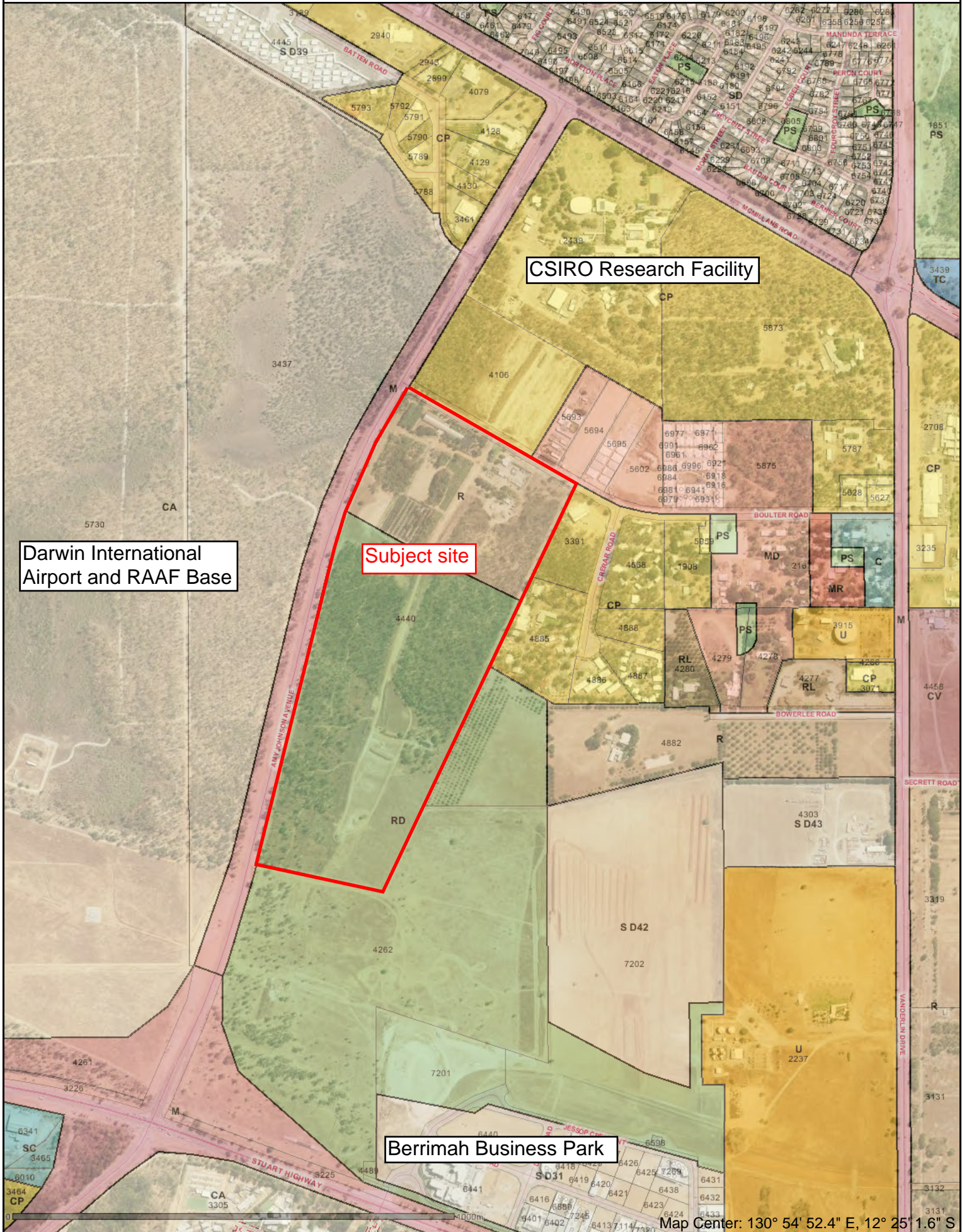
Clause 13.5 refers to the erection of mobile telephone communications towers.

ZONING TABLE – ZONE LI

abattoir	x	
agriculture	x	
animal boarding	D	6.1, 6.5.1, 9.1.1, 10.1
business sign	P	6.7
caravan park	x	
caretaker's residence	P	6.1, 6.5.1, 7.3, 7.10.3
car park	P	6.1, 6.5.3, 9.1.1
child care centre	x	
community centre	D	6.1, 6.5.1, 9.1.1
domestic livestock	x	
education establishment	D	6.1, 6.5.1, 9.1.1
fuel depot	x	
general industry	x	
group home	x	
home based child care centre	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	P	7.10.7
horticulture	x	
hospital	x	
hostel	x	
hotel	D	6.1, 6.5.1, 6.6, 9.1.1
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.1, 6.5.1, 9.1.1
licensed club	D	6.1, 6.5.1, 6.6, 9.1.1
light industry	P	6.1, 6.5.1, 6.6, 9.1.1
medical clinic	P	6.1, 6.5.1, 9.1.1
medical consulting rooms	x	
motel	x	
motor body works	P	6.1, 6.5.1, 9.1.1
motor repair station	P	6.1, 6.5.1, 9.1.1
multiple dwellings	x	
office	D	6.1, 6.5.1, 6.6, 9.1.1
passenger terminal	D	6.1, 6.5.1, 9.1.1
place of worship	D	6.1, 6.5.1, 9.1.1
plant nursery	P	6.1, 6.5.1, 9.1.1
promotion sign	D	6.7
recycling depot	D	6.1, 6.5.1, 9.1.1
restaurant	D	6.1, 6.5.1, 6.6, 9.1.1
retail agricultural stall	x	
rural industry	D	6.1, 6.5.1, 9.1.1
service station	D	6.1, 6.5.1, 8.1.4, 9.1.1
shop	D	6.1, 6.5.1, 6.6, 8.1.1, 9.1.1
showroom sales	P	6.1, 6.5.1, 6.6, 9.1.1
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	P	6.1, 6.5.1, 6.6, 9.1.1
vehicle sales and hire	P	6.1, 6.5.1, 9.1.1
veterinary clinic	D	6.1, 6.5.1, 9.1.1
warehouse	P	6.1, 6.5.1, 6.6, 9.1.1

P = Permitted **S** = Self Assessable **D** = Discretionary **x** = Prohibited

Locality Map



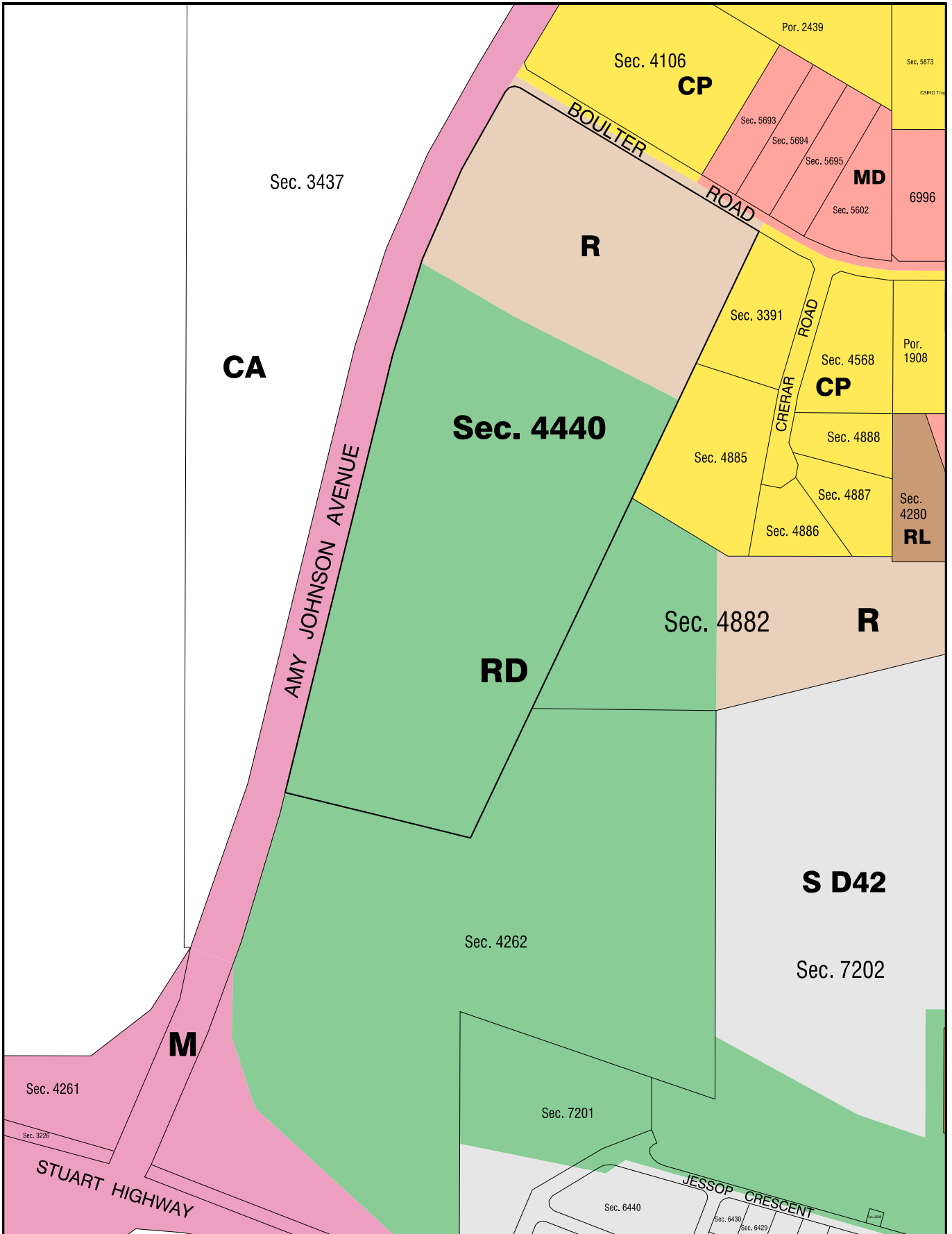
Darwin International
Airport and RAAF Base

CSIRO Research Facility


Subject site

Berrimah Business Park


Map Center: 130° 54' 52.4" E, 12° 25' 1.6" S



EXISTING ZONING PLAN
 NT PLANNING SCHEME
 AMENDMENT PA2015/0880
 REZONE PART SECTION 4440
 HUNDRED OF BAGOT
 From Zones R (Rural) & RD (Restricted Development)
 to Zone LI (Light Industry)

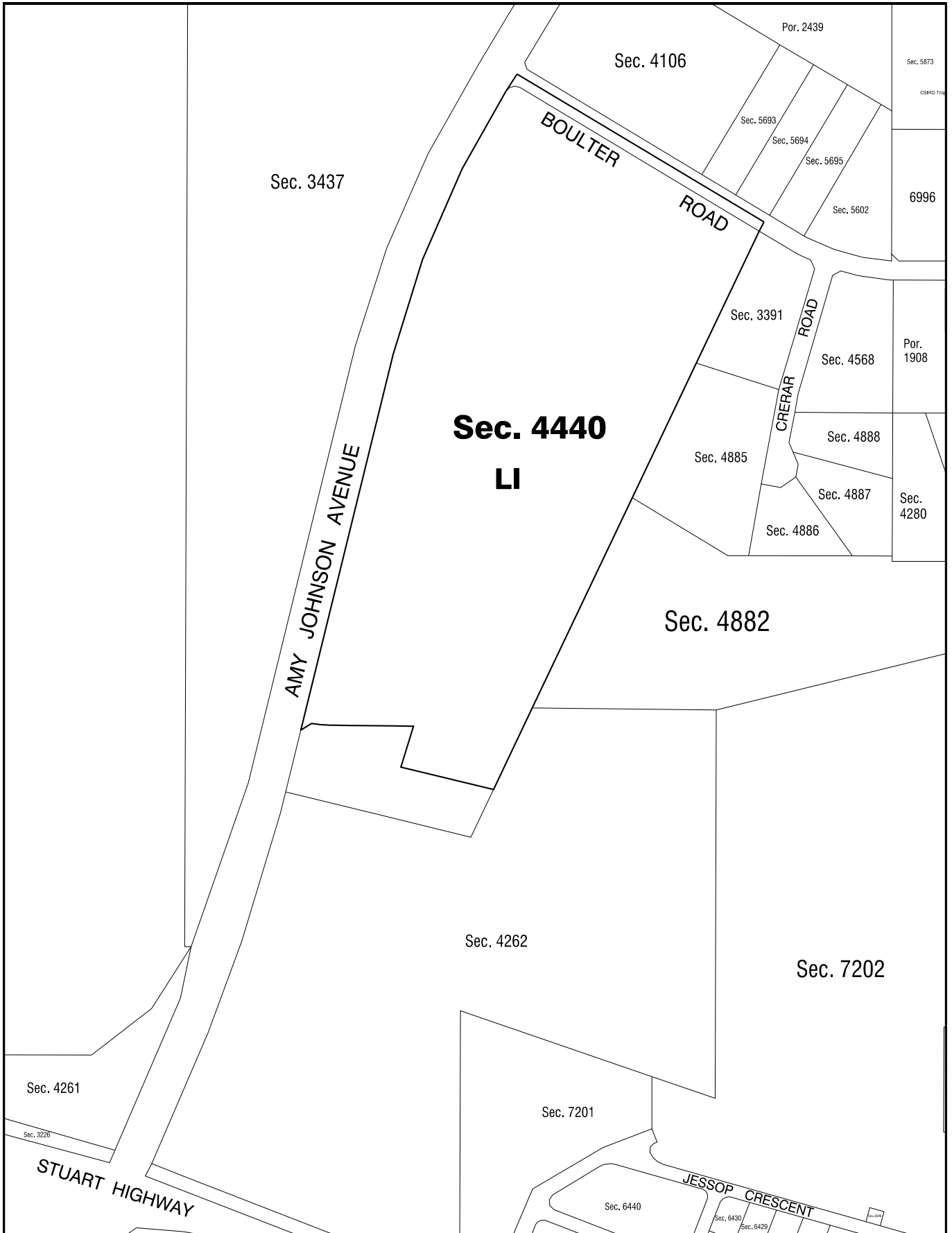

 Department of Lands, Planning and the Environment
 Northern Territory Government

0 80 160 240 320 400m
 Scale 1: 8000 @ A4




File No.: PA2015/0880
 Date: 17-Dec-15
 Drawing Name: Part Lot 4440 Bagot.dgn

27




PROPOSED NT PLANNING SCHEME
 AMENDMENT PA2015/0880
 REZONE PART SECTION 4440
 HUNDRED OF BAGOT
 From Zones R (Rural) & RD (Restricted Development)
 to Zone LI (Light Industry)




Northern Territory Government

Department of Lands, Planning and the Environment



Scale 1: 8000 @ A4



File No.: PA2015/0880
 Date: 17-Dec-15
 Drawing Name: Part Lot 4440 Bagot.dgn

28

NORTHERN TERRITORY OF AUSTRALIA
Planning Act

Proposal to amend a Planning Scheme- section 13(1)


1. LAND INFORMATION (FOR PROPOSED CHANGE IN ZONING ONLY)

Town/Hundred/Locality: <i>HUNDRED OF BAGOT</i>	
Parcel Number(s) and/or Unit number: <i>SECTION 04440</i>	
LTO Plan:	
Number and Street Name: <i>10 DOULTER RD, BERRIMAH</i>	
and	
Existing Zone: <i>R/RD</i>	
Proposed Zone: <i>LI/RD</i>	
Tenure: <i>FREEHOLD</i>	
Is the proponent the land owner?:	YES / <input checked="" type="checkbox"/> NO

2. PROPONENT INFORMATION

PROponent INFORMATION	
ILIS Customer no. (if known):	<i>23BRC</i>
Company name (if applicable):	<i>NORTHERN PLANNING CONSULTANTS</i>
ABN or ACN (if applicable):	
Title:	<input checked="" type="radio"/> Mr Mrs Miss Ms Dr Other:
Family name(s):	<i>CUNNINGTON</i>
Given name(s):	<i>BRAD</i>
Preferred name(s):	
Postal address:	<i>PO BOX 36004 WINNELLIE NT 0821</i>
Telephone no. (business hours):	<i>0427796140</i>
Facsimile no.:	
E-mail address:	<i>bradcunnington@gmail.com</i>

3. DESCRIPTION OF PROPOSED AMENDMENT

Attach A detailed statement describing the proposed amendment.	ATTACHMENT A 
and	
Where the proposed amendment relates to a published document, the title of the document proposed to be amended:	

4. REASON(S) FOR PROPOSAL

Attach a detailed statement describing why the proposed amendment should be considered.

ATTACHMENT B



5. APPLICANT TO SIGN AND/OR AFFIX SEAL

The application is complete and all required documentation is attached.



 Signature(s)

27/11/2015

Date

PRIVACY NOTE:

The Department of Lands, Planning and the Environment, on behalf of the Minister, is authorised under the *Planning Act* to collect the information on this form, or otherwise provided by you, to consider a proposal to amend a Planning Scheme. Failure to provide the information in full may result in delays in processing of the application.

Some of the personal information provided by you on this application may be publicly available, as part of a public exhibition process. The information may also be provided to other NT Government agencies, the Australian Valuation Office, local governments and Commonwealth Government Departments and agencies, as required by law.

Collection of personal information on this form is done in accordance with the privacy legislation contained within the *Information Act 2002 (NT)*. For more information please refer to the Department of Lands, Planning and the Environment privacy statement located at www.lands.nt.gov.au/

Any personal information provided can be subsequently accessed by you on request.

If you have any queries please contact:

Lands Planning

Department of Lands, Planning and the Environment

GPO BOX 1680

DARWIN NT 0801 or

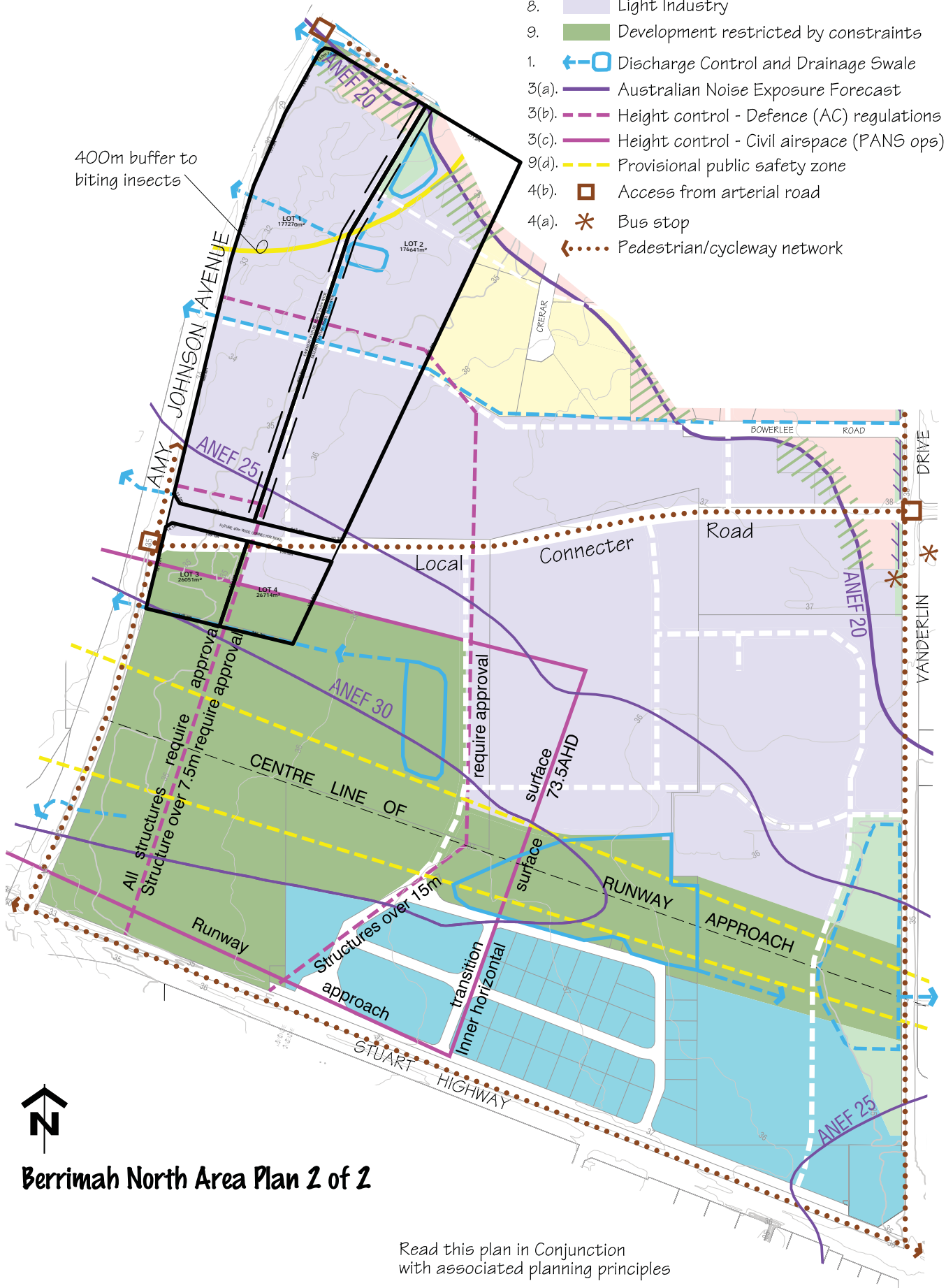
Phone: (08) 8999 8963

Fax: (08) 8999 7189

Email: planning.dlpe@nt.gov.au

Legend Numbers refer to Planning Principles

- Commercial/mixed use
- 8. Light Industry
- 9. Development restricted by constraints
- 1. Discharge Control and Drainage Swale
- 3(a). Australian Noise Exposure Forecast
- 3(b). Height control - Defence (AC) regulations
- 3(c). Height control - Civil airspace (PANS ops)
- 9(d). Provisional public safety zone
- 4(b). Access from arterial road
- 4(a). Bus stop
- Pedestrian/cycleway network



Berrimah North Area Plan 2 of 2

Read this plan in Conjunction with associated planning principles

Drawing Name: Berrimah North Area Plan Concept Plan2_.dgn

POSSIBLE FUTURE STORMWATER DETENTION BASINS (SUBJECT TO DESIGN)

FUTURE NORTH-SOUTH CONNECTOR ROAD

VISUAL SEPARATION BUFFER TO BOULTER ROAD AND EASTERN BOUNDARY

FUTURE EAST-WEST CONNECTOR ROAD

PROPOSED LI ZONE

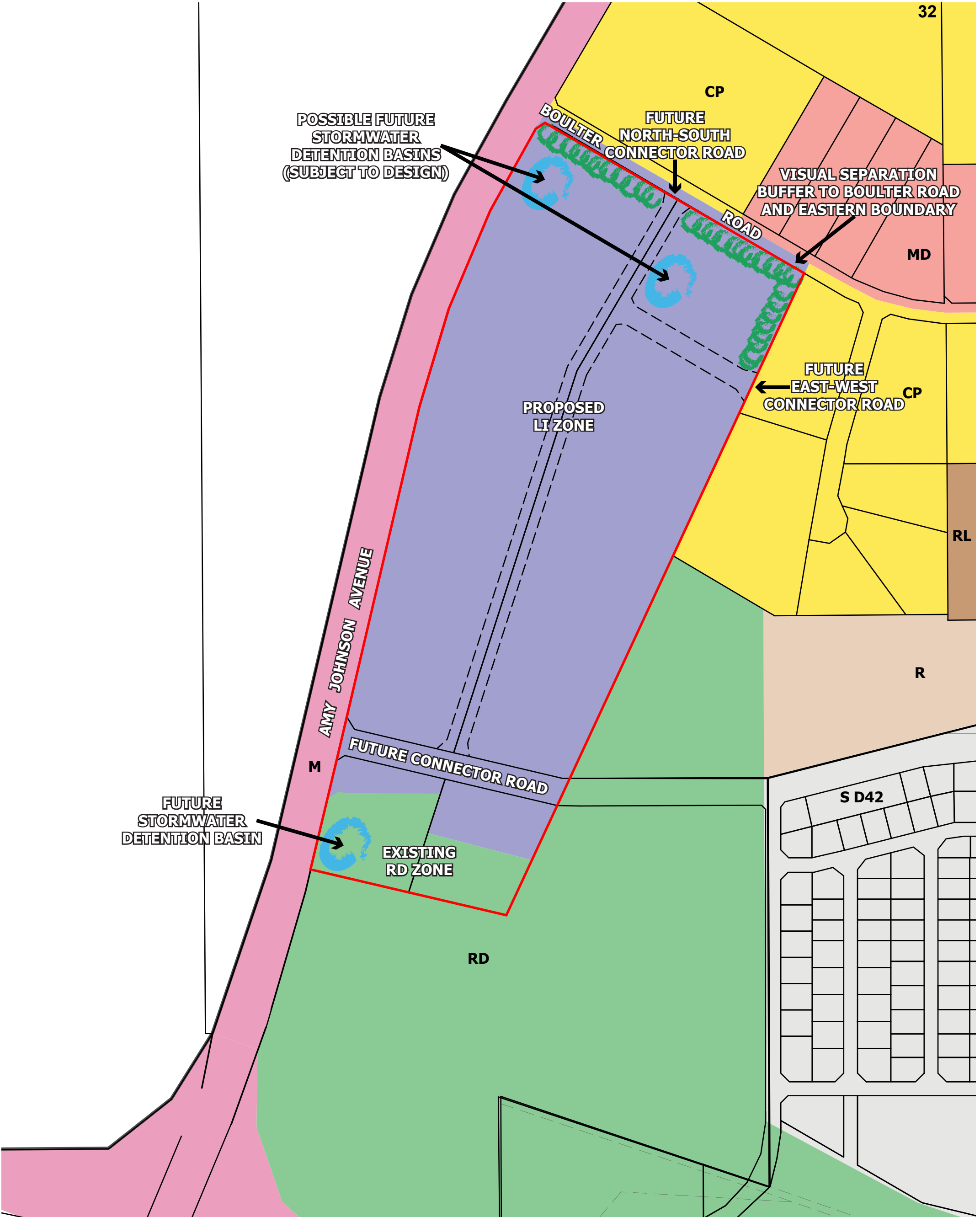
AMY JOHNSON AVENUE

FUTURE CONNECTOR ROAD

FUTURE STORMWATER DETENTION BASIN

EXISTING RD ZONE

S D42

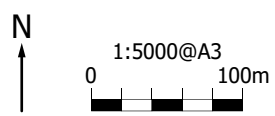


SECTION 04440

ZONING AND FUTURE DEVELOPMENT STRUCTURE PLAN

- ZONING:
- CP COMMUNITY PURPOSE
 - LI LIGHT INDUSTRY
 - M MAIN ROAD
 - MD MULTIPLE DWELLING
 - R RURAL
 - RD RESTRICTED DEVELOPMENT
 - RL RURAL LIVING
 - S D42 SPECIFIC USE

SECTION 04440
HUNDRED OF BAGOT



PLANNING SCHEME AMENDMENT

SECTION 04440 HUNDRED OF BAGOT 10 BOULTER ROAD, BERRIMAH



NORTHERN PLANNING CONSULTANTS

Po Box 36004 WINNELLIE NT 0821

ABN 23 414 223 625

Phone 0427 796 140

bradcunnington@gmail.com / www.facebook.com/northernplanning

November 2015

CONTENTS

1. Introduction	3
2. Subject Land	4
2.1 Background	5
3. Locality	6
4. Proposal	6
4.1 Drainage and Servicing	7
5. Strategic Analysis	10
6. Conclusion	17

PROPOSAL TO AMEND THE NT PLANNING SCHEME – SECTION 04440 HUNDRED OF BAGOT

1. Introduction

This report accompanies a submission to amend the Northern Territory Planning Scheme pursuant to **Section 13(1)** of the Northern Territory Planning Act to rezone Section 04440 Hundred of Bagot (10 Boulter Road, Berrimah) from R (Rural) and RD (Restricted Development) to LI (Light industry) and RD (Restricted Development), in accordance with the Berrimah North Area Plan within **Clause 14.1.2** of the Northern Territory Planning Scheme. The land will, ultimately, be developed for the purpose of light industry, however deviates from the Area Plan by removing the residential / rural residential component, indicated in the area immediately adjacent Boulter Road. The proponent intends to zone the land for light industry purposes without providing any additional residential areas, whilst ensuring appropriate consideration to amenity buffers (where interface with future residential development is likely to occur) and land for stormwater drainage and detention.

The proposed zoning predominantly consists of light industrial areas, per the provisions of **clause 5.11** of the Planning Scheme, whilst retaining land zoned RD (Restricted Development) in the southern portion of Section 04440, per the layout of the Area Plan and **Clause 5.24** of the Scheme. The Zoning and Future Development Structure Plan in **Attachment C** demonstrates the intended layout of the proposed zones, identifies the recently approved subdivision (per DP15/0443), and reflects the broader infrastructure considerations (such as the new collector road from Amy Johnson Avenue) per the Area Plan.

This report (and submission) is to be read in conjunction with the following attachments:

- Attachment A:** Title Documents
- Attachment B:** Area Plan
- Attachment C:** Zoning and Future Development Structure Plan
- Attachment D:** Preliminary Servicing Report and Traffic Assessment, Byrne Design
- Attachment E:** DP15/0443 and Approved Plans

2. Subject Land

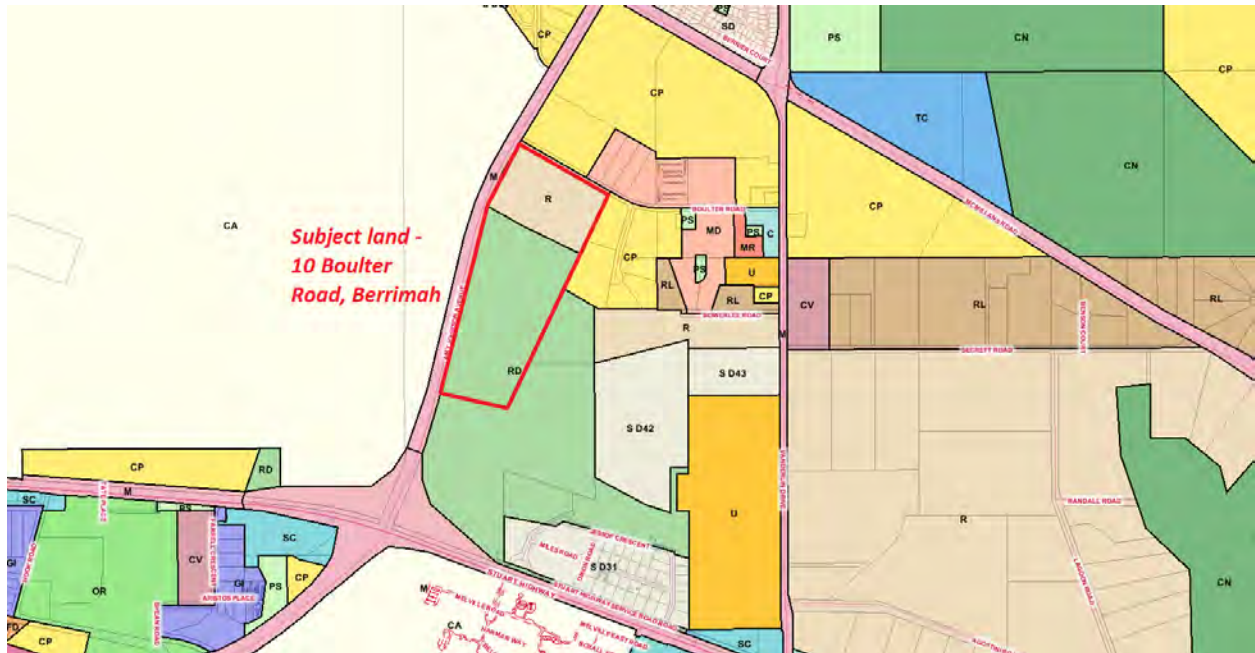


Figure 1: Section 04440 Hundred of Bagot (10 Boulter Road, Berrimah)

<i>Address:</i>	Section 04440 Hundred of Bagot (10 Boulter Road, Berrimah)
<i>Title Reference and Land Tenure:</i>	CUFT 620 401 Estate in fee simple (freehold)
<i>Landowner:</i>	Henning Bang Olsen / Philip and Susan McWilliam
<i>Land Area:</i>	42 hectares
<i>Easements:</i>	Drainage easement to the Northern Territory of Australia
<i>Zone:</i>	R (Rural) and RD (Restricted Development)
<i>Relevant approvals:</i>	DP15/0443 –subdivision to create 4 lots.

The subject land comprises a large rural and restricted development site adjacent the corner of Boulter Road and Amy Johnson Avenue, with a frontage to Boulter Road of 423.62 metres, to Amy Johnson Avenue of 1,141.24 metres, and a total site area of 42 hectares. The front portion of the site is occupied by two separate businesses, with a shared access from Boulter Road extending down the middle of the site and dividing the exclusive use areas. In the western portion, land use comprises a horticultural operation concentrating on flowers and plant seedlings. Built form comprises a large open shelter with a number of smaller outbuildings and storage areas.

The eastern portion accommodates the Gimbells Landscaping depot, comprising administrative building, sheds, plant and seedling storage and vehicle storage.

The northern portion of the site is zoned R (Rural), with the existing land uses predominantly occurring within this section. The larger southern portion of the site is zoned RD (Restricted Development), and is generally vacant. Remnant vegetation covers the majority of the southern portion, with the south-eastern part of the site previously cleared. The central driveway extends approximately halfway down the allotment, where it splits into two vehicle tracks.

2.1 Background

In July 2015, the Development Consent Authority issued a development permit to allow the subdivision of Section 04440 into 4 lots (DP15/0443). The development permit and approved plans are contained in **Attachment E**. The purpose of the permit was to separate the land to reflect the existing joint ownership arrangements, with Henning Bang Olsen occupying the western part of the land, and Gimbells occupying the eastern portion. The subdivision effectively re-approved the consent granted through DP09/0330 (subdivision for 2 lots), which had subsequently lapsed, however reflected the inclusion of the new collector road from Amy Johnson Avenue per the amended Berrima North Area Plan. The new road, which dissects section 04440, converts the two lots previously approved into four lots.

Subdivision of the land in accordance with DP15/0443, shown in **figure 2**, will not alter the existing use of the land, and will be undertaken in two stages. Lots 1 and 2, fronting Boulter Road, will occur in the first stage, with services provided per the existing land use / zoning. Lots 3 and 4 will rely on the construction of the new collector road (by the Northern Territory Government).

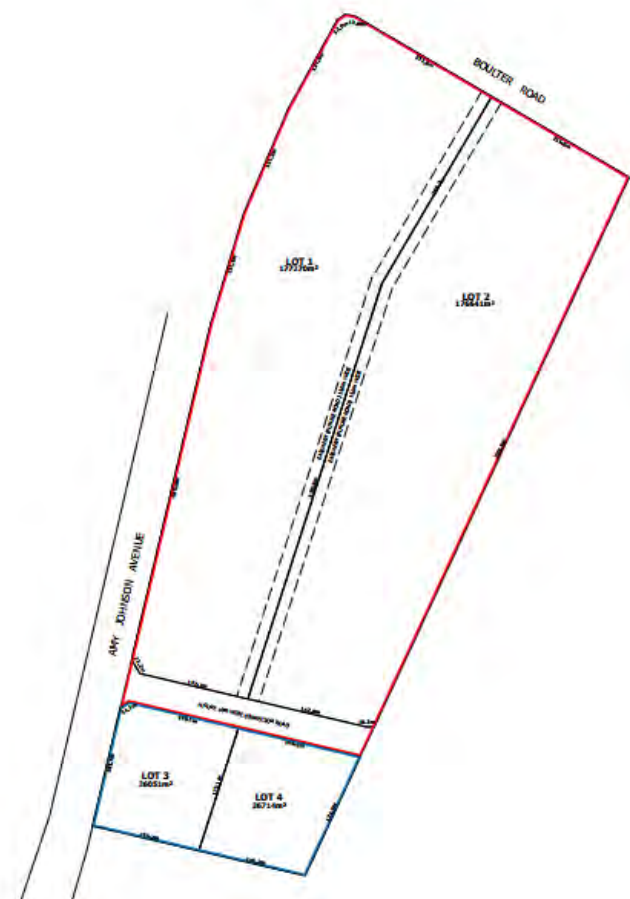


Figure 2: DP15/0443 approved subdivision

3. *Locality*

Figure 1 in **section 2** of this report identifies the site and surrounding locality, along with the mix of zones within the immediate area.

The site is located within the evolving Berrimah North locality, with a range of (generally newer) residential and community purpose uses generally east of the site, contrasting with the vacant land to the south, the Berrimah Business Park commercial and industrial development to the east and south-east, and more established land uses such as rural living and other horticultural uses also to the east and south-east.

The Darwin RAAF Base / Darwin International Airport is located on the opposite side of Amy Johnson Avenue, with the southern portion of the subject land in close proximity to the centreline continuation of the runway (reflected by its current RD Zoning).

4. *Proposal*

This submission requests an amendment to the Northern Territory Planning Scheme to rezone part of the land from R (Rural) and RD (Restricted Development) to LI (Light Industry) to facilitate future development for light industrial purposes in accordance with **Clause 5.11** of the Planning Scheme. The proposed zoning, along with fundamental future development outcomes are identified in the Zoning and Future Development Structure Plan in **Attachment C**. Specifically, the amendment will facilitate:

- Land for the purpose of future light industrial development, similar to existing zones and recently developed land within the southern portion of the Berrimah North Area Plan;
- Land for the construction of the east-west connector road, with connection to Amy Johnson Avenue and suitable road reserve in accordance with current design documentation for the new road. This land will be provided in the form of a road reserve to the Northern Territory Government / City of Darwin once titles are issued (for the approved subdivision);
- North-south connecting road from the east-west connector to Boulter Road, with Boulter Road intersection located per the Berrimah North Area Plan. This area will be registered as an access easement per DP15/0443, with the design, exact location and construction of the new road dependant on the timing and staging of future light industrial development;
- Additional eastern road connection per the requirements of the Area Plan, with future design and construction details dependant on industrial development as above;
- Consideration to buffers from future light industrial development to residential areas on the northern side of Boulter Road and adjacent the eastern boundary of the site; and

- Land for stormwater drainage and detention to ensure the protection of the Rapid Creek catchment (Marrara Swamp) and ensure pre-development outfall conditions are maintained, and that adequate storage is provided for any displacement of Q100 floodwaters due to earthworks as a result of future development.

4.1 *Drainage and Servicing*

The proponent engaged the services of Byrne Drafting and Design, consulting civil engineers, and i3 Consultants, traffic engineers, to review the existing service provision, road network and stormwater considerations, in light of increased demand due to future light industrial development, and the ability of planned infrastructure upgrades per the Area Plan to cope with demand increases. The reports from Byrne Design and i3 Consultants (**Attachment D**) provide the following (in summary):

- The Traffic Impact Assessment (TIA) concluded that development resulting from the proposed rezoning is unlikely to have any impact on accessibility when considering planned upgrades and road network changes per the Berrimah North Area Plan. Future development is expected to result in an additional 439 daily trips or 89 peak hour trips, which is generally less than 5% of the total forecast traffic volumes. The TIA concluded that there is sufficient capacity in the proposed design and layout of roads and intersections within the *Berrimah North Area Plan* to accommodate this with negligible impact on the forecast performance of these roads and intersections. The TIA also noted that consideration should be given to the design and layout of new roads and intersections identified in the Area Plan to avoid conflict with existing or planned upgrades.
- The servicing report notes the extent of subject land affected by Q100 flood levels, which will need to be considered during the design phase of future development to establish the extent of earthworks required or extent of land which will be subject to restricted development.
- To ensure post-development peak flows are controlled to that experienced pre-development, a detention basin is proposed in the north western corner of the Site to service Lots 1 and 2. The exact location of the basin will need to be confirmed in the design phase to ensure that the outlet of the basin is high enough to facilitate a free-draining outfall ('Dry' Basin). It is proposed that all of Lot 2 and part of Lot 1 (per the approved subdivision layout) is diverted to this basin, with the remainder of Lot 1 continuing to discharge beneath Amy Johnson Avenue via the existing RCB Culverts. Peak flow rates in these culverts will be controlled to mimic pre-development conditions, noting that the reduction in contributing catchment will offset adverse impacts from reduced site permeability and time of concentration. Similarly, a detention basin is proposed in the south western corner of Lot 3 in the area zoned as 'Restricted Development' to service any increased peak flow rates from the extent of 'Light Industrial' development on these lots. During the design phase, a detailed assessment will be performed to confirm the sizing and outlet structures for the proposed basins (it should be noted that this drainage concept will apply to light industry development within the approved subdivision only. Further subdivision and/or earthworks will require redesign of stormwater and detention systems).
- The Berrimah North Drainage Study (ADG, 2014) identifies that much of the area cannot accommodate underground stormwater infrastructure as per 'urban' standards due the flat topography of the site.

It is therefore proposed that open drains are adopted internally for the development to divert minor and major stormwater flows to the proposed detention systems.

It is also noted that grassed swale drains and detention basins will reduce pollutant concentrations and improve stormwater quality in accordance with Water Sensitive Urban Design principles.

- It is understood that Lot 4882 currently partially sheet flows stormwater onto the Site. If this property is subdivided, rezoned or developed to alter existing conditions, it is proposed that a cut-off drain is constructed by the Developer of Lot 4882 to prevent stormwater from entering the proposed development.
- With regard to the provision of reticulated water services, the peak flow rates established exceed the capacity of the existing DN150 water mains and infrastructure upgrades will be required to service the development.
- The minimum size water main required to service industrial development under PWC standards is a DN225. Based on the existing infrastructure, it is evident that extensive upgrades of water supply infrastructure are required to support the Berrimah North Area development plans. PWC has been consulted to establish 'planned' infrastructure upgrades; however no comment has been received. It is understood that there is a DN600 water distribution main along the northern side of Stuart Highway (approx. 800m south of the development), which is the most likely connection point for future works.
- The most likely approach to providing water services to the proposed development will be the provision of a DN300 water distribution main from the existing DN600 water distribution main on the Stuart Highway. A DN225 water reticulation main can be connected from this distribution main and connected to the existing DN150 CICAL water main along Boulter Road to provide a loop.
- With regard to the provision of reticulated sewer infrastructure, the peak flow rates established exceed the capacity of the existing DN150. PWC has been consulted to establish 'planned' infrastructure upgrades; however no comment has been received. The DN150 PVC main crossing Boulter Road and servicing the Site will need to be upgraded to minimum DN225 to satisfy PWC Standards for industrial development. Additionally, the main will need to be extended along the eastern edge of Amy Johnson Avenue to service proposed Lots 3 and 4.
- Preliminary studies with existing contours indicates DN225 sewer reticulation mains are required in order to service the proposed development. Some earthworks may be required to achieve lot control for Lots 1 and 3 and facilitate use of gravity sewer. The existing capacity of the DN300 AC main running along Boulter Road will need to be confirmed with Power and Water.
- With regard to power supply, each lot in the proposed rezoning needs to be serviced with basic power supply in accordance with Power Water Corporation (PWC) guidelines for 'Light Industry'. Specific power supply will be dependent on future development, and will need to be determined at that stage.

- It is understood that Department of Lands, Planning and Environment (DLPE) will provide new Low Voltage (LV) power supply for street lighting at the intersection of Amy Johnson Avenue and a proposed collector road passing through the development.

This will involve extension of underground High Voltage (HV) reticulation from Stuart Highway / Amy Johnson Avenue intersection via a new ring main unit along Amy Johnson Avenue to a new 500kVA package substation located on the south-western boundary of the development (Refer SKE2 in Appendix C).

- It is proposed that the existing power supply on Boulter Road is upgraded by extending overhead HV power towards Amy Johnson Avenue. A new 100kVA pole-mounted substation will be required to service proposed Lots 1 and 2, noting that the existing pole is already suitable to mount the proposed substation.
- Lots 3 and 4 may be serviced by undergrounding the HV power supply at the termination pole and extending this along Amy Johnson Avenue to a new 500kVA package substation which would be located on the boundary of Lots 3 & 4. If agreement is reached with DLPE about providing a suitable location for their proposed substation to service Lots 3 and 4, underground reticulation from Boulter Road will not be required.

It is apparent from the above that extensive infrastructure and service upgrades will be required to accommodate future development of the land per the provisions of Zone LI, however the intended future land use is in accordance with the strategic plan (Berrimah North Area Plan) for the locality, and the extent of infrastructure upgrades will be required to accommodate most intended uses per the Area Plan. The extent of upgrades undertaken by the developer of Section 04440, and / or the extent of contribution payable will be subject to broader infrastructure plans from the Northern Territory Government, Power and Water Corporation and the City of Darwin, along with the formalisation of contribution plans for the area.

In summary, the report identifies servicing requirements and options for the provision of services to the subject land, noting the status of the site in the context of the intended land uses within the Area Plan. Developer contributions and infrastructure upgrades will be triggered by future development in accordance with Zone LI.

5. Strategic Analysis

Darwin Region Land Use Framework

Clause 4.2 of the northern Territory Planning Scheme provides a Regional Land Use Framework for the Darwin Region, including principles for the administration of the Planning Scheme in relation to the Darwin Region. The subject land is located within the area identified as *Urban* on the Regional Land Use Framework, evident in **Figure 3** below.

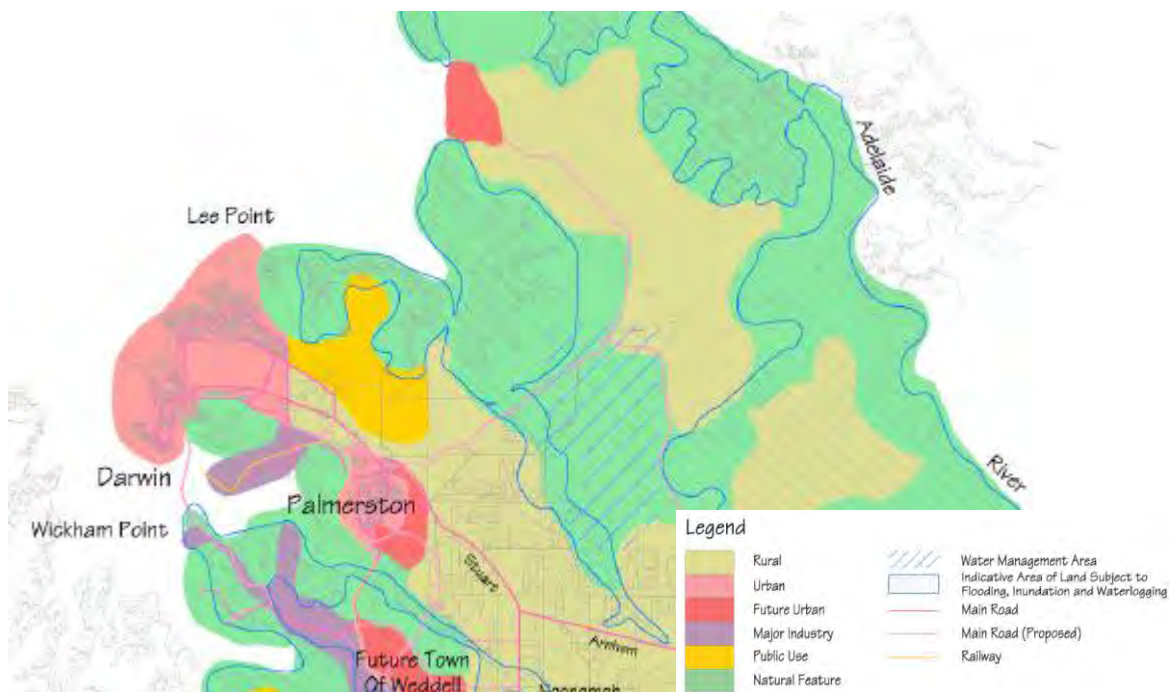


Figure 3: Excerpt from the Darwin Regional Land Use Framework, **Clause 4.2** of the Northern Territory Planning Scheme

In accordance with the principles, the proposed Planning Scheme Amendment includes zoning and infrastructure connections / upgrades in accordance with an overlying strategic plan (being the Berrimah North Area Plan), and thus provides for an orderly and appropriate future development in the region that caters for growth, recognises the inherent aesthetic and environmental values of the Darwin Harbour and broader catchment, and maximises existing development opportunities. The rezoning will increase the provision for a range of opportunities for future industrial development which will be appropriately connected to infrastructure assets, in close proximity to existing industrial land, and with a high level of access to key strategic facilities such as the Darwin Port.

In relation to the broader Northern Territory Planning Principles and Framework in **Clause 4.1** of the Scheme, the proposal seeks to implement the Planning Scheme in a manner that facilitates the safe and efficient provision of industrial diversity servicing community needs and industry potential.

Per **Objective (e)**, Future development can be undertaken in a manner that promotes urban / building design which is climatically appropriate, water and energy efficient and contributes to the existing and future character and appearance of the area as anticipated by the Area Plan. The design phase and implementation of any development within the subject land must consider the need to ensure the quality and quantity of stormwater diverted into the Rapid Creek catchment appropriately considers the capacity and environmental values of that catchment, and that there's sufficient on-site detention capacity to detain stormwater, per the Berrimah North Drainage Study.

In direct accordance with **Objective (f)**, the proposed amendment acknowledges and future development will seek to ensure development does not unreasonably intrude on or compromise the privacy adjoining future residential uses and ensures its own amenity is not compromised. The very nature of light industrial development is limited by the definition in **Clause 3.0** of the NT Planning Scheme, which provides:

"light industry means an industry in which the process carried on, the machinery used and the goods and commodities carried to and from the premises on which the industry is sited are not of such a kind as are likely to adversely affect the amenity of the surrounding locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise."

Accordingly, the proposed rezoning will ensure the Planning Scheme is applied in a manner consistent with both the Northern Territory and Darwin Region Land Use Frameworks.

Darwin Regional Land Use Plan 2015

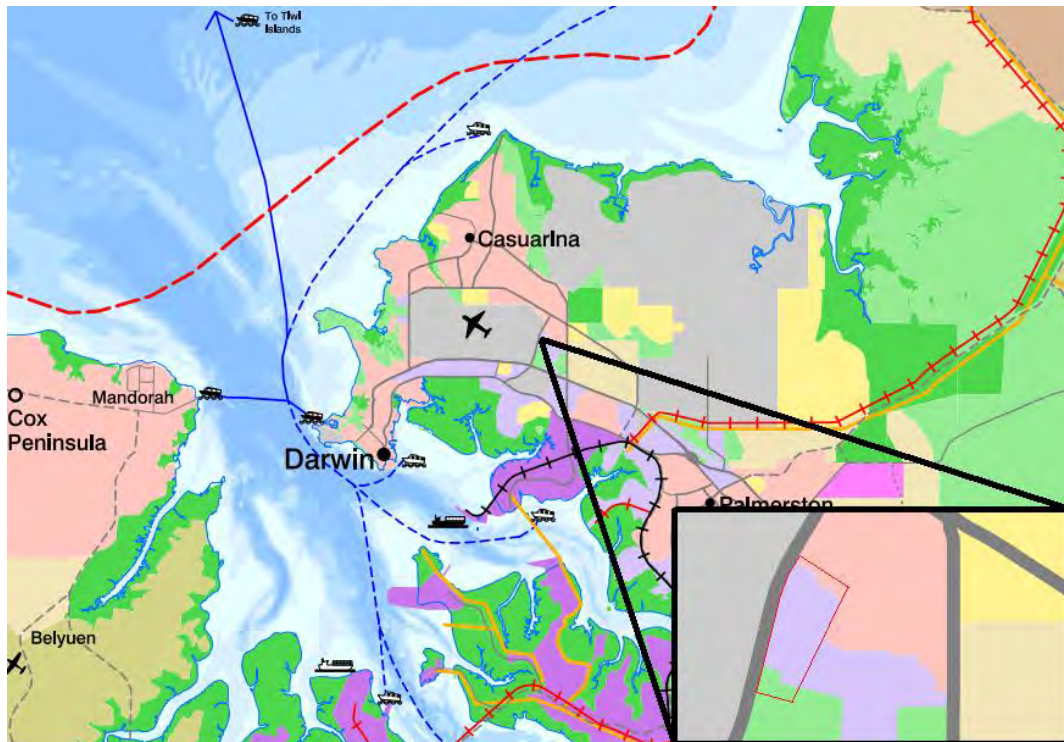


Figure 4: Excerpt Darwin Regional Land Use Plan 2015 – Land Use Structure, modified to identify the approximate location of the subject land

The *Darwin Regional Land Use Plan*, released by the Northern Territory Planning Department of Lands, Planning and the Environment in mid-2015, provides a vision, goals and intended outcomes for development of the Darwin Region.

The draft plan outlines regional opportunities and the intention for development into the medium and long term, and as such forms a fundamental consideration as part of any proposed amendment to the Planning Scheme, and is accordingly the primary strategic planning document by which to consider a submission such as this.

The Plan identifies a range of infill and greenfield development options to accommodate future growth in industrial development within the region. Specifically, as evident in the *Land Use Structure* plan in **Figure 4**, the Plan identifies the site primarily within the 'Industry' area, with the southern portion identified as 'Open Space / Natural Areas', and the northern portion as 'Urban / Peri-Urban'. The layout of the *Land Use Structure Plan* effectively reflects the Berrimah North Area Plan, with the Regional Land Use Plan providing the following objectives for the development of industrial areas:

- *Identify adequate industrial land to:*

- *encourage a range of opportunities to accommodate the diverse needs of industry with a particular focus on high quality light industrial estates, superior access to transport networks and reasonably priced larger lots;*
- *support competition in the industrial land market to avoid the unnecessary upward pressure on land prices;*
- *provide lead times for appropriate detailed strategic and infrastructure planning;*
- *provide confidence and direction for investors; and*
- *assist in building growth and critical mass in the sector.*
- *Ensure the detailed planning for future development in the region takes account of the limited opportunities to appropriately locate strategic industrial development to minimise the potential for future land use conflict and detrimental impacts on the environment.*

The proposed rezoning accords with the objectives for industrial development within the Regional Land Use Plan. The proposal underlies the established planning framework (in both the Regional Land Use Plan and the Berrimah North Area Plan, and thus ensures a continuity of development expectations for developers, service / infrastructure providers and members of the community. The proposal will take advantage of location-suitable land to continue the provision of industrial areas, noted as a critical consideration in the further growth of the Darwin Region. The site is located with immediate access to major transport areas, and is in close proximity to key strategic and heavy industry areas. Further, *“the proposed industrial area at Berrimah North”* will provide new opportunities for a variety of industrial activities, as anticipated within the Regional Land Use Plan.

The proposed deviation from the range of land uses identified in the Regional Land Use Plan and reflected, in greater detail, in the Berrimah North Area Plan, is considered in the following section, however in summary the proposal, by removing the rural residential and urban residential areas, allows a more efficient and effective separation between light industry and residential land uses, and provides a more cohesive urban form to Boulter Road. Future development will need to consider visual buffering (for example spatial or landscaped separations) to the Boulter Road frontage and the eastern boundary (where adjacent future residential areas), and should also consider the benefits of integrating detention areas adjacent the Boulter Road frontage, contributing to a more effective visual and spatial amenity buffer to Boulter Road.

Overall, the proposal is considered to align with the objectives of the *Darwin Regional Land Use Plan*, and the Land Use Structure contained therein.

Berrimah North Area Plan and Planning Principles

The Berrimah North Area Plan is contained within **Clause 14.1.2** of the Planning Scheme, and provides the framework for zoning and development in the Berrimah North area, including the subject land and immediate surrounds. The location of the site in relation to the Area Plan is identified in **figure 3**.

The proposed Planning Scheme amendment fundamentally alters the layout of the Berrimah North Area Plan in one aspect, in that it removes the intended residential land use from the area of Section 04440 immediately adjacent Boulter Road. It is considered the provision of light industrial land uses across the entirety (with the exception of RD zoned areas) provides a more consistent development outcome, with the Boulter Road reserve forming a natural separation between residential and industrial areas. Further, the proposed zoning layout moves residential development further away from the ANEF 20 noise exposure contour, minimising exposure to aircraft noise and allowing some flexibility for aircraft and operational changes (and thus potential noise increases) and reduces the proximity of residential development to identified biting insect areas. Given the limitations on development and industrial uses within Zone LI, adverse amenity impacts between industrial and residential areas, separated by Boulter Road, are not likely to be inappropriate. Notwithstanding, it would be pertinent for future development to appropriately integrate with the Boulter Road frontage and the eastern boundary to ensure a suitable transition between land uses. This could occur through landscaping, spatial separation (ie setbacks), the provision of detention facilities in this area (per the Area Plan) or a combination thereof.

Figure 5: Excerpt from the Berrimah North Area Plan showing subject land (red outline) – northern plan (left) and southern plan (right).

The Berrimah north Planning Principles provide the following:

Principles 1 to 4 relate to site constraints, natural topography, stormwater drainage and the strategic infrastructure needs of the whole Berrimah North locality.

Future development is to:

1. *Demonstrate a designed response to the landform, land units and natural drainage by*
 - a) *providing local roads, urban drainage and open space that respond to the landform and natural drainage pattern, and incorporate stormwater management that accords with the strategic drainage framework of the Berrimah North Drainage Study referenced under Schedule 3 to clause 2.8;*

- b) *applying Australian best practice standards to the quality of stormwater run-off into the natural drainage system; and*
- c) *maintaining overland flow and managing stormwater discharge with detention structures and the like, to mitigate nutrient rich runoff into the receiving environment, while minimising the potential for biting insects to breed in such infrastructure.*

The subject land is generally flat with little slope. Stormwater currently sheet flows from land to the east of the site, north-west towards Amy Johnson Avenue and the Marrara Swamp. The Berrimah North Drainage Study prepared by ADG Engineers in 2014 identifies the site across catchments 3-7. The existing catchment areas include land adjacent the east of the site, including crown land areas, private and industrial land (refer **figure 6**).

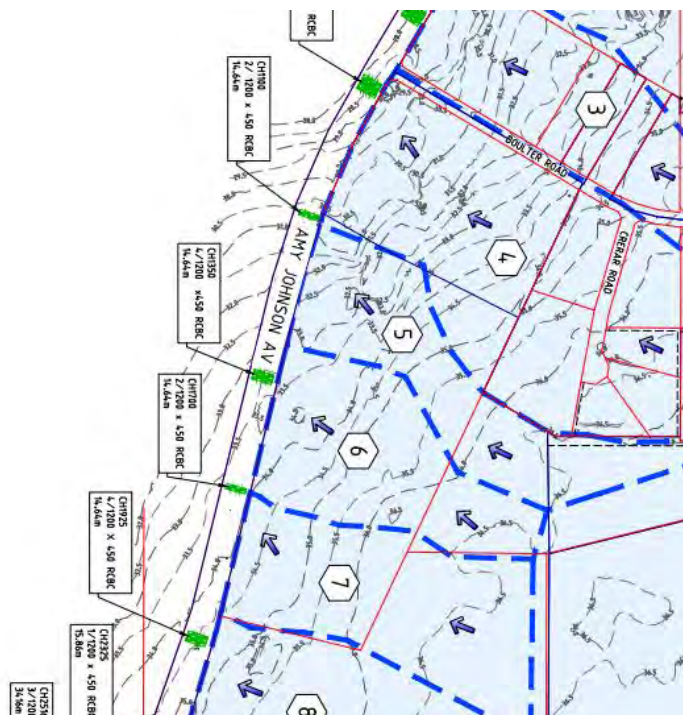


Figure 6: Pre-Development Catchments (Appendix D)

The Drainage Study identifies the use of fill and defined drainage channels to ensure land is above Q100 flood levels and to achieve falls and thus drain stormwater to the west, and ultimately to Amy Johnson Avenue.

The Servicing report in **Attachment C** includes a concept stormwater proposal which largely reflects that outlined in the drainage study, however specific drainage outcomes will need to ensure drainage and detention capacities, as well as the treatment and ultimate quality of stormwater discharged to receiving waters accords with the water quality and detention objectives of the Area Plan.

2. *Minimise the off-site impacts of concentrated stormwater on both private property and the receiving environment by:*

- a) *managing the magnitude and duration of sediment-transporting stormwater flows to minimise erosion;*
- b) *preparing and complying with an erosion and sediment control plan in order to control erosion during construction; and*
- c) *managing concentrated stormwater on-site such that post-development flows are not greater than pre-development flows onto adjacent land.*

The servicing report provides stormwater design options to ensure pre-development flows are maintained. A detailed erosion and sediment control strategy will be required, and erosion and sediment controls enforced during future construction works.

3. *Manage exposure to aircraft noise and controlled airspace by:*

- a) *ensuring that development within contour 20 of the Australian Noise Exposure Forecast (ANEF) is acceptable or can comply with the noise attenuation guidelines of AS2021-2000;*
- b) *ensuring that building heights comply with Defence (Area Control) Regulations; and*
- c) *ensuring that neither permanent nor temporary structures breach controlled civil airspace.*

The subject land is located between the ANEF <20 and 30 contours, with possible development within Zone LI identified as *acceptable* or *conditionally acceptable* within AS2021-2000. Accordingly, future land use and development can comply with the noise attenuation and ultimate internal (and external) noise levels of AS2021-2000. A small number of development outcomes possible within Zone LI (for example, *caretakers residence*) may not be appropriate in the southern areas of the site. The requirement for any future development proposal to comply with the Berrimah north Area Plan will ensure appropriate controls on future land use and development in relation to airport noise. The lack of future residential land uses within the proposed amendment minimises the extent of residential development in close proximity to the ANEF 20 contour that, notwithstanding possibly compliant with AS2021-2000, will further reduce sensitive development in close proximity to aircraft noise impacts.

Built form height is limited to 8.5 metres by **Clause 6.1** of the Planning Scheme, well below the 7.5 metre (affecting a small portion in the south-western corner of the site) and 15 metre height limits within the *Defence (Areas Control) Regulations*. The built form limitations also mean resultant development will be well below controlled airspace for civil aircraft movements.

4. *Manage local traffic and impacts on the arterial transport network by:*

- a) *connecting local roads to the arterial network in accordance with the strategic framework indicated in the Area Plan and providing viable access for public transport;*
- b) *providing access intersections at the shown locations in accordance with the requirements of the Department of Transport; and*

- c) *interconnecting local roads to distribute rather than concentrate local traffic, support a pedestrian / cycle network and provide convenient access to public transport stops.*

The structure plan in **Attachment C** recognises strategic framework indicated in the Area Plan and facilitates connections to both the existing and future road networks. Any future development will need to occur cognisant of the requirements of the Area Plan in this regard. It should be noted that the alignment of the east-west connector road differs between the structure plan (**Attachment C**) and the Area Plan. The alignment of this road reflects the current road design by the Northern Territory Government, however the boundary between LI and RD areas reflects the Area Plan.

Principles 5 to 7 relate to the performance of residential development and largely to Area Plan 1 of 2. The requirements identified in **Principles 5 to 7** generally apply to housing, walkability outside of the ANEF 20 contour, and the provision of community services and facilities in relation to residential areas. Accordingly these principles are not directly relevant to the proposed industrial subdivision, and as such have not been considered herein.

Principles 8 and 9 relate to the performance of non - residential development and largely to Area Plan 2 of 2.

Future development is to:

- 8. *Provide an interconnected local road system that is viable and amenable for all users, and consistent with the Area Plan by:*
 - a) *ensuring that all development supports route choice and convenient access from the arterial road network including the proposed collector road linking Amy Johnson and Vanderlin Drive;*
 - b) *ensuring that each development includes interconnected local roads consistent with the Area Plan and provides for local road connections to adjacent land; and*
 - c) *providing efficient access for public transport and a practical pedestrian/cycleway network, including a cycleway between Amy Johnson Avenue and Vanderlin Drive, consistent with the Area Plan and viable at each development stage.*

Future development will need to occur in a manner that reflects the road network connections indicated in the area plan, including a connection between public roads in the northern (Boulter Road) and southern parts of the site, and to future development to the east. Road design will be subject to the requirements of the Department of Transport or City of Darwin, as the case may be, and will need to adhere to the requirements for public transport, pedestrian and cycle access.

- 9. *Respond to land use constraints associated with proximity to Darwin International Airport by:*
 - a) *managing exposure to aircraft noise and controlled airspace to ensure that the safe and curfew-free operation of the airport is continued;*
 - b) *ensuring that lighting associated with development under runway approaches will not prejudice the safe operation of the airport;*

- c) *ensuring that the use or development of land under runway approaches will not attract birds or bats to an extent that prejudices the safe operation of the airport; and*
- d) *restricting land uses that would attract people into the provisional public safety zone under the runway approach.*

Land subject to potential impacts from the operation of the Darwin International Airport to the extent that would compromise the operation of the airport or unacceptably compromise future development of that land, including land under runway approaches, remains zoned RD (Restricted Development). Future development will need to consider external lighting and measures to mitigate risk from birds if uses with a potential bird attractant are proposed. The proposed LI Zone will ensure resultant land uses are not inappropriately subject to impacts from aircraft noise.

6. Conclusion

The application proposes to amend the Northern Territory Planning Scheme by amending the Darwin Zone plan to rezone Section 04440 Hundred of Bagot from R (Rural) and RD (Restricted Development) to LI (Light Industry) and RD. The amendment follows on from the Berrimah North Area Plan, and will facilitate the future development of the land for light industrial purposes. The rezoning will also facilitate the inclusion of service and road network connections in accordance with the Area Plan, and will enable the progressive development of the Berrimah North area, taking advantage of land development opportunities whilst remaining cognisant of constraints and considerations relating to stormwater, servicing, traffic and land use interface.

Investigations indicate that the site can be suitably serviced and developed cognisant of the anticipated upgrades within the Berrimah North Area, and the proposal accords with current Northern Territory Strategic Planning Principles. The proposed deviation from the Berrimah North Area Plan, by removing the rural and urban residential component, is considered to provide a more cohesive urban form and further protect future residents from aircraft noise and biting insect constraints.

Accordingly, it is requested the Minister or delegate place the submission on public exhibition pursuant to **Section 13(2)(b)** of the Northern Territory Planning Act.

Brad Cunnington

Principal, Northern Planning Consultants

14 November 2015

5 February 2016

Please quote: 3302801 CR:jg

Your reference: PA2015/0880

Mark Meldrum
Director of Lands and Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Mr Meldrum

**Parcel Description: Section 4440 – Hundred of Bagot
10 Boulter Road, Berrimah**

**Proposed Development: Rezone from Zone R (Rural) and Zone RD
(Restricted Development) to Zone LI (Light
Industry).**

Thank you for the Development Application referred to this office 8 January 2016, concerning the above. This letter was placed before the City of Darwin's, Town Planning Committee Meeting held on 2 February 2016 and was endorsed by Council.

The following issues are raised for consideration by the Authority:

i). **The City of Darwin objects to the proposed Planning Scheme Amendment for the following reasons:**

a) While the proposed rezoning is generally in accordance with the Berrimah North Area Plan, the proposed rezoning is considered premature at this point in time.

Substantial infrastructure and service upgrades (sewerage, water, power, stormwater drainage and roads) will be required to accommodate future development of the land for light industrial purposes. As acknowledged in the application, the extent of upgrades undertaken by the developer of Section 4440, and/or the extent of contribution payable will be subject to broader infrastructure plans from the Northern Territory Government, Power and Water Corporation and City of Darwin, along with the formalisation of contribution plans for the area.

The City of Darwin does not support any further rezoning within the Berrimah North Area until a fully funded implementation plan is finalised for necessary stormwater and road infrastructure.

In the absence of formal contribution plans and a fully funded implementation plan for necessary stormwater and road infrastructure, the current proposal is considered premature.

- b) The site has approval for subdivision into 4 lots to reflect the existing joint ownership arrangement (DP15/0443) and, notwithstanding the requirement for a schematic stormwater management plan under the conditions of the subdivision permit, there is no certainty that redevelopment of the lots will proceed in a concurrent manner that would allow for a coordinated approach to stormwater management on site. This reinforces the City of Darwin's position in relation to the need for an implementation plan for infrastructure under the Berrimah North Area Plan.
- c) There is concern that proposals to fill the site (to address Q100 flooding and accommodate gravity feed to sewers) may result in a displacement of localised flooding onto Amy Johnson Avenue, Boulter Road and/or adjoining properties.

The applicant has not submitted details of the extent of fill required to develop the site for light industry, hydraulic modelling or potential changes in flood extent outside the boundaries of the site.

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

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

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

ENCL: TOWN PLANNING COMMITTEE/OPEN
YES

AGENDA ITEM: 10.2

**SIGNAGE APPLICATION – A&N FITNESS - LOT 2322 (56) SMITH STREET,
 DARWIN CITY**

REPORT No.: 16TS0021 NS:dj

COMMON No.: 3306972

DATE: 02/02/2016

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to put to Council for consideration an application for one fascia advertising sign for A&N Fitness Pty Ltd at Lot 2322 (56) Smith Street, Darwin City.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

1.4 Improved relations with all levels of government and significant stakeholders

Key Strategies

1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- A&N Fitness has submitted an application for one business advertising sign attached to the fascia at the Smith Street frontage of the “Old Woolworths” building.
- One business advertising sign of 36m² has been proposed and as such, the application is considered discretionary signs under the City of Darwin Policy No 042 – Outdoor Advertising Signs Code (Signs Code) and therefore requires Council approval.
- The proposed signage is consistent with examples of signs attached to the fascia within the immediate vicinity.
- It is recommended that Council consider and approve this application and a sign permit be issued.

PAGE: 2
 REPORT NUMBER: 16TS0021 NS:dj
 SUBJECT: SIGNAGE APPLICATION – A&N FITNESS PTY LTD, LOT 2322 (56)
 SMITH STREET, DARWIN CITY

RECOMMENDATIONS

THAT the Committee resolve under delegated authority:

- A. THAT Report Number 16TS0021 NS:dj entitled Signage Application - A&N Fitness Pty Ltd, Lot 2322 (56) Smith Street, Darwin City be received and noted.
- B. THAT Council approve the application from A&N Fitness Pty Ltd for one non-illuminated fascia business advertising sign located at Lot 2322 (56) Smith Street, Darwin City, and that a Sign Permit be issued in accordance with the requirements of the Outdoor Signs Code for the following reason:
- i) The proposed advertising sign is in proportion to the size and form of the building and is consistent with examples of other signs attached to the fascia within the immediate vicinity. The advertising sign is consistent with the purposes of signage in Commercial Zones being that signage should be limited to the identification of the business.

BACKGROUND

The redevelopment of the “Old Woolworths” site is ongoing, with the developer specifying the type, location and size of the advertising signs that will be permitted, subject to the City of Darwin approvals, for each business located within this development.

DISCUSSION

Business advertising is permitted to one sign, and a total advertising area of 4m², without the need to obtain a Council Sign Permit. This proposal is for one advertising signs totalling 36m², which exceeds the Signs Code by 32m², resulting in Council requiring to consider and make a determination on the submitted sign application.

Applicant	A&N Fitness Pty Ltd	
Type of Advertising <i>(inc. temp/perm/illuminated)</i>	One Non-illuminated	✓
Type of Sign <i>(Business/Election/Promotion etc.)</i>	Business	✓
Type of Structure <i>(Free Standing/ Fascia/ Wall/ Projecting etc.)</i>	Fascia sign	✓
Measurement of sign	3m wide x 12m long (36m ²)	✱

Complies - ✓ Discretionary, requires Council Approval - ✱

PAGE: 3
 REPORT NUMBER: 16TS0021 NS:dj
 SUBJECT: SIGNAGE APPLICATION – A&N FITNESS PTY LTD, LOT 2322 (56)
 SMITH STREET, DARWIN CITY



Location of signage

Consent is being sought by A&N Fitness Pty Ltd for one non-illuminated business advertising sign attached to the fascia for tenancies T15 and T16 (on the Smith Street frontage) of the “Old Woolworths” building. The proposed advertising signage concept is provided at **Attachment A** along with the layout of the tenancies and a letter of support from Gwelo Investments Pty Ltd.

There are examples of signage of a similar size located on other building façades within the immediate vicinity (51 and 61 Smith Street). The proposed signage is consistent with the objectives for signage in Commercial Zones which states that; “identification of the business should be the prime objective for signage rather than promotional advertising”. As per **Attachment A**, the proposed signage includes the business name being “iFITNESS” and “24/7”.

Conclusion

The business advertising sign will be in proportion to the size and form of the building and is consistent with the character of signage in the immediate vicinity; it is therefore recommended that Council approve the signage.

CONSULTATION PROCESS

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

- Town Planner
- Planning Officer
- Strategic Town Planner

PAGE: 4
 REPORT NUMBER: 16TS0021 NS:dj
 SUBJECT: SIGNAGE APPLICATION – A&N FITNESS PTY LTD, LOT 2322 (56)
 SMITH STREET, DARWIN CITY

POLICY IMPLICATIONS

The proposed advertising sign exceeds the 'complying' controls detailed within the Signs Code, resulting in the application being discretionary under the City of Darwin Policy No.042 - Outdoor Advertising Signs Code and as such, this sign application requires Council consent.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget and resource implications expected for the City of Darwin resulting from this application.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There is no risk, legal, legislative implications expected for the City of Darwin resulting from this application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications expected for the City of Darwin resulting from this application.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN, PLANNING
& PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Cindy Robson on 8930 0528 or email: c.robson@darwin.nt.gov.au.

Attachments:

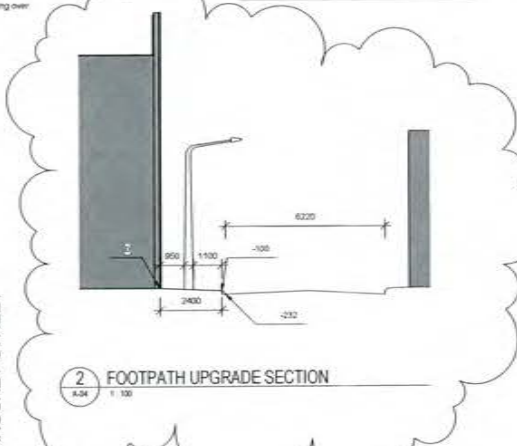
Attachment A: Sign Application - A&N Fitness Pty Ltd, Lot 2322 (56) Smith Street, Darwin City, building layout and letter of support from Gwelo Investments

ATTACHMENT A

10 sheets of 3mm tricomposite panel. Direct fix to building facia



Drawing No: 2015/0061/01 reference 58 to in
 Permit No: DP15/0241 issued by
 the consent authority on: 24 April 2014
 Consent Authority / Delegate



Bike parking and end of trip facilities
 Restaurant: 3x Class 2
 Shops: 6x Class 1
 Office: 2x Class 2
 Class 2 is appropriate for this development. Secure parking enclosure for 'all day' employee commuters. Class 1 is excessive given that the 'all day / all night' parking is not required.
 The centre provides a secure enclosure catering for 11 parks and 11 lockers. A unisex shower and bathroom facility is provided for commuters.

NOTE:
 THE TENANCY USAGE HAS BEEN IDENTIFIED TO THE BEST OF THE KNOWLEDGE OF THE APPLICANT. IT MAY CHANGE ASA RESULT OF SPECIFIC TENANT REQUIREMENTS.

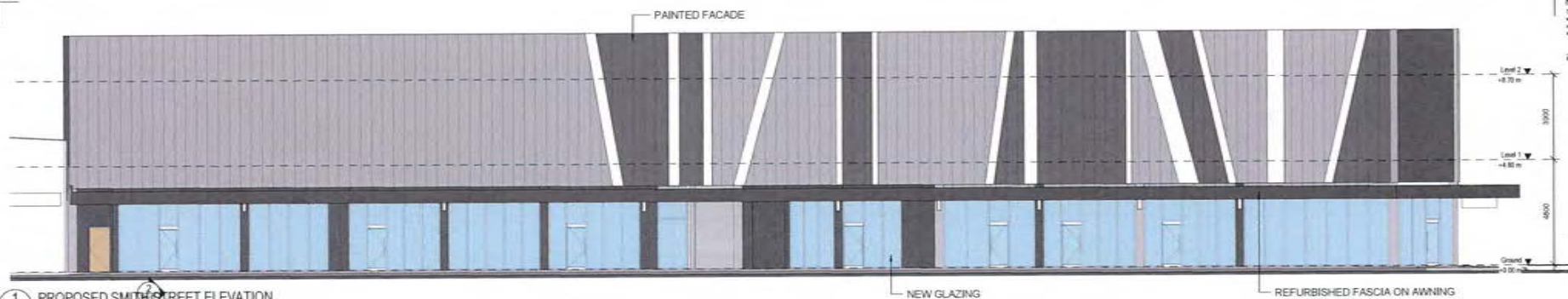
Date	Revision/Description	By



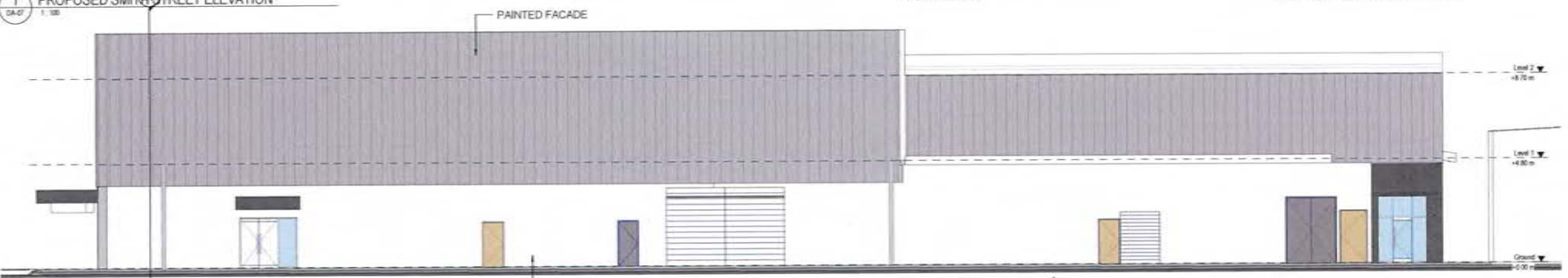
Checked	
Drawing Created	
Drawing Review Approved	
Project Description	

Project Number
 Drawing Title
PROPOSED GROUND FLOOR 58
 Drawing Number
 DA-07

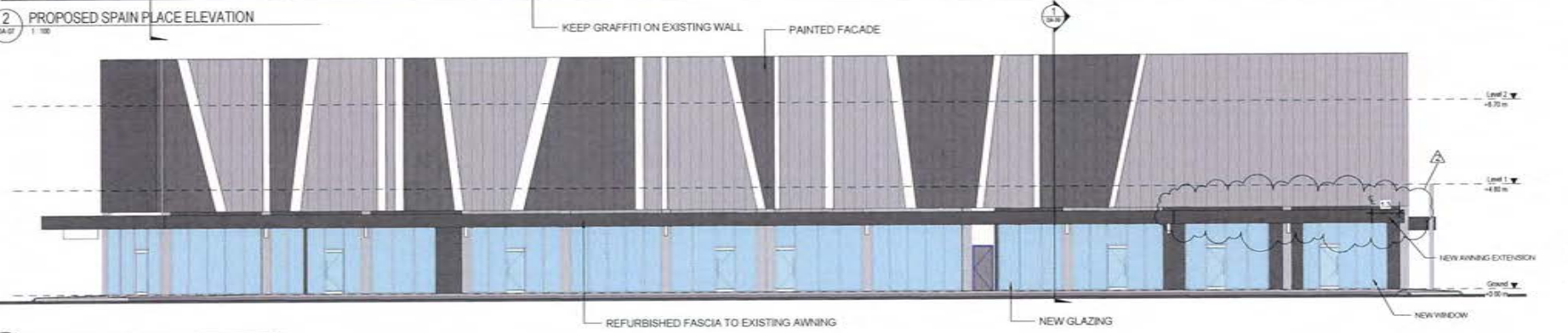
DEVELOPMENT CONSENT



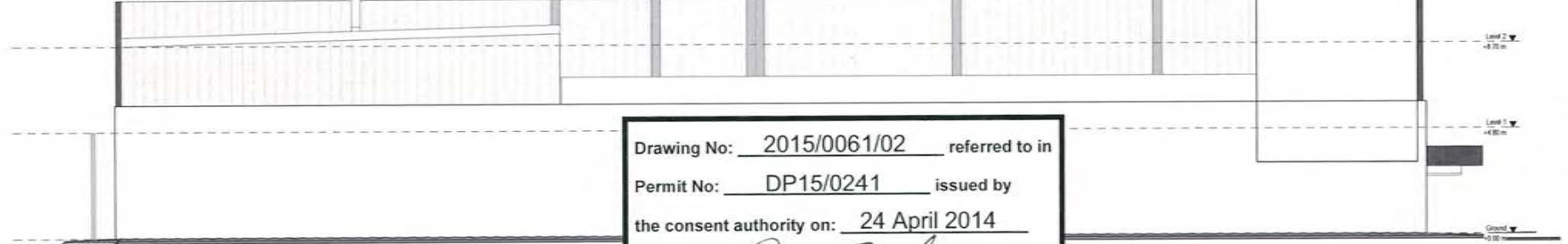
1 PROPOSED SMITH STREET ELEVATION
 DA-07 1:100



2 PROPOSED SPAIN PLACE ELEVATION
 DA-07 1:100



4 PROPOSED KNUCKEY STREET ELEVATION
 DA-07 1:100



3 PROPOSED WESTERN ELEVATION
 DA-07 1:100

Drawing No: 2015/0061/02 referred to in
 Permit No: DP15/0241 issued by
 the consent authority on: 24 April 2014

 Consent Authority / Delegate

DEVELOPMENT CONSENT

Author	DA-07	Date	2015-04-24
Check		Date	



Checked	Checked
Drawing Coordinator	
Drawing Director Approval	
Project Description	

21st January 2016



ACN 006 810 682
 ABN 73 081 330 801

Fax 4 8981 0236
 0 81 5 5981 0238

PO Box 2316 Darwin NT 0801
 Level 1 150 Knuckey Street Darwin NT 0802

Claudio Di Somma and Dylan Dale
 A&N Fitness Pty Ltd
 T/A iFitness
 G.P.O.Box 1141
 Darwin NT 0801

Via Email: info@ifitness247.com.au

Dear Dylan and Claudio,

iFitness- Shop T15 & T16, 56 Smith Street Darwin

We refer to our recent discussions concerning the attached signage to be erected above Shop T15 & T16 on the facade of 56 Smith Street Darwin and confirm that we are in support of proposed signage.

Please lodge your signage application with the Darwin City Council for approval. Should you have any queries, please contact me 0419 685 733.

Yours faithfully
GWelo INVESTMENTS PTY LTD

Richard Hardie
Project Leasing Manager

10 sheets of 3mm tricomposite panel. Direct fix to building facia



ENCL: TOWN PLANNING COMMITTEE/OPEN AGENDA ITEM: 10.3
 YES

COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS - JANUARY 2016

REPORT No.: 16TS0026 BS:jg COMMON No.: 2547669 DATE: 02/02/2016

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Development Applications for the period 16 January 2016 to 22 January 2016.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

1.4 Improved relations with all levels of government and significant stakeholders

Key Strategies

1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- A summary of City of Darwin officers' responses to the Northern Territory Government for Development applications exhibited between the time period of 16 January 2016 to 22 January 2016 is provided.

RECOMMENDATIONS

- THAT Report Number 16TS0026 BS:jg entitled Council Responses to Development Applications - January 2016, be received and noted.
- THAT Council endorse the responses to the Development Consent Authority within **Attachments A, B and C** to Report Number 16TS0026 BS:jg entitled Council Responses to Development Applications - January 2016, for the period of 16 January 2016 to 22 January 2016.

PAGE: 2
 REPORT NUMBER: 16TS0026 BS:jg
 SUBJECT: COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS - JANUARY 2016

BACKGROUND

The City of Darwin responded to 11 Development Applications for the period of 16 January 2016 to 22 January 2016.

DISCUSSION

Of these 11 applications City of Darwin Officers recommend supporting nine (either subject to normal or specific conditions), and not supporting or objecting to two applications. This represents rates of 81.8% of the applications being supported or supported subject to specific matters being adequately resolved, and 18.2% of the applications either being not supported or objected to.

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 588 – Town of Sanderson 7 Fergusson Street, Anula	Carport addition to an existing single dwelling with a reduced front setback. (Requires 4.5m, proposes from 1.7m to 2.4m)
Lot 1698 – Town of Darwin City Council 34 George Crescent, Fannie Bay	Unit title scheme subdivision to create 4 units and common property
Lot 4435 – Town of Sanderson 19 Lippia Court, Karama	Carport and ensuite additions to an existing single dwelling with a reduced front setback. (Ensuite requires 6m, proposes 3m and carport requires 4.5m, proposing 2.1m)
Lot 6140 – Town of Sanderson 5 Connor Court, Malak	Carport and laundry addition to existing single dwelling with a reduced side setback (Requires 1.5m, proposes 0.9m)
Lot 6506 – Town of Nightcliff 29 Haritos Street, Wanguri	Carport addition to existing single dwelling with a reduced side setback (Requires 1.5m, proposes 0.9m)

PAGE: 3
 REPORT NUMBER: 16TS0026 BS:jg
 SUBJECT: COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS - JANUARY 2016

Property Address	Description of Development Proposal
Lot 7555 – Town of Nightcliff 3 Brayshaw Crescent, Millner	Carport addition to existing multiple dwelling with a reduced side setback (Unit 3) (Requires 1.5m, proposes 0.9m)
Lot 7593 – Town of Nightcliff 4 Brayshaw Crescent, Millner	Verandah addition to an existing multiple dwelling (Unit 2) (Verandah complies – multiple dwellings require planning applications for any variations)

Development Applications supported subject to specific matters being adequately resolved:

The table below describes the Development Applications that are supported by City of Darwin officers subject to the following specific matters being adequately resolved.

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

Property Address	Description of Development Proposal	Specific Matters
Lot 5030 – Town of Darwin 48 Cavenagh Street, Darwin City (GPO)	Volumetric subdivision to create two lots.	The City of Darwin requested that the Development Consent Authority defer this application as it questions if the proposal (which provides a larger ground floor and level 1 footprint to Lot A), will impact the tier 1 volumetric/built form for the future development of Lot B. Therefore it would be appropriate to understand the proposal impact via a Master Plan or alternate means that provides a visual demonstration on how development of Lots A and B might interact and complement one another.
Lot 8914 – Town of Nightcliff 2 Tang Street, Coconut Grove	Change of use from warehouse to restaurant and warehouse (tenancy 3)	All car parking should be supplied on site.

PAGE: 4
 REPORT NUMBER: 16TS0026 BS:jg
 SUBJECT: COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS - JANUARY 2016

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

The table below describes the Development Applications that have been not supported or objected to by City of Darwin officers, for the reasons outlined below.

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

Property Address	Description of Development Proposal	Objected / Not Supported
Lot 690 – Town of Sanderson 3 Britannia Crescent, Anula	Carport addition to an existing single dwelling with a reduced front setback.	Objected to: It is considered that there is ample room onsite to place a carport within the required setbacks and could likely result in an altered streetscape character, which generally consists of vegetation screening the built form.
Lot 5030 – Town of Darwin City Council 48 Cavenagh Street, Darwin City (GPO)	Changes to the development approved by DP15/0369 including changes to the internal layout and floor areas	Not supported: <ul style="list-style-type: none"> • Increased car parking shortfall. • The proposed awning design does not meet City of Darwin standards. • End of trip facilities should be provided.

CONSULTATION PROCESS

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

- Strategic Town Planner
- Planning Officer

POLICY IMPLICATIONS

Relevant Council policies are noted in individual letter responses.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

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

PAGE: 5
 REPORT NUMBER: 16TS0026 BS:jg
 SUBJECT: COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS - JANUARY
 2016

ENVIRONMENTAL IMPLICATIONS

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

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN, PLANNING &
PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Cindy Robson on 89300528 or email:
 c.robson@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:** Letters of conditional support to Development Applications not yet considered by the Development Consent Authority.
- Attachment C:** Letters not supporting or objecting to Development Applications not yet considered by the Development Consent Authority.

22 January 2016

Please quote: 3303170 WS:jg
Your reference: PA2016/0003

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

**Parcel Description: Lot 588 – Town of Sanderson
7 Fergusson Street, Anula**

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

Thank you for the Development Application referred to this office 8 January 2016, concerning the above. This letter may be placed before the 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). **The City of Darwin does not object to the granting of a Development Permit for the following reasons:**

Should this application be approved, the following conditions pursuant to the Planning Act and the 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 the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.

- Any proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- All developments on/or adjacent to any easements on-site, in favour of the City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Nadia Smith', followed by a long horizontal line extending to the right.

NADIA SMITH
A/STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3303193 NS:jg
Your reference: PA2015/0896

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

Parcel Description: Lot 1698 – Town of Darwin
34 George Crescent, Fannie Bay

Proposed Development: Unit title scheme subdivision to create 4 units
and common property

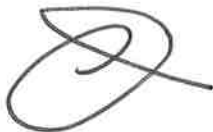
Thank you for the Development Application referred to this office 8 January 2016, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

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

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

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

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3300031 WS:jg
Your reference: PA2016/0004

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

**Parcel Description: Lot 4435 – Town of Sanderson
 19 Lippia Court, Karama**

**Proposed Development: Carport and ensuite additions to an existing
 single dwelling with a reduced front setback**

Thank you for the Development Application referred to this office 6 January 2016, concerning the above. This letter may be placed before the 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). **The City of Darwin does not object to the granting of a Development Permit.**
- ii). **The 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.**

Should this application be approved, the following conditions pursuant to the Planning Act and the 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 the General Manager Infrastructure, City of Darwin.

- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.
- All developments on/or adjacent to any easements on-site, in favour of the City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Any proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully



NADIA SMITH
A/STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3299988 WS:jg
Your reference: PA2015/0919

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

**Parcel Description: Lot 6140 – Town of Sanderson
5 Connor Court, Malak**

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

Thank you for the Development Application referred to this office 7 January 2016, concerning the above. This letter may be placed before the 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). **The City of Darwin does not object to the granting of a Development Permit.**
- ii). **The City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:**
 - a). **The 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 the City of Darwin's drainage network.
 - 1). The 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 the 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 the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, City of Darwin.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.
- All developments on/or adjacent to any easements on-site, in favour of the City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Any proposed stormwater connections to the City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully



NADIA SMITH
A/STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3301309 WS:jg
Your reference: PA2015/0914

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

Parcel Description: Lot 6506 – Town of Nightcliff
29 Haritos Street, Wanguri

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

Thank you for the Development Application referred to this office 7 January 2016, concerning the above. This letter may be placed before the 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). **The 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 the 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 stormwater connections to the City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Any proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Nadia Smith', written in a cursive style.

NADIA SMITH
A/STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3303179 WS:jg

Your reference: PA2015/0892

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

**Parcel Description: Lot 7555 – Town of Nightcliff
3 Brayshaw Crescent, Millner**

**Proposed Development: Carport addition to an existing multiple dwelling
with a reduced side setback (Unit 3)**

Thank you for the Development Application referred to this office 8 January 2016, concerning the above. This letter may be placed before the 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). **The City of Darwin does not object to the granting of a Development Permit.**
- ii). **The City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:**
 - a). **The 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 the City of Darwin's drainage network.
 - 1). The plan shall include details of site levels and the 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 the 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.

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

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

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

Yours faithfully



NADIA SMITH
A/STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3300003 NS:jg
Your reference: PA2015/0923

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

**Parcel Description: Lot 7593 – Town of Nightcliff
4 Brayshaw Crescent, Millner**

**Proposed Development: Verandah addition to an existing multiple
dwelling (Unit 2)**

Thank you for the Development Application referred to this office 6 January 2016, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

- i). **The City of Darwin does not object to the granting of a Development Permit.**
- ii). **The City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:**
 - a). **The 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 the City of Darwin's drainage network.
 - 1). The 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.
- iii). **Should the above issues be adequately addressed, the City of Darwin offers the following comments:**

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

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

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

Yours faithfully



NADIA SMITH
A/ STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3283882 NS:dj
Your reference: PA2015/0842

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

**Parcel Description: Lot 5030 – Town of Darwin
48 Cavenagh Street, Darwin City**

Proposed Development: Volumetric subdivision to create two lots

Thank you for the Development Application referred to this office 9 December 2015, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

- i). **The City of Darwin requests that the Development Consent Authority defer the application pursuant to Section 46(4)(b) of the *Northern Territory Planning Act* for the following reasons:**

Whilst the City of Darwin has no objection to the proposed volumetric subdivision given that is linked to a proposed development for Lot A; the City of Darwin however questions if the proposal (which provides a larger ground floor and level 1 footprint to Lot A), will impact the tier 1 volumetric/built form for the future development of Lot B.

The City of Darwin wants to ensure that redevelopment of such a prominent site within the Darwin City Centre would not be compromised by the subject proposal. It is therefore questioned if it would be appropriate to understand the proposal impact via a Master Plan or alternate means that provides a visual demonstration on how development of Lots A and B might interact and complement one another; in accordance with the appropriate provisions of the *Northern Territory Planning Scheme*.

As per the City of Darwin's response letter dated 13 February 2015 (to PA2014/1024), Council wants to ensure that the lots are of a sufficient size to enable a development that does not require any waivers.

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'N. Smith', with a long horizontal flourish extending to the right.

NADIA SMITH
A/ STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3303126 WS:jg
Your reference: PA2016/0002

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

**Parcel Description: Lot 8914 – Town of Nightcliff
2 Tang Street, Coconut Grove**

**Proposed Development: Change of use from warehouse to restaurant and
warehouse (tenancy 3)**

Thank you for the Development Application referred to this office 8 January 2016, concerning the above. This letter may be placed before the 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). **The City of Darwin does not object to the granting of a Development Permit provided the following issues are adequately addressed:**
 - a). The application proposes redevelopment of a warehouse use into a space that produces food to sell on the premises. As such, the use is considered a restaurant. Car parking calculations for the site should therefore use the restaurant requirements, which apply to the kitchen and food preparation areas. Given this, the City of Darwin calculates that the proposal results in a car parking shortfall of 5 car parking spaces.
- ii). **Should the above issues be adequately addressed, the City of Darwin offers the following comments:**

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

- a). **The City of Darwin requests that the Authority require a monetary**

contribution is paid to the City of Darwin in accordance with its Car Parking Contribution Plan in lieu of the on-site car parking shortfall as a result of this development. The NT Planning Scheme requires 9 car parking spaces and only 4 are provided on site for this use.

Should this application be approved, the following conditions pursuant to the Planning Act and the 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.

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

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

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

Yours faithfully



NADIA SMITH
A/ STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3300026 WS:jg

Your reference: PA2016/0006

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

Parcel Description: Lot 690 – Town of Sanderson
3 Britannia Crescent, Anula

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

Thank you for the Development Application referred to this office 6 January 2016, concerning the above. This letter may be placed before the 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). **The City of Darwin objects to the granting of a Development Permit for the following reasons:**
- a). The City of Darwin considers that there is ample room onsite to place a carport within the required setbacks.

Additionally, it appears that the existing streetscape has consistent and complying setbacks. Deviation of the *Northern Territory Planning Scheme* setback requirements would likely result in an altered streetscape character, which generally consists of vegetation screening the built form.

Should this application be approved, the following conditions pursuant to the Planning Act and the 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 the General Manager Infrastructure, City of Darwin.

- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.
- All developments on/or adjacent to any easements on-site, in favour of the City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Any proposed stormwater connections to the City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

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

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

Yours faithfully



NADIA SMITH
A/STRATEGIC TOWN PLANNER

22 January 2016

Please quote: 3283882 NS:jg
Your reference: PA2015/0843

Sally Graetz
Acting Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Graetz

Parcel Description: Lot 5030 – Town of Darwin
48 Cavenagh Street, Darwin City

Proposed Development: Changes to the development approved by
DP15/0369 including the changes to the internal
layout and floor areas

Thank you for the Development Application referred to this office 8 January 2016, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

- i). **The City of Darwin does not support the granting of a Development Permit for the following reasons:**
- a) The City of Darwin does not support the increased car parking shortfall of 3.6 (4) car parking spaces given that it furthers what Council considers to be an already significant car parking shortfall for proposed Lot A.
 - b) The City of Darwin raised an objection to the proposed awning design in its letter dated 26 March 2015 (in response to PA2015/0128), which stated that; the proposed awning "stops short of the Cavenagh and Edmunds Street corner, a location where pedestrians are likely to pause before crossing the intersection". A similar design has also been applied to the submitted plans.

In the event that an amendment is issued, the City of Darwin will require (through a Condition Precedent), full length and width awnings to the satisfaction of the General Manager Infrastructure, City of Darwin.

- c) *Clause 8.2 of the Northern Territory Planning Scheme* requires the inclusion of amenities such as bicycle storage, end of trip facilities and public toilets. Given the size and locality of the development it is considered that such public facilities be provided during operational hours. Particular consideration should be given to the different needs of staff and customers.

In light of the subject amendment and DP15/0369, the City of Darwin raises the following for consideration by the Development Consent Authority:

- It is requested that Condition Precedent 1a. and 1b. of DP15/0369 be applied in the event that an amendment is issued given that the amended plans haven't nominated the ground floor access points and the substation still has doors that open outward to the City of Darwin road reserve.
- It is requested that Condition Precedent 2. of DP15/0369 be applied in the event that an amendment is issued to ensure that bus parking is to the satisfaction of the General Manager Infrastructure, City of Darwin.

It is again noted for the applicant's purposes that it is likely that the City of Darwin will require a Traffic Impact Assessment to ensure that the safety of pedestrians, cyclists and vehicles are not compromised (as per City of Darwin's letter dated 10 June 2015).

- It is requested that General Condition 15. of DP15/0369 be applied in the event that an amendment is issued to address the City of Darwin's concerns regarding excessive access points to Litchfield Street.
- ii). **The 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 the General Manager, Infrastructure, City of Darwin.**
 - d). **Prior to the endorsement of plans and prior to the commencement of works (including site preparation), approval by Council is**

required for any element of the building (separate to awnings) that is designed to be constructed or installed over City of Darwin road reserve.

e). **The 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 the City of Darwin's drainage network.

1). The plan shall include details of site levels and the 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 the 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.

f). **Waste**

The 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 the City of Darwin's Waste Management Policy 054 may be viewed on the City of Darwin's website or by contacting the City of Darwin's Infrastructure department.

g). **Site Construction**

The 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,
- GeoTech report for excavation to the sub-ground floor works,
- storm water drainage,
- use of City of Darwin land, and
- how this land will be managed during the construction phase;

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

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

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

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 the City of Darwin. The City of Darwin requests that the applicant first seek all required approvals from the City of Darwin for any proposed works within the road reserve.

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 the City of Darwin.

i). **Traffic**

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

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

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

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

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

a). **Awning Overhang**

The proposal includes awning overhangs to Cavenagh Street, Edmunds Street and Litchfield Street. Awning agreements are required as a separate approval from the City of Darwin. The City of Darwin requests that the applicant first seek all required approvals from the 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 the City of Darwin. The City of Darwin requests that the applicant first seek all required approvals from the 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 the 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 the General Manager Infrastructure, 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 the City of Darwin's Department of Parks and Recreation to ensure appropriate planting locations are defined.

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

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

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

A monetary contribution is required to be paid to the City of Darwin for the loss of any on-street car parking spaces that are in excess to a single crossover.

- b). **The City of Darwin requests that the Authority require a monetary contribution is paid to the City of Darwin in accordance with its Car Parking Contribution Plan in lieu of the on-site car parking shortfall as a result of this development.**
- c). **The City of Darwin requests that the Authority require a monetary contribution is paid to the City of Darwin in accordance with its Stormwater Contribution Plan to upgrade stormwater infrastructure as a result of this development.** The site falls within the developer Contributions Plan for Stormwater Drainage Works – Contributions Area Zone H. The applicant will be required to pay the City of Darwin a contribution towards stormwater drainage works in accordance with the above plan.

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

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works shall be constructed at the applicant's expense, to the requirements of the City of Darwin.
- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line-marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- Pursuant to clause 6.5.2 of the Northern Territory Planning Scheme and s.70(5) of the Planning Act a monetary contribution shall be paid to the City of Darwin for any determined parking shortfall.

- All developments on/or adjacent to any easements on-site, in favour of the City of Darwin shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Further, subject to conditions of subdivision to the satisfaction of service authorities.
- 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 the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Any proposed stormwater connections to the City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, 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 the City of Darwin and/or neighbouring property owners.
- Permit to Occupy shall be withheld until such time as the existing structure on the site is contained within the boundaries of the proposed allotment and until such time as Lot 5030 has been subdivided and a new title issued in respect of the proposed allotment.

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

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

Yours faithfully

A handwritten signature in black ink, consisting of a large, stylized loop followed by a smaller loop and a short horizontal stroke.

CINDY ROBSON
STRATEGIC TOWN PLANNER

ENCL: TOWN PLANNING COMMITTEE/OPEN
NO

AGENDA ITEM: 10.4

STRATEGIC PLANNING ISSUES - FEBRUARY 2016

REPORT No.: 15TS0215 NS:dj

COMMON No.: 2481144

DATE: 02/02/2016

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to provide an updated schedule of identified strategic Town Planning matters for referral to Town Planning Committee meetings.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

1.4 Improved relations with all levels of government and significant stakeholders

Key Strategies

1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- The Town Planning Committee focuses on strategic town planning issues.
- This report presents an updated schedule of previously identified and known strategic matters.
- The schedule includes known current issues and will be influenced by unforeseen strategic matters requiring consideration either directly raised by Council or via external parties such as the Northern Territory Planning Commission.
- Progress and updating of the schedule will be reported on Town Planning Committee meetings.

RECOMMENDATIONS

THAT the Committee resolve under delegated authority:

THAT Report Number 15TS0215 NS:dj entitled Strategic Planning Issues – February 2016, be received and noted.

PAGE: 2
 REPORT NUMBER: 15TS00215 NS:dj
 SUBJECT: STRATEGIC PLANNING ISSUES – FEBRUARY 2016

BACKGROUND

Council has resolved that the Town Planning Committee Meeting will be held once every two months, with a focus on strategic town planning matters.

This report provides an updated schedule of previously identified strategic town planning matters and time frames for addressing these matters.

DISCUSSION

The following table provides the status of a number of strategic planning issues yet to be considered by the Town Planning Committee:

Issue	Council Decision No.	Report status	Expected Report Date
Universal Design Principles in planning and construction of new buildings	Decision No.20\4887	Commenced	April 2016
Development of an Age Friendly City		Not yet commenced	April 2016
Funding for Social Infrastructure		Commenced	April 2016
Building elements over the City of Darwin road reserve	Decision No.21\3739	Not yet commenced	April 2016
Assessment criteria and definition for Serviced Apartments in the Northern Territory Planning Scheme	Decision No.21\3135	Commenced	June 2016
Car parking on the podium level		Not yet commenced	June 2016
Tree Planting in car park areas with a view to increasing the amount of shaded land area and improving public amenity and air purification taking into account the requirements of the Planning Scheme in relation to shading parking areas.	Decision No.21\3387	Not yet commenced	June 2016

In addition to the above, the City of Darwin are actively progressing issues as they arise, some of which are in conjunction with the Northern Territory Planning

PAGE: 3
 REPORT NUMBER: 15TS00215 NS:dj
 SUBJECT: STRATEGIC PLANNING ISSUES – FEBRUARY 2016

Commission, Department of Lands, Planning and the Environment and the Department of Transport. Issues include, but are not limited to; review of the Outdoor Advertising Signs Code, Darwin Inner and Mid Suburbs Area Plans along with rezoning applications and planning scheme amendments as they arise.

CONSULTATION PROCESS

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

- Strategic Town Planner
- Town Planner

POLICY IMPLICATIONS

There are considered to be no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

Resources are in accordance with approved Council budgets.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are considered to be no risk/legal/legislative implications for this report.

ENVIRONMENTAL IMPLICATIONS

There are considered to be no environmental implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN, PLANNING
& PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Cindy Robson on 8930 0528 or email:
c.robson@darwin.nt.gov.au .

OPEN SECTION

TP/5

Town Planning Committee Meeting – Tuesday, 2 February 2016

11. INFORMATION ITEMS

Nil

12. GENERAL BUSINESS

13. CLOSURE OF MEETING