



Business Papers

1st Ordinary Council Meeting

Tuesday, 14 April 2015
5:00 pm



Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend a 1st Ordinary Council Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 14 April 2015, commencing at 5.00 pm.



B P DOWD
CHIEF EXECUTIVE OFFICER

Office Use Only

Placed on Public Notice Board: _____

Removed from Public Notice Board: _____

1st Ordinary Council Meeting

Tuesday, 14 April 2015

at 5.00 pm

Guests

From 5.15 pm.

Colin Balfour from the Campervan & Motorhome Club of Australia will be in attendance from 5:15 pm to brief the Council on RV Parks at the Open Section of the Meeting.



CITY OF DARWIN

SIXTY-SEVENTH ORDINARY MEETING OF THE TWENTY-FIRST COUNCIL

TUESDAY, 14 APRIL 2015

MEMBERS: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chairman); Member J M Anictomatis; Member R K Elix; Member H I Galton; 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 R Want de Rowe; Member K J Worden.

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

GUESTS: Colin Balfour from the Campervan & Motorhome Club of Australia will be in attendance from 5:15 pm to brief the Council on RV Parks at the Open Section of the Meeting.

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

WEBCASTING DISCLAIMER

Due to technical difficulties this meeting will not be webcast.

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1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD’S PRAYER

3. MEETING DECLARED OPEN

4. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

4.1 Apologies

4.2 Leave of Absence Granted

THAT it be noted Member R M Knox is an apology due to a Leave of Absence previously granted on 24 February 2015, for the period of 1 April 2015 to 14 April 2015.

4.3 Leave of Absence Requested

5. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

5.1 Electronic Meeting Attendance Granted

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 16/04/12, the following member was granted permission for Electronic Meeting Attendance at this the Sixty-Seventh Ordinary Council Meeting held on Tuesday, 14 April 2015:

- Member R M Knox

5.2 Electronic Meeting Attendance Requested

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 Declaration of Interest by Members

6.2 Declaration of Interest by Staff

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

7.1 Confirmation of the Previous Ordinary Council Meeting

Common No. 1955119

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 31 March 2015, be received and confirmed as a true and correct record of the proceedings of that meeting.

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

8.1 Business Arising

9. MATTERS OF PUBLIC IMPORTANCE

10. DEPUTATIONS AND BRIEFINGS

10.1 RV Parks

Common No. 1524015

Colin Balfour from the Campervan & Motorhome Club of Australia will be in attendance from 5:15 pm to brief the Council on RV Parks.

11. CONFIDENTIAL ITEMS

11.1 Closure to the Public for Confidential Items

Common No. 1944604

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

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C24.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C26.1	8(c)(i)	information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person
C27.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C28.1	8(c)(i)	information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person
C28.2	8(c)(i)	information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person

11.2 Moving Open Items Into Confidential

11.3 Moving Confidential Items Into Open

SIXTY-SEVENTH ORDINARY COUNCIL MEETING – OPEN SECTION

1st COU04/7

TUESDAY, 14 APRIL 2015

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12. PETITIONS

13. NOTICE(S) OF MOTION

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.1
 YES

APPLICATION FOR VARIATION OF LIQUOR LICENCE - ISTANBUL KEBAB PTY LTD

REPORT No.: 15C0051 CB:kl COMMON No.: 3050137 DATE: 14/04/2015

Presenter: Acting Manager Recreation, Events and Customer Services,
 Clare Beacham

Approved: General Manager Community & Cultural Services,
 Anna Malgorzewicz

PURPOSE

The purpose of this report is to table an application for a permanent variation to liquor licence conditions for Istanbul Kebab Pty Ltd, Istanbul Café, 12 Knuckey Street, Darwin.

LINK TO STRATEGIC PLAN

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

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

1.4 Improved relations with all levels of government and significant stakeholders

Key Strategies

1.4.2 Play an active role in strategic and statutory planning processes

KEY ISSUES

- Council has been advised by Gambling and Licensing Services, Department of Business of an application for a permanent variation of liquor licence conditions for Istanbul Kebab Pty Ltd, Istanbul Café, 12 Knuckey Street, Darwin, **Attachment A.**
- Council has committed to improving the amenity of Tamarind Park which borders Istanbul Café.
- It is recommended that Council lodge an objection to the proposed variations, particularly in relation to the outdoor dining area in accordance with Council's Outdoor Dining Policy No. 011 and on the basis of adverse effects to the social conditions of the immediate area.

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 SUBJECT: APPLICATION FOR VARIATION OF LIQUOR LICENCE - ISTANBUL
 KEBAB PTY LTD

RECOMMENDATIONS

- A. THAT Report Number 15C0051 CB:kl entitled Application for Variation of Liquor Licence - Istanbul Kebab Pty Ltd, be received and noted.
- B. THAT Council objects to the application for permanent variation to add the word "Bar" in addition to "Restaurant" in the appearance "Special Conditions" to liquor licence conditions for Istanbul Café, 12 Knuckey Street Darwin, under Section 47F(2) of the Liquor Act.
- C. THAT Council objects to the application for permanent variation to remove the "Special Conditions" to liquor licence conditions for Istanbul Café, 12 Knuckey Street Darwin, under Section 47F(2) of the Liquor Act.
- D. THAT Council endorse the letter to the Director-General of Gambling and Licensing Services at **Attachment B** to Report Number 15C0051 CB:kl entitled Application for Variation of Liquor Licence - Istanbul Kebab Pty Ltd.

BACKGROUND

City of Darwin issued a permit to occupy Alfresco Area to Istanbul Café on 24 March 2009 for a period of 5 years. The permit was renewed on 1 May 2014 for a further 5 year period. The applicant sub-let the premises for one year from April 2014 during which time the permit was changed to Outdoor Dining (Un-licenced). From 1 May 2015 the permit will revert back to Outdoor Dining (Licenced).

Council has been advised by Gambling and Licensing Services, Department of Business of an application for a permanent variation of liquor licence conditions for Istanbul Kebab Pty Ltd, Istanbul Café, 12 Knuckey Street, Darwin, **Attachment A**.

Gambling and Licensing Services were advised that due to the meeting schedule Council's decision on this matter would not be available until 15 April 2015.

PREVIOUS DECISIONS

DECISION NO. 20\1249 (24/02/09)

- A. *THAT Report Number 09TS0021 entitled, Proposed Restaurant CWA Building, Knuckey Street, be received and noted;*
- B. *THAT the letter at **Attachment C** to Report Number 09TS0021, indicating Council's endorsement of a deck over Tamarind Park and a coolroom over Council land at the rear of the CWA building be endorsed with the following amendment and forwarded to the Development Consent Authority;*

3. Car Parking

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 KEBAB PTY LTD

As a result of this development Council requests the Authority to require a monetary contribution to be paid to Council in accordance with its Car Parking Contribution Plan in lieu of any on-site car parking shortfall.

- C. *THAT the applicant be advised a permit / licence agreement will need to be established for components of the project over Council road reserve and freehold land; and*
- D. *THAT Darwin City Council pursuant to section 32(2)(d) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer the power to approve final design issues and the establishment of a permit / licence agreement for the subject development in the event of a Development Permit being granted.*

DISCUSSION

Applicant: Istanbul Kebab Pty Ltd

Name of Premises: Istanbul Café

Proposed Variation

1. Trading Hours

The applicant seeks to vary the existing Trading Hours from 11.30am – 02.00am each day to 10:00am – 2.00am each day.

2. Add the word “Bar” in addition to “Restaurant”

The applicant seeks to add the word “Bar” in addition to “Restaurant” in the appearance “Special Conditions” reading: Appearance: The premises shall at all times have the appearance of and shall trade predominantly as a BAR/restaurant.

3. Current liquor licence conditions state that:

- a. Liquor shall only be sold for consumption ancillary to a meal.
- b. Consumption of liquor without a meal is only available between 20:00 and 02:00.
- c. Patrons shall consume alcohol only whilst seated at a table.
- d. Bar stools and raised tables shall not be provided.

The applicant would like to remove these conditions inside the premises and in the outdoor dining area to allow alcohol to be served at any time during the proposed extended trading hours and without the requirement for patrons to be seated at a table or ancillary to a meal.

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 KEBAB PTY LTD

Considerations Under The Liquor Act – Grounds For Objection Under Section 47F(2) of The Liquor Act

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

- (a) The amenity of the neighbourhood where the premises the subject of the application are or will be located; or
- (b) Health, education, public safety or social conditions in the community.

Istanbul Café is located adjacent to Tamarind Park, an area within the City Centre that frequently experiences anti-social behaviour. The licensee of Istanbul Café lodged numerous complaints with Council over the past 2-3 years with respect to the behaviour of itinerants that frequent Tamarind Park.

Council has made a commitment through the Darwin City Centre Master Plan to improving the park and activating the space to make it amenable to local workers, visitors, and families. Supporting the current restaurant would enhance this initiative, however establishing a small 'Bar' on the edge and essentially within the park would be detrimental to Council's intention.

Through the Darwin Safer City Project, Council has undertaken to address the adverse impacts of alcohol on the municipality. Evidence suggests that reducing the availability of alcohol, including the hours of trade, has a direct impact on reducing alcohol harms¹. The City's entertainment precinct is extremely well serviced with licensed venue options. An additional *Bar* facility in this context, serves only to further increase alcohol supply and does little to reduce potential for alcohol related harm in an area already saturated with venues and prone to adverse impacts of public intoxication.

Council's Controlled Land

Istanbul Café holds a City of Darwin permit for Outdoor Dining (Licenced) on Council controlled land to re-commence on 1 May 2015.

As part of the Application for Variation of Liquor Licence the licensee would like to remove the special conditions, in order for patrons to consume alcohol at any time during the proposed extended trading hours in the outdoor dining area and without the need to be seated at a table or to order a meal.

In accordance with Council's Outdoor Dining Policy No. 011, to which the licensee must comply, "The City of Darwin does not permit areas in the Public Realm to be used solely for the consumption of alcohol." The intention of this policy is for outdoor dining areas to trade predominantly as an eating area, not as a Bar.

¹ Foundation for Alcohol Research and Education (2014) *Policies Which Will Reduce Alcohol's Harm To Others*.

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KEBAB PTY LTD

The removal of the special conditions would therefore be in breach of Council policy in relation to the licensed area located on Council controlled land.

If the Director-General of Licensing was to grant the variation to the liquor licence, the applicant would be required to apply to Council to change its Outdoor Dining Permit.

CONSULTATION PROCESS

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

- Manager Darwin Safer City Project
- Coordinator Darwin Safer City Project
- Planning Officer
- Team Leader Capital Works

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

- Shane McCorkell, Licensing Inspector, Licensing, Regulation and Alcohol Strategy

POLICY IMPLICATIONS

Council's Outdoor Dining Policy No. 011 encourages the practice of outdoor dining across the Darwin municipal area while establishing robust procedures to ensure that the amenity and safety of streets and public places is maintained and that there is clear guidance and consistency with respect to outdoor dining.

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

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KEBAB PTY LTD

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.

CLARE BEACHAM
ACTING MANAGER
RECREATION, EVENTS &
CUSTOMER SERVICES

ANNA MALGORZEWICZ
GENERAL MANAGER
COMMUNITY & CULTURAL
SERVICES

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

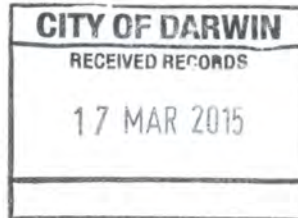
Attachments:

Attachment A: Application for Variation of Liquor Licence – Istanbul Kebab Pty Ltd
Attachment B: Draft Letter to the Director General of Gambling and Licensing
Services



Licensing, Regulation and Alcohol Strategy
Enterprise House, 28 - 30 Knuckey Street, Darwin NT 0800
Postal address GPO Box 1154, DARWIN NT 0801
Tel 08 8999 1800 Fax 08 8999 7498
Email lrascoplancedwn.dob@nt.gov.au

Senior Planner
Darwin City Council
GPO Box 84
WINNELLIE NT 0821



Dear Sir/Madam

RE: VARIATION OF LIQUOR LICENCE – Istanbul Kebab Pty Ltd, Istanbul Café, 12 Knuckey Street, Darwin, NT

An application for a variation of liquor licence conditions has been received from Istanbul Kebab Pty Ltd, seeking the Director-General approval to:

• **Trading Hours:**

The applicant seeks to vary the Trading Hours to commence from 10: 00am each day, instead of 11:30am as presently applies.

• **Add the word “Bar”** in addition to “restaurant” in the appearance “SPECIAL CONDITIONS”, reading:

APPEARANCE, The premises shall at all times have the appearance of and shall trade predominantly as a BAR/restaurant.

• **Remove the “Special Condition”:**

PATRONS, Patrons to be seated at a table.

CONSUMPTION OF LIQUOR, consumption of liquor without a meal will not be advertised or promoted and is only available between 20:00 and 02:00

ADVERTISING AND SIGNAGE, The word “Bar” shall not be used in any advertising or signage.

BAR STOOLS, Bar stools shall not be provided.

TABLE SERVICE, Liquor to be sold only by the way of wait staff to patrons who are seated at a table.

ALFRESCO DINING AREA, (a) Patrons shall consume alcohol only whilst seated at a table. Bar stools and raised tables will not be provided.

Please provide any comments you might have in relation to the application taking into account the Objects of the *Liquor Act* (the Act) as defined in section 3 of the Act. Your comments should relate to the matters the Director-General must consider when assessing an application, as detailed in section 6 and 32A of the Act.

The purpose of this request is to assist the Director-General in investigating the application and making a decision. It is not an avenue for the lodging of an objection to the application or an opportunity to raise concerns in relation to neighbourhood amenity,

which would more appropriately be dealt with by way of objection under section 47F of the Act.

A copy of the Application and advertisement are enclosed for your reference. A copy of section 3 and 6 of the Act are also attached.

Your comments, if any, should be received by this office no later than **13 April 2015**

If you require any further information in relation to the above, please contact Licensing Inspector Shane McCorkell on telephone 8999 1318 or via email lracompliancedwn.dob@nt.gov.au

Yours sincerely



Shane McCorkell
Licensing Inspector

13 March 2015

Section 3. Objects

- (1) The primary object of this Act is to regulate the sale, provision, promotion and consumption of liquor –
 - (a) so as to minimise the harm associated with the consumption of liquor; and
 - (b) in a way that takes into account the public interest in the sale, provision, promotion and consumption of liquor.
- (2) The further objects of this Act are –
 - (a) to protect and enhance community amenity, social harmony and wellbeing through the responsible sale, provision, promotion and consumption of liquor;
 - (b) to regulate the sale of liquor in a way that contributes to the responsible development of the liquor and associated industries in the Territory; and
 - (c) to facilitate a diversity of licensed premises and associated services for the benefit of the community.
- (3) When the Commission exercises a power or performs a function under this Act, the Commission must have regard to the objects of this Act and must exercise the power and perform the function in a way that is consistent with those objects.

Section 6. Public interest criteria in respect of licence or licensed premises

- (1) When the Commission has regard to the objects of this Act in –
 - (a) considering or determining an application under this Act in respect of a licence or licensed premises; or
 - (b) determining the conditions of a licence,

the Commission must, when taking into account the public interest in the sale, provision, promotion and consumption of liquor, consider any of the criteria specified in subsection (2) that are relevant to the application or conditions.
- (2) For subsection (1), the criteria are the following:
 - (a) harm or ill-health caused to people, or a group of people, by the consumption of liquor is to be minimised;
 - (b) liquor is to be sold, or sold and consumed, on licensed premises in a responsible manner;
 - (c) public order and safety must not to be jeopardised, particularly where circumstances or events are expected to attract large numbers of persons to licensed premises or an area adjacent to those premises;
 - (d) the safety, health and welfare of persons who use licensed premises must not be put at risk;

- (e) noise emanations from licensed premises must not be excessive;
- (f) business conducted at licensed premises must not cause undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the neighbourhood of the premises or who are making their way to or from, or using the services of, a place of public worship, hospital or school;
- (g) a licensee must comply with provisions of this Act and any other law in force in the Territory which regulate in any manner the sale or consumption of liquor or the location, construction or facilities of licensed premises, including –
 - (i) by-laws made under the *Local Government Act*; and
 - (ii) provisions of or under the *Planning Act*;
- (h) each person involved in the business conducted at licensed premises must receive suitable training relevant to the person's role in the conduct of the business;
- (i) the use of credit in the sale of liquor must be controlled;
- (j) practices which encourage irresponsible drinking must be prohibited;
- (k) it may be necessary or desirable to limit any of the following:
 - (i) the kinds of liquor that may be sold;
 - (ii) the manner in which liquor may be sold;
 - (iii) the containers, or number or types of containers, in which liquor may be sold;
 - (iv) the days on which and the times at which liquor may be sold;
- (l) it may be necessary or desirable to prohibit persons or limit the number of persons who may be on licensed premises, on any particular part of licensed premises or in an adjacent area subject to the control of the licensee;
- (m) it may be necessary or desirable to prohibit or limit the entertainment, or the kind of entertainment, which may be provided on licensed premises or in an adjacent area under the control of the licensee;
- (n) it may be necessary or desirable to prohibit or limit promotional activities in which drinks are offered free or at reduced prices.
- (3) Also, the Commission must consider –
 - (a) any other matter the Commission believes is relevant to the public interest in the sale, provision, promotion and consumption of liquor in respect of the application or conditions under consideration; and

- (b) any information or matter contained in an application, or otherwise provided or raised by the applicant, which is relevant to the public interest in the sale, provision, promotion and consumption of liquor.

Section 28. Assessment of applications

- (1) The Commission must conduct or cause to be conducted the investigations it considers necessary to enable it to make a proper assessment of an application for a licence.
- (2) The Commission must consider an application for a licence, the accompanying affidavit made under section 26A and the results of investigations conducted in relation to the application and make an assessment of the following matters:
 - (a) the suitability of the premises in respect of which the application is made, having regard to any law of the Territory which regulates in any manner the sale or consumption of liquor or the location, construction or facilities of premises which are used for that purpose;
 - (b) if the applicant is a natural person – the financial stability, general reputation and character of the applicant;
 - (c) if the applicant is a body corporate – the business reputation and financial stability of the body corporate and the general reputation and character of the secretary and executive officers of the body corporate;
 - (d) if the applicant is a federation of clubs – the business reputation and financial stability of each constituent club and the general reputation and character of the secretary and executive officers of each constituent club;
 - (e) whether the applicant is a fit and proper person to hold a licence;
 - (f) if a person is referred to in the affidavit under section 26A – whether that person is a fit and proper person to be an associate of a licensee;
 - (g) if the Commission considers it appropriate – whether any other associate of the applicant is a fit and proper person to be an associate of a licensee;
 - (h) if the applicant has nominated a person under section 25(2) to be its manager – whether that person is a fit and proper person to be the manager.
- (3) In assessing whether an applicant is a fit and proper person to hold a licence, the Commission must have regard to any matters prescribed by the Regulations relevant to that assessment.
- (4) The Commission may require an applicant, a nominee manager of the applicant or an associate of the applicant to provide the Commission with the additional information or material that the Commission considers necessary to make a proper assessment of the application.

LIQUOR ACT

2nd NOTICE OF APPLICATION FOR VARIATION OF LICENCE CONDITIONS

The Director of Istanbul Kebab Pty Ltd hereby gives notice that they have applied to the Director-General for variations to the condition of the Licence for the premises known as Istanbul Cafe, located at 12 Knuckey Street, Darwin, NT 0801

PROPOSED CHANGED TO THE FOLLOWING CONDITIONS:

- Trading Hours: The applicant seeks to vary the Trading Hours to commence from 10: 00am each day, instead of 11:30am as presently applies
- Add the word "Bar" in addition to "restaurant" in the appearance "SPECIAL CONDITIONS", reading:
APPEARANCE, The premises shall at all times have the appearance of and shall trade predominantly as a BAR/restaurant.
- Remove the "Special Condition":
PATRONS, Patrons to be seated at a table.
CONSUMPTION OF LIQUOR, consumption of liquor without a meal will not be advertised or promoted and is only available between 20:00 and 02:00
ADVERTISING AND SIGNAGE, The word "Bar" shall not be used in any advertising or signage.
BAR STOOLS, Bar stools shall not be provided.
TABLE SERVICE, Liquor to be sold only by the way of wait staff to patrons who are seated at a table.
ALFRESCO DINING AREA, (a) Patrons shall consume alcohol only whilst seated at a table. Bar stools and raised tables will not be provided.

This is the second notice of application.

The objection period is deemed to commence from Friday, 13th March 2015.

Pursuant to Section 47F(2) of the *Liquor Act* an objection may only be made on the ground that the extension of trading hours may or will adversely affect:

- (a) the amenity of the neighbourhood where the premises the subject of the application are or will be located; or
- (b) health, education, public safety or social conditions in the community.

Only those persons, organisations or groups described in Section 47F(3) of the *Liquor Act* may make an objection. Section 47G of the *Liquor Act* requires the Director-General to inform the applicant of the substance of any objection. This will include the identity and where relevant the address of the objector.

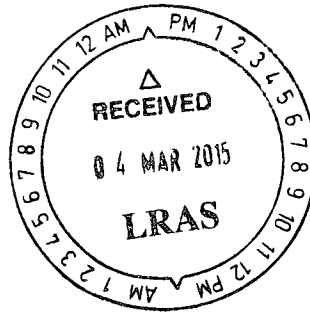
For further information regarding this application contact the Senior Director of LRAS on telephone 8999 1800. Objections to this application must be lodged in writing and lodged within 30 days of the commencement date of the objection period to the Director-General of Licensing, LRAS, via e-mail (preferred) to LRASComplianceDWN.DOB@nt.gov.au or posted to GPO Box 1154, Darwin, NT 0801.

Dated this 13th Day of March 2015

McQueens

s o l i c i t o r s

Our Ref: PM:14-6344
Your Ref:



03 March 2015

The Director General of Licensing
GPO Box 1154
DARWIN NT 0801

By email: glsadministration.dob@nt.gov.au

GPO Box 1867
Darwin NT 0801
Tel (08) 8981 9396

e-mail: mcqueens@mcqlaw.com.au

Principal
Peter McQueen

Dear Sir,

Re: Istanbul Kebab Pty Ltd - application for variation of conditions of liquor licence 80518182

I act for of Istanbul Kebab Pty Ltd trading as Istanbul Café at 12 Knuckey Street which holds liquor licence number 80518182. Mrs Nulifer (Jenny) Kavouklis is the nominee.

The business is conducted from rented premises owned by the CWA and located in Raintree Park which include an alfresco deck area immediately adjacent to the premises. They stand in the open and are subject to public surveillance at all times i

The current varied licence took effect on 12 April 2012 following an earlier successful application by Istanbul Kebabs Pty Ltd to enable the sale of liquor without being accompanied by a meal. The reason for that application were as set out in my letter to the Licensing Commission dated 11 December 2011. While the variation permitted the sale of liquor without a meal for a limited time during trading hours other restrictive conditions were also imposed.

The Applicant traded from the premises for two years before sub-leasing it for one year in April 2014. The sub-lessee did not apply for a licence to sell liquor from the premises during the term of his sub-lease.

After establishing another business during the last 12 months Ms Nulifer Kavouklis now intends to resume conducting the business at 12 Knuckey Street in April this year when the current sub-lease expires. She proposes to continue selling both take away meals and meals for consumption on the premises. She will also resume the sale of liquor.

The Applicant is seeking further changes to the licence conditions to respond to customer demand and expectations when she resumes trading.

The changes requested are intended to enable the business to sell liquor during trading hours from 10.00am each day to 2.00am the following day without patrons having to also consume a meal. She is also seeking to have some of the restrictive conditions previously imposed removed.

The primary reason for applying for the variations sought is to that while the Nominee found the previous variations were an improvement while trading during the two years following their introduction, the requests by patrons to consume liquor without a meal during trading hours up to 8.00pm continued. She is confident, and asserts that her record reflects, that she is able to properly manage licensed premises. She has no doubt that she will be able to properly regulate patrons' consumption and behaviour in the event that the variations requested below are permitted.

PARTICULARS OF VARIATIONS SOUGHT

General Conditions

Trading Hours

The Applicant seeks to vary the trading hours to commence from 10.00 am each day instead of 11.30 am as presently applies.

Special Conditions

Appearance

Variation; Amend to read "The premises shall at all times have the appearance of and shall trade as a bar/ restaurant."

Reason: The Applicant will locate chairs, seats and tables inside the premises and on the deck. The configuration may change from time to time depending on patron requests.

Patrons

Variation Remove the obligation for patrons to be seated at a table.

Reason See preceding variation sought

Consumption of liquor

Variation delete current condition

Reason To reflect the variation requested to the "Appearance" condition

Advertising signage

Variation delete current condition

Reason It is contemplated that the business will be described as a Bar/ Restaurant

Bar Stools

Variation Delete

Reason because the Applicant considers it likely that varying requirements of patrons may result in variations to the

furniture layout in the licensed area from time to time

Table Service

Variation Delete

Reason While it is intended to have meals available at all times during trading hours it is likely that some meals will be served from the counter at different times during trading hours depending on demand and it would be more efficient to enable liquor sales at the counter as well.

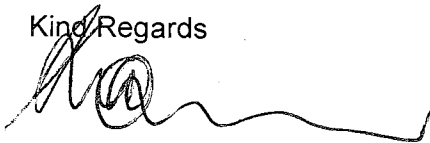
Alfresco Dining area

Variation Delete condition (a) only

Reason Deletion of this this condition is consistent with the other variations sought a set out above. The Applicant is agreeable to retaining condition (b). ✓

Please note that the Applicant is able to provide any further information which may be required to enable favourable consideration of this application.

Kind Regards



PETER MCQUEEN
Solicitor

Please quote: 3050137 AM:cb

15 April 2015

Director-General
Gambling and Licensing Services
Department Of Business
GPO BOX 1154
DARWIN NT 0801

Dear Sir/Madam

Application for Variation of Liquor Licence Conditions – Istanbul Kebab Pty Ltd, Istanbul Café, 12 Knuckey Street, Darwin

At the 1st Ordinary Council meeting on 14 April 2015, Council considered the above application to permanently vary liquor licence conditions. In accordance with Section 47F(2) of the Liquor Act, Council objects to the proposed variations of this application based on the need to reduce the supply of alcohol in the City Centre to minimise alcohol related harm.

Istanbul Café is located adjacent to Tamarind Park, an area within the City Centre that frequently experiences anti-social behaviour.

The licensee of Istanbul Café lodged numerous complaints with Council over the past 2-3 years with respect to the behaviour of itinerants that frequent Tamarind Park.

Council has made a commitment through the Darwin City Centre Master Plan to improving the park and activating the space to make it amenable to local workers, visitors, and families. Supporting the current restaurant would enhance this initiative, however establishing a small 'Bar' on the edge and essentially within the park would be detrimental to Council's intention.

Through the Darwin Safer City Project, Council has undertaken to address the adverse impacts of alcohol on the municipality. Evidence suggests that reducing the availability of alcohol, including the hours of trade, has a direct impact on reducing alcohol harms¹. The City's entertainment precinct is extremely well serviced with licensed venue options. An additional *Bar* facility in this context,

¹ Foundation for Alcohol Research and Education (2014) *Policies Which Will Reduce Alcohol's Harm To Others*.

serves only to further increase alcohol supply and does little to reduce potential for alcohol related harm in an area already saturated with venues and prone to adverse impacts of public intoxication.

Istanbul Café holds a City of Darwin permit for Outdoor Dining (Licenced) on Council land to re-commence on 1 May 2015.

As part of the Application for Variation of Liquor Licence the licensee would like to remove the special conditions, in order for patrons to consume alcohol at any time during the proposed extended trading hours in the outdoor dining area and without the need to be seated at a table or to order a meal.

In accordance with Council's Outdoor Dining Policy No. 011, to which the licensee must comply, "The City of Darwin does not permit areas in the Public Realm to be used solely for the consumption of alcohol." The intention of this policy is for outdoor dining areas to trade predominantly as an eating area, not as a Bar.

The removal of the special conditions would therefore be in breach of Council policy in relation to the licensed area located on Council controlled land.

City of Darwin requests that the Director-General give due consideration to all matters raised in this objection and note that if the application for variation to licence conditions is granted the licensee will be required to apply to Council to alter its Outdoor Dining Permit.

If you have any further queries please contact me on 8930 0633 or a.malgorzewicz@darwin.nt.gov.au

Yours sincerely

ANNA MALGORZEWICZ
GENERAL MANAGER
COMMUNITY & CULTURAL SERVICES

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 14.2
 YES

NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

REPORT No.: 15C0052 KH:kl COMMON No.: 3031605 DATE: 14/04/2015

Presenter: Manager Darwin Safer City Project, Katie Hearn

Approved: General Manager Community & Cultural Services,
 Anna Malgorzewicz

PURPOSE

The report seeks Council endorsement of a proposed motion on housing and homelessness and calls for a coordinated approach, to be led and resourced, by the Commonwealth Government.

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

- 1.1 Community inclusion supported

Key Strategies

- 1.1.1 Develop and support programs, services and facilities, and provide information that promotes community spirit, engagement, cohesion and safety

KEY ISSUES

- A lack of suitable short term visitor accommodation is a serious concern for the City of Darwin, its residents and for those who travel from regional locations to urban centres requiring affordable, culturally suitable and accessible accommodation.
- The Northern Territory has the highest rate of homelessness in Australia, some 15 times the national average.¹
- The Northern Territory homeless population is considerably different to other states and territories and is influenced by a complexity of factors. This cohort is more likely to be female, Indigenous and likely to have lived in severely overcrowded housing.²
- The City of Darwin has limited influence on, or responsibility for, housing and

¹ ABS (2011) *Census of Population and Housing: Estimating Homelessness*

² NT Shelter (2014) *Inquiry into Affordable Housing in Australia*

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homelessness, however, as an entity, local government is most closely connected with community issues and is ideally positioned to advocate for unmet community need.

- The National General Assembly provides opportunity for advocacy to put voice to homelessness and the associated accommodation issues experienced locally for consideration in a national context.
- Motions are to be submitted electronically via the online form by Tuesday 28 April 2015.

RECOMMENDATIONS

- A. THAT Report Number 15C0052 KH:kl entitled National General Assembly of Local Government, be received and noted.
- B. THAT Council endorse the following resolution for the 2015 National General Assembly of Local Government:

“That the 2015 National General Assembly seek Commonwealth leadership, coordination and resourcing for the development of culturally safe, affordable and accessible housing and shelter in all Australian capital cities for intrastate and interstate visitors who transient in and out of urban centres.”

BACKGROUND

PREVIOUS DECISIONS

DECISION NO.21\3136 (31/03/15)

- A. *THAT the incoming letter (Attachment A) from the Australian Local Government Association dated 20 February 2015 relating to an Invitation to the National General Assembly of Local Government from 14 to 17 June 2015 and Call for Motions, Document Number 3031605, be received and noted.*
- B. *THAT a report be submitted to the 1st Ordinary Council Meeting on Tuesday, 14 April 2015, in response to the Call for Motions, regarding a Motion on housing and homelessness.*

DECISION NO.20\1339 (31/03/09)

- A. *THAT Report Number 09C0019 entitled, Report to Council on Homelessness Australia’s Response to the Federal Government’s The Road Home – White Paper on Homelessness, be received and noted.*
- B. *THAT Council continue to engage with peak housing organisations such as NT Shelter (and Housing Authority (HA) via NT Shelter broadcasts) in order to better understand the new Federal Government environment in relation to housing strategies.*

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- C. *THAT Council continue to build collaborative partnerships with the NT Government in relation to housing initiatives captured in the raft of new agreements and partnerships, particularly those addressing the explicitly invoked “rough sleeper” category of homelessness.*
- D. *THAT Council engage in opportunities to contribute to the development of strategies to address the issue of Aboriginal homelessness in Darwin, particularly in conjunction with peak Aboriginal agencies such as Larrakia Nation.*

DISCUSSION

The theme for the 2015 National General Assembly is ‘Closest To The Community: Local Government in the Federation’. Of this overarching theme, a number of key issues have been identified for which important policy motions will be debated. Council has the opportunity to participate in this discussion by responding to a National General Assembly of Local Government call for motions so that the needs within our own community can be considered within a national reform context.

In late 2014, the Commonwealth released a series of issues papers as a mechanism to engage with stakeholders on some of the key areas on the Federation Reform agenda as it progresses to production of the Federation White paper. Housing and Homelessness was identified for the purposes of advocacy. Although Council has limited resources and influence on housing, accommodation and planning matters, the impacts of insufficient accommodation supply and suitable, accessible, affordable, culturally appropriate visitor accommodation frequently intersects with community life and quality of life issues for residents and visitors alike.

Capital cities and regional centres by default, operate as service hubs, for neighbouring towns and communities. Darwin operates as a key service centre for visitors from remote and regional communities to access medical services, family business, employment and training opportunities, support to, and visitation of, kith and kin networks and leisure activities. Some members also relocate from remote and regional areas to remove themselves from challenging circumstances in home communities.

The NT has long been plagued with alarming homelessness rates and housing affordability barriers. Affordable and accessible accommodation shortages are long standing issues that impact community life in all Australian capital cities, including Darwin. According to Homelessness Australia (2014), the Northern Territory currently leads the nation with estimates of 15,479 or 730.7 people per 10,000 since 2006.³ The lack of suitable, culturally safe, affordable and accessible accommodation for visitors, particularly from remote and regional communities remains a substantial service gap in community infrastructure.

³ Homelessness Australia (2014). NT Fact Sheet

[http://www.homelessnessaustralia.org.au/images/publications/Infographics/NT - updated Jan 2014.pdf](http://www.homelessnessaustralia.org.au/images/publications/Infographics/NT_updated_Jan_2014.pdf)

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The 2014 NT Homelessness Summit Report recommendations in part include "... to address gaps in the current service system to meet the needs of vulnerable and at risk population groups...and support 'whole of government' responses to meet the needs of vulnerable cohorts"⁴

Council has advocated in a number of fora on the issue of homelessness and insufficient accommodation facilities. Council regularly identifies the issues experienced by people who travel to Darwin from regional and remote communities who do not, for a host of reasons, access suitable shelter. Compromised sanitation, illegal camp sites, public intoxication impacts, litter and peace disturbing conduct continues to challenge community in a cyclic manner in the absence of suitable and supported infrastructure that responds to mobility trends.

There is little doubt that responding to homelessness and a lack of suitable shelter for a highly vulnerable cohort is a major undertaking, nor is it the responsibility of local government to resource such a response. It can however, play a role in affecting change and in advocating for a whole of government response to address unmet need. The continued absence of suitable accommodation facilities continues to draw resources across multiple services and impacts adversely on community amenity. Access to housing and shelter is the most basic of human rights.⁵ The lack of suitable infrastructure does and will continue to adversely impact the health and wellbeing outcomes of vulnerable people visiting Darwin as well as community amenity across the municipality.

CONSULTATION PROCESS

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

- General Manager Community & Cultural Services

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

- Vincentcare NT

POLICY IMPLICATIONS

Council's *Evolving Darwin Towards 2020, Strategic Plan* clearly describes the pursuit of social inclusion, community harmony and the building of community capacity. The provision of accessible accommodation reflects the most basic of human needs.

BUDGET AND RESOURCE IMPLICATIONS

No resource requirements are contained within this report.

⁴ NT Shelter (2014) NT Homelessness Summit Report 2014
<http://ntshelter.org.au/uploads/ntshelter/0814%20Summit%20Report.pdf>

⁵ *Homelessness Is A Human Right* (2008). www.humanrights.gov.au

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RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The National General Assembly of Local Government provides a valuable opportunity to advocate for issues of importance on behalf of the community, particularly in areas of unmet community need that are also pertinent to other local authorities.

ENVIRONMENTAL IMPLICATIONS

Nil.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

KATIE HEARN
MANAGER DARWIN SAFER CITY
PROJECT

ANNA MALGORZEWICZ
GENERAL MANAGER
COMMUNITY & CULTURAL
SERVICES

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

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN AGENDA ITEM: 15.1
 YES

COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS - APRIL 2015

REPORT No.: 15TS0059 BS:dj COMMON No.: 2547669 DATE: 14/04/2015

Presenter: A/Manager Design, Planning & Projects, Cindy Robson

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 21 March 2015 to 3 April 2015.

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

- City of Darwin officers' responses to the Northern Territory Government for Development Applications exhibited between the time periods of 21 March 2015 to 3 April 2015.
- City of Darwin officers' responded to the Department of Lands, Planning and Environment regarding the sale of Crown land.

RECOMMENDATIONS

- A. THAT Report Number 15TS0059 BS:dj entitled Council Responses to Development Applications Council – April 2015, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachments A, B and C** to Report Number 15TS0059 BS:dj entitled Council Responses to Development Applications - April 2015, for the period of 21 March 2015 to 3 April 2015.

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- C. THAT Council endorse the response to the Department of Lands, Planning and Environment at **Attachment D** to Report Number 15TS0059 BS:dj entitled Council Responses to Development Applications - April 2015, for the period of 21 March 2015 to 3 April 2015.

DISCUSSION

This report presents to Council for consideration, responses to Development Applications for the period 21 March 2015 to 3 April 2015.

A total of 15 development applications are detailed below for the abovementioned period. Of these 15 applications, City of Darwin officers recommend supporting 12 (either subject to normal or specific conditions), not supporting one until specific matters are adequately addressed and not supporting two applications. This represents rates of 80% of the applications being supported or not supported until further matters are addressed, and 20% of the applications not being supported.

In addition to the standard Development Applications, comments have been provided in relation to one application for the sale of Crown Land.

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 1039 – Town of Nightcliff 79 Rapid Creek Road, Rapid Creek	Single dwelling within a Primary Storm Surge Area (Rapid Creek corridor) (Demolish existing single storey dwelling and replace with an elevated premises)
Lot 6064 – Town of Sanderson 12 Bathurst Street, Leanyer	Shade sail addition to an existing single dwelling with a reduced side setback (Required 1.5m, 0.5 proposed)

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Property Address	Description of Development Proposal
<p>Lots 9772 & 9773 – Town of Nightcliff 61 Progress Drive, Nightcliff 159 Dick Ward Drive, Coconut Grove</p>	<p>Subdivision and consolidation to create two (2) lots (boundary realignment)</p> <p>(Boundary realignment at rear of Nightcliff Woolworths and the abandoned Rite Price Supermarket)</p>
<p>Lot 11706 (11564) – Town of Nightcliff Asche Street, Muirhead</p>	<p>2 x 3 Bedroom multiple dwellings in two (2) storey building</p> <p>(Muirhead duplex)</p>
<p>Section 6439 – Hundred of Bagot 31 Jessop Crescent, Berrimah (Berrimah Business Park)</p>	<p>Unit title schemes subdivision to create nine (9) units and common property</p> <p>(Identified that subdivision plans do not reflect endorsed plans - placement of a loading bay)</p>
<p>Portion 1769 – Hundred of Bagot 144 Winnellie Road, Winnellie</p>	<p>Additions to existing general industry</p> <p>(New roof covering over existing work space incorporating a new shed)</p>
<p>Lot 955 – Town of Nightcliff 6 Vaughton Place, Rapid Creek</p>	<p>Shed addition to an existing single dwelling with reduced side and rear setbacks</p> <p>(Required 1.5, proposed 0.9 to both boundaries, triangular shaped corner)</p>
<p>Section 6440 – Hundred of Bagot 52 Miles Road, Berrimah (Berrimah Business Park)</p>	<p>Subdivision to create nine (9) lots</p> <p>(Subdivision of a larger lot created as part of the Berrimah Business Park subdivision)</p>

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Property Address	Description of Development Proposal
Lot 11166 – Town of Nightcliff 34 Hannan Street, Muirhead	Unit title schemes subdivision to create two (2) units and common property (Muirhead duplex)
Lot 11411 – Town of Nightcliff 22 Dorling Street, Muirhead	2 x 4 Bedroom multiple dwellings in a single storey building (Muirhead duplex)
Lot 11495 – Town of Nightcliff 29 Hargraves Street, Muirhead	2 x 3 Bedroom multiple dwellings in a single storey building (Muirhead duplex)
Lot 11501 – Town of Nightcliff 66 Asche Street, Muirhead	2 x 3 Bedroom multiple dwelling in a two (2) storey building (Muirhead duplex)

Development Applications supported subject to specific matters being adequately resolved:

The table below describes the Development Applications that are not supported by City of Darwin officers until the issues outlined are addressed.

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

Property Address	Description of Development Proposal	Specific Condition/s
Section 3248 – Hundred of Bagot 134 Winnellie Road, Winnellie	Warehouse and ancillary office in a single storey building	Car parking layout does not comply with the Planning Scheme. The full 3m landscaping has been requested.

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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
Lots 9328 & 9329 – Town of Nightcliff 17 & 13 Scaturchio Street, Casuarina	Part change of use from office to medical clinic	Not Supported Car parking shortfall of 15 bays. Mental Health Service for 12-25 year olds and is located near a bus terminus.
Lot 2977 – Town of Nightcliff 8 Rindberg Street, Jingili	Carpport addition to an existing single dwelling with reduced front and side setbacks (front setback - 4.5m required, 1m proposed, side setback – 1.5m required, 0.3m proposed)	Not Supported A one metre front setback alongside a 0.3 metre side setback would be inconsistent with the existing streetscape.

Response to the Department of Lands, Planning and Environment regarding the sale of Crown land

The table below describes the response to the Department of Lands, Planning and Environment regarding the sale of Crown land, and is provided as **Attachment D** to this report.

Property Address	Description of Development Proposal	City of Darwin Response
Lots 6503, 6504, 5618, 8913 & 10181 - Town of Darwin 66 Frances Bay	Request for comment to direct sale of Lots 5618 and 10181 (Extension of existing lot purchased within the	An easement has been requested to ensure unimpeded stormwater drainage is maintained through the subject sites.

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Property Address	Description of Development Proposal	City of Darwin Response
Drive, Stuart Park	harbour. Will be used as a mooring facilities for boat servicing, maintenance and repairs)	

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

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

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified.

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2015

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

CINDY ROBSON
A/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: 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 of objection to Development Applications not yet considered by the Development Consent Authority.

27 March 2015

Please quote: 3046052 NS:dj
Your reference: PA2015/0162

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description: Lot 1039 – Town of Nightcliff
79 Rapid Creek Road, Rapid Creek

Proposed Development: Single dwelling within a Primary Storm Surge Area

Thank you for the Development Application referred to this office 13 March 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.

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:**

a). Council typically does not support residential development in areas subject to flooding and storm surge. However, given that:

- 1) The subject site is currently developed with a single storey (low lying) dwelling;
- 2) The proposed dwelling is high-set without any ground level habitable areas; and
- 3) The subject site is located in an area of established residential development.

In this instance the City of Darwin does not object, provided that the finished floor level of any habitable rooms are at a minimum 300mm above the flood level for the site (as required by Clause 6.14 of the

Northern Territory Planning Scheme), to mitigate damage to property and persons.

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

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

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

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

b). **Building Identification**

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

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

-4-

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 be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2015

Please quote:3047531 BS:dj
Your reference: PA2015/0168

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description: Lot 6064 – Town of Sanderson
12 Bathurst Street, Leanyer

Proposed Development: Shade sail addition to an existing single dwelling
with a reduced side setback

Thank you for the Development Application referred to this office 13 March 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.

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.

- 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 0528.

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2015

Please quote: 3045704 BS:dj
Your reference: PA2015/0169

Hanna Stevenson –
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description: Lots 9772 and 9773 – Town of Nightcliff
61 Progress Drive, Nightcliff
159 Dick Ward Drive, Coconut Grove

Proposed Development: Subdivision and consolidation to create two (2)
lots (boundary realignment)

Thank you for the Development Application referred to this office 11 March 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.

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

27 March 2015

Please quote: 3046237 BS:dj
Your reference: PA2015/0164

Hanna Stevenson –
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Lots 11706 (11564) –Town of Nightcliff
Asche Street, Muirhead**

**Proposed Development: 2 x 3 Bedroom multiple dwellings in two (2)
storey building**

Thank you for the Development Application referred to this office 13 March 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.

The following issues are raised for consideration by the Authority:

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

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

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

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

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

the applicant's expense and to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- All developments on/or adjacent to any easements on-site, in favour of 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 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 0528.

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2015

Please quote:3047526 BS:dj
Your reference: PA2015/0186

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description: **Section 6439 – Hundred of Bagot
31 Jessop Crescent, Berrimah**

Proposed Development: **Unit title schemes subdivision to create nine (9)
units and common property**

Thank you for the Development Application referred to this office 13 March 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.

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.** However the following issues may require further investigation.
 - a) The submitted plans do not reflect the endorsed plans. The endorsed plans indicate a loading bay next to unit 7, where the subdivision plans indicate car parking bays 19 and 20.
 - b) Unit 9 has been allocated 10 car parking bays which have been spread across the premises. Car parking bays should be allocated to the requirements of the Planning Scheme.

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 be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2015

Please quote: 3047555 BS:dj
Your reference: PA2015/0148

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Portion 1769 – Hundred of Bagot
144 Winnellie Road, Winnellie**

Proposed Development: Additions to existing general industry

Thank you for the Development Application referred to this office 13 March 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.

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

-2-

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 0528.

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

2 April 2015

Please quote: 3055924 NS:dj
Your reference: PA2015/0136

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description: Lot 955 – Town of Nightcliff
6 Vaughton Place, Rapid Creek

Proposed Development: Shed addition to an existing single dwelling with
reduced side and rear setbacks

Thank you for the Development Application referred to this office 23 March 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 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:**

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 0528.

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

2 April 2015

Please quote: 3052894 NS:dj
Your reference: PA2015/0158

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Section 6440 – Hundred of Bagot
52 Miles Road, Berrimah**

Proposed Development: Subdivision to create nine (9) lots

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

- Engineering design and specifications for the proposed and affected roads, including:
 - street lighting,
 - stormwater drainage,
 - vehicular access,
 - pedestrian/cycle corridors,
 - street-scaping and landscaping of nature strips;

shall be submitted for approval by the General Manager Infrastructure; with all approved works constructed at the applicant's expense to the requirements of the City of Darwin.

-2-

- 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.
- 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 0528.

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

2 April 2015

Please quote: 3051613 NS:dj
Your reference: PA2015/0193

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description: Lot 11166 – Town of Nightcliff
34 Hannan Street, Muirhead

Proposed Development: Unit title schemes subdivision to create two (2)
units and common property

Thank you for the Development Application referred to this office 18 March 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.

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

2 April 2015

Please quote: 3053537 NS:dj
Your reference: PA2015/0190

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Lot 11411 – Town of Nightcliff
22 Dorling Street, Muirhead**

**Proposed Development: 2 x 4 Bedroom multiple dwellings in a single
storey building**

Thank you for the Development Application referred to this office 20 March 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 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.**
 - b). **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,
 - storm water drainage,
 - use of City of Darwin land, and
 - how this land will be managed during the construction phase;

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

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

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

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

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.

b). **Building Identification**

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

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

the applicant's expense and to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m 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.
- 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 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 0528.

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

2 April 2015

Please quote: 3053576 NS:dj
Your reference: PA2015/0182

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Lot 11495 – Town of Nightcliff
29 Hargrave Street, Muirhead**

**Proposed Development: 2 x 3 Bedroom multiple dwellings in a single
storey building**

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

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

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

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

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

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

a). **The crossover and driveway shall meet City of Darwin requirements.**

b). **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.

c). **Building Identification**

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

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.

- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided, stormwater shall be collected and discharged into the City of Darwin's drainage network, and reinstatement works carried out, all of which is to be provided at the applicant's expense and to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m 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.
- 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 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 0528.

Yours faithfully

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke extending to the right.

CINDY ROBSON
STRATEGIC TOWN PLANNER

2 April 2015

Please quote: 3053460 NS:dj
Your reference: PA2015/0184

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Lot 11501 – Town of Nightcliff
66 Asche Street, Muirhead**

**Proposed Development: 2 x 3 Bedroom multiple dwelling in a two (2)
storey building**

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

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.**
 - b). **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,
 - storm water drainage,
 - use of City of Darwin land, and

- how this land will be managed during the construction phase;

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

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

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

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

- 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.

b). **Building Identification**

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

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.

- Kerb crossovers and driveways to the site shall be provided and disused crossovers removed, public footpath and cycleways shall be provided, stormwater shall be collected and discharged into the City of Darwin's drainage network, and reinstatement works carried out, all of which is to be provided at the applicant's expense and to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m 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.
- 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 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 0528.

Yours faithfully

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

CINDY ROBSON
STRATEGIC TOWN PLANNER

2 April 2015

Please quote: 3051623 NS:dj

Your reference: PA2015/0183

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description: Section 3248 – Hundred of Bagot
134 Winnellie Road, Winnellie

Proposed Development: Warehouse and ancillary office in a single storey building

Thank you for the Development Application referred to this office 18 March 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.

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 subject to the following issues being adequately addressed:**

a). The location of car parking bays 30 – 32 restricts access to the roller door to the most south-western corner of the proposed warehouse.

Deleting car parks 30 – 32 would also provide access to car parking bay 29, which is blocked in by these bays.

b). Clause 9.1.1 of the scheme requires the building to have a 3m front setback (which is achieved), and for "all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m".

It is requested that amended plans be provided to include landscaping for the full 3m width to comply with the landscaping requirements of the scheme and to contribute to the street and public realm.

- 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). **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.
 - d). **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.

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

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

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

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

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.
- 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.
- 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.

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 be 'Cindy Robson', written in a cursive style.

CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2015

Please quote: 3046106 BS:dj
Your reference: PA2015/0173

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Lots 9329 – Town of Nightcliff
13 Scaturchio Road, Casuarina**

Proposed Development: Part change of use from office to medical clinic

Thank you for the Development Application referred to this office 13 March 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.

The following issues are raised for consideration by the Authority:

- i). **The City of Darwin does not support a car parking shortfall for the following reasons:**
 - a). The City of Darwin does not support a 15 car parking shortfall resulting from this development given that; the subject site has insufficient parking for existing uses and approval of this application will place an increased demand on parking within the surrounding area. A site visit on the 17 March 2015, at 11:30am, revealed that no car parks were available within Lot 9329 or Lot 9328 and seven vehicles were parked illegally within the car parking area. During the site inspection, patrons were observed parking within Lot 9576 (247) Trower Road (Casuarina Shopping Centre) and walking to the subject premises.

Council does not support the use of on-street or neighbouring businesses car parks to justify approving a further shortfall of car parking spaces for this development.

Notwithstanding the above, it is noted that the use is for a not-for-profit foundation that provides mental health services for 12-25 year old youths and the site is located within close proximity to the Casuarina bus interchange.

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

a). **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.

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.

iii). **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.

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.

- 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.

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

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

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

Yours faithfully

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

CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2015

Please quote: 3046998 BS:dj
Your reference: PA2015/0154

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

**Parcel Description: Lot 2977 –Town of Nightcliff
8 Rindberg Street, Jingili**

**Proposed Development: Carport addition to an existing single dwelling
with reduced front and side setbacks**

Thank you for the Development Application referred to this office 13 March 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.

The following issues are raised for consideration by the Authority:

- i). **The City of Darwin does not support the granting of a Development Permit for the following reason:**
 - a). The front setbacks within Rindberg Street are generally compatible with one another and contribute to the existing streetscape character. A one metre front setback alongside a 0.3 metre side setback would be inconsistent with the existing streetscape.
- 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.**
 - b). **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.

- 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.
- 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 0528.

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

27 March 2015

Please quote: 3044787 CR:dj

Your reference:

Alexandra Maraganis
Senior Project Officer
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Maraganis

**Parcel Description: Lots 6503, 6504, 5618, 8913 & 10181
Town of Darwin
66 Frances Bay Drive, Stuart Park**

**Proposed Development: Request for comment to direct sale of Lots 5618
and 10181**

Thank you for the request for direct sale of land referred to this office 11 March 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.

The following issues are raised for consideration by the Authority:

- i). **The City of Darwin does not object to the direct sale of land provided the following issue is adequately addressed:**
 - a). An easement is requested to ensure unimpeded stormwater drainage is maintained through the subject sites.

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: 1ST ORDINARY COUNCIL MEETING/OPEN **AGENDA ITEM:** 15.2
YES

**SIGNAGE APPLICATION – WESTPAC BANK, BERRIMAH BUSINESS PARK,
SECTION 6441 (631) STUART HIGHWAY, BERRIMAH**

REPORT No: 15TS0057 BS:dj

COMMON No: 3047672

DATE: 14/04/2015

Presenter: A/Manager Design, Planning & Projects, Cindy Robson

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is for Council to consider an application for advertising signs to be placed on the new Westpac Bank premises at Section 6441 (631) Stuart Highway, Berrimah Business Park.

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

- Westpac has submitted an application for one non-illuminated and three illuminated advertising signs.
- It is recommended that Council approve this application and a Signs Permit be issued.
- The site is located within Zone SU, which allows one sign per premises without the need for a signs permit.
- Four advertising signs have been proposed and as such, the application is considered discretionary under the City of Darwin Signs Code and therefore requires Council approval.
- The advertising signs are located within private property.

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 REPORT NUMBER: 15TS0057 BS:dj
 SUBJECT: SIGNAGE APPLICATION – WESTPAC BANK, BERRIMAH BUSINESS PARK, SECTION 6441 (631) STUART HIGHWAY, BERRIMAH

RECOMMENDATIONS

- A. THAT Report Number 15TS0057 BS:dj entitled Signage Application – Westpac Bank, Berrimah Business Park, Section 6441 (631) Stuart Highway, Berrimah be received and noted.
- B. THAT Council approve the application from the Westpac Bank for one non-illuminated and three illuminated advertising signs to be located within Section 6441 (631) Stuart Highway, Berrimah, and that a Sign Permit be issued in accordance with the requirements of the Outdoor Signs Code for the following reason:
- i) The signs are in proportion to the size of and consistent with the character and form of the building. Each individual sign complies with the sizes specified in the Outdoor Advertising Signs Code for business signs within Industrial or Commercial Zones. The number of advertising signs is not expected to affect the amenity of the surrounding area.

DISCUSSION

Applicant	APP Corporation	
Type of Advertising (inc. temp/perm/illuminated)	Permanent Illuminated	✓
Type of Sign (Business/Election/Promotion etc.)	Business	✓
Type of Structure (Pole/Free Standing/Fascia/High etc.)	4 x Wall signs	✱
Measurement of Sign (inc.height)	2 signs @ 2.575m wide x 1.5m high (3.9m ²) 1 sign @ 1.82m wide x 0.741m high (1.34m ²) 1 sign @ 1.80m wide x 0.741m high (1.33m ²)	✱ ✱ ✱
Location of Sign	On private property	✓
Existing Signage	New development	✓

Complies - ✓ Requires Council Approval - ✱

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 REPORT NUMBER: 15TS0057 BS:dj
 SUBJECT: SIGNAGE APPLICATION – WESTPAC BANK, BERRIMAH BUSINESS PARK, SECTION 6441 (631) STUART HIGHWAY, BERRIMAH

Location of business



Consent is being sought from APP Corporation Pty Ltd to install one non-illuminated and three illuminated business advertising signs for Westpac's new business premises located within the Berrimah Business Park. The advertising signs will be placed within private property. The submitted advertising signage concept is provided at **Attachment A**.

The premises are located on the corner of the Stuart Highway (Service Lane) and Jessop Crescent. The subject building is currently under construction.

Berrimah Business Park is located within Zone SU (Specific Use – SD31). The Signs Code allows one business advertising sign in this zone to a maximum size of two square metres. However, Berrimah Business Park is designed as an industrial / commercial area and the controls of the Industrial and Commercial Zones within the Signs Code should be taken into consideration when assessing this application.

Business advertising signs in Industrial Zones are permitted to six square metres and four square metres in Commercial Zones.

The two larger illuminated signs within this application are 3.9m² each; which complies with sign sizes specified for both the Industrial and Commercial Zones of the Signs Code. However, the applicant is requesting to install four advertising signs, which exceeds the limit of one sign per premises for complying signs (complying signs do not require a permit). Therefore, Council is required to consider and make a determination on the submitted sign application.

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The proposed advertising signs include:

- 2 illuminated signs @ 2.575m wide x 1.5m high, totalling 3.9m²
- 1 illuminated sign @ 1.82m wide x 0.741m high, totalling 1.34m²
- 1 non-illuminated sign @ 1.80m wide x 0.741m high, totalling 1.33m²

Conclusion

The signs are in proportion to the size of and consistent with the character and form of the building. Each individual sign complies with the sizes specified in the Outdoor Advertising Signs Code for business signs within Industrial or Commercial Zones. The number of advertising signs is not expected to affect the amenity of the surrounding area.

CONSULTATION PROCESS

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

- Strategic Town Planner
- Planning Officer

POLICY IMPLICATIONS

The proposed advertising signs are discretionary under the City of Darwin Policy No.042 - Outdoor Advertising Signs Code and as such, require 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.

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REPORT NUMBER: 15TS0057 BS:dj
SUBJECT: SIGNAGE APPLICATION – WESTPAC BANK, BERRIMAH BUSINESS
PARK, SECTION 6441 (631) STUART HIGHWAY, BERRIMAH

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

CINDY ROBSON
A/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

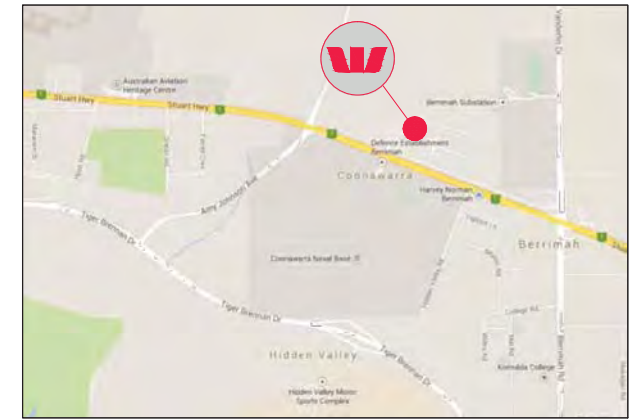
Attachments:

Attachment A: Sign Application - situated at Section 6441 (631) Stuart Highway,
Berrimah



WESTPAC BERRIMAH
 BUILDING 1 DARWIN CORPORATE PARK
 BERRIMAH N.T. 0828

ATTACHMENT A



LOCATION MAP

DA SIGNAGE ISSUE
 ARCHITECTURAL DRAWINGS

- DA 00 COVER PAGE
- DA 01 SITE PLAN
- DA 02 ELEVATION



NOTE: CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING CONSTRUCTION. DO NOT SCALE FROM THIS DRAWING.

CLIENT Westpac GROUP	PROJECT MANAGER APP	ARCHITECT rfa robert ferguson architects	REVISIONS Rev. Date Description A 27/03/2015 DA SIGNAGE ISSUE	DRAWN P.K.	PROPERTY ID TBC	PROJECT NO W14060	PROJECT WESTPAC BERRIMAH BUILDING 1 DARWIN CORPORATE PARK BERRIMAH N.T. 0828
CLIENT: GROUP PROPERTY C/O DESIGN MANAGER LEVEL 10, 35 PITT STREET SYDNEY NSW 2000 T: 02 9236 1614	APP Corporation Pty Ltd Level 4, 181 Adelaide Terrace East Perth WA 6004 T: 08 9224 6300	4 BOND STREET, MOSMAN NSW 2088 T 02 9969 8322 F 02 9969 8722 E admin@rfarchitects.com.au		MANAGER A.I.	WBC PROJECT ID ST-15-RL-1072	DRAWING NO DA 00	DRAWING COVER PAGE DA SIGNAGE ISSUE
				REVISION A	BRANCH BSB 035-311	PJT COMMENCEMENT DATE JAN 2015	SCALE NOT TO SCALE



NOTE: CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING CONSTRUCTION. DO NOT SCALE FROM THIS DRAWING.

CLIENT
Westpac GROUP
 CLIENT:
 GROUP PROPERTY
 C/O DESIGN MANAGER
 LEVEL 10, 35 PITT STREET
 SYDNEY NSW 2000
 T: 02 9236 1614

PROJECT MANAGER
APP
 APP Corporation Pty Ltd
 Level 4, 181 Adelaide Terrace
 East Perth WA 6004
 T: 08 9224 6300

ARCHITECT
rfa
 robert ferguson
 architects
 4 BOND STREET, MOSMAN NSW 2088
 T 02 9969 8322 F 02 9969 8722
 E admin@rfarchitects.com.au

REVISIONS
 Rev. Date Description
 A 27/03/2015 DA SIGNAGE ISSUE

By PK
 DRAWN
P.K.
 MANAGER
A.I.
 REVISION
A

PROPERTY ID
TBC
 WBC PROJECT ID
ST-15-RL-1072
 BRANCH BSB
035-311

PROJECT NO
W14060
 DRAWING NO
DA 01
 PJT COMMENCEMENT DATE
JAN 2015

PROJECT
WESTPAC BERRIMAH BUILDING 1 DARWIN CORPORATE PARK BERRIMAH N.T. 0828
 DRAWING
SITE PLAN DA ISSUE
 SCALE
SCALE 1:1000 @ A3 Size

Sign 1. Wall Mounted Illuminated Logo on Alucobond Panel

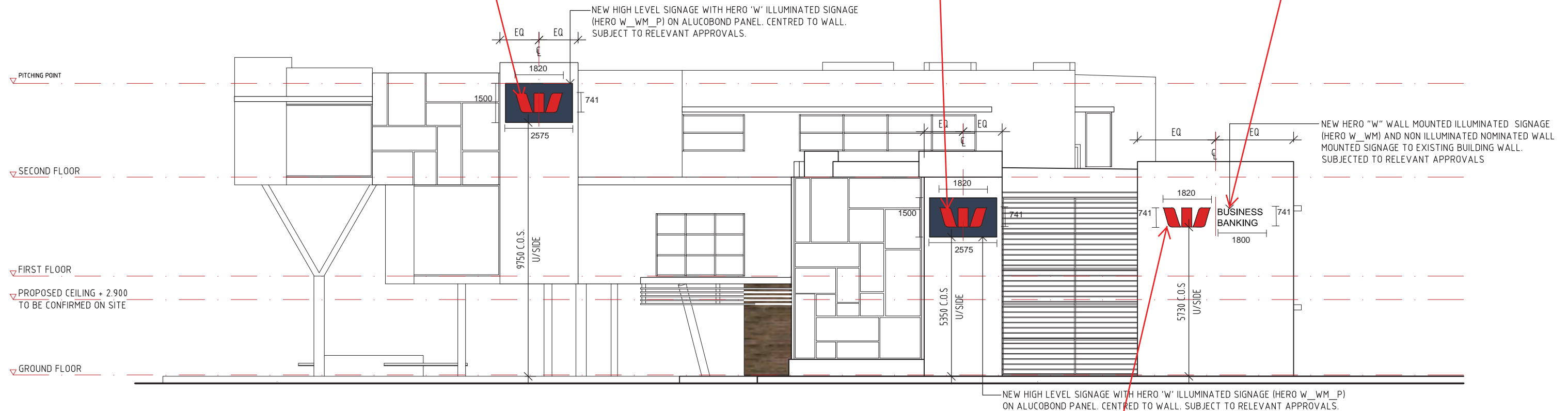
Total Sign Dimensions - 2575W x 1500 H
(Logo size 1820W x 741H)

Sign 2. Wall Mounted Illuminated Logo on Alucobond Panel

Total Sign Dimensions - 2575W x 1500 H
(Logo size 1820W x 741H)

Sign 4. Wall Mounted Non-Illuminated sign

Sign Dimensions - approx. 1800W x 50D x 741H



1 SHOPFRONT ELEVATION
SCALE 1:150

Sign 3. Wall Mounted Illuminated Logo

Sign Dimensions - 1820W x 70D x 741H

NOTE: CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING CONSTRUCTION. DO NOT SCALE FROM THIS DRAWING.

<p>CLIENT Westpac GROUP</p> <p>CLIENT: GROUP PROPERTY C/O DESIGN MANAGER LEVEL 10, 35 PITT STREET SYDNEY NSW 2000 T: 02 9236 1614</p>	<p>PROJECT MANAGER APP</p> <p>APP Corporation Pty Ltd Level 4, 181 Adelaide Terrace East Perth WA 6004 T: 08 9224 6300</p>	<p>ARCHITECT rfa robert ferguson architects</p> <p>4 BOND STREET, MOSMAN NSW 2088 T 02 9969 8322 F 02 9969 8722 E admin@rfarchitects.com.au</p>
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REVISIONS		
Rev.	Date	Description
A	27/03/2015	DA SIGNAGE ISSUE

<p>By PK</p> <p>DRAWN P.K.</p> <p>MANAGER A.I.</p> <p>REVISION A</p>	<p>PROPERTY ID TBC</p> <p>WBC PROJECT ID ST-15-RL-1072</p> <p>BRANCH BSB 035-311</p>	<p>PROJECT NO W14060</p> <p>DRAWING NO DA 02</p> <p>PJT COMMENCEMENT DATE JAN 2015</p>	<p>PROJECT WESTPAC BERRIMAH BUILDING 1 DARWIN CORPORATE PARK BERRIMAH N.T. 0828</p> <p>DRAWING SITE PLAN DA ISSUE</p> <p>SCALE SCALE 1:150 @ A3 Size</p>
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16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

16.1 Planning Act Appointment of Members of Planning Commission

Document No. 3068016 (14/04/15) Common No. 2999315

THAT the incoming Planning Act Appointment of Members of Planning Commission from the Minister for Lands and Planning dated 7 April 2015, Document Number 3068016, **Attachment A**, be received and noted.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

APPOINTMENT OF MEMBERS OF PLANNING COMMISSION

I, David William Tollner, Minister for Lands and Planning:

- (a) under section 81F(2) of the *Planning Act*, appoint Kenneth Alan Johnson and Denys Page Stedman to be members of the Planning Commission for a period of 1 year from 9 April 2015; and
- (b) under section 81F(3) of the Act, appoint Brendan Patrick Dowd to be a member of the Planning Commission for a period of 2 years from 9 April 2015.

Dated 7.4.15



Minister for Lands and Planning

17. REPORTS OF REPRESENTATIVES

Common No. 1735503

18. QUESTIONS BY MEMBERS

19. GENERAL BUSINESS

20. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

Common No. 2695130

THAT the next Ordinary Meeting of Council be held on Tuesday, 28 April 2015, at 5:00 p.m. (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

21. CLOSURE OF MEETING TO THE PUBLIC

Common No. 2695131

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

22. ADJOURNMENT OF MEETING AND MEDIA LIAISON

Common No. 2695132