



Business Papers

1st Ordinary Council Meeting

Tuesday, 10 February 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, 10 February 2015, commencing at 5.00 pm.



B P DOWD
CHIEF EXECUTIVE OFFICER

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Removed from Public Notice Board: _____

1st Ordinary Council Meeting

Tuesday, 10 February 2015

at 5.00 pm

Guests

From 5.00 pm.

The Chung Wah Society Dance Troupe will be in attendance from 5.00 pm to perform the Blessing of the Council Chambers.

From 5.15 pm.

General Manager Trevor Cox from Tourism Top End will be in attendance from 5.15 pm to brief the Council at the Open section of the meeting.

From 6.00 pm.

General Manager Robbie Standaloft and President Ray Bail from the Cullen Bay Marina Management Corporation will be in attendance from 6.00 pm to brief the Council on the proposed Cullen Bay Revitalisation Plan at the Open section of the meeting.

CITY OF DARWIN

SIXTY-THIRD ORDINARY MEETING OF THE TWENTY-FIRST COUNCIL

TUESDAY, 10 FEBRUARY 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: The Chung Wah Society Dance Troupe will be in attendance from 5.00 pm to perform the Blessing of the Council Chambers.

General Manager, Trevor Cox from Tourism Top End will be in attendance from 5.15 pm to brief the Council.

General Manager Robbie Standaloft and President Ray Bail from the Cullen Bay Marina Management Corporation will be in attendance from 6.00 pm to brief the Council on the proposed Cullen Bay Revitalisation Plan.

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

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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 G Lambrinidis is an apology due to a Leave of Absence previously granted on 27 January 2015, for the period 8 February 2015 to 18 February 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-Third Ordinary Council Meeting held on Tuesday, 10 February 2015:

- Member G Lambrinidis

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, 27 January 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 Tourism Top End
Common No. 2095861

General Manager Trevor Cox from Tourism Top End will be in attendance from 5.15 pm to brief the Council.

10.2 Cullen Bay Revitalisation Plan
Common No. 3014302

General Manager Robbie Standaloft and President Ray Bail from the Cullen Bay Marina Management Corporation will be in attendance from 6.00 pm to brief the Council on the proposed Cullen Bay Revitalisation Plan.

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 Confidential Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C29.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

11.2 Moving Open Items Into Confidential
Common No. 1944604

11.3 Moving Confidential Items Into Open
Common No. 1944604

12. PETITIONS

13. NOTICE(S) OF MOTION

ENCL
YES

1ST ORDINARY COUNCIL MEETING/OPEN

AGENDA ITEM: 14.1

HANDLING OF EARLY COLLECTED CARBON TAX CHARGES HELD BY LANDFILL OPERATORS

REPORT No.: 15A0015 DL:mp

COMMON No.: 2855008

DATE: 10/02/2015

Presenter: General Manager Corporate Services, Diana Leeder

Approved: General Manager Corporate Services, Diana Leeder

PURPOSE

The purpose of this report is to present for Council's endorsement a draft response to the Australian Government's consultation paper: *Handling of Early Collected Carbon Tax Charges held by Landfill Operators*.

LINK TO STRATEGIC PLAN

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

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.3 Understand and manage Council's risk exposure

KEY ISSUES

- The Australian Government has released a consultation paper on the handling of early collected carbon tax and seeks comment by Thursday 12 February, 2015.
- The City of Darwin has already rebated the carbon price relating to waste management to its community and customers for the 2014/2015 financial year.
- Council holds approximately \$6.9 million in early collected carbon tax after payment of its outstanding liability of \$200,000 in February 2015.
- Council should consider options available to it to ensure the greatest community benefit from the use of the early collected charges.

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 SUBJECT: HANDLING OF EARLY COLLECTED CARBON TAX CHARGES HELD BY
 LANDFILL OPERATORS

RECOMMENDATIONS

- A. THAT Report Number 15A0015 DL:mp entitled Handling of Early Collected Carbon Tax Charges held by Landfill Operators, be received and noted.
- B. THAT Council endorse the response to the Australian Government's consultation paper: Handling of Early Collected Carbon Tax held by Landfill Operators provided at **Attachment B** to report Number 15A0015 DL:mp entitled Handling of Early Collected Carbon Tax Charges held by Landfill Operators.
- C. THAT a further report be provided on options for Council's handling of the early collected carbon tax charges as part of the 2015/16 budget process.

BACKGROUND

Council wrote to the Australian Government and Minister for the Environment seeking clarification on the treatment of monies collected for future liabilities prior to the 1 July 2014. In responding the Minister sought Council's comment on the consultation paper at **Attachment A**.

DISCUSSION

The Australian Government has repealed the carbon tax to reduce cost of living pressures on households and cost pressures on business, and to pave the way for the Direct Action Plan. The Government expects that the savings arising from carbon tax repeal will be passed on to consumers.

The purpose of the Government consultation paper is to obtain stakeholder views on the design of a proposed voluntary framework for the use of funds collected by landfill operators in respect of anticipated future carbon tax liabilities, which will not materialise now that the carbon tax has been repealed. Comment is invited regarding the feasibility of proposed options, via the consultation questions posed.

While the landfill sector has largely passed on the savings, there remains a question about the use of funds collected in anticipation of future carbon tax liabilities which will no longer materialise. Many landfill owners are holding significant funds which cannot readily be returned to consumers due to the length and complexity of solid waste supply chains. While refunding the first customer in the supply chain may not be difficult, ensuring that the refund is passed through to the end consumer, who may have borne the impact of the carbon tax, is problematic.

The *Competition and Consumer Act (2010)* does not oblige landfill operators to refund early collected carbon tax charges to customers.

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Notwithstanding this, the Australian Competition and Consumer Commission (ACCC) has an ongoing interest in the use of early collected carbon tax revenue.

The ACCC's view in relation to the use of this money is that it should be refunded to customers where possible.

Australian Landfill Owners Association (ALOA) and the Australian Local Government Association (ALGA) have advised that the industry intends to return the funds collected to customers where it is practicable to do so, either in a lump sum or by discounting future charges by an equivalent amount.

However, the majority of waste that is delivered to landfills is via a waste collection company and/or a transfer station. Where several parties are involved, the 'indirect' customer relationship makes it difficult to ensure that refunds paid to the party that deposited the waste would be passed down through the supply chain to the end consumer.

ALOA and ALGA have advised that where it is not possible to issue refunds in a manner that ensures consumers benefit, they would prefer that the funds collected are used to achieve the purpose for which they were originally collected – to achieve reductions in greenhouse gas emissions.

The Government is committed to ensuring that consumers and businesses benefit from the removal of the carbon tax. However, the Government also recognises the unique circumstances facing the landfill sector and that a degree of flexibility is required to ensure that the requirement to issue refunds does not result in perverse outcomes.

As such, the Government may be prepared to endorse a voluntary framework for the use of carbon tax revenue by landfills (the Framework) in order to maximise benefits to consumers and the environment.

In broad terms, the Framework would be consistent with the ALOA's and ALGA's preferred approach to handling the funds:

1. Landfill operators should refund customers where it is possible to do so.
2. Where it is not possible to ensure that end consumers will benefit, funds should be invested to reduce greenhouse gas emissions.

Landfill operators need to have confidence that the Framework guiding their investment of early collected carbon tax funds is acceptable to the Government, customers and the community. The Framework also needs to provide confidence to all stakeholders along the waste supply chain that early collected carbon tax revenue is being used to achieve beneficial outcomes.

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Conclusion

There is no legislative requirement for Council to return early collected funds although that is the Australian Government's preference. It is the concept of a voluntary framework and its content that is the focus of the consultation paper. Council will need to consider the practicality of returning the early collected funds to commercial customers and whether there is any guarantee that these will be returned to the original customers. A more equitable outcome for the users, direct or indirect, of the Shoal Bay Waste Management Facility would be for the early collected charges to be used to offset current and future expenditure there. A further report will be provided to Council outlining options.

The proposed response to the consultation paper is brief and does not commit Council to any particular course of action.

CONSULTATION PROCESS

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

- Manager Technical Services
- Manager Climate Change and Environment

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

- Office of the Minister for the Environment (Australian Government)

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Council currently holds approximately \$7 million in early collected carbon tax charges. These will be transferred to a restricted reserve until such time as a decision is made on how they will be utilised. There will be further discussion with Council as part of the 2015/16 budget development process.

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RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The *Competition and Consumer Act (2010)* does not oblige landfill operators to refund early collected carbon tax charges to customers.

The risk and other associated implications of future use of these funds will be identified in a future report outlining options for Council consideration.

ENVIRONMENTAL IMPLICATIONS

Nil from this report however the subject matter relates to abatement of greenhouse gas emissions.

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.

DIANA LEEDER
GENERAL MANAGER
CORPORATE SERVICES

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

For enquiries, please contact Diana Leeder on 89300539 or email: d.leeder@darwin.nt.gov.au.

Attachments:

Attachment A: Handling of Early Collected Carbon Tax Charges held by Landfill Operators: Consultation Paper.

Attachment B: City of Darwin – response to Handling of Early Collected Carbon Tax Charges held by Landfill Operators: Consultation Paper.



Australian Government

Department of the Environment

Handling of Early Collected Carbon Tax Charges held by Landfill Operators

Consultation Paper

Issue Date: 17 December 2014



Department of the Environment

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1 PURPOSE OF THIS DOCUMENT

The purpose of this paper is to obtain stakeholder views on the design of a proposed voluntary framework for the use of funds collected by landfill operators in respect of anticipated future carbon tax liabilities, which will not materialise now that the carbon tax has been repealed.

The Australian Government invites comment from interested parties regarding the feasibility of proposed options, via the consultation questions posed.

Disclaimer: *the proposals set out in this paper are for the purpose of consultation only. They do not represent Australian Government policy.*

2 INTRODUCTION

The Australian Government has repealed the carbon tax to reduce cost of living pressures on households and cost pressures on business, and to pave the way for the Direct Action Plan. Abolishing the carbon tax has delivered lower electricity and natural gas prices, benefitting businesses and households.

The quarterly consumer price index figures released by the Australian Bureau of Statistics on 22 October 2014 show that electricity prices decreased by 5.1 per cent in the period immediately following the carbon tax repeal. This is the biggest quarterly fall in electricity prices since records have been kept in Australia.

By removing the carbon tax, the Government has also eliminated an administrative and compliance burden on business. Approximately 75,000 businesses directly paid the carbon tax or paid an equivalent carbon tax through levies such as the fuel excise. Australian businesses were spending millions of dollars every year to comply with the carbon tax.

The Government expects that the savings arising from carbon tax repeal will be passed on to consumers. Both councils and privately owned landfill operators should by now have removed the cost of the carbon tax from landfill charges to ensure that consumers and businesses benefit from carbon tax repeal.

The Australian Competition and Consumer Commission (ACCC) is monitoring prices in relation to the carbon tax repeal to ensure all cost savings for regulated goods are passed on. In relation to the landfill industry specifically, the ACCC's October 2014 quarterly carbon monitoring report noted that:

Almost all landfill facility operators that are liable entities in this industry have removed carbon components from their prices. Liable entities' gate fees for general waste have, on average, decreased post-repeal.

While the landfill sector has largely passed on the savings, there remains a question about the use of funds collected in anticipation of future carbon tax liabilities which will no longer materialise. Many landfill owners are holding significant funds which cannot readily be returned to consumers due to the length and complexity of solid waste supply chains. While refunding the first customer in the supply chain may not be difficult, ensuring that the refund is passed through to the end consumer, who may have borne the impact of the carbon tax, is problematic.

The Australian Landfill Owners Association (ALOA) and the Australian Local Government Association (ALGA) have made representations to the Government on behalf of their members expressing the landfill industry's concern about the potential implications of retaining the funds, and seeking the Government's guidance on their appropriate use.

This paper:

- provides a synopsis of the issues to be addressed;
- details the principles that should inform a framework for the use of funds collected by landfill operators;
- provides an overview of design options; and
- seeks stakeholder views on key parameters.

3 THE ISSUE

Under the carbon tax, many landfill operators charged customers up front for the anticipated future carbon tax liability for each tonne of waste deposited during 2012-13 and 2013-14. In estimating those forward liabilities, landfill operators took into account firstly the lengthy and gradual decay time of waste, which continues to emit greenhouse gases for many decades after it is buried, and secondly the forecast carbon prices per tonne over the years those emissions will occur.

Following the repeal of the *Clean Energy Act (2011)* from 1 July 2014, future year liabilities associated with waste deposited during those two years were extinguished. As a result, landfill operators no longer require the early collected carbon charges to meet these liabilities. The total amount of carbon charges collected by landfill

operators across Australia against future year estimates has been estimated to be around \$200 million.¹ It is estimated that waste deposited in 2012-14 at landfill facilities liable under the carbon tax will emit around 20 million tonnes of greenhouse gases by 2100.

The *Competition and Consumer Act (2010)* does not oblige landfill operators to refund early collected carbon tax charges to customers. Notwithstanding this, the ACCC has an ongoing interest in the use of early collected carbon tax revenue. The ACCC is required to monitor prices following the repeal of the carbon tax until June 2015. In addition to its monitoring role, the ACCC has a general role to ensure businesses do not engage in anti-competitive or cartel conduct, misleading and deceptive conduct or make false or misleading representations. The ACCC's view in relation to the use of this money is that it should be refunded to customers where possible.

ALOA and ALGA have advised that the industry intends to return the funds collected to customers where it is practicable to do so, either in a lump sum or by discounting future charges by an equivalent amount. This includes instances where:

1. there is a contract in place between a landfill and an end customer that includes an obligation to refund carbon tax revenue in the event of carbon tax repeal; and
2. there is a direct relationship between a landfill and a customer (including local councils using a privately owned landfill) and there is a record of the volume of waste deposited by the customer and/or the carbon charge paid.

However, the majority of waste that is delivered to landfills is via a waste collection company and/or a transfer station. Where several parties are involved, the 'indirect' customer relationship makes it difficult to ensure that refunds paid to the party that deposited the waste would be passed down through the supply chain to the end consumer.

ALOA and ALGA have advised that where it is not possible to issue refunds in a manner that ensures consumers benefit, they would prefer that the funds collected are used to achieve the purpose for which they were originally collected – to achieve reductions in greenhouse gas emissions.

¹ "Landfills set to pocket millions from carbon tax repeal", Sydney Morning Herald, 12 May 2014.

4 A VOLUNTARY FRAMEWORK FOR THE USE OF EARLY COLLECTED CARBON TAX REVENUE

The Government is committed to ensuring that consumers and businesses benefit from the removal of the carbon tax. However, the Government also recognises the unique circumstances facing the landfill sector and that a degree of flexibility is required to ensure that the requirement to issue refunds does not result in perverse outcomes. As such, the Government may be prepared to endorse a voluntary framework for the use of carbon tax revenue by landfills (the Framework) in order to maximise benefits to consumers and the environment.

In broad terms, the Framework would be consistent with the ALOA's and ALGA's preferred approach to handling the funds:

1. Landfill operators should refund customers where it is possible to do so.
2. Where it is not possible to ensure that end consumers will benefit, funds should be invested to reduce greenhouse gas emissions.

In determining whether a refund is appropriate, landfill operators will need to negotiate with their customers in good faith, particularly where their customers consider they have a direct relationship. The Government will not become involved in discussions or disputes between landfill operators and their customers.

4.1 Key principles

Landfill operators need to have confidence that the Framework guiding their investment of early collected carbon tax funds is acceptable to the Government, customers and the community. The Framework also needs to provide confidence to all stakeholders along the waste supply chain that early collected carbon tax revenue is being used to achieve beneficial outcomes. In order to achieve this, the Framework should be informed by a number of key principles:

1. **Simplicity:** it should be simple to understand and administer.
2. **Transparency:** there should be transparency in both the carbon tax charges collected by landfills and in the investments they make under this Framework.

3. **Additionality:** investments should achieve emissions reductions that are additional to that achieved through existing legal or regulatory obligations, and additional to that financed through the Emissions Reduction Fund (ERF).
4. **Voluntary participation:** the investment of funds in accordance with the Framework should be at the discretion of landfill owners.

The Government will not compel anyone to participate, nor will it enforce outcomes. Similarly, the Government will maintain its independence from contractual arrangements it is not a party to. As part of its carbon price monitoring role, the ACCC will continue to report on this issue and any outcomes, including actions taken by landfill operators under this proposed Framework. In addition, under the *Competition and Consumer Act (2010)*, the ACCC may investigate actions that constitute anti-competitive or misleading and deceptive conduct, as well as false or misleading representations.

Landfill operators should also be aware of the provisions of the *Competition and Consumer Act (2010)* prohibiting cartel conduct, which includes:

- price fixing, when competitors agree on a pricing structure rather than competing against each other;
- sharing markets, when competitors agree to divide a market so participants are sheltered from competition;
- rigging bids, when suppliers communicate before lodging their bids and agree among themselves who will win and at what price; and
- controlling the output or limiting the amount of goods and services available to buyers.

The *Competition and Consumer Act (2010)* not only prohibits cartel conduct as a civil contravention, but also makes it a criminal offence for businesses and individuals. Penalties for breaches of the cartel provisions may be found at the ACCC's website www.accc.gov.au.

Landfill operators should take particular caution to ensure that any decision reached in relation to the proposed Framework remains a unilateral decision of the operator entity.

Any arrangements made with competitors in relation to actions under the proposed Framework, or discussions between competitors in relation to prices, would be commercially risky behaviour and potentially expose the individuals and companies

involved to civil or criminal sanctions. If in doubt, landfill operators are encouraged to seek their own independent legal advice as to the operation of the cartel provisions and their own particular arrangements.

Landfill operators who handle early collected carbon tax revenue in accordance with the Framework will be able to be confident that their actions are acceptable to the Government. However, the Framework will not have any formal legal status in respect of disputes or legal actions involving landfill operators and their customers.

5 INVESTING IN REDUCING EMISSIONS

Where it is not possible to refund customers, landfill operators may choose to invest in projects to reduce emissions. In this way, customers can be confident that the early collected charge is invested for public emissions reduction benefit. The nature of these investments could include:

1. Investments in new and additional emission abatement activities; or
2. Purchasing Australian Carbon Credit Units (ACCUs) and transferring them to the Commonwealth; or
3. A combination of 1 and 2 above.

5.1 Method for determining the level of investment

The Government is considering two possible approaches to determining the level of investment that should reasonably be expected.

1. An abatement-based approach; and
2. A revenue-based approach.

Under an abatement-based approach, landfill operators would calculate a value to be invested based on the future emissions of the waste deposited in 2012-14. For the purposes of this calculation, the future emissions in tonnes would be calculated using the National Greenhouse and Energy Reporting (NGER) methods and verification processes and converted to a dollar value, using a proxy price per tonne of carbon.

ALOA proposes a proxy price based on international carbon unit prices as at 30 June 2014. This would be an approximation of the carbon price that would have existed if the linking to the European carbon price had proceeded. ALOA has calculated that this proxy price would be about \$8 per tonne of emissions. Alternative ways of calculating a proxy price would be to use an average of the forecast carbon prices published in the August 2013 Pre-Election Economic and Fiscal Outlook (weighted according to the emissions profile of waste deposited in 2012-14) or to use the 2013-14 fixed price of \$24.15 per tonne.

Under a revenue-based approach, landfill operators would establish the precise amount of early collected carbon tax revenue they hold. This should be reasonably straightforward as the quantum of early collected carbon charges has already been calculated, or could be readily calculated, from billing records and assumptions upon which the charges were originally set. This amount, less an allowance for reasonable administration and compliance costs, could be invested in abatement projects.

Stakeholder views are sought on the proposed methods for determining the investment required. In particular:

- (a) Which would be preferable, an abatement-based approach or a revenue-based approach?
- (b) If an abatement-based approach, what is a reasonable proxy price to use?

5.2 Disclosure of amount of early collected carbon tax revenue held

Transparency will be important if stakeholders are to accept the legitimacy of the Framework, irrespective of whether the level of investment is determined using an abatement-based approach or a revenue-based approach. As such, public disclosure by landfill operators of the amount of money collected in respect of future carbon tax liabilities and of the amount of emissions for which carbon tax charges were collected is important.

Landfill operators should verify the quantum of funds held through their normal financial processes and publicly disclose this amount. If legal or commercial factors preclude public disclosure of the actual amount, it may be appropriate for the landfill operator to publicly report that their auditors have confirmed the confidential amount has been properly calculated.

Under an abatement-based approach, public disclosure would also include the amount of emissions for which carbon tax charges were collected.

The Government is interested to hear from landfill operators and their customers on what types of verification and public disclosure they would expect.

Stakeholder views are sought on:

- a) whether there any legal or commercial impediments to landfill operators disclosing the value of the funds held; and
- b) the preferred method by which public disclosure occurs (for example through the annual reports of participants, or on their websites).

5.3 Criteria for emission abatement projects

Where funds are invested in new projects, conformance with certain criteria may be required to ensure that investments are truly additional to that which is being achieved through other means. Project conformance with those criteria could be assessed by an auditor that is accredited under NGERs.

To ensure projects are additional and credible, project criteria could include that a project is:

1. A new project;
2. Additional to legal or regulatory requirements - to ensure genuine additionality, projects funded in this way could not receive Australian Carbon Credit Units under the ERF.
3. Will operate for at least 7 years;
4. Will abate at least 100 tonnes of emissions per year;
5. Will employ commercially proven abatement methods;
6. Co-funded - it may be appropriate to specify that the percentage of project funding that comes from early collected carbon charges should not exceed a set amount of, say 75 per cent.
7. Based on an approved method - projects could be undertaken in line with a methodology approved under the ERF or another offsets program.

Emission abatement projects may include waste diversion projects or other projects that directly reduce emissions from waste (or possibly through other means).

Under either approach to calculating the level of investment there should be public disclosure of the type of projects into which the carbon charges have been invested, and independent verification that the project criteria have been met. This public

disclosure would also be necessary to ensure the same projects are not earning credits under the ERF.

Stakeholder views are sought regarding the factors that should be considered in setting criteria for emissions abatement projects allowed under the Framework.

5.4 Disclosure of investments

The proper disclosure of investments will be important if stakeholders are to accept the legitimacy of the Framework, irrespective of whether the level of investment is determined using an abatement-based approach or a revenue-based approach.

Proposed investments should be assessed by an accredited NGER auditor to verify that the project(s) are consistent with the criteria for abatement projects under this framework. The NGER Scheme outlines approved methods for measuring emissions from waste, and the ERF also has approved methodologies for measuring abatement from waste projects.

Once a landfill has made an investment, they should disclose the value of the investment and verify that this is the correct amount of money, based on the Framework. Verification could be undertaken as part of their normal financial and emissions reporting processes.

It may also be appropriate to verify the amount of abatement actually delivered by a project.

Stakeholder views are sought on the appropriate verification and disclosure requirements for investments in projects.

5.5 Using carbon credit units

Rather than being invested in projects, early carbon tax charges collected by landfill operators could be used to purchase ACCUs, which would then be transferred to a Commonwealth retirement account on a voluntary basis. The units may be purchased from existing Carbon Farming Initiative projects or from new ERF projects. ACCUs would not need to be sourced from waste-sector projects. Each unit will represent a genuine, accredited tonne of abatement that could count towards Australia's achievement of its Kyoto Protocol target.

5.6 Administration and compliance costs

Under either approach, it would be reasonable to deduct an amount for administration and compliance costs from the total amount invested. These amounts may have been incurred in collecting the carbon tax charges originally or in acquitting carbon tax liabilities in 2012-14 (including measuring and reporting emissions). Further costs may also be incurred in complying with the Framework. Under either approach, this amount would be reported and justified in the context of a financial audit, where audit costs may be included in the deductible administration costs.

Stakeholder views are sought on the reasonable value of administration and compliance costs.

5.7 Timeframe for the voluntary Framework

It is expected that the Framework would commence following consultation with stakeholders and after agreement is reached between the Government, ALOA and ALGA. The Framework could be established by the second quarter of 2015 and could require funds to be invested or committed by 31 December 2016.

Stakeholder views are sought on whether the proposed timeframe for investments by 31 December 2016 is appropriate.

In Summary

The options under consideration in the proposed voluntary Framework largely turn on two possible approaches to determining the level of investment expected, and are summarised in the table below.

Table 1: Summary of options under consideration for the voluntary Framework

Section	QUESTION	OPTION 1 Abatement-based approach	OPTION 2 Revenue-based approach
5.1	Method for determining level of investment	Calculate abatement that needs to be achieved to match the future emissions from landfills. Convert abatement requirements into a dollar amount by applying a proxy price for units.	Calculate amount of early carbon tax revenue collected and subtract amount to cover reasonable administrative costs in order to determine the level of investment.
5.2	Disclosure of amount held	As part of normal financial processes, verification and public disclosure of the quantum of funds collected, or public reporting that the amount held has been properly calculated. The amount of future emissions against which early collected carbon charges were collected should be disclosed.	As part of normal financial processes, verification and public disclosure of the quantum of funds collected, or public reporting that the amount held has been properly calculated.
5.3	Criteria for projects	Project criteria could include that a project: is new; is additional to regulatory requirements; will operate for at least 7 years; will abate at least 100 tonnes per annum; employs commercially proven abatement methods; is co-funded by landfill operators; and is based on an approved method.	
5.4	Disclosure of investments	NGER auditor to verify that proposed abatement project meets criteria under the Framework. As part of normal financial processes, verification and public disclosure of the quantum of funds invested. Post investment NGER audit and public disclosure to verify/report on the amount of abatement achieved.	

6 IMPLEMENTATION AND MANAGEMENT

Once agreed, the Framework would be implemented by landfill operators in consultation with their customers.

The ACCC does not have a role in administering or enforcing the Framework. However, it will continue to monitor this issue and may generally report on

outcomes, including any disclosure and actions taken by landfill operators under this proposed Framework. In addition, under the *Competition and Consumer Act (2010)*, the ACCC may investigate actions that constitute anti-competitive or misleading and deceptive conduct as well as false or misleading representations.

7 BACKGROUND – WASTE SECTOR SUPPLY CHAINS

Landfill facilities are generally operated by private companies or Local Councils. Many landfills did not exceed the relevant emissions threshold and therefore their operators are not liable entities under the carbon price mechanism.

A ‘direct’ customer relationship describes a scenario whereby an end customer directly disposes of waste at the landfill site or to the landfill operator and pays directly for the associated landfill gate fee (and any carbon price component).

An ‘indirect’ customer relationship, which is characteristic of the majority of landfill operations, is where waste delivered to landfills involves one or more waste collection companies and/ or a transfer station. Where there is a long supply chain, it can be difficult to track the waste disposal charge and associated carbon price component all the way down the supply chain. The repayment of early collected carbon tax funds depends on specific commercial arrangements, which vary across the sector.

Waste collection companies provide services to agriculture, manufacturing, commercial centres, service industries and retail. The waste collected is disposed of at transfer stations or directly to landfill. Waste collections are generally for multiple customers in a collection ‘route’ and invoiced by volume, based on the bin size. Disposal to landfill is by weight.

Waste companies also provide services in larger skips or waste compactors on a customer by customer basis. These customers are generally invoiced collection plus disposal fee.

Transfer stations receive waste from commercial customers and the public. Commercial customers are invoiced by weight and small public waste by volume. Transfer stations, following resource recovery, haul their residual waste to landfill and are invoiced in tonnes.

An example of this process would involve waste being collected in a ‘front lift’ truck collecting from multiple customers per load, disposal at a local government transfer station, and ultimate disposal at a commercial landfill.

8 HOW TO RESPOND TO THIS CONSULTATION PAPER

Written responses to this consultation paper should address the specific questions posed, with appropriate supporting evidence. A summary of consultation questions is provided in the table below.

Table 2: Questions for consideration in developing a voluntary framework for managing the early collected carbon tax charges held by landfill operators

	Question
1	Stakeholder views are sought on the proposed methods for determining the investment required. In particular: (a) Which would be preferable, an abatement-based approach or a revenue-based approach? (b) If an abatement-based approach, what is a reasonable proxy price to use?
2	Stakeholder views are sought on: (a) whether there any legal or commercial impediments to landfill operators disclosing the value of the funds held; and (b) the preferred method by which public disclosure occurs (for example through the annual reports of participants, or on their websites).
3	Stakeholder views are sought regarding the factors that should be considered in setting criteria for emissions abatement projects allowed under the Framework.
4	Stakeholder views are sought on the appropriate verification and disclosure requirements for investments in projects.
5	Stakeholder views are sought on the reasonable value of administration and compliance costs.
6	Stakeholder views are sought on whether the proposed timeframe for investments by 31 December 2016 is appropriate.

Please submit your comments to the Department of Environment no later than Thursday 12 February 2015.

Responses can be emailed to: repeal-consultations@environment.gov.au

City of Darwin Response - Discussion paper: *Early Collected Carbon Tax Charges held by Landfill Operators*

1. Whether there any legal or commercial impediments to landfill operators disclosing the value of the funds held

There are no impediments of this nature for City of Darwin

2. The preferred method by which public disclosure occurs (for example through the annual reports of participants, or on their websites).

Both of these methods are relatively simple to implement

3. Stakeholder views are sought regarding the factors that should be considered in setting criteria for emissions abatement projects allowed under the Framework.

As the framework is voluntary as broad a criteria as possible should be set that enable participants to meet current strategic objectives and actions under adopted plans.

Criteria for emissions abatement projects:

- I. Should demonstrate public benefit
- II. Should require minimal administrative or compliance cost
- III. Details of the project should be made publically
- IV. The funds should be spent in the area from which they have been collected.
- V. Should demonstrate permanence over immediate abatement. For City of Darwin this could include making significant improvements to waste management infrastructure that makes a permanent change that will lead to ongoing, and potentially greater, abatement. Other projects available to the City of Darwin, such as of tree planting projects, particularly in the tropics, provide uncertainty/risk around permanence.

4. Stakeholder views are sought on the appropriate verification and disclosure requirements for investments in projects.

It is considered appropriate that the value of investment in particular projects be publicly disclosed in a manner that is easily identifiable by the community. Verification and disclosure requirements should require minimal administrative effort and costs.

5. Stakeholder views are sought on the reasonable value of administration and compliance costs.

A figure of between 10 and 20% depending on the complexity of these costs

6. Stakeholder views are sought on whether the proposed timeframe for investments by 31 December 2016 is appropriate.

The proposed timeline for investment of funds may be too short, particularly for longer term initiatives with permanence, and it would be preferable for the projects to be identified and funds committed either to contractors or restricted reserves by 31 December 2016.

ENCL: 1ST ORDINARY COUNCIL MEETING/OPEN
NO

AGENDA ITEM: 14.2

**SIGNING AND SEALING OF NEW LEASE FOR AFL NORTHERN TERRITORY LIMITED
OVER GARDENS OVAL CLUBHOUSE**

REPORT No.: 15C0020 MG:kl

COMMON No.: 2878566

DATE: 10/02/15

Presenter: Manager Liveability, Matt Grassmayr

Approved: General Manager Community & Cultural Services,
Anna Malgorzewicz

PURPOSE

The purpose of this report is to recommend the signing and sealing of a new lease over the Gardens Oval Clubhouse premises located on Lot 3477 Town of 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

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

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

KEY ISSUES

- The current lease over the Gardens Oval Clubhouse expired 30 November 2014.
- A new lease has been negotiated with AFL Northern Territory Limited as the Peak Sporting Body for Wet Season use of the facility.

PAGE: 2
 REPORT NUMBER: 15C0020 MG:kl
 SUBJECT: SIGNING AND SEALING OF NEW LEASE FOR AFL NORTHERN TERRITORY LIMITED OVER GARDENS OVAL CLUBHOUSE

RECOMMENDATIONS

- A. THAT Report Number 15C0020 MG:kl entitled Signing and Sealing of New Lease for AFL Northern Territory Limited Over Gardens Oval Clubhouse, be received and noted.
- B. THAT Council enter into a lease agreement with AFL Northern Territory Limited for the Gardens Oval Club House facilities for a period of a five (5) year term with one further option of five (5) years.
- C. THAT pursuant to Section 26 (2) of the Local Government Act, Council authorises the affixing of the common seal to all documents associated with the lease to AFL Northern Territory Limited for the Gardens Oval Clubhouse premises and car parking bays located on Lot 3477 Town of Darwin and that this be attested by the signatures of the Chief Executive Officer and the Lord Mayor.

BACKGROUND

PREVIOUS DECISIONS

DECISION NO. 21\2490 (12/08/14)

Sports Field Plan – Interim Report

Report No. 14C0070 MG:kl (12/08/14) Common No. 1381158

- A. *THAT Report Number 14C0070 MG:kl entitled Sports Field Plan - Interim Report, be received and noted.*
- B. *THAT Council endorse the ten core framework principles as contained in **Attachment A** of Report Number 14C0070 MG:kl entitled Sports Field Plan - Interim Report for inclusion in the further development of the Sports Field Plan.*
- C. *THAT Council adopts a hierarchical approach to the management and maintenance of all sports fields.*
- D. *THAT Council endorse all future leasing arrangements for sport and recreation assets will be with Peak Sporting Bodies and not individual clubs.*
- E. *THAT Council enter into a lease with the Peak Sporting Bodies, AFL NT and Cricket NT, for the facilities at Gardens Oval when the current lease expires in November 2014.*
- F. *THAT Council not support the application from Banks Bulldogs Football Club to establish a home base at Gardens Oval No. 2.*

PAGE: 3
 REPORT NUMBER: 15C0020 MG:kl
 SUBJECT: SIGNING AND SEALING OF NEW LEASE FOR AFL NORTHERN TERRITORY LIMITED OVER GARDENS OVAL CLUBHOUSE

- G. *THAT Council extend the current leasing arrangement with AFL NT for the Hunter Harrison Office Space for a period of twelve (12) months to 30 September 2015.*
- H. *THAT a further report including the policy framework for the Sports Field Plan be presented to Council for its consideration in September 2014.*

DISCUSSION

The lease of the Gardens Oval Clubhouse located on Lot 3477 Town of Darwin expired on 30 November 2014. The previous lease was executed with the Waratah Cricket and Football Clubs for seasonal use of the facility.

To align with the adoption of Council's previous decision regarding the leasing of facilities at Gardens Oval, a new lease has been offered to AFL Northern Territory Limited for the Wet Season use of the Gardens Oval Clubhouse.

The new lease conditions include:

- **Tenancy:** Tenants In Common
- **Term of Lease:** 1 December 2014 to 30 November 2019
- **Renewal/s offered:** one option to renew for a further term of five (5) years
- **Annual rental:** \$6,960.00 per annum plus GST, subject to increase
- **Rent review:** CPI on each anniversary of the commencement date
- **Permitted use:** Exclusive right to access and use of the Gardens Oval Clubhouse between the dates of 1 April and 30 September each year of the lease.

CONSULTATION PROCESS

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

- Property Officer

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

- AFL Northern Territory Limited

POLICY IMPLICATIONS

City of Darwin Policy No. 010 - *Land Acquisition, Disposal and Lease* has been referenced to determine the recommendation of this report.

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 REPORT NUMBER: 15C0020 MG:kl
 SUBJECT: SIGNING AND SEALING OF NEW LEASE FOR AFL NORTHERN
 TERRITORY LIMITED OVER GARDENS OVAL CLUBHOUSE

BUDGET AND RESOURCE IMPLICATIONS

- Annual rental: \$6,960.00 per annum plus GST
- Rent review: CPI on each anniversary of the commencement date

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Lease prepared by legal advisers.

In accordance with the Local Government Act, contracts entered into by Council must be supported by a Council resolution to do so and to affix the common seal.

ENVIRONMENTAL IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

MATT GRASSMAYR
MANAGER LIVEABILITY

ANNA MALGORZEWICZ
GENERAL MANAGER
COMMUNITY & CULTURAL SERVICES

For enquiries, please contact Matt Grassmayr on 8930404 or email:
 m.grassmayr@darwin.nt.gov.au.

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

COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS- FEBRUARY 2015

REPORT No.: 15TS0017 BS:dj COMMON No.: 2547669 DATE: 10/02/2015

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to present to Council for consideration, responses to Development Applications for the period 17 January 2015 to 30 January 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 period of 17 January 2015 to 30 January 2015.

RECOMMENDATIONS

- A. THAT Report Number 15TS0017 BS:dj entitled Council Responses to Development Applications - February 2015, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachments A** and **B** to Report Number 15TS0017 BS:dj entitled Council Responses to Development Applications- February 2015, for the period of 17 January 2015 to 30 January 2015.

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 REPORT NUMBER: 15TS0017 BS:dj
 SUBJECT: COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS -
 FEBRUARY 2015

DISCUSSION

This report presents to Council for consideration, responses to Development Applications for the period 17 January 2015 to 30 January 2015.

A total of 22 Development Applications are detailed below for the abovementioned period. Of these 22 applications, City of Darwin Officers recommend supporting 16 (either subject to normal or specific conditions) and not supporting/objecting to six (6) applications. This represents rates of 73% of the applications being supported and 27% of the applications recommended either not supported or objected to.

Development Applications supported, subject to normal Council conditions

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

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

Property Address	Description of Development Proposal
Portion 1227 – Hundred of Bagot 52 Winnellie Road, Winnellie	Additions to an existing gas manufacturing plant exceeding 8.5m in height. (18 metres high - liquid nitrogen storage tank adjacent existing tanks 14.6 metres and 11.4 metres in height)
Lot 2647 – Town of Darwin City Council 23 Gregory Street, Parap	13 x 2 Bedroom multiple dwellings in a three (3) storey building including ground level parking
Lot 5030 – Town of Darwin 48 Cavenagh Street, Darwin City (Cavenagh Street Post Office)	Subdivision to create two (2) lots
Lot 5892 – Town of Darwin 6 Marina Boulevard, Larrakeyah	Installation of new equipment at an existing telecommunications facility.
Lots 6257 & 6258 – Town of Nightcliff 53 & 59 Vanderlin Drive, Wanguri (Islamic Society of Darwin)	Caretakers Residence Extension of existing building.
Section 6294 – Hundred of Bagot 23 Abala Road, Marrara (Marrara Soccer Oval)	Four (4) oval lights exceeding 8.5m in height to an existing sporting facility. (24m in height)

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 FEBRUARY 2015

Property Address	Description of Development Proposal
Lot 6513 – Town of Darwin 5 Nemarluk Drive, Ludmilla (Anglicare)	Verandah addition to an existing community centre.
Lot 9228 – Town of Nightcliff 11 Tang Street, Coconut Grove	Part change of use to a recycling depot. (Container deposit scheme)
Lot 9730 – Town of Nightcliff 19 Florey Avenue, Tiwi (Darwin Private Hospital)	Extension of an existing hospital.
Lot 11392 – Town of Nightcliff 6 Ogden Street, Muirhead	2 x 3 Bedroom multiple dwellings in a single storey building.
Lot 6770 – Town of Nightcliff 11 Aubrey Street, Wanguri	Shed addition to an existing single dwelling with a reduced side setback. (1.5m required, 1m proposed)
Sections 6403 & 6414 – Hundred of Bagot 641 Stuart Highway & 25 Miles Road, Berrimah (Berrimah Business Park)	Consolidation to create one (1) lot.
Lot 6002 – Town of Sanderson 2 Anson Court, Leanyer	Carport addition to an existing single dwelling with a reduced side setback. (1.5m required, 0.7m → 1.2m proposed)
Lot 7618 – Town of Darwin 1 D' Ambrosio Court, Parap	Unit Titles Scheme Subdivision to create two (2) units and common property
Lot 7843 – Town of Darwin 20 Bishop Street, Woolner	Installation of new equipment at an existing Telecommunications facility
Lot 11510 – Town of Nightcliff 2 Hargrave Street, Muirhead	2 x 3 Bedroom multiple dwellings in a single storey building

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

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

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

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 SUBJECT: COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS -
 FEBRUARY 2015

Property Address	Description of Development Proposal	Specific Condition/s
Lot 227 – Town of Nightcliff 10 Coolibah Street, Nightcliff	Two (2) storey single dwelling with reduced front and side setbacks exceeding 8.5m in height.	Objected to: The 0.524 variation to the overall building height is incompatible with streetscape and neighbourhood character and is excessive in terms of bulk and scale given the roofline is to have a 0.7m setback from the western boundary (1.5m required).
Lot 2801 – Town of Nightcliff 65 Jingili Terrace, Jingili	Demountable structure addition to an existing single dwelling with reduced side setback (located to the rear of the site, requires side setback of 1.5m proposes 1.2m)	Objected to: Council does not support the use of Shipping Containers in residential areas for any use, including storage. The container encroaches within the side (northern) boundary setback.
Lot 3888 – Town of Darwin 30 Graham Street, Stuart Park	Demountable structure addition to an existing single dwelling. (located to the rear of the site)	Not Supported: Council does not support the use of Shipping Containers in residential areas for any use, including storage. The extension of the Nudl Street crossover and driveway is not supported.
Section 4433 – Hundred of Bagot 64 Winnellie Road, Winnellie	Change of use from warehouse to office and resource centre	Objected to: The proposed use is not ancillary to a typical light industrial use nor does the use provide a function to support the industrial area.
Lots 5182 & 8630 – Town of Darwin/Nightcliff 213 Dick Ward Drive, Ludmilla & 95 Dick Ward Drive, Coconut Grove	Subdivision to create three (3) lots	Objected to: Subdivision includes land in Zone CN (Conservation).
Lot 5475 – Town of Sanderson 4 Beroona Court, Karama	Additions to an existing single dwelling with a reduced front setback (6m required, 1.5m proposed)	Objected to: The proposal will be out of character with the surrounding residential properties and inconsistent with surrounding setbacks, with the roof of the building extending to approximately 1.5 metres from the front boundary.

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 REPORT NUMBER: 15TS0017 BS:dj
 SUBJECT: COUNCIL RESPONSES TO DEVELOPMENT APPLICATIONS -
 FEBRUARY 2015

CONSULTATION PROCESS

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

- 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 these applications.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN,
PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact 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 not support and objection to Development Applications not yet considered by the Development Consent Authority.

23 January 2015

Please quote: 2992277 BS:dj
Your reference: PA2014/0991

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

Dear Ms Stevenson

Parcel Description: **Portion 1227 – Hundred of Bagot
52 Winnellie Road, Winnellie**

Proposed Development: **Additions to an existing gas manufacturing plant
exceeding 8.5m in height (liquid nitrogen storage
tank)**

Thank you for the Development Application referred to this office 9 January 2014, 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

23 January 2015

Please quote: 2992364 NS:dj
Your reference: PA2014/1003

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

Dear Ms Stevenson

Parcel Description: Lot 2647 – Town of Darwin
23 Gregory Street, Parap

Proposed Development: 13 x 2 bedroom multiple dwellings in a three (3)
storey building including ground level parking

Thank you for the Development Application referred to this office 9 January 2014, 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.**

It is noted that a setback variation is being sought to the northern boundary in addition to a minor reduction to the communal open space requirements prescribed by the Northern Territory Planning Scheme. It is considered that the variations are unlikely cause a detrimental impact on the adjoining multiple dwelling developments or the future residents of the subject proposal.

- 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.

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

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

- The location, design and specifications for proposed and affected crossovers shall be provided at the applicant's expense, to the satisfaction of the General Manager Infrastructure, City of Darwin.
- Sight lines shall be provided at crossovers to public streets, to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.

-4-

- 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



CINDY ROBSON
STRATEGIC TOWN PLANNER

23 January 2015

Please quote: 2992346 BS:dj
Your reference: PA2014/1024

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

Dear Ms Stevenson

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

Proposed Development: **Subdivision to create two (2) lots**

Thank you for the Development Application referred to this office 9 January 2014, 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

23 January 2015

Please quote: 2991296 BS:dj

Aurecon Australiasia Pty Ltd
Andrew Burley, Planner
55 Grenfell Street
ADELAIDE SA 5000

Email : adam.pfitzner@aurecongroup.com

Dear Mr Burley

Parcel Description: **Lot 5892 – Town of Darwin
6 Marina Boulevard, Larrakeyah**

Proposed Development: **Notification of installation of new equipment at
an existing Telecommunications facility**

Thank you for the Notification of Upgrade referred to this office 8 January 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 Notification of Upgrade in relation to matters that fall within the responsibility of the City of Darwin.

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

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

23 January 2015

Please quote: 2992146 BS:dj
Your reference: PA2014/0959

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

Dear Ms Stevenson

Parcel Description: Lots 6257 and 6258 – Town of Nightcliff
53 and 59 Vanderlin Drive, Wanguri

Proposed Development: Caretakers Residence

Thank you for the Development Application referred to this office 9 January 2014, 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.**

The Caretakers Residence is appropriate to the size of the site and is not expected to impact on the residential amenity of nearby 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.
- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.

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 'C' followed by a horizontal line extending to the right.

CINDY ROBSON
STRATEGIC TOWN PLANNER

23 January 2015

Please quote: 2992397 BS:dj
Your reference: PA2014/1027

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

Dear Ms Stevenson

Parcel Description: **Section 6294 – Hundred of Bagot
23 Abala Road, Marrara**

Proposed Development: **Addition of four (4) lighting masts exceeding
8.5m in height to an existing facility (24m in
height)**

Thank you for the Development Application referred to this office 9 January 2014, 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

23 January 2015

Please quote: 2992367 BS:dj
Your reference: PA2014/1007

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

Dear Ms Stevenson

Parcel Description: Lot 6513 – Town of Darwin
5 Nemarluk Drive, Ludmilla

Proposed Development: Verandah addition to an existing community centre

Thank you for the Development Application referred to this office 9 January 2014, 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

23 January 2015

Please quote: 2992409 BS:dj
Your reference: PA2015/0010

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

Dear Ms Stevenson

Parcel Description: **Lot 9228 – Town of Nightcliff
11 Tang Street, Coconut Grove**

Proposed Development: **Part change of use to a recycling depot**

Thank you for the Development Application referred to this office 9 January 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

23 January 2015

Please quote: 2992378 BS:dj
Your reference: PA2014/1019

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

Dear Ms Stevenson

Parcel Description: Lot 9730 – Town of Nightcliff
19 Florey Avenue, Tiwi

Proposed Development: Extension of an existing hospital (Darwin Private Hospital)

Thank you for the Development Application referred to this office 9 January 2014, 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). **The City of Darwin requests that the Authority require a schematic plan demonstrating that stormwater run-off is capable of being discharged 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 drainage network.

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 'C' with a horizontal line through it, followed by a short horizontal stroke.

CINDY ROBSON
STRATEGIC TOWN PLANNER

30 January 2015

Please quote: 2997611 BS:dj
Your reference: PA2015/0021

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

Dear Ms Stevenson

Parcel Description: **Lot 11392 – Town of Nightcliff
6 Ogden 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 16 January 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 conditions 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 crossovers and driveways 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). **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.
- 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 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 capital 'C' followed by a horizontal stroke.

CINDY ROBSON
STRATEGIC TOWN PLANNER

30 January 2015

Please quote: 2997052 NS:dj
Your reference: PA2014/0982

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

Dear Ms Stevenson

Parcel Description: Lot 6770 – Town of Nightcliff
11 Aubrey Street, Wanguri

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

Thank you for the Development Application referred to this office 16 January 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.

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

29 January 2015

Please quote: 2997223 BS:dj
Your reference: PA2014/1020

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

Dear Ms Stevenson

Parcel Description: **Sections 6403 and 6414 – Hundred of Bagot
641 Stuart Highway, Berrimah**

Proposed Development: **Consolidation to create one (1) lot**

Thank you for the Development Application referred to this office 16 January 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

30 January 2015

Please quote: 2997245 NS:dj
Your reference: PA2014/1035

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

Dear Ms Stevenson

Parcel Description: Lot 6002 – Town of Sanderson
2 Anson Court, Leanyer

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

Thank you for the Development Application referred to this office 15 January 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.

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 'C' followed by a horizontal line.

CINDY ROBSON
STRATEGIC TOWN PLANNER

29 January 2015

Please quote: 2997228 BS:dj
Your reference: PA2014/0923

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

Dear Ms Stevenson

Parcel Description: Lot 7618 – Town of Darwin
1 D'Ambrosio Court, Parap

Proposed Development: Unit titles scheme subdivision to create two (2)
units and common property

Thank you for the Development Application referred to this office 15 January 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

30 January 2015

Please quote: 2999749 BS:dj

David Hodgkinson at Metasite Pty Ltd
Level 5, 3 Bowen Crescent
MELBOURNE VIC 3004

Email : david.hodgkinson@metasite.com.au

Dear Mr Hodgkinson

Parcel Description: Lot 7843 – Town of Darwin
20 Bishop Street, Woolner

Proposed Development: Notification of proposed installation to a
Telecommunications facility at existing site

Thank you for the Notification of Upgrade referred to this office 20 January 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 Notification of Upgrade in relation to matters that fall within the responsibility of the City of Darwin.

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

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

30 January 2015

Please quote: 2997632 BS:dj
Your reference: PA2015/0018

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

Dear Ms Stevenson

Parcel Description: Lot 11510 – Town of Nightcliff
2 Hargrave Street, Mulrhead

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

Thank you for the Development Application referred to this office 16 January 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 conditions 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;

.../2

-2-

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,

.../3

-3-

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.
- 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

23 January 2015

Please quote: 2992402 NS:dj
Your reference: PA2014/1030

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

Dear Ms Stevenson

Parcel Description: **Lot 227 – Town of Nightcliff
10 Coolibah Street, Nightcliff**

Proposed Development: **Two (2) storey single dwelling with reduced front
and side setbacks and exceeding 8.5m height**

Thank you for the Development Application referred to this office 9 January 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 objects to the granting of a Development Permit for the following reasons:**
 - a). It is considered that the 0.524 variation to the overall building height at the rear of the dwelling:
 - 1) Is incompatible with existing development adjoining the subject site and in the immediate area,
 - 2) is excessive in terms of bulk and scale, particularly given that the roofline is to have a 0.7m setback from the western boundary, and
 - 3) could achieve articulation and interest that would otherwise meet the requirements of the Northern Territory Planning Scheme.
- 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 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, discharged and connection type 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.
- d). **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). **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.

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.

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

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



CINDY ROBSON
STRATEGIC TOWN PLANNER

23 January 2015

Please quote: 2992135 BS:dj
Your reference: PA2014/0954

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

Dear Ms Stevenson

Parcel Description: Lot 2801 – Town of Nightcliff
65 Jingili Terrace, Jingili

Proposed Development: Demountable structure addition to an existing
single dwelling with reduced side setback

Thank you for the Development Application referred to this office 9 January 2014, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

- i). **The City of Darwin objects to the granting of a Development Permit for the following reasons:**
- a). Council does not support the use of Shipping Containers in residential areas for any use, including storage.
 - b). The proposed location of the shipping container does not meet the requirements of the Northern Territory Planning Scheme as it impinges on both the northern and rear boundary setbacks.
 - c). Should the Authority approve the shipping container, the City of Darwin requests the following conditions be included in any Development Permit issued:
 - 1). The proposal for the shipping container meets the requirements of the Northern Territory Planning Scheme and should not impinge on any boundary setbacks required by the Planning Scheme.
 - 2). The shipping container is clad with an approved material,

painted a uniform color, have a pitched approved roof, concealed footings and be landscaped.

- 3). The shipping container is located to the rear of the site or at minimum behind the line of the front wall of the dwelling, to minimise its impact upon the local streetscape.
- 4). The shipping container complies with the Northern Territory Building Act.
- 5). The shipping container has a personal access door which is openable from the inside at all times.

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

A handwritten signature in black ink, consisting of a large, stylized 'C' with a horizontal line crossing through it.

CINDY ROBSON
STRATEGIC TOWN PLANNER

23 January 2015

Please quote: 2992354 BS:dj
Your reference: PA2014/1002

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

Dear Ms Stevenson

Parcel Description: Lot 3888 – Town of Darwin
30 Graham Street, Stuart Park

Proposed Development: Demountable structure addition to an existing
single dwelling

Thank you for the Development Application referred to this office 9 January 2014, 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 reasons:**
- a). The City of Darwin does not support the extension of the Nudl Street crossover and driveway.
 - b). The City of Darwin does not support sea containers within residential zones. Should the Authority approve the demountable shed, the City of Darwin requests the following conditions be included in any Development Permit issued:
 - 1). The proposal for the sea container meets the requirements of the Northern Territory Planning Scheme and should not impinge on any boundary setbacks required by the Planning Scheme.
 - 2). The sea container is clad with an approved material, painted a uniform colour, have a pitched approved roof, concealed footings and be landscaped.
 - 3). The sea container is located to the rear of the site or at

minimum behind the line of the front wall of the dwelling, to minimise its impact upon the local streetscape.

- 4). The sea container complies with the Northern Territory Building Act.
- 5). The sea container has a personal access door which is openable from the inside at all times.

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.

- 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

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

CINDY ROBSON
STRATEGIC TOWN PLANNER

23 January 2015

Please quote: 2992393 NS:dj
Your reference: PA2014/1026

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

Dear Ms Stevenson

Parcel Description: **Section 4433 – Hundred of Bagot
64 Winnellie Road, Winnellie**

Proposed Development: **Change of use from warehouse to office and
resource centre**

Thank you for the Development Application referred to this office 9 January 2014, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

- i). **The City of Darwin objects to the granting of a Development Permit for the following reasons:**
 - a). The primary purpose of Zone LI (Light Industry) applicable to the subject site states that "offices are expected to primarily provide a service to the light industry in the zone and be of a size commensurate with the service provided". The proposed use is not ancillary to a typical light industrial use nor does the use provide a function to support the industrial area.

The Draft Darwin Regional Land Use Plan 2014 and the Draft Darwin City Centre Master Plan both developed to make Darwin more appealing to live, work and play; highlight that the Darwin CBD is the locality to conduct business. To support economic growth and the viability of the City, it is recognised that quality office space needs to be developed within the CBD. The continued fragmentation of office uses across the municipality will result in increasing vacancy rates of office space within the CBD and will likely place pressure on the viability of the CBD as the traditional business district.

Further to this, the Draft Darwin Regional Land Use Plan 2014 indicates that there will be a greater demand for industrial land as a result of population and economic growth. The document also indicates the "increasing market prices for more affordable smaller industrial lots" and "increasing attractiveness of Winnellie as a location for industries".

From a site inspection, it is noted that there are purpose built office buildings in the immediate area that appear to have vacant offices. It is questioned why a change of use is required when office space in the CBD and immediate area of the subject site are available?

The use of an office (which includes recording studio facilities) in an industrial area (typically a noisy and industrious area) lends itself open for conflicting land uses and may likely result in reverse sensitivity issues in the future.

Given the above, it is considered that the continued approval for office uses outside the CBD will have a negative impact on the CBDs performance as a business district and remove valuable industrial land.

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.

- Waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 - Waste Management.
- Any proposed signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.

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

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

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER

23 January 2015

Please quote: 2992422 NS:dj
Your reference: PA2014/1037

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

Dear Ms Stevenson

Parcel Description: **Lot 5182 – Town of Darwin**
 Lot 8630 – Town of Nightcliff
 213 Dick Ward Drive, Ludmilla
 95 Dick Ward Drive, Coconut Grove

Proposed Development: **Subdivision to create three (3) lots**

Thank you for the Development Application referred to this office 9 January 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 objects to the granting of a Development Permit for the following reasons:**

- a). Proposed Lot 1 includes land zoned CN (Conservation). Council is of the understanding that the subdivision is to enable the proposed Lot 1 to be developed in line with the SD44 (Special Use – Darwin) applicable to majority of the proposed Lot 1. As per the Northern Territory Planning Scheme, the "primary purpose of Zone CN is to conserve and protect the flora, fauna and character of natural areas".

Council considers that the portion of proposed Lot 1 should exclude all land zoned CN and be limited to the boundaries of the SD44 zone; to ensure that the purpose of the zone is not compromised by future light industrial development.

Additionally, the supporting Statement of Effect states that "the land located within the Conservation area is not expected to be further developed". Excluding the CN zoned land from proposed Lot 1 will remove the level of ambiguity that the application provides.

- ii). **The City of Darwin requests that should a development permit be issued, that the following issues be addressed:**
- a). The application fails to indicate how the proposed Lot 1 interacts with the remaining two lots. It is requested that an amended subdivision plan be provided to indicate all three proposed lots.
 - b). The supporting Archaeological Excavation Report and subsequent conclusion and recommendations made are noted and it is requested that these be a condition of any permit that may be issued.
 - c). Any further subdivision of Lot 1 is subject to the requirements of the Northern Territory Planning Scheme (specifically SD44 and Clauses 11.3.2 and 11.3.3). The applicant is encouraged to engage with Council early in the application process should a further subdivision application be proposed to ensure that infrastructure complies with Council's Subdivision and Development Guidelines.

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

23 January 2015

Please quote: 2992348 BS:dj
Your reference: PA2014/0992

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

Dear Ms Stevenson

Parcel Description: Lot 5475 – Town of Sanderson
4 Beroona Court, Karama

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

Thank you for the Development Application referred to this office 9 January 2014, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

- i). **The City of Darwin objects to the granting of a Development Permit for the following reasons:**
 - a). The proposal will be out of character with the surrounding residential properties and inconsistent with surrounding setbacks, with the roof of the building extending to approximately 1.5 metres from the front boundary.
- 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). **An application for any proposed crossover and driveway shall be submitted to the City of Darwin prior to any works commencing.** There is currently no crossover or driveway adjacent this development and the applicant's plans indicate that there may be vehicle parking

under the new development. Submitted plans do not identify any proposed driveway or crossovers for this development.

- c). **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.
- 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.
- 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

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

**PROPOSED PLANNING SCHEME AMENDMENT TO REZONE LOT 7682 (4)
 GREVILLEA CIRCUIT, NIGHTCLIFF FROM ZONE SD (SINGLE DWELLING
 RESIDENTIAL) TO ZONE MD (MULTIPLE DWELLING RESIDENTIAL) -
 PA2014/0964**

REPORT No.: 15TS0018 NS:dj COMMON No.: 2990736

DATE: 10/02/2015

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to refer to Council for comment, pursuant to Section 17 of the Planning Act, the following Proposed Planning Scheme Amendment to Rezone Lot 7682 (4) Grevillea Circuit, Nightcliff from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential) - PA2014/0964.

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

- It is recommended that Council strongly object to the proposed Planning Scheme Amendment to rezone Lot 7682 (4) Grevillea Circuit, Nightcliff from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential);
- There is currently no Area Plan or other strategic direction in the Nightcliff Area to support the proposed rezoning;
- The absence of adequate social and engineering infrastructure to manage incremental rezoning will result in adverse impacts on the future needs of the community in areas that were otherwise established for SD development;
- There is a clear delineation between the SD lots and the MD and MR density zoned lots within the immediate Nightcliff area; and
- The proposed lot is 713m², rezoning would result in the ability to increase the density of dwellings from a maximum of one dwelling to two dwellings.

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 SUBJECT: PROPOSED PLANNING SCHEME AMENDMENT TO REZONE LOT 7682 (4) GREVILLEA CIRCUIT, NIGHTCLIFF FROM ZONE SD (SINGLE DWELLING RESIDENTIAL) TO ZONE MD (MULTIPLE DWELLING RESIDENTIAL) - PA2014/0964

RECOMMENDATIONS

- A. THAT Report Number 15TS0018 NS:dj entitled Proposed Planning Scheme Amendment to Rezone Lot 7682 (4) Grevillea Circuit, Nightcliff from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential) - PA2014/0964, be received and noted.
- B. THAT Council strongly object and endorse the submission, **Attachment B** to Report Number 15TS0018 NS:dj entitled Proposed Planning Scheme Amendment to Rezone Lot 7682 (4) Grevillea Circuit, Nightcliff from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential) - PA2014/0964.

BACKGROUND

Site and surrounds



Image source: aerial imaging

The subject site, Lot 7682 (4) Grevillea Circuit, Nightcliff is currently zoned SD (Single Dwelling Residential) pursuant to the Northern Territory Planning Scheme (NTPS). The 713m² allotment has two boundaries interfacing Grevillea Circuit. The site is currently occupied by an older style single storey detached dwelling and is densely vegetated.

The zoning and development characteristic of the area can be summarised in the following table:

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Location	Address	Current Zone	Description
North	53 Grevillea Circuit, Nightcliff	Zone SD	Very large double storey dwelling with dense vegetation to the front of the dwelling.
East	2 Grevillea Circuit, Nightcliff	Zone SD	Two older style double storey multiple dwellings with a common wall. Parking is informal and to the front of the dwellings.
South	3 Grevillea Circuit, Nightcliff	Zone MD	Six double storey multiple dwellings with common walls. Parking is informal and to the front of the dwellings.
West	24 Grevillea Circuit, Nightcliff	Zone MR (Medium Density Residential)	Nine multiple dwellings in a four storey building with car parking located at ground floor. The eastern boundary is well landscaped.
	6 Grevillea Circuit, Nightcliff	Zone MR (Medium Density Residential)	A long and narrow three storey building is located to the northern boundary and is occupied by 12 multiple dwellings. A driveway separates the dwellings and the single carports located on the southern boundary.

Development to the outer square of Grevillea Circuit is generally detached, single storey and double storey dwellings in both Zone SD and MD. The inner square of Grevillea Circuit is zoned MR and is generally comprised of multiple dwellings, three – four storeys high. Grevillea Circuit generally consists of older housing stock.

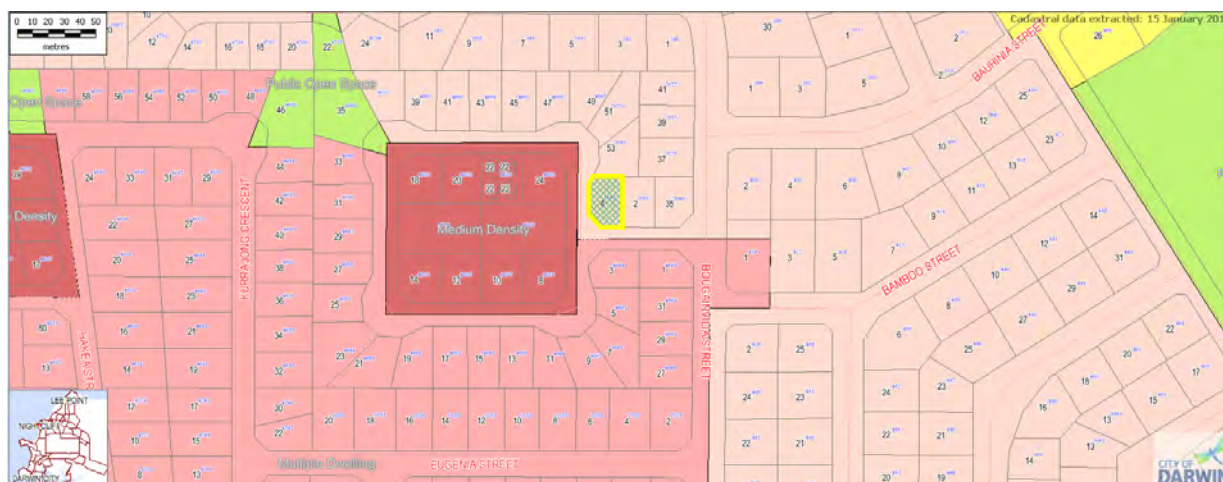


Image source: zoning maps

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DISCUSSION

The current application is to rezone the site from Zone SD to Zone MD. The current zoning allows for one single dwelling.

Pursuant to the requirements of the proposed zoning, a maximum of two (2) dwellings would be permitted under clause 7.1.1, Residential Density Limitations of the Northern Territory Planning Scheme (NTPS).

Zoning mapping identifies a clear hierarchy to density in the immediate area, with MD zoning generally bound by Bougainvillea Street, Progress Drive, Casuarina Drive, Grevillea Circuit and Kurrajong Crescent. Within this MD zone bounded area, there are three (3) distinct MR zoned pockets. Rezoning outside these clearly delineated hierarchies will only provide a greater precedence for increased density throughout the remaining SD areas of Nightcliff.

The supporting Statement of Effect identifies that the adjoining property to the east (2 Grevillea Circuit) has multiple dwellings in Zone SD. This development was constructed prior to the current NTPS and is considered an invalid argument for approval of the subject application given that the existing development is a detached dwelling.

The Statement of Effect also argues that the adjacent four (4) storey development (at 24 Grevillea Circuit) towers over the subject detached dwelling and states that “while the current SD zoning on the subject site will allow for the construction of a single two (2) storey dwelling on the site, which would address the height transition, economically this is not viable having regard to land prices in the area”. Multiple Dwelling development in Zone MD is also restricted to two (2) storeys, to a maximum height of 8.5 metres. City of Darwin officers consider that this argument is based on the owners desire to redevelop the site.

There is currently no Area Plan or other strategic direction in the Nightcliff Area to support the proposed rezoning. If an Area Plan existed, this should and would consider traffic issues, the capabilities of social and engineering infrastructure, how to best deliver upgrades to manage growth and identify appropriate funding mechanisms for upgrades. In the absence of an Area Plan, the cumulative impacts of incremental rezoning within the Municipality will within time place pressure on:

- Grevillea Circuit (and surrounding road networks) where development is generally older and car parking is generally not sufficient to cope with typical house share situations; resulting in on-street car parking that crowds streets and causes traffic issues. Subsequently, any approval for the rezoning has the potential to result in the need for upgrades to road infrastructure to sufficiently cater for increases in density and associated vehicle movements;

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- The ability to provide adequate social infrastructure such as, but not limited to, child care facilities and schools (which are already experiencing capacity issues), public open space and recreational areas, halls etc. Increased growth will result in increased demand on such infrastructure, the need to provide facilities that can accommodate for interchangeable uses and meet public demand will become an increasing issue; and
- The capabilities of the existing stormwater systems which were designed to cope with single dwelling development. Furthermore, increasing the dwelling density within the area is likely to increase the amount of impervious areas and the ability to capture and drain onsite will become increasingly difficult.

Area Plans need to be developed to ensure that the future needs of the community are catered for.

Summary

The Northern Territory Government has, at this time, provided no strategic direction for the growth of the Nightcliff area. Whilst the site is well located in terms of access to schools, shops, public transport and recreation, the application has not provided any studies to support the increase of density on the subject site and such cumulative impacts. It is therefore difficult to assess the impacts this application may have upon the City of Darwin's infrastructure and services in this area and the surrounding community.

Should the Northern Territory Government develop a strategic direction to guide future development in this area that supports a move towards Zone MD lots, then it may be appropriate for Council to support such a proposal. However, as there is currently no strategic guidance for development of this area and indication of the potential impacts the rezoning may have on services and infrastructure or on the wider community, it is recommended that Council strongly object to the proposed rezoning.

CONSULTATION PROCESS

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

- Town Planner
- Strategic Town Planner

POLICY IMPLICATIONS

The cumulative impacts of continued rezoning will within time place pressure on City of Darwin owned infrastructure, in the absence of an Area Plan that identifies how to best deliver upgrades to manage growth and identify appropriate funding mechanisms, Council may become liable for such upgrades.

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 (4) GREVILLEA CIRCUIT, NIGHTCLIFF FROM ZONE SD (SINGLE
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 RESIDENTIAL) - PA2014/0964

BUDGET AND RESOURCE IMPLICATIONS

The cumulative impacts of continued rezoning will within time place pressure on City of Darwin owned infrastructure, in the absence of an Area Plan that identifies how to best deliver upgrades to manage growth and identify appropriate funding mechanisms, Council may become liable for such upgrades and therefore costs.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The cumulative impacts of continued rezoning will within time place pressure on City of Darwin owned infrastructure, in the absence of an Area Plan that identifies how to best deliver upgrades to manage growth and identify appropriate funding mechanisms, Council may become liable for such upgrades.

ENVIRONMENTAL IMPLICATIONS

The application fails to address the potential increase to stormwater generated from the site should multiple dwelling development gain approval. In addition, any approval may be seen as an encouragement towards higher densities in this area, which incrementally results in higher demands on infrastructure.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN,
PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

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

Attachments:

Attachment A: Development Application, PA2014/0964

Attachment B: City of Darwin, Letter of Response to the Reporting Body

NORTHERN TERRITORY OF AUSTRALIA

PROPOSAL TO AMEND NT PLANNING SCHEME
PA2014/0964

Elton Consulting has applied to the Minister for Lands, Planning and the Environment to amend the NT Planning Scheme by rezoning Lot 7682 Town of Nightcliff (4 Grevillea Circuit) from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential).

Attached are:

- the Notice of Exhibition under section 17 of the *Planning Act*;
- extracts from the NT Planning Scheme relating to Zone SD (Single Dwelling Residential);
- extracts from the NT Planning Scheme relating to Zone MD (Multiple Dwelling Residential);
- a locality map; and
- a copy of the application from Elton Consulting.

The exhibition period is from Friday 9 January 2015 to Friday 6 February 2015.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday 6 February 2015 and made to:

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

Email: planning.dlpe@nt.gov.au

Fax: (08) 8999 7189 or

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

For more information please contact Jamie Castles , Lands Planning on telephone (08) 8999 6634.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF EXHIBITION OF PROPOSAL TO AMEND NT PLANNING SCHEME PA2014/0964

I, FABIO ROSARIO FINOCCHIARO delegate to the Minister for Lands, Planning and the Environment give notice under section 17 of the *Planning Act* of the following:

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

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

Fax: (08) 8999 7189 or

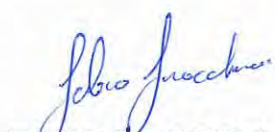
Email: planning.dlpe@nt.gov.au

- (e) the proposed amendment is to the NT Planning Scheme, to rezone Lot 7682 Town of Nightcliff (4 Grevillea Circuit, Nightcliff), from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential).

Dated

4 DECEMBER

2014.



FABIO FINOCCHIARO

Delegate to the Minister for Lands, Planning and the Environment

5.0 ZONE PURPOSE AND TABLES

5.1 ZONE SD – SINGLE DWELLING RESIDENTIAL

1. The primary purpose of Zone SD is to provide for **single dwellings** on individual lots.

2. Non-residential uses or development should be limited to those which predominantly service the local neighbourhood and do not have any detrimental effect on residential **amenity**.

Clause 1.3 refers to Sheds.

Undefined uses are prohibited in this zone. See clause 2.2(3) & (4).

Clause 6.8 refers to **Demountable Structures**.

Clause 6.11 refers to Garages and Sheds.

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

Clause 7.10.2 refers to **caravans**.

Clauses 11.1.1 and 11.1.2 refer to subdivision lot size and 11.2 to subdivision standards.

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

ZONING TABLE – ZONE SD

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

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

5.2 ZONE MD – MULTIPLE DWELLING RESIDENTIAL

Amendment No. 320
gazetted 26.03.2014
omits and substitutes
clause 5.2

1. The primary purpose of Zone MD is to provide for a range of housing options to a maximum height of two **storeys** above **ground level**.
2. The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.
3. A **single dwelling** on a lot less than 600m² should be integrated in terms of design and site layout with adjacent development and street infrastructure.

Clause 1.3 refers to Sheds.

Undefined uses are prohibited in this zone. See clause 2.2(3) & (4).

Clause 6.8 refers to **Demountable Structures**.

Clause 6.11 refers to Garages and Sheds.

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

Clause 7.10.2 refers to **caravans**.

Clauses 11.1.1 and 11.1.2 refer to subdivision lot size and 11.2 to subdivision standards.

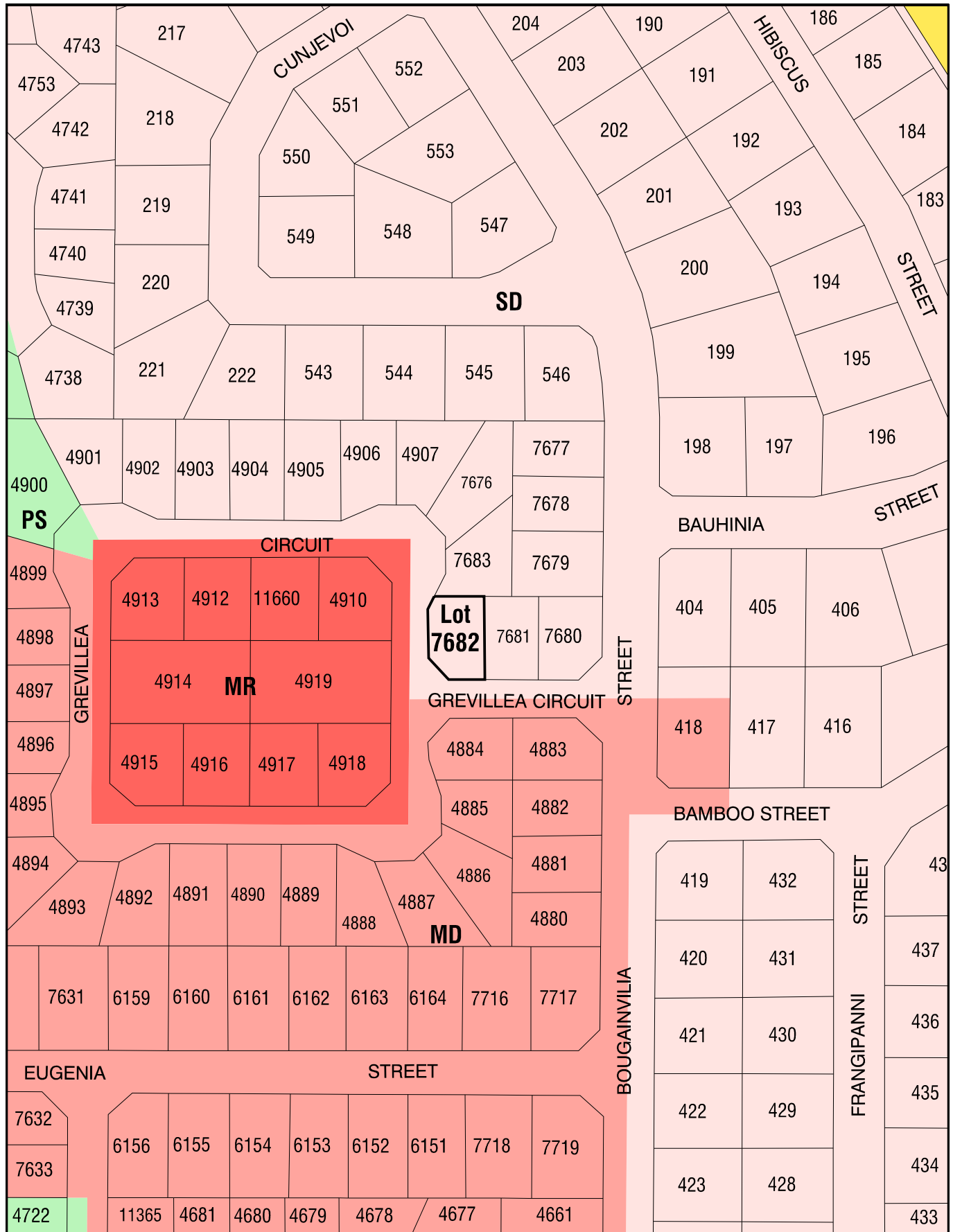
Clause 13.5 refers to the erection of mobile telephone communications towers.

Clause 11.2.4 refers to lots less than 600m² for **single dwellings** in Zone MD.

ZONING TABLE – ZONE MD

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.7
caravan park	x	
caretaker's residence	x	
car park	x	
child care centre	x	
community centre	D	6.1, 6.5.1
domestic livestock	x	
education establishment	x	
fuel depot	x	
general industry	x	
group home	P	7.1, 7.10.5
home based child care centre	D	6.5.1, 7.10.6
home based contracting	P	7.10.8
home based visitor accommodation	S	7.10.1
home occupation	P	7.10.7
horticulture	x	
hospital	x	
hostel	x	
hotel	x	
independent unit	P	6.5.1, 7.1, 7.3, 7.5, 7.10.4
intensive animal husbandry	x	
leisure and recreation	x	
licensed club	x	
light industry	x	
medical clinic	x	
medical consulting rooms	D	6.5.1, 7.10.9
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	D	6.5.1, 7.1, 7.3, 7.5, 7.6, 7.7, 7.8
office	x	
passenger terminal	x	
place of worship	x	
plant nursery	x	
promotion sign	x	
recycling depot	x	
restaurant	x	
retail agricultural stall	x	
rural industry	x	
service station	x	
shop	x	
showroom sales	x	
single dwelling	P	6.5.1, 6.5.4, 7.1, 7.3, 7.3.3, 7.5
stables	x	
supporting accommodation	D	6.5.1, 7.1, 7.3, 7.5, 7.6, 7.7, 7.8
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	x	
warehouse	x	

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



EXISTING ZONING PLAN
 NT PLANNING SCHEME
 AMENDMENT PA2014/0964
 REZONE LOT 7682
 TOWN OF NIGHTCLIFF
 From Zone SD (Single Dwelling)
 to Zone MD (Multiple Dwelling)



Northern
Territory
Government

Department of Lands, Planning and the Environment



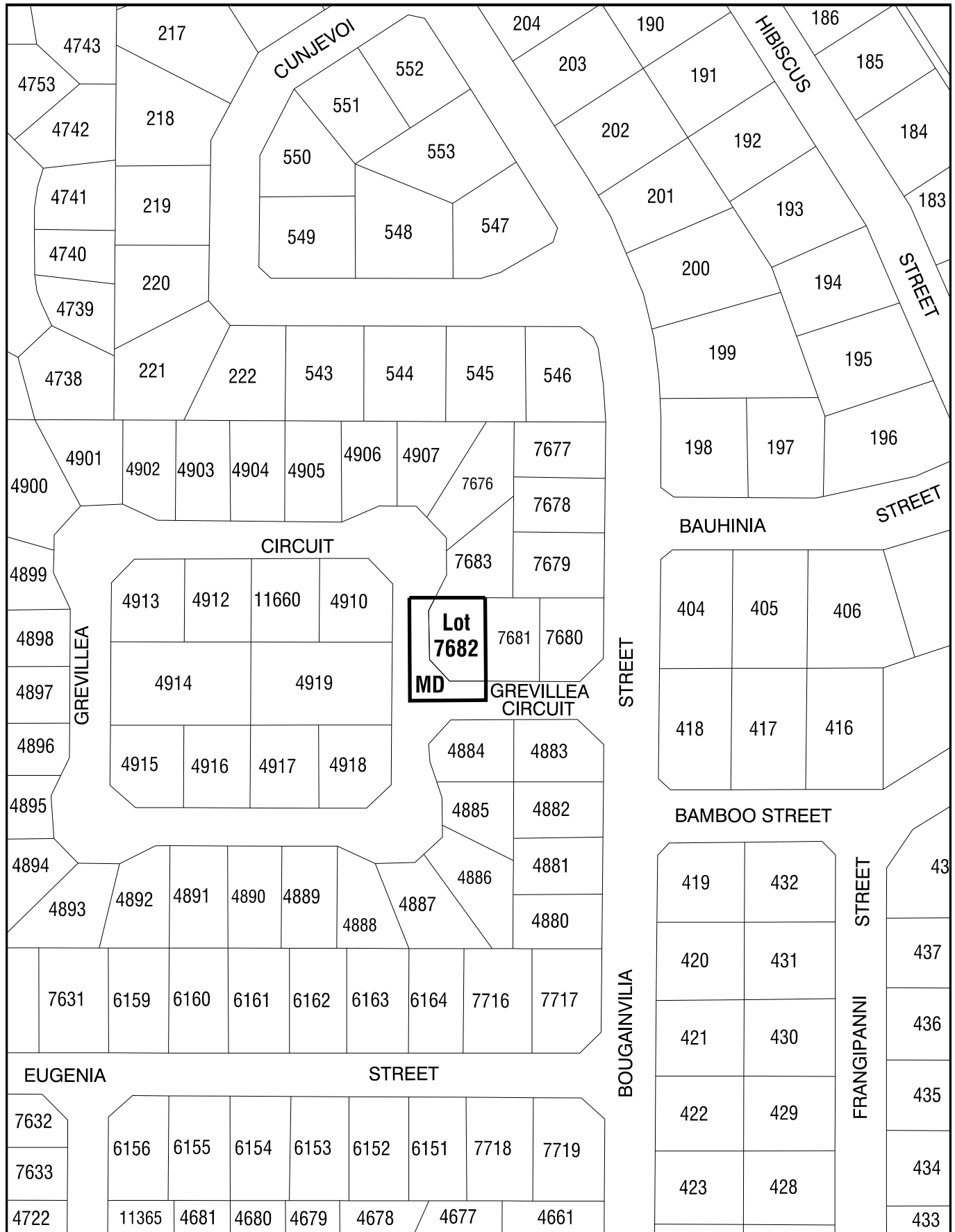
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File No.: PA2014/0964

Date: 11-Dec-14

Drawing Name: Lot 7682 Nightcliff.dgn



PROPOSED NT PLANNING SCHEME
AMENDMENT PA2014/0964
REZONE LOT 7682
TOWN OF NIGHTCLIFF
From Zone SD (Single Dwelling)
to Zone MD (Multiple Dwelling)



Northern
Territory
Government

Department of Lands, Planning and the Environment

0 20 40 60 80 100m

Scale 1:2000 @ A4



File No.: PA2014/0964

Date: 11-Dec-14

Drawing Name: Lot 7682 Nightcliff.dgn

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

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


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

Town/Hundred/Locality: <i>Nightcliff</i>	
Parcel Number(s) and/or Unit number: <i>7682</i>	
LTO Plan:	
Number and Street Name: <i>4 Grevillea Circuit</i>	
and	
Existing Zone: <i>SD</i>	
Proposed Zone: <i>MD</i>	
Tenure:	
Is the proponent the land owner?:	YES / <u>NO</u>

2. PROPONENT INFORMATION

PROponent INFORMATION	
ILIS Customer no. (if known):	
Company name (if applicable):	
ABN or ACN (if applicable):	
Title: <u>Mr</u> Mrs Miss Ms Dr Other:	
Family name(s): <i>LAWTON</i>	
Given name(s): <i>ALEXANDER</i>	
Preferred name(s): <i>ALEX</i>	
Postal address: <i>GPO Box 3373, Darwin, NT, 0801</i>	
Telephone no. (business hours): <i>08 8946 06 00</i>	
Facsimile no.: <i>08 8941 7025</i>	
E-mail address: <i>alexL@elton.com.au</i>	

3. DESCRIPTION OF PROPOSED AMENDMENT

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

4. REASON(S) FOR PROPOSAL

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

ATTACHMENT B**5. APPLICANT TO SIGN AND/OR AFFIX SEAL**

The application is complete and all required documentation is attached.

Signature(s)

26 / 11 / 14

Date

PRIVACY NOTE:

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

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

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

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

If you have any queries please contact:

Lands Planning**Department of Lands, Planning and the Environment**

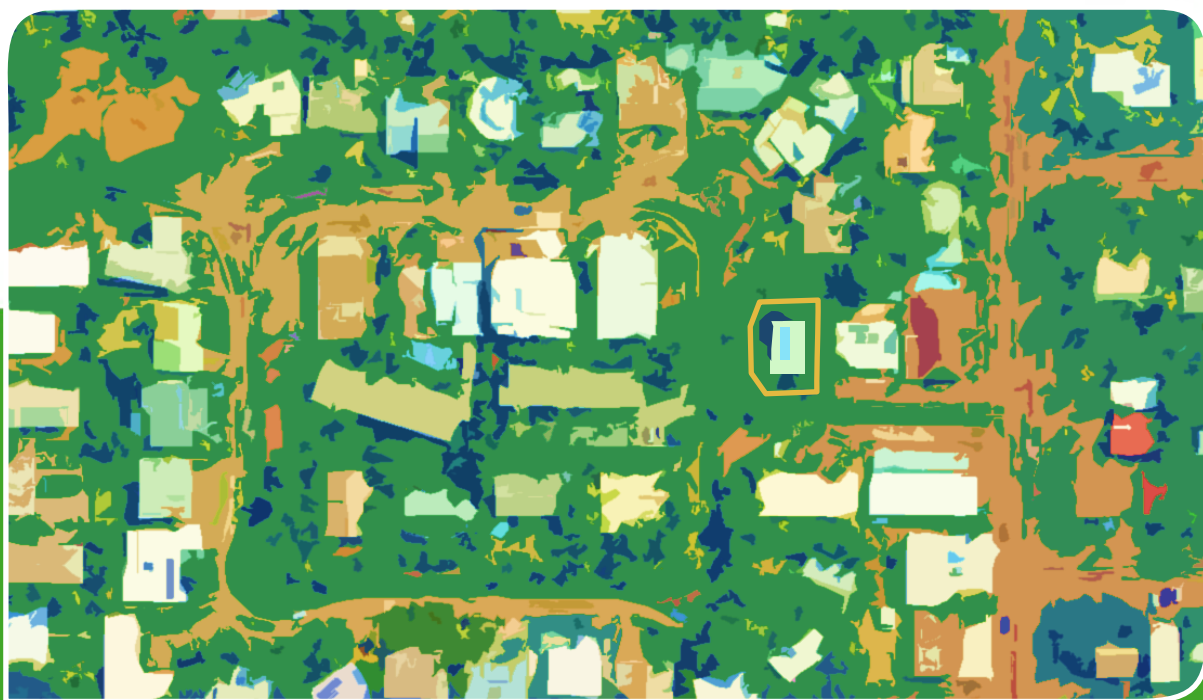
GPO BOX 1680

DARWIN NT 0801 or

Phone: (08) 8999 5511

Fax: (08) 8999 7189

Email: planning@nt.gov.au



Lot 7682 (4) Grevillea Circuit, Town of Nightcliff

Rezoning From Zone SD (Single Dwelling) to Zone MD (Multiple Dwelling)

Contact:

Alex Lawton
Alexl@elton.com.au
08 8946 0600

**Darwin
08 8946 0600**

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Prepared by	Valerie Conway
Reviewed by	Martin Klopper
Date	26 November 2014
Document name	4 Grevillea Circuit rezoning
Version	1

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1 Overview

The proposed Planning Scheme Amendment seeks to rezone Lot 7682 (4) Grevillea Circuit, Town of Nightcliff, from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential).

The purpose of the proposed Planning Scheme Amendment is to facilitate a multiple dwelling development consisting of two units with a maximum height of two storeys on the site.

This report, which accompanies a request to amend the Northern Territory (NT) Planning Scheme, provides:

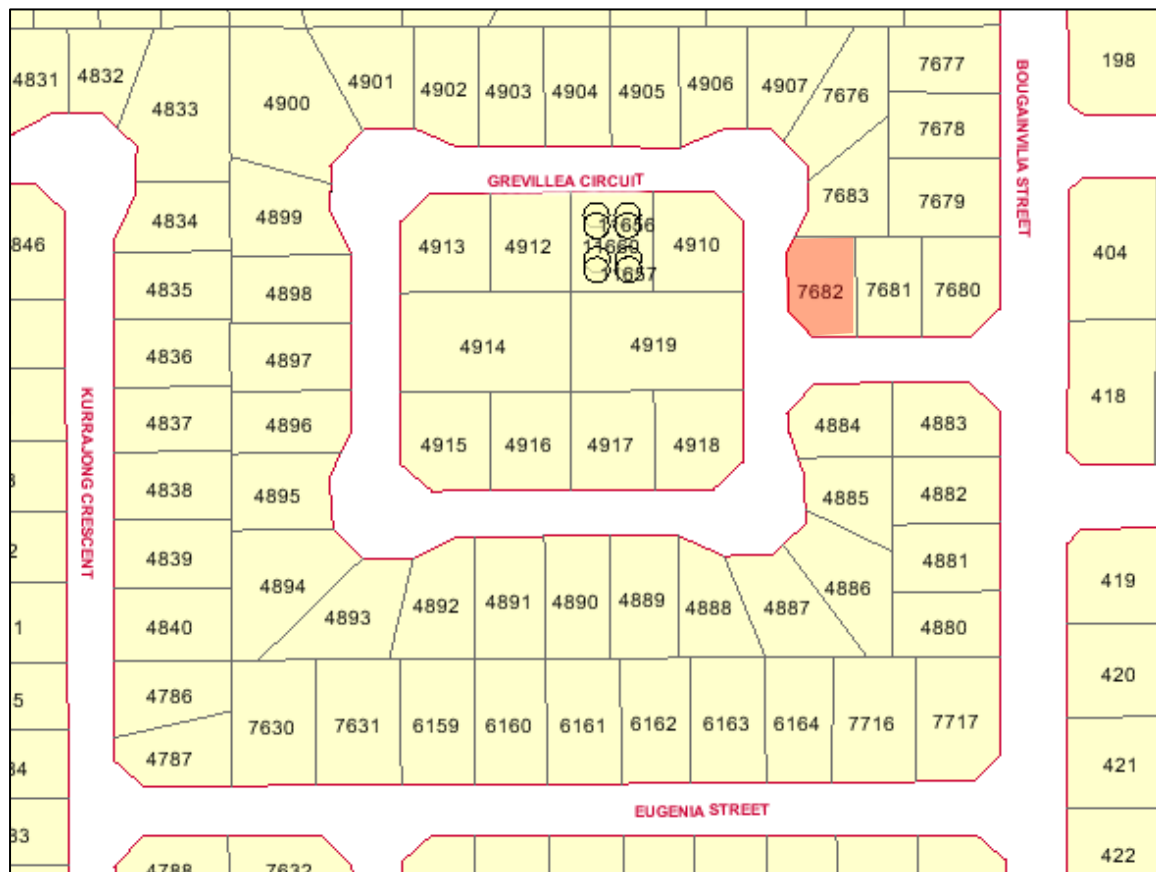
- » A description of the subject land and surrounding locality;
- » An overview of the existing zoning; and
- » A rationale for the proposed rezoning.

The application is made pursuant to Section 13 of the Planning Act.

1.1 Site History

The location of the subject site is shown in **Figure 1** below. (Refer to **Appendix A** for the site survey.)

Figure 1 Site Location Map



The site is located on Grevillea Circuit approximately 45m from its junction with Bougainvillea Street. The site has an area of 713m² with a width of approximately 22m and a depth of approximately 32m. It has a dual frontage (approximately 50m in length) onto Grevillea Circuit.

There is an existing single storey detached dwelling on the site with extensive planting along the site perimeter. The access to the site is via a single driveway located on the western boundary of the site. The dwelling is clearly visible from the western street boundary, though somewhat obscured from view from the southern street boundary. (Refer to **Appendix B** for photographs of the site and the surrounding area). There is no relevant planning history associated with the site.

Figure 2 Aerial photograph of site



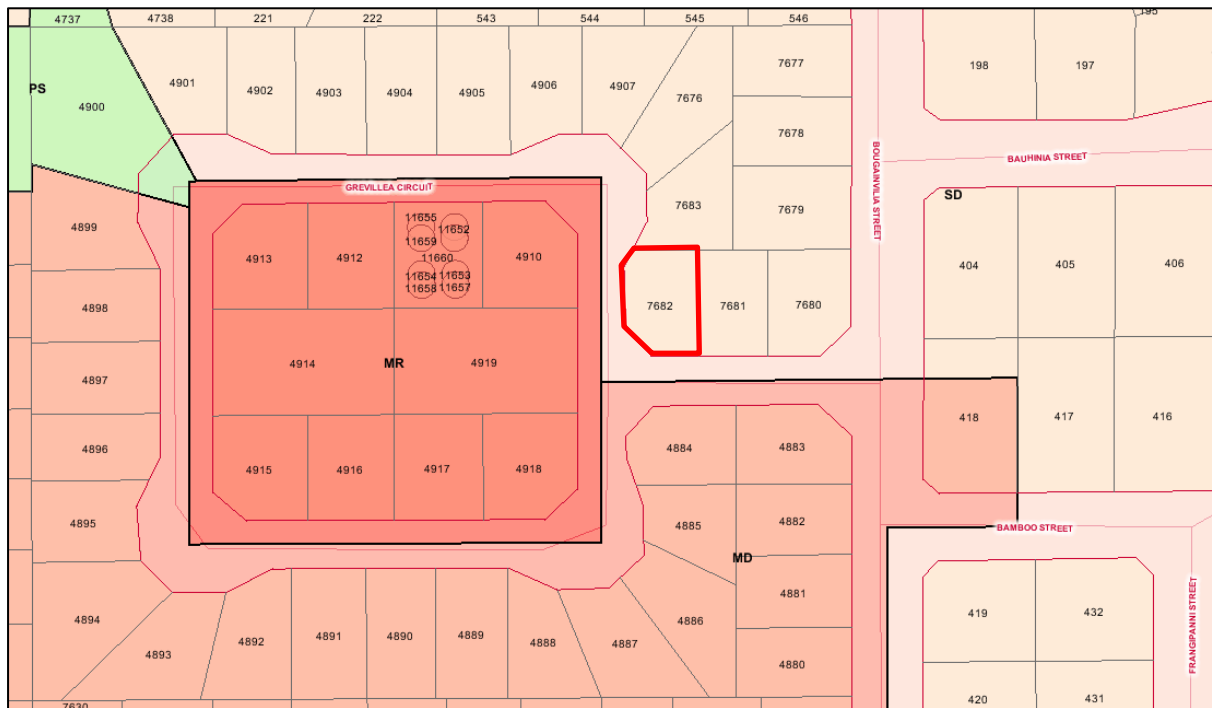
Source: Nearmaps

1.2 Current Zoning and Site Characteristics

Lot 7682 (4) Grevillea Circuit, Nightcliff is designated Zone SD (Single Dwelling Residential) by the NT Planning Scheme. The current zoning map is shown in **Figure 3** over.

The site is located at the interface of Medium Density Residential (MR) and Multiple Dwelling Residential (MD) zones with three to four storey medium density development to the west of the site and two storey multiple dwelling developments to the south of the site.

The MD zoning in the area has been extended across Bougainvillea Street to encompass Lot 418 which has been developed for multiple dwelling use.

Figure 3 Zoning of the subject site

Source: NT Atlas and Spatial Directory

1.3 Surrounding Land Uses and Development

The site is surrounded by residential development. There is a four storey and a three storey apartment block located directly to the west of the subject site (Lot 4910 and Lot 4919) with 2 two storey apartment blocks to the south (Lots 4884 and 4883). Though the site immediately to the east (Lot 7681) is zoned for a single dwelling (SD zone), it is occupied by a two storey multiple dwelling development. The sites directly to the north of the site are occupied by 2 two storey detached dwellings (Lots 7683 and 7676).

Residential development around Grevillea Circuit is mixed with some two storey detached dwellings to the north of the Circuit within the SD zone, a number of two, three and four storey apartment blocks on the MR zone enclosed by Grevillea Circuit interspersed with single storey and two storey detached dwellings with a mix of single storey and two storey development on the perimeter (MD zone).

As noted above, the MD zoning on Grevillea Circuit has been extended across Bougainvillea Street to encompass Lot 418 which has been developed for multiple dwelling use. The lot to the south of this on Bamboo Street (Lot 419) has also been developed for multiple dwelling use though the site is still zoned for SD.

Within a 200m radius of the site, development is a mix of low to medium density housing with a small pocket of open space accessible directly from Grevillea Circuit.

The site has good access to local services and community facilities. Nightcliff Primary School, Nightcliff Family Centre and Nightcliff Oval (including Nightcliff Sports Club and Nightcliff Bowling Club) are located within a 400m radius of the site.

Neighbourhood centres with local services, commercial development and community facilities at Aralia Street and Nightcliff Village are located within a 600m radius of the site, as are large areas of public open space along the foreshore.

Other services and facilities within an 800m radius of the site include Nightcliff Aquatic Centre, Nightcliff High School, the Greek Orthodox School, the Nightcliff Sporting Complex and Nightcliff Shopping Centre. (Refer to **Figure 4** over).

The also site has good access onto Nightcliff Road and Progress Drive connecting into Dick Ward Drive and Bagot Road and onwards onto the Stuart Highway.

Figure 4 Site Catchment Map



Source: Base map (Nearmaps) and as modified by Elton Consulting

2 Proposed Amendment

2.1 Purpose of the Rezoning

The purpose of the rezoning is to allow for the redevelopment of the site to accommodate two dwellings with a minimum lot size of 300m². The change from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling Residential) will allow the owner to successfully redevelop the site in line with the surrounding pattern of development and to contribute positively to the residential housing stock in Darwin.

2.2 Rationale for the Rezoning

We submit that a MD zoning on the site is appropriate on the following grounds:

- » It reflects the existing pattern of development on and around Grevillea Circuit;
- » It would allow for an appropriate transition in density from the MR zone which immediately adjoins the site;
- » It represents a logical extension of the MD zone;
- » The subject site is closer to local services and facilities than lots on adjacent MR zones and a number of lots in the Nightcliff area which have recently been rezoned for MD;
- » It would allow for the development of dwellings on small lots to meet the demand for affordable housing in an established suburb.

2.2.1 Consistent with existing pattern of development

As noted earlier, the subject site is surrounded to the west, south and east by multiple dwelling development ranging in height from two storeys to four storeys. The dwellings to the north, detached and on individual SD lots, are also two storeys in height. Though the site to the east is zoned for a single dwelling development (SD), it has been developed for multiple dwelling use and currently accommodates a large two storey dual unit development.

Further east on Bougainvillea Street, Lot 418 has also been developed for multiple dwelling use and to rationalise this, the MD zoning has been extended across Bougainvillea Street to encompass this site. Neighbouring lots on Bamboo Street (Lots 432 & 438) have also been developed for multiple unit dwellings. (Refer to **Figure 5** over).

The rezoning of the site to MD would allow for the development of 2 two storey dwellings on lots with a minimum area of 300m² which would be more in line with the existing pattern of development on the adjoining and nearby lots.

Figure 5 Multiple dwelling developments in the vicinity of the site

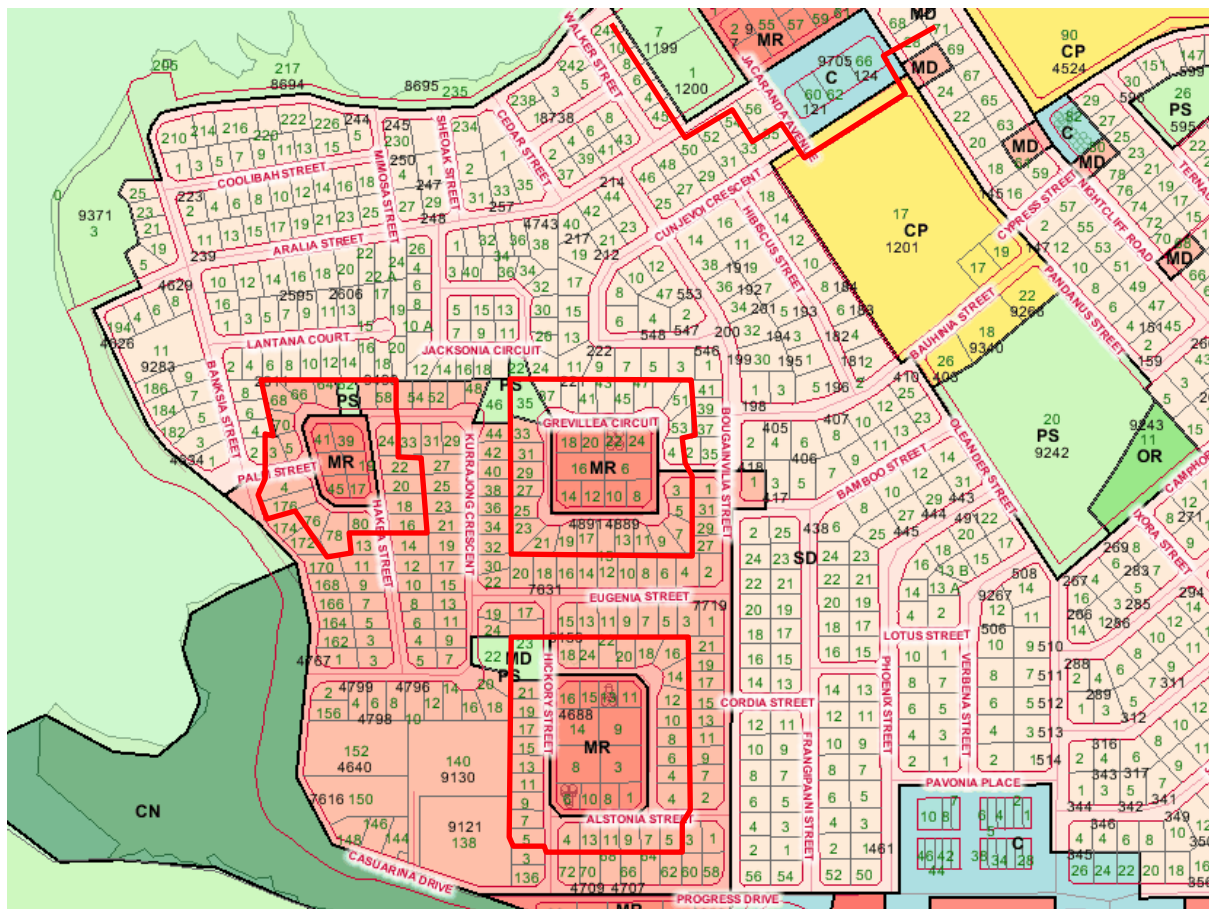


Source: Basemap (Nearmaps) and as amended by Elton consulting

2.2.2 Transition in density from MR to SD zones

The existing single storey detached dwelling on the site is at odds with the surrounding multiple dwelling units on neighbouring sites, in particular the four storey apartment block on Lot 4910, which towers over the dwelling on the subject site. While the current SD zoning on the subject site will allow for the construction of single two storey dwelling on the site, which would address the height transition, economically this is not viable having regard to land prices in the area.

A potential redevelopment under the SD zoning would also fail to address the disparity in the density of these sites, which are on opposite sides of Grevillea Circuit. As illustrated in **Figure 6** below, MR zones in Nightcliff are generally buffered from the SD zone with either MD, C (Commercial) or PS (Public Open Space) zones. However this is not the case in Grevillea Circuit, where the MR zone directly adjoins the SD zone; with the subject site at the interface of the MR, MD and SD zones.

Figure 6 Zoning Map for Nightcliff

Source: NT Atlas and Spatial Planning

The rezoning of the subject site to MD, whilst not addressing this entire MR-SD zones interface will address the site most affected; being the subject bordered by MR zoning to the west, MD zoning to the south and a multiple dwelling development to the east permitted within the SD zone. It is therefore considered that the rezoning of the site for MD would be a logical extension of the existing MD zone at Grevillea Circuit.

2.2.3 Proximity of subject to local services and facilities

In recent years, there have been a number of individual lot rezonings in the Nightcliff area, where the NT Planning Scheme has been amended to rezone discrete lots in the SD zone to MD zoning. As can be seen from **Figure 6** above, MD rezonings have been approved at 26 Pandanus Street (Lot 133), 61 Nightcliff Road (Lot 138), 68 Nightcliff Road (Lot 561) and 80 Nightcliff Road (Lot 567) with a development application for rezoning at 59 Nightcliff Road (Lot 158) currently under consideration.

These rezonings have been supported on the basis of their proximity to local services and the precedence that had been established for MD zoned lots to be integrated into the SD zone in the locality. It is acknowledged that these individual MD lots dispersed across the SD zone on Pandanus Street and Nightcliff Road are closer to a specific commercial zone than the subject site, however the scale and type of facilities and services at these local commercial zones are quite limited. For example, the commercial zone at 82 Nightcliff Road currently accommodates a café, a real estate office and a waxing salon with the three remaining commercial units at this location vacant.

The subject site at 4 Grevillea Circuit, while further from 'a commercial zone' than the aforementioned dispersed MD rezonings, is closer to higher order services and facilities such as a shopping centre with a national supermarket chain as an anchor, local convenience shops, child care facilities, banking

and postal services, recreational facilities and public facilities such as a library and medical centre (as are located at Nightcliff Village and Nightcliff Shopping Centre).

In this regard, it is also noteworthy that the subject site is located closer to the neighbourhood centres at Nightcliff Village and Nightcliff Shopping Centre than the nearby MR zones at Grevillea Circuit and Hakea Street.

It is therefore considered that the rezoning of the subject site to MD having regard to its proximity to local services and community facilities can be supported on the basis of the precedent already established in the area by the MR zoning and the individual MD rezonings.

2.2.4 Address the demand for affordable housing in an established suburb

According to the latest RP data rental review released in October 2014, Darwin is the most expensive Australian city to rent in, with the median asking rent for a house at \$660 a week; \$230 above the combined capital cities median and \$135 above the median asking rent for Sydney. This has also been reflected in house prices, with data from Australian Property Monitors showing that since 2004 while the median national house price has increased by 72%, the biggest increase nationally has been seen in Darwin, where the increase was 170%.

Research from realestate.com.au shows that this situation is exacerbated even further in Nightcliff where the median weekly rental for a house is \$680 with the median house price in the area rising by \$60,000 in the last month alone (based on median house prices for the previous year as analysed on 22 October 2014). This clearly illustrates a demand for more housing in Nightcliff and at an affordable price.

The amendments to the NT Planning Scheme in March 2014 reflects this growing concern in relation to housing affordability and seeks to address the matter by allowing for the provision of smaller lots in the MD zone to meet the housing needs of those who wish to live in a house as opposed to an apartment but who are currently being forced out of the market.

With a site area of 713m², the site can accommodate two lots with a minimum area of 300m² each. The lots can meet the minimum requirements of Clause 11.2.4 of the NT Territory Planning Scheme which makes provision for lots of less than 600m² for single dwellings in Zone MD: both lots will have a street boundary in excess of 10m and can allow for future vehicle access by way of a single driveway unrestricted by street infrastructure or furniture. The minimum setback requirements of Clause 7.3 can also be met as can the private open space requirement of Clause 7.5.

With an MD zoning, the site can be redeveloped to accommodate two dwellings which will increase the housing choice available in this established area, without impacting on the amenity of adjacent dwellings.

2.3 Infrastructure Requirements

The site is fully serviced with a power and water supply and a connection to the stormwater and wastewater collection systems. The increase in density on the site which would result from the proposed rezoning (an increase from one dwelling to two dwellings) will not have a significant impact on infrastructural requirements or the spare capacity of the relevant networks.

The potential increase in traffic generation from the site as a result of the proposed rezoning will also be negligible in terms of the existing traffic volumes in the area.

2.4 Storm Surge

Lot 7682 is not impacted or affected by storm surge events.

2.5 Land Capability

The subject site is 713m² and is generally flat. As discussed above, the site is currently in residential use accommodating a three bed unit dwelling. Subject to rezoning the site for MD and availing of the small lot provisions (minimum lot size of 300m²), the site can accommodate two dwellings and be fully compliant with the relevant Clauses of the NT Planning Scheme.

2.6 Planning Principles of the Northern Territory Planning Scheme

The proposed rezoning is consistent with the planning principles of the Northern Territory Planning Scheme as they relate to residential development and the efficient use of land:

4.1 (a) Contribute to a built, rural and natural environment supporting the diverse lifestyle and the social, cultural and economic development of the Territory promoting:

- i. safe communities;*
- ii. housing choice;*
- iii. public infrastructure including a coordinated, integrated and efficient transport network;*
- iv. recreation and cultural opportunities;*
- v. commercial, primary production and industrial diversity servicing community needs and export potential; and*
- vi. best practice environmental management.*

The proposed rezoning both achieves and promotes this specific clause by:

- » allowing for an increase in the housing stock in an established residential community without adversely impact on the amenity of the surrounding area,
- » promotes housing choice in Nightcliff by enabling the provision of dwellings on small lots to meet the needs of those who are seeking affordable housing but do not want to live in an apartment or unit block; and
- » optimising the use of existing public infrastructure including water supply, stormwater and wastewater and public transport services.

4.1 (b) Contribute to the sustainable use and development of land and water resources so that the use and development of land is consistent with the principles of sustainable development and avoids pollution and minimises degradation of the environment or over commitment of water resources;

The proposed rezoning will contribute to the sustainable use and development of land by enabling the optimal use of the site with a negligible impact on Council or Territory resources or the environment.

4.1 (e) Ensure development does not unreasonably intrude on or compromise the privacy of adjoining residential uses and ensures its own amenity is not compromised in the future;

The proposed rezoning of the site from SD to MD will allow for the construction of one additional dwelling on the site in accordance with the NT Planning Scheme provisions for small lots (lots with a minimum site area of 300m²). The dimensions and characteristics of site are such that two dwellings can be accommodated on the existing lot with sufficient street frontage, safe access to the public road, adequate landscaping and private open space provision with sufficient building setbacks to preserve the visual and acoustic privacy of adjoining residences.

4.1 (g) Facilitate the sustainable use of land for primary production so that land particularly suited to agriculture, horticulture and other primary production activities, by reason of the nature of the soils, proximity to adequate water supplies or for other reasons, will be preserved for those activities within the context of competing land uses;

Though the site is limited in area and the potential housing increase as a resulting of rezoning the site from SD to MD is negligible in terms of the overall future housing requirements to accommodate the growth of Darwin, the proposed rezoning is nevertheless consistent with this planning principle by encouraging the redevelopment of existing brownfield sites in established neighbourhoods where there is access to public facilities and services, lessening the demand for greenfield sites to be diverted to residential use at a cost to agriculture, horticulture, etc.

4.1 (i) Consider flood and storm surge levels associated with floods and cyclones to minimise risk to life and property; and

The site is not impacted by flood or storm surge and as such is suitable from this perspective to accommodate an increase in density.

3 Conclusion

The proposed Planning Scheme Amendment seeks to rezone Lot 7682 (4) Grevillea Circuit, Nightcliff, Town of Darwin from Zone SD (Single Dwelling Residential) to Zone MD (Multiple Dwelling). The purpose of the proposed Planning Scheme Amendment is to allow for the development of two single dwellings with a minimum lot size of 300m² each on the site.

The proposed Planning Scheme Amendment is suitable for the following reasons:

- » The rezoning of the site for multiple dwelling development would reflect the existing pattern of multiple dwelling development on Grevillea Circuit and adjacent sites on Bougainvillea street and Bamboo Street ;
- » The rezoning would allow for an appropriate transition in density from the adjoining MR and MD zones to the SD zone;
- » Extending the MD zoning to the subject site, represents a logical extension of the MD zone;
- » The subject site is closer to higher order local services and facilities than sites in existing MR zones and dispersed individual MD zoned lots in the area; and
- » The proposed rezoning would allow for the development of dwellings on small lots to meet the demand for affordable housing in an established suburb.

In addition, it is considered that the proposed rezoning can be supported for the following reasons:

- » The rezoning is not restricted by any interim development control orders.
- » There are no environment protection objectives relevant to the site.
- » The development does not require the preparation of any environmental reports or impact statements.
- » The site does not have any identified natural, social or cultural values.

6 February 2015

Please quote: 2990736 NS:dj

Your reference: PA2014/0964

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

Dear Mr Meldrum

**Parcel Description: Lot 7682 – Town of Nightcliff
 4 Grevillea Circuit, Nightcliff**

**Proposed Development: Proposed Planning Scheme Amendment to
 Rezone from Zone SD (Single Dwelling
 Residential) to Zone MD (Multiple Dwelling
 Residential)**

Thank you for the Development Application referred to this office 9 January 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 City of Darwin strongly objects to the subject rezoning for the following reasons:

Such approvals without appropriate strategic direction can result in adverse impacts in the long term on the community amenity, social and engineering infrastructure, lifestyle and urban amenities.

There is currently no Area Plan or other strategic direction in the Nightcliff Area to support the proposed rezoning. If an Area Plan existed, this should and would consider traffic issues, the capabilities of social and engineering infrastructure, how to best deliver upgrades to manage growth and identify appropriate funding mechanisms for upgrades. In the absence of an Area Plan, the cumulative impacts of incremental rezoning within the Municipality will within time place pressure on:

- Grevillea Circuit (and surrounding road networks) where development is generally older and car parking is generally not sufficient to cope with typical house share situations; resulting in on-street car parking that crowds streets and causes traffic issues. Subsequently, any approval for the rezoning has the potential to result in the need for upgrades to road infrastructure to sufficiently

- cater for increases in density and associated vehicle movements;
- The ability to provide adequate social infrastructure such as, but not limited to, child care facilities and schools (which are already experiencing capacity issues), public open space and recreational areas, halls etc. Increased growth will result in increased demand on such infrastructure, the need to provide facilities that can accommodate for interchangeable uses and meet public demand will become an increasing issue; and
- The capabilities of the existing stormwater systems which were designed to cope with single dwelling development. Furthermore, increasing the dwelling density within the area is likely to increase the amount of impervious areas and the ability to capture and drain onsite will become increasingly difficult.

Area Plans need to be developed to ensure that the future needs of the community are catered for.

Zoning mapping identifies a clear zoning hierarchy in the immediate area, with multiple dwelling zones generally bound by Bougainvillea Street, Progress Drive, Casuarina Drive, Grevillea Circuit and Kurrajong Crescent. Within this area, there are three distinct MR zoned pockets. Allowing rezoning outside of this clearly delineated area will encourage further spot rezoning's throughout what is a relatively intact single dwelling precinct with the result being a change in the urban amenity and design of the area.

The Northern Territory Government has, at this time, provided no strategic direction for the growth of the Nightcliff area. Whilst the site is well located in terms of access to schools, shops, public transport and recreation, the application has not provided any studies to support the increase of density on the subject site and such cumulative impacts. It is therefore difficult to assess the impacts this application may have upon the City of Darwin's infrastructure and services in this area and the surrounding community.

Should the Northern Territory Government develop a strategic direction to guide future development in this area that supports a move towards Zone MD lots, then it may be appropriate for Council to support such a proposal. However, as there is currently no strategic guidance for development of this area and indication of the potential impacts the rezoning may have on services and infrastructure or on the wider community, Council therefore strongly objects to the proposed rezoning.

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:** 15.3
YES

**PROPOSAL TO AMEND THE NORTHERN TERRITORY PLANNING SCHEME -
 INTRODUCTION OF A COMPACT URBAN GROWTH POLICY PA2014/0892**

REPORT No.: 15TS0012 CR:dj **COMMON No.:** 2998935

DATE: 10/02/2015

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to refer to Council for comment, pursuant to Section 17 of the Planning Act, a proposal to amend the Northern Territory Planning Scheme - Introduction of a Compact Urban Growth Policy PA2014/0892.

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

- It is recommended that Council endorses the attached letter of comment in relation to the proposed amendment to the Northern Territory Planning Scheme.
- The proposed amendment will introduce:
 - Two new Northern Territory Planning Principles at clause 4.1; and
 - A new document titled "*Northern Territory Compact Urban Growth Policy*" as a Reference to Policy document at Schedule 2 of clause 2.7.
- The proposed *Compact Urban Growth Policy* (Policy) provides a range of guidance for preferred rezoning locations outlines, the need to consider service and social infrastructure for any proposed population increases and identifies site constraints such as storm surge.
- The Policy is intended for all scales of residential redevelopment, however, certain performance criteria are likely to be more useful for large scale redevelopment, while other criteria will be useful in assessing smaller scale redevelopment.
- Greater detail could be provided in the proposed Performance Criteria to increase clarity for developers and other users of the document.

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-
- The Policy provides guidance in preparing Area Plans for larger greenfield and redevelopment sites, including the requirement to consider the adequacy of existing services and social infrastructure to cater for an increase in population.
 - In relation to smaller 'spot' rezonings, the proposed Policy is likely to provide some guidance in terms of appropriate locations for 'upzonings'. However, it is questionable whether such a Policy could be effective in requiring smaller developments to adequately consider and provide for upgrades in service and social infrastructure.
 - The change in demand for services and infrastructure can be difficult to assess on smaller rezonings, as the real impact is cumulative across multiple redevelopments.
 - Currently the City of Darwin uses developer contribution plans to fund stormwater drainage and road infrastructure upgrades in areas where incremental rezoning is cumulatively impacting on the capacity of existing infrastructure.
 - There are currently no mechanisms to require in-kind or monetary contributions for social infrastructure in smaller developments.
 - To prepare contribution plans, first detailed studies and strategic planning of infrastructure needs to be undertaken. The provision of broad Area Plans would enable this strategic planning for services and infrastructure in infill areas.
 - Broad Area Plans should be developed for areas where densification is likely, with plans being developed for faster growing areas first.
 - The City of Darwin, through the Council of Capital City Lord Mayors has undertaken similar Research work in the document *'Unlocking Smart Growth in Australia's Capital Cities'* and this has been provided to the Department of Lands, Planning and Environment staff for their reference.
 - Further work with the Northern Territory Government on preparing Area Plans is encouraged.

RECOMMENDATIONS

- A. THAT Report Number 15TS0012 CR:dj entitled Proposal to Amend the Northern Territory Planning Scheme - Introduction of a Compact Urban Growth Policy PA2014/0892, be received and noted.
- B. THAT Council endorse the submission to the Reporting Body, **Attachment B** to Report Number 15TS0012 CR:dj entitled Proposal to Amend the Northern Territory Planning Scheme - Introduction of a Compact Urban Growth Policy PA2014/0892.

BACKGROUND

The exhibition package notes that the proposed *Compact Urban Growth Policy* (Policy) is a response to the Northern Territory Governments strategic goals outlined within *Framing the Future* document. Specifically, the Policy aims to implement objective one of the strategy titled "Balanced Growth", which sets out to develop an urban densification strategy.

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Other documents that are relevant to the introduction of this Policy are the Commonwealth Governments *Our Cities – Our Future* and *Creating Places for People – An Urban Design Protocol for Australian Cities*.

The proposed Policy is also complementary to the *draft Darwin Regional Land Use Plan 2014*, exhibited for inclusion into the Northern Territory Planning Scheme in late 2014.

Following an invitation from Council, Officers from the Department of Lands, Planning and Environment attended a Special Workshop on 3 February 2015 and provided Council with a presentation on the proposed Planning Scheme amendment.

DISCUSSION

The *draft Darwin Regional Land Use Plan 2014* (draft Plan) highlights the need to accommodate future population growth. The draft plan indicates that the current population in the Darwin Region will grow from approximately 137,000 people to 150,000 people in the short-term. To accommodate this regional growth, 2,770 dwellings will be required within the Darwin Municipality. A portion of this population increase (680 dwellings) will occur in limited greenfield sites in Darwin's northern suburbs, with the remainder (2090 dwellings) being accommodated in urban infill redevelopment sites and through smaller spot rezonings.

The introduction of a Compact Urban Growth Policy outlines the intent for higher densities and provides criteria for rezoning / redevelopment that clearly requires the capacity of existing and need for new service and social infrastructure to be considered upfront.

Proposal

The Minister for Lands, Planning and the Environment is seeking comments on a proposal that will introduce policy relating to compact urban growth.

The proposed Northern Territory Planning Scheme Amendment will introduce:

- *Two new Northern Territory Planning Principles at clause 4.1; and*
- *A new document titled "Northern Territory Compact Urban Growth Policy" as a Reference to Policy document at Schedule 2 of clause 2.7.*

The purpose of these changes is to provide a decision making framework for:

- *Rezoning's, exceptional development applications and other relevant development applications that propose higher density development in the urban area; and*
- *Identifying higher density precincts when preparing area plans.*

The full exhibition package for the proposed amendment is included in **Attachment A** and City of Darwin's submission is located in **Attachment B** to this report.

The two proposed planning principles are as follows:

- *A more compact urban form is encouraged in appropriate locations that maximise infrastructure utilisation and enhance urban liveability; and*
- *The provision of social infrastructure should be considered in order to maintain and enhance the quality of community facilities.*

These planning principles are in addition to the existing planning principles included in clause 4.1 the Northern Territory Planning Scheme.

Assessment

Planning Principles

The introduction of additional Planning Principles in Clause 4.1 of the Northern Territory Planning Scheme clearly identifies the Northern Territory Governments intent to encourage higher residential densities and urban infill proposals.

The inclusion of a clause identifying the need to consider social infrastructure in relation to new development is encouraged given recent residential development, both greenfield and infill, which has resulted in a lack of strategic planning for both service and social infrastructure. This has resulted in significant delays at the development approvals stage and overall poor outcomes for future residents.

These principles are generally in line with similar research work the City of Darwin has undertaken through the Council of Capital City Lord Mayors project on Smart Growth and are therefore supported.

Compact Urban Growth Policy

The proposed *Compact Urban Growth Policy* (Policy) provides a range of guidance for considering Rezoning Applications, Exceptional Development Applications and Area Plans. The guidance is in the form of both policy objectives and performance criteria. In the first instance, performance criteria should be met, however, where these cannot be clearly met, an applicant will be required to prove that they meet the overarching objectives of the policy.

The proposed objectives are as follows:

4.1 Objectives

To encourage higher density residential land uses in urban brownfield, greenfield, specific redevelopment precincts and renewal localities:

- 4.1.1 within a comfortable walking distance of an activity centre where a range of commercial and community facilities are available;*
- 4.1.2 within a comfortable walking distance of a public transport route (applicable in regions where public transport services are available);*
- 4.1.3 that positively respond to the neighbourhood character and scale, heritage values or amenity of the locality;*

4.1.4 that are consistent with the current or future envisaged pattern of urban development within the locality;

4.1.5 in localities where road, service and social infrastructure:

(a) exists to adequately cater for the increase in density; or

(b) will be provided to a level that will support the envisaged change in population;

4.1.6 where aircraft noise, storm surge, flooding, biting insects or any other constraint does not detrimentally impact on the enjoyment of the locality; and

4.1.7 that successfully transition from higher densities to lower densities where development is on the periphery of a higher density locality.

The proposed objectives are considered to encompass sound planning principles in that they encourage walkability, good urban design and the provision of adequate services and infrastructure for new development. The objectives also require consideration of existing constraints and the potential for land use conflicts.

In the Northern Territory, land can be redeveloped to a higher density through multiple methods. Larger land parcels are generally rezoned to either FD (Future Development) and are accompanied by a Master Plan or Area Plan, or SU (Specific Use) zones with their own development standards. Medium sized developments are generally rezoned SU or a range of uses such as MD (medium density residential) OR (Organised Recreation) etc. Smaller 'spot rezonings' are generally rezoned one particular use or dealt with through an Exceptional Development Application Process. As a result of these many different processes, it is considered that the objectives should be high level to enable flexibility for good design outcomes across multiple processes.

The proposed Performance Criteria are as follows:

4.2 Performance Criteria

When considering a Rezoning Application, an Exceptional Development Application, any relevant development application or draft Area Plan that proposes higher density residential land uses, the following performance criteria should be addressed:

4.2.1 Can the existing road network support the proposed density increase (ie. higher densities are not encouraged on cul-de-sacs)?

4.2.2 Is the vehicle carriage way wide enough to cater for on street car parking and vehicle movement (ie. emergency vehicles, buses and garbage trucks)?

4.2.3 Will the proposal positively contribute to the neighbourhood character (including landscape character), heritage and amenity of the locality?

4.2.4 Is the proposal continuing an existing development sequence (ie. compatible heights and densities adjoining the site) or is it consistent with a future development vision outlined by an Area Plan or Policy within the NT Planning Scheme?

4.2.5 Is the site/ locality within 400 metres walking distance of the following:

- (a) shops;*
- (b) frequent public transport;*
- (c) public open space; and*
- (d) schools and other education/ community facilities?*

4.2.6 Is the social and service infrastructure (ie. parks, community centres, power and water) of an adequate standard to cater for an increase in population?

4.2.7 Will the redevelopment of a site designated for community purposes result in an unacceptable loss of social infrastructure in a locality?

4.2.8 Is the site/ locality affected by aircraft noise (ie. ANEF Contours), primary/ secondary storm surge, flooding, biting insects or any other natural constraint where higher densities are discouraged?

The Policy is merit based and intended for all scales of urban residential redevelopment. However, certain performance criteria are likely to be more useful for large scale redevelopment, while other criteria will be useful in assessing smaller scale redevelopment.

The contextual performance criteria that are easily assessed with limited additional studies required (performance criteria 4.2.1 to 4.2.5 and 4.2.8) are likely to be useful to both developers and government in assessing the merits of smaller rezoning proposals. However, it is questionable whether the criteria relating to consideration of service and social infrastructure (4.2.6) and community purpose land (4.2.7) could be effectively implemented for smaller spot rezoning and redevelopment sites.

The change in demand for services and infrastructure can be difficult to assess on smaller upzonings, as the real impact is cumulative across multiple redevelopments. Currently the City of Darwin uses developer contribution plans to partially fund upgrades to stormwater drainage and road infrastructure in areas where incremental rezoning is cumulatively impacting on the capacity of existing infrastructure.

There are currently no mechanisms to require in-kind or monetary contributions for social infrastructure in smaller developments.

To prepare contribution plans or set aside appropriate funding for social infrastructure, it is first imperative that future demand for these services is established. The preparation of broad Area Plans (as opposed to site specific Area Plans) would enable strategic planning for services and infrastructure in infill areas. Broad Area Plans should be developed for areas where densification is likely, with plans being developed for faster growing areas first. This would enable land to be set aside, contribution plans to be prepared and funding to be sought in a strategic manner.

The assessment of performance criteria 4.2.7 should also be linked to Broad Area Plans as the need for community purpose land should be considered on a local and district level not a site by site case.

Larger greenfield and redevelopment sites are currently required to undertake broader studies of the likely impact the development may have on surrounding infrastructure including the adequacy of existing service infrastructure to cater for an increase in population. The proposed Policy and Planning Principles will now require developers to consider the impact on and need for additional social services as a result of a development.

For larger redevelopments the overall impact on local and district services and infrastructure is likely to be measureable and therefore more easily attributed to any one development. For larger developments, contributions could be in-kind or monetary.

If the intent of the Policy is to provide greater clarity for developers and the community in relation to future infill development, then it is considered that the level of detail included within each Performance Criteria could be expanded. For example, Performance Criteria 4.2.5 questions whether the proposed rezoning/redevelopment is near the following:

- a) Shops;
- b) Frequent public transport;
- c) Public open space; and
- d) Schools and other education / community facilities?

These points are vague and could be interpreted in various ways. For instance, what constitutes a high frequency public transport route? Is it a daily service or hourly service, on weekdays or seven days a week, peak times or 7am to 7pm? Additionally, in the absence of Area Plans, greater detail could be provided around when high, versus medium densities are suitable. For example, the *Darwin Regional Land Use Plan 2014*, nominates 'Activity Centres', clause 4.2.5 could indicate that higher densities should be focused around primary and secondary Activity Centres while medium densities are more suitable within 400m of a local centre. Similarly, high density may be more appropriate within close proximity to a university campus versus a primary school as families are more likely to dwell in lower densities than apartments.

Policy Objectives 4.1.1 and 4.1.2 refer to a 'comfortable walking distance', which could be linked through to the Performance Criteria by asking whether the walk between the site and the features listed in 4.2.5 is easily traversed on foot, has good shade and/or weather protection, has foot/cycle paths, has safe pedestrian crossings and is generally a part of a permeable network.

Glossary of Terms

A Glossary of Terms is provided at the rear of the Policy document. It is noted that stormwater drainage is not included within the definition of 'Service Infrastructure'. Stormwater drainage is a major consideration for sites that are increasing density, particularly when sites are upgrading from a rural cross-section to an urban cross-section, such as for the Berrimah North area. Sites that are transitioning from low density single residential dwellings to higher density developments that increase impermeable surfaces also increase stormwater drainage run-off and may require

stormwater drainage systems to be upgraded. Therefore it is recommended that stormwater drainage be include in the definition of 'Service Infrastructure'.

Other Issues

Traditionally, smaller redevelopments have not directly contributed towards upgrades to social infrastructure. This has also been the case for a number of recent larger development sites. With the inclusion of a dedicated Planning Principle and Policy, consideration of social infrastructure for larger redevelopment sites should increase. However, the majority of smaller spot rezonings will not have the scale to trigger infrastructure thresholds.

A large increase in population is often required to warrant a new facility such as a school or library but this does not mean that a smaller increase does not place pressure on existing services. Contributions or funding commiserate with incremental increases in demand for these services should be collected or contributed towards, by those who are benefiting from the increase in the density or are using the facilities ie those from that catchment. Without collecting contributions from developers all funding for new facilities comes from the broader rate and tax base.

City of Darwin has been working with Northern Territory Government on a number of Area Plans; continuation of this collaboration is highly encouraged. A wide range of social infrastructure is owned and maintained by local governments, it is therefore important for the City of Darwin to continue advocating for the preparation of broad Area Plans and other strategic planning work to be undertaken to further support the Policy.

Notwithstanding this, the Policy falls short of providing adequate information or mechanisms to implement many of the objectives of the Policy.

With the proposed policy falling short on detail, questions of how and who is responsible for implementing any identified need for social infrastructure must be raised. Local government is often the caretaker of social infrastructure and are currently working with the Northern Territory Government on a number of Area Plans, however, no indication of how identified infrastructure will be implemented has been established. This could be done through various levels of government funding, developer monetary contributions or by physically constructing the infrastructure, or even provision of land.

The City of Darwin, through the Council of Capital City Lord Mayors has undertaken similar Research work in the Document '*Unlocking Smart Growth in Australia's Capital Cities*'. Smart Growth encapsulates similar themes to the proposed Planning Scheme amendment and is a detailed model for developing accessible, efficient and liveable cities through private and government collaboration. This has been forwarded onto staff at the Department of Lands, Planning and the Environment for their reference.

Summary

The proposed *Compact Urban Growth Policy* provides a range of guidance for preferred rezoning locations; outlines the need to consider service and social infrastructure for any proposed population increases and identifies site constraints such as storm surge.

In relation to smaller 'spot' rezonings, the proposed Policy is likely to provide guidance in terms of appropriate locations for 'upzonings'. However, it is questionable whether such a policy could be effective in requiring smaller developments to adequately consider and provide for upgrades in service and social infrastructure.

While the proposed Policy lacks detail and may be ineffective in generating additional infrastructure for smaller developments, it, along with the Planning Principles are considered an important interim step in the continued development of strategic planning measures that support the provision of social infrastructure in new and infill development areas.

The preparation of broad Area Plans would enable strategic planning for services and infrastructure in infill areas. Broad Area Plans should be developed for areas where densification is likely, with plans being developed for faster growing areas first.

Contribution plans or other funding sources should be based on the broad Area Plans and there should be a clear understanding of who is responsible for funding and providing the required infrastructure.

City of Darwin has been working with Northern Territory Government on a number of Area Plans; continuation of this collaboration is highly encouraged to ensure that future Area Plans and other strategic planning encompasses the needs of Local Government.

CONSULTATION PROCESS

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

- Strategic Town Planner
- Town Planner

POLICY IMPLICATIONS

There are no current policy implications for Council as a result of this application.

The City of Darwin, through the Council of Capital City Lord Mayors has undertaken similar work in the document '*Unlocking Smart Growth in Australia's Capital Cities*'. Please find a link to the document here; <http://lordmayors.org/site/?p=278>

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BUDGET AND RESOURCE IMPLICATIONS

Greater consideration of social and service infrastructure for urban growth areas may result in developer contributions or in-kind provision of social infrastructure.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

This proposal would introduce additional criteria into the NT Planning Scheme, which may result in changes to the way in which Planning applications are assessed. The likely changes are discussed in the body of this report.

ENVIRONMENTAL IMPLICATIONS

Discussed within this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN, PLANNING
& PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

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

Attachments:

Attachment A: Development Application, PA2014/0892
Attachment B: City of Darwin, Letter of Response to Development Assessment Services

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTICE OF EXHIBITION OF PROPOSAL TO AMEND NT PLANNING SCHEME PA2014/0892

I, PETER GLEN CHANDLER, the Minister for Lands and Planning, with reference to section 17 of the *Planning Act*, give notice of the following:

- (a) a proposal to amend the NT Planning Scheme, numbered PA2014/0892 as referred to in (e), is to be exhibited under Division 3 of Part 2 of the Act;
- (b) the amendment is to be exhibited at the Department of Lands, Planning and the Environment in the following locations:
 - Arnhemica House, Ground Floor, 16 Parap Road, Parap;
 - Government Centre, First Floor, First Street, Katherine;
 - Greenwell Building, 50 Bath Street, Alice Springs; and
 - Transport and Works Building, Leichardt Street, Tennant Creek;
- (c) the period of exhibition is for 28 days, commencing upon first newspaper publication of the notice required by section 17(1);
- (d) written submissions in respect of this exhibition should be made to:

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

Fax: (08) 8999 7189 or
Email: planning.dlpe@nt.gov.au
- (e) the proposed amendment is to the NT Planning Scheme, and:
 - i. amends clause 4.1 – Planning Principles and Frameworks, Northern Territory to include two new principles relating to compact urban form and social infrastructure; and
 - ii. includes a new reference policy titled “Northern Territory Compact Urban Growth Policy” in the Schedule to Clause 2.7 – Reference to Policy.

Dated 8 JAN

2015



Minister for Lands and Planning

NORTHERN TERRITORY OF AUSTRALIA
PROPOSAL TO AMEND NT PLANNING SCHEME

PA2014/0892

INTRODUCTION OF A COMPACT URBAN GROWTH POLICY

The Minister for Lands, Planning and the Environment is seeking comments on a proposal that will introduce policy relating to compact urban growth.

The proposed NT Planning Scheme Amendment will introduce:

- two new Northern Territory Planning Principles at clause 4.1; and
- a new document titled “Northern Territory Compact Urban Growth Policy” as a Reference to Policy document at Schedule 2 of clause 2.7.

The purpose of these changes is to provide a decision making framework for:

- rezonings, Exceptional Development Applications and other relevant development applications that propose higher density development in the urban area; and
- identifying higher density precincts when preparing area plans.

The following provides an explanation of the proposed changes.

1. New Northern Territory Planning Principles

The Northern Territory Planning Principles in the NT Planning Scheme provide specific statements that encourage the appropriate, sustainable and timely use of land. However, the current Principles do not provide clear guidance about urban densification and the provision of community facilities.

Therefore, two new Northern Territory Planning Principles are proposed, which advise that:

- a more compact urban form is encouraged in appropriate locations that maximise infrastructure utilisation and enhance urban liveability; and
- the provision of social infrastructure should be considered in order to maintain and enhance the quality of community facilities.

The draft Northern Territory Planning Principles that are proposed for inclusion within clause 4.1 of the NT Planning Scheme are at Attachment A. Edits/ deletions/ additions to the existing content of clause 4.1 are in red text.

2. Northern Territory Compact Urban Growth Policy

The proposed Northern Territory Compact Urban Growth Policy provides a detailed outline of how to achieve the proposed new Principles listed above. Specifically, it encourages higher residential densities within 400 metres of an activity centre and a public transport route so long as:

- the density proposed is not a major departure from the current or future envisaged neighbourhood character;

- service and social infrastructure can adequately support the development; and
- there are no development constraints such as storm surge.

Higher residential densities are also encouraged on specific redevelopment sites and in renewal precincts where an activity centre and public transport route is close by. In some instances, an Area Plan for these sites and precincts may be required to demonstrate compliance with this Policy.

Outside of the above localities, this Policy encourages the continuation of the building type and height predominantly present in the surrounding neighbourhood.

This approach aims to provide certainty about where higher density developments may occur.

The draft Northern Territory Compact Urban Growth Policy is at Attachment B.

Period of Exhibition

The exhibition period is from Friday 16 January 2015 to Wednesday 18 February 2015. Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Wednesday 18 February 2015 and made to:

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

Email: planning@nt.gov.au

Fax: (08) 8999 7189 or

Hand delivered to:

- First Floor, Arnhemica House, 16 Parap Road, Parap;
- First Floor, Government Centre, First Street, Katherine;
- Greenwell Building, 50 Bath Street, Alice Springs; and
- Transport and Works Building, Leichardt Street, Tennant Creek.

For more information please telephone 8999 8963.

4.0 Planning Principles and Framework

4.1 Northern Territory

The administration of this Planning Scheme is to:

- (a) contribute to a built, rural and natural environment supporting the diverse lifestyle and the social, cultural and economic development of the Territory promoting:
 - i. safe communities;
 - ii. housing choice;
 - iii. public infrastructure including a coordinated, integrated and efficient transport network;
 - iv. recreational and cultural opportunities;
 - v. commercial, primary production and industrial diversity servicing community needs and export potential; and
 - vi. best practice environmental management;
- (b) contribute to the sustainable use and development of land and water resources so that the use and development of land is consistent with the principles of sustainable development and avoids pollution and minimises degradation of the environment or over commitment of water resources;
- (c) facilitate the supply of sufficient land for residential, commercial, industrial, recreational, primary production, institutional and other public uses so that the subdivision of land is cost effective, equitable and timely and maximises the value of public and private investment in infrastructure;
- (d) promote a more compact urban form in appropriate locations to maximise infrastructure utilisation and enhance urban liveability;
- (e) promote urban/ building design which is climatically appropriate, water and energy efficient and contributes to the existing and future character and appearance of an area;
- (f) ensure development does not unreasonably intrude on or compromise the privacy of adjoining residential uses and ensures its own **amenity** is not compromised in the future;
- (g) assist in the conservation of areas and sites of environmental, cultural heritage value as identified by Government;
- (h) facilitate the sustainable use of land for primary production so that land particularly suited to agriculture, horticulture and other primary production activities, by reason of the nature of the soils, proximity to adequate water supplies or for other reasons, will be preserved for those activities within the context of competing land uses;
- (i) facilitate the further development of the tourist industry capitalising on the Territory's aesthetic, natural and cultural heritage;
- (j) consider flood and storm surge levels associated with floods and cyclones to minimise risk to life and property;
- (k) value land for its inherent ecosystem functions in protecting native flora, fauna, soil and water resources; and
- (l) consider the provision of social infrastructure in order to maintain and enhance the quality of community facilities.

Northern Territory Compact Urban Growth Policy

A Reference Policy Document to clause 2.7
(Reference to Policy) of the NT Planning Scheme

November 2014

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1 Policy Setting

1.1 Context for this Policy

The Compact Urban Growth Policy is a response to the Northern Territory Government's strategic goals outlined within the *Framing the Future* document. Specifically, this policy implements objective one of the strategic goal titled "Balanced Environment", which sets out to develop an urban densification strategy.

These strategic goals complement recent Commonwealth Government commentary in publications such as *Our Cities – Our Future* and *Creating Places for People – An Urban Design Protocol for Australian Cities*. These publications aim to ensure that we create prosperous cities that support the wellbeing of current and future generations.

This policy also complements initiatives in regional land use planning in the Northern Territory, such as the draft Darwin Regional Land Use Plan 2014 and the Katherine Land Use Plan.

1.2 Why is this Policy Required

Population growth in our urban areas has been predominately accommodated in new low density urban suburbs or larger rural lots. This approach has seen extensive areas of natural vegetation and habitat replaced with human habitat.

However, land is a finite resource. Government policy needs to ensure that we are not wasteful in the way we use this resource, as using too much of it now may be detrimental to future generations and the environment.

Land capability issues within each of the Northern Territory's urban regions constrain land development, and dictate the extent to which an urban area can expand. Hence, it is important to ensure that we use the limited supply of developable land efficiently.

It is healthy for urban areas and towns to grow, as this indicates that positive economic and social conditions exist. Urban areas traditionally provide job opportunities and a means of earning an income. Earning an income allows people to interact with society in a positive way. Naturally, people from other geographic regions are attracted to the opportunities offered where such positive conditions exist.

It is acknowledged that population growth results in a demand for new housing, commercial and community floor space. Population growth also generates new demands on infrastructure and services, such as roads, power and water services, parks and other community facilities.

Therefore, the challenge is to ensure that existing urban areas and new broad acre land releases efficiently use valuable land and resources in order to cater for a growing population. Further, it is also important that the population of an urban centre has efficient access to the social and economic benefits of the locality, and can be supported by the services and infrastructure of that locality.

It is recognised that these issues need careful policy management - a policy that manages the issue of a growing population and compact urban development is required. Such a policy needs to establish a consistent and balanced approach to identifying localities where urban growth can be accommodated.

2 Background

2.1 What is Compact Urban Growth

Compact Urban Growth is aimed at the efficient use of land, and the efficient use of services and infrastructure that support land use.

Compact Urban Growth aims to create compact and mixed activity places that play a role in improving people's lifestyle, whilst creating healthy people, sustainable economies, sustainable environments and sustainable communities. Higher density residential buildings are encouraged, and are usually a key component of a Compact Urban Growth locality.

Figure 1 outlines the general philosophy behind Compact Urban Growth. In principle, Compact Urban Growth localities should:

- occur around activity centres and public transport nodes, where dwelling and activity density may be at its highest;
- occur along transport corridors that are within 400 metres from an activity centre; and
- include a transition zone, where dwelling and activity density will become less intense, and will transition to lower densities generally matching the surrounding locality (generally occurs 400 metres away from the activity centre and public transport node).

Areas outside of a 400 metre radius of an activity centre or a zone defined by an Area Plan will experience minimal change in residential density under this model.

Density of dwellings and activities at individual activity centres and transport nodes should be in keeping with changes that are reasonably anticipated within a locality. Densities should be respectful of the scale and character of the surrounding locality.

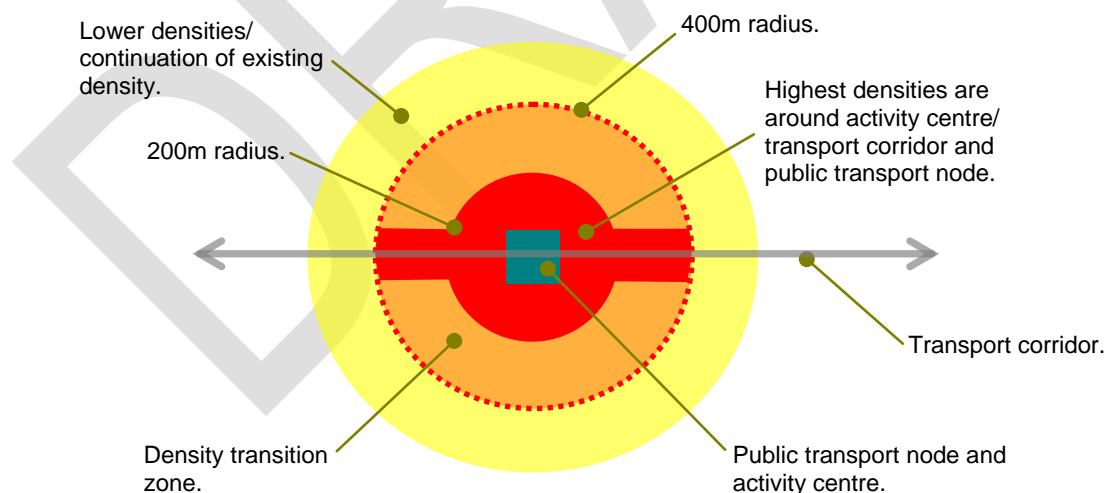


Figure 1 – Higher densities are encouraged within 400 metres of an activity centres and high frequency public transport corridors.

2.2 What are the Benefits of Compact Urban Growth

The Compact Urban Growth model described above has been linked to improving urban sustainability. Urban sustainability is not just about environmental concerns, it is also about economic viability, liveability and social equity.

For example, locating more dwellings close to shops, existing employment centres, public open spaces, public transport and schools allows improved access to jobs, services and facilities.

Compact growth localities add to the variety of housing products, which cater for the diverse aspirations of our socio-demographic.

The closer people are to local services, the higher likelihood that these services will be used, and the more viable it becomes to operate these services.

If more people start using their local services and facilities, the opportunity for safety via passive surveillance improves (ie. eyes on the street).

If you locate more people close to these facilities, the likelihood of people walking to and using local shops, using public open space and using public transport increases.

If people start walking more as part of their daily routine, it increases people's ability to exercise, which has many health benefits for the individual.

If people walk or use public transport to their daily destinations, people start reducing their carbon footprint.

Cumulatively, these factors result in the ability to access a greater social network locally. In simple terms, these factors in combination can lead to the development of stronger and more resilient communities.

3 Operation of this Policy

3.1 Policy Application

This Policy applies to urban areas throughout the Northern Territory.

This Policy will be used to assess the appropriateness of delivering higher density residential land uses.

This Policy will also be used to guide the development of Area Plans, Rezoning and Exceptional Development Applications where higher density residential land uses are proposed.

3.2 Use of Policy Objectives and Performance Criteria

This Policy contains objectives and performance criteria. Objectives express the high level aspirations to be achieved, whilst the performance criteria provide a detailed check list for measuring compliance with this Policy.

The objectives and performance criteria in this policy will allow the appropriateness of compact urban growth in a locality to be considered.

An application or Area Plan is to demonstrate compliance with the performance criteria.

Where the performance criteria cannot be met, the application or Area Plan will instead demonstrate an alternative solution that achieves the objectives of this policy. The achievement of all objectives of this policy must be demonstrated in the instance where compliance with the performance criteria has not been achieved.

Where an application proposes higher density residential land uses and compliance with the performance criteria in this policy is not achieved, an Area Plan may be required. This Area Plan is to demonstrate the achievement of the objectives of this policy, despite any non-compliance with the performance criteria.

4 Compact Urban Growth Policy

4.1 Objectives

To encourage higher density residential land uses in urban brownfield, greenfield, specific redevelopment precincts and renewal localities:

- 4.1.1 within a comfortable walking distance of an activity centre where a range of commercial and community facilities are available;
- 4.1.2 within a comfortable walking distance of a public transport route (applicable in regions where public transport services are available);

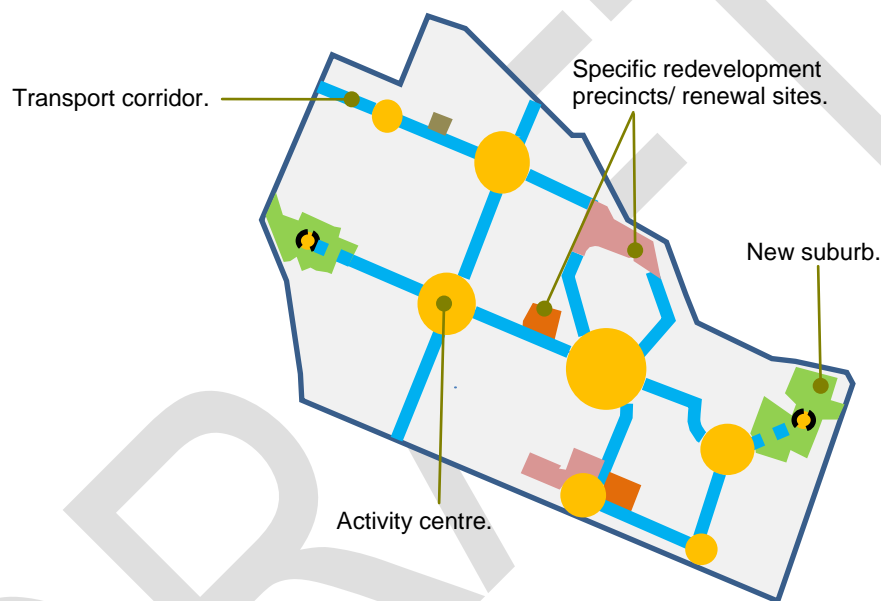
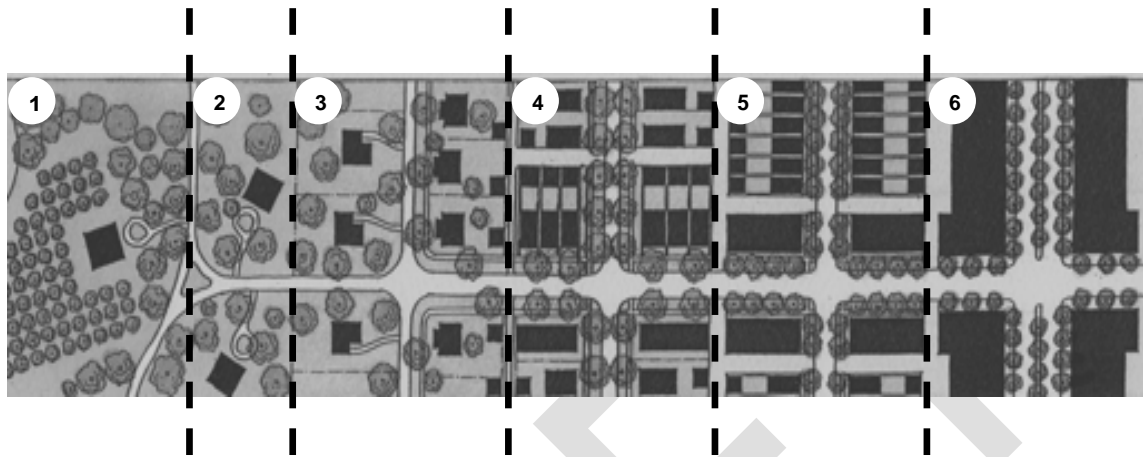


Figure 2 – A network of places where densification can be expected.

- 4.1.3 that positively respond to the neighbourhood character and scale, heritage values or amenity of the locality;
- 4.1.4 that are consistent with the current or future envisaged pattern of urban development within the locality;
- 4.1.5 in localities where road, service and social infrastructure:
 - (a) exists to adequately cater for the increase in density; or
 - (b) will be provided to a level that will support the envisaged change in population;

- 4.1.6 where aircraft noise, storm surge, flooding, biting insects or any other constraint does not detrimentally impact on the enjoyment of the locality; and
- 4.1.7 that successfully transition from higher densities to lower densities where development is on the periphery of a higher density locality.



1. Rural Lifestyle locality, where densities are 0.5 dwellings per hectare or less.
2. Rural Residential locality, where densities are between 1 and 2.5 dwellings per hectare.
3. Lower density locality, where densities are approximately 12 - 15 dwellings per hectare.
4. Low to medium density locality, where densities are approximately 30 dwellings per hectare.
5. Medium density locality, where densities are approximately 60 dwellings per hectare
6. Higher density locality, where densities are in excess of 60 dwellings per hectare.

Figure 3 – An illustration showing how to structure a compatible transition of density and scale. A compatible transition is usually successful when it follows the sequence outlined above.

4.2 Performance Criteria

When considering a Rezoning Application, an Exceptional Development Application, any relevant development application or draft Area Plan that proposes higher density residential land uses, the following performance criteria should be addressed:

- 4.2.1 Can the existing road network support the proposed density increase (ie. higher densities are not encouraged on cul-de-sacs)?
- 4.2.2 Is the vehicle carriage way wide enough to cater for on street car parking and vehicle movement (ie. emergency vehicles, buses and garbage trucks)?
- 4.2.3 Will the proposal positively contribute to the neighbourhood character (including landscape character), heritage and amenity of the locality?
- 4.2.4 Is the proposal continuing an existing development sequence (ie. compatible heights and densities adjoining the site) or is it consistent with a future development vision outlined by an Area Plan or Policy within the NT Planning Scheme?
- 4.2.5 Is the site/ locality within 400 metres walking distance of the following:
 - (a) shops;
 - (b) frequent public transport;
 - (c) public open space; and
 - (d) schools and other education/ community facilities?
- 4.2.6 Is the social and service infrastructure (ie. parks, community centres, power and water) of an adequate standard to cater for an increase in population?
- 4.2.7 Will the redevelopment of a site designated for community purposes result in an unacceptable loss of social infrastructure in a locality?
- 4.2.8 Is the site/ locality affected by aircraft noise (ie. ANEF Contours), primary/ secondary storm surge, flooding, biting insects or any other natural constraint where higher densities are discouraged?

5 Glossary of Terms

To aid the use of terminology, frequently used terms are defined below.

Activity Centre	A location where a mix of activities occurs, such as shops, banks, offices, restaurants, cafes etc.
Higher Density Residential	Any development outcome that results in more dwellings on a property or in a neighbourhood, and is usually taller than two storeys in height and a neighbourhood density greater than 20 dwellings per hectare (or one dwelling per 300m ² of site area or less).
Neighbourhood Character	The combined characteristics of built form, vegetation and topographic characteristics, in both the private and public domains, that make one place different from another.
Public Transport Node	A major stop on a public transport route in an activity centre.
Renewal Site	Usually a small site that is accessed from an existing road and only requires internal circulation driveways to support internal movement.
Service Infrastructure	Includes roads, sewer, water mains, power networks or any other essential infrastructure that is required to support the basic living standards of a neighbourhood.
Site Responsive	A design response that ensures a new development responds to the characteristics of the site, and that the site can accommodate the proposed form of development to a standard that does not frustrate the achievement of other objectives.
Social Infrastructure	Infrastructure that supports the social service requirements of a population, and includes infrastructure such as schools, community centres, public open spaces, organised recreation facilities, community health services and child care centres.
Specific Redevelopment Precinct	Usually a large redevelopment site that requires its own local road network.
Sub-Region	A defined locality that forms part of a broader region.
Transport Corridor	A road or reservation containing high frequency public transport.

18 February 2015

Please quote: 2998935 CR:dj

Your reference: PA2014/0892

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

Dear Mr Meldrum

Amendment to the Northern Territory Planning Scheme to Include Planning Principles and a Compact Urban Growth Policy PA2014/0892

The City of Darwin supports the inclusion of two new Planning Principles and a Compact Urban Growth Policy as a reference document into the Northern Territory Planning Scheme.

Planning Principles

The introduction of additional Planning Principles in Clause 4.1 of the Northern Territory Planning Scheme clearly identifies the Northern Territory Government's intent to encourage higher residential densities and urban infill proposals.

The City of Darwin, through the Council of Capital City Lord Mayors has undertaken similar work in the document *'Unlocking Smart Growth in Australia's Capital Cities'*. Smart Growth encapsulates similar themes to the proposed Planning Scheme Amendment and is a detailed model for developing accessible, efficient and liveable cities through private and government collaboration. This document has already been forwarded onto staff in Lands Planning for their reference.

The inclusion of a new Planning Principle identifying the need to consider social infrastructure in relation to new development is encouraged given recent residential development, both greenfield and infill, which has resulted in a lack of strategic planning for both service and social infrastructure. This has resulted in significant delays at the development approvals stage and overall poor outcomes for future residents.

Compact Urban Growth Policy

The proposed *Compact Urban Growth Policy* (Policy) provides a range of guidance for considering Rezoning Applications, Exceptional Development Applications and Area Plans.

The proposed objectives are considered to encompass sound planning principles in that they encourage walkability, good urban design and the provision of adequate social and service infrastructure for new development. The objectives also require consideration of existing constraints and the potential for land use conflicts and are therefore supported by Council.

It is acknowledged that the Policy is merit based and intended for all scales of urban residential redevelopment. However, certain performance criteria are likely to be more useful for large scale redevelopment, while other criteria will be useful in assessing smaller scale redevelopment.

The performance criteria that are easily assessed with limited additional studies required (performance criteria 4.2.1 to 4.2.5 and 4.2.8) are likely to be useful to both developers and government in assessing the merits of smaller rezoning and redevelopment proposals. However, it is questionable whether the criteria relating to consideration of service and social infrastructure (4.2.6) and community purpose land (4.2.7) could be effectively implemented for smaller spot rezoning and redevelopment sites.

The change in demand for services and infrastructure can be difficult to assess on smaller upzonings, as the measureable impact is cumulative across multiple redevelopments. However, this is not to say that they do not have an impact on the infrastructure.

Currently the City of Darwin uses developer contribution plans to partially fund upgrades to stormwater drainage and road infrastructure in areas where incremental rezoning is cumulatively impacting on the capacity of existing infrastructure.

There are currently no mechanisms to require in-kind or monetary contributions for social infrastructure in smaller developments.

To prepare contribution plans or set aside appropriate funding for social infrastructure, it is first imperative that future demand for these services is established. The preparation of broad Area Plans (as opposed to site specific Area Plans) would enable strategic planning for services and infrastructure in infill

areas. Broad Area Plans should be developed for areas where densification is likely, with plans being developed for faster growing areas first. This would enable land to be set aside, contribution plans to be prepared and funding to be sought in a strategic manner.

The assessment of performance criteria 4.2.7 should also be linked to Broad Area Plans as the need for community purpose land should be considered on a local and district level not a site by site case.

For larger redevelopments the overall impact on local and district services and infrastructure is likely to be measureable and therefore more easily attributed to any one development. The proposed Policy and Planning Principles asks developers to consider the impact on and need for additional social services as a result of a development and this is strongly supported. For larger developments, contributions could be in-kind or monetary.

If the intent of the Policy is to provide greater clarity for developers and the community in relation to future infill development, then it is considered that the level of detail included within each Performance Criteria could be expanded. For example, Performance Criteria 4.2.5 questions whether the proposed rezoning/redevelopment is near the following:

- a) Shops;
- b) Frequent public transport;
- c) Public open space; and
- d) Schools and other education / community facilities?

These points are vague and could be interpreted in various ways. For instance, what constitutes a high frequency public transport route? Is it a daily service or hourly service, on weekdays or seven days a week, peak times or 7am to 7pm? Additionally, in the absence of Area Plans, greater detail could be provided around when high, versus medium densities are suitable. For example, the *Darwin Regional Land Use Plan 2014*, nominates 'Activity Centres', clause 4.2.5 could indicate that higher densities should be focused around primary and secondary Activity Centres while medium densities are more suitable within 400m of a local centre. Similarly, high density may be more appropriate within close proximity to a university campus versus a primary school as families are more likely to dwell in lower densities than apartments.

Policy Objectives 4.1.1 and 4.1.2 refer to a 'comfortable walking distance', which could be linked through to the Performance Criteria by asking whether the walk

between the site and the features listed in 4.2.5 is easily traversed on foot, has good shade and/or weather protection, has foot/cycle paths, has safe pedestrian crossings and is generally a part of a permeable network.

Glossary of Terms

It is noted that the Glossary of Terms does not include 'stormwater drainage' within the definition of 'Service Infrastructure'. Stormwater drainage is a major consideration for sites that are increasing density, particularly when sites are upgrading from a rural cross-section to an urban cross-section, such as for the Berrimah North area. Sites that are transitioning from low density single residential dwellings to higher density developments often increase impermeable surfaces and therefore increase stormwater drainage run-off. If this is repeated across the catchment stormwater drainage systems may require upgrades. Therefore, for clarity it is highly recommended that stormwater drainage be include in the definition of 'Service Infrastructure'.

Summary

While the proposed Planning Scheme Amendment provides a range of guidance for preferred rezoning locations; outlines the need to consider service and social infrastructure for any proposed population increases and identifies site constraints such as storm surge, the Policy falls short of providing adequate information or mechanisms to implement many of the objectives of the Policy.

With the proposed policy falling short on detail, questions of how and who is responsible for implementing any identified need for social infrastructure must be raised. Local Government is often the caretaker of social infrastructure and are currently working with the Northern Territory Government on a number of Area Plans, however, no indication of how identified infrastructure will be implemented has been established. This could be done through various levels of government funding, developer monetary contributions or by physically constructing the infrastructure, or even provision of land.

Traditionally, smaller redevelopments have not directly contributed towards upgrades to social infrastructure. This has also been the case for a number of recent larger development sites. With the inclusion of a dedicated Planning Principle and Policy, consideration of social infrastructure for larger redevelopment sites should increase. However, the majority of smaller spot rezonings will not have the scale to trigger infrastructure thresholds.

A large increase in population is often required to warrant a new facility such as a school or library but this does not mean that a smaller increase does not place

pressure on existing services. Contributions or funding commiserate with incremental increases in demand for these services should be collected or contributed towards, by those who are benefiting from the increase in the density. Without collecting contributions from developers all funding for new facilities comes from the broader rate and tax base.

While the proposed Policy lacks detail and may be ineffective in generating additional infrastructure for smaller developments, it, along with the Planning Principles are considered an important interim step in the continued development of strategic planning measures that support the provision of social infrastructure in new and infill development areas.

The preparation of broad Area Plans would enable strategic planning for services and infrastructure in infill areas. Broad Area Plans should be developed for areas where densification is likely, with plans being developed for faster growing areas first. City of Darwin has been working with Northern Territory Government on a number of Area Plans; continuation of this collaboration is highly encouraged.

Contribution plans or other funding sources should be based on the broad Area Plans and there should be a clear understanding of who is responsible for funding and providing the required infrastructure. In this regard, Council wishes to explore options with the Northern Territory Government in the best interest of the community and the Greater Darwin Region.

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

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

16.1 Minutes of the TOPROC Meeting Held on Tuesday, 16 December 2014
Document No. 3013911 (10/02/15) Common No. 1549468

*The incoming Minutes of the TOPROC Meeting Held on Tuesday, 16 December 2014 are **Attachment A**.*

THAT the incoming Minutes of the TOPROC Meeting Held on Tuesday, 16 December 2014, Document Number 3013911, be received and noted.

**Membership:**

Darwin, Palmerston, Litchfield, Wagait,
Belyuen and Coomalie Councils

ATTACHMENT A
**MINUTES OF THE TOPROC MEETING HELD ON
TUESDAY 16 DECEMBER 2014 at 10.00AM AT CITY OF DARWIN**
PRESENT:

Belyuen Community Government Council
Ms Cathy Winsley, Chief Executive Officer

City of Darwin
Ms Katrina Fong Lim, Lord Mayor
Mr Simon Niblock, Alderman
Mr Brendan Dowd, Chief Executive Officer

City of Palmerston
Mr Ricki Bruhn, Chief Executive Officer

Coomalie Community Government Council
Mr Lee Ashford, Chief Executive Officer

Litchfield Council
Mr Allan McKay, Mayor
Mr Iian Wilson, Chief Executive Officer
Mr Derrick Tranter, Governance Manager

Wagait Shire Council
Mr Peter Clee, Councillor

Local Government Association of the Northern Territory
Mr Tony Tapsell, Chief Executive Officer
Mr Peter McLindan, Manager Transport and Infrastructure

Council Officers in Attendance
Ms Vanessa Green, Manager Strategy & Outcomes, City of Darwin
Ms Melanie McColm, Strategic Project Officer, City of Darwin

1. Welcome – Meeting Declared Open

The Mayor Allan McKay welcomed members and declared the meeting opened at 10.10am.

2. Apologies

Mr Bill Stuchbery, Manager, Belyuen Community Government Council

Ms Lisa Marie Stones, President, Wagait Shire Council

Mr Andrew Turner, President, Coomalie Community Government Council

Mr Ian Abbot, Mayor, City of Palmerston

Mr Michael Campaign, Chief Executive Officer

3. Declaration of Interests of Members

Nil

4. Presentations

Mr John McRoberts, Territory Controller, Commissioner of Policy and Chief Executive Officer of Fire and Emergency Services attended the meeting at 11.00am and provided the following information:

- Local emergency management plans are almost complete with only 10 of 55 plans remaining to be endorsed. Once the plans are endorsed they would be available for public viewing primarily at local police stations
- Mr McRoberts provided statistics relating to the social and crime situation in the Northern Territory including:
 - Indigenous people in the NT have a life expectancy 10 years lower than indigenous people outside the NT
 - 30% of the NT population is indigenous, however 85% of our criminal population are indigenous
 - NT is the smallest jurisdiction in Australia but receives 3 times the number of calls for assistance than any other jurisdiction
 - In November 2014, '000' calls totalled 8,320, three times the national average
 - 94.2% of '000' calls were answered within 10 seconds with the average wait time not exceeding 5 seconds
 - For the year, October 2013 to October 2014, assaults decreased by 9%, domestic violence decreased by 10% and property crime is at its lowest in 14 years
 - On average, 55% of persons released from prison reoffend and return within 2 years

- The NT Police have been increasing the use of technology including:
 - Prisoners GPS enabled bracelets and GEO fencing
 - Implementation of Body Worn Video's effective 29 December 2014, the first jurisdiction in Australia. Body Worn Video is designed with a screen at the front to capture incidents and deter people from continuing their patterns of behaviour. Evidence suggests that the use of the Body Worn Video increases an early guilty plea to around 90% thus saving police attendance at court
 - 50 units have been purchased and will be rolled out across the Darwin and Alice Springs jurisdictions, Traffic and Drug and Organised Crime Units
 - Introduction of Digital Facial Recognition System on the 19th of January 2015 allowing Police to access a database of 50,000 photographs to assist in identifying individuals involved in incidents or crime. The database source will include those arrested in the NT over the last 10 years in the first instance
- Mr McRoberts advised that Police are not responsible for the purchase, implementation or monitoring of new or additional CCTV. Current Police monitor a number of existing CCTV sites, however won't be adding to current locations
- Police will be moving to paperless arrests as of this week. Legislation has passed that will allow for police to arrest and hold people for up to 4 hours and then issue an infringement notice

5. Confirmation of Previous Minutes

MOVED by Darwin

SECONDED by Wagait

THAT the minutes of the meeting held 11 June 2014 be confirmed as a true and correct record:

CARRIED

Business Arising from Previous Minutes

Item 9.5 Northern Beef Processing Facility

Members were advised that as the Northern Beef Processing Facility had opened a site tour could be arranged. Ms Winsley, Belyuen Community Government Council indicated a willingness to participate in a site tour. Members agreed that site tours be arranged only for interested parties.

Item 9.7 Local Government Association of Northern Territory (LGANT)

LGANT provided the following progress update:

- The NT Government / LGANT partnership agreement has been signed
- LGANT have secured three staff including two trainers who commenced last week and a communications officer who will commence in 2015
- The 2015/16 budget submissions has been lodged with the NT Government
- LGANT will commence a review of its strategic plan in 2015 with agreement to be sought from Council's at the April General Meeting as to the list of projects to be articulated in the strategic plan
- The LGANT elections have been held with all positions filled. New members include Alderman Bob Elix, City of Darwin, Mayor Lynette Desantis, Tiwi Islands Regional Council and Mayor Lothar Siebert, West Arnhem Regional Council
- The issue of Financial Assistance Grants would be taken up as a whole of Australian Local Government issue with ALGA leading advocacy to the Federal Government on this matter. LGANT sought clarification as to Council's writing to local backbenchers to support restoration of indexation. The loss of future funding across the NT equates to \$3 million

Actions Register

City of Darwin raised whether the completed actions register needs to be provided as part of each meeting agenda.

It was agreed that the completed actions register be placed on the TOPROC website and listed as an item on the agenda once per year.

Correspondence**In:**

- City of Darwin – Council decision relating to the Regional Governance Model for Waste Management Facility

Out:

- Nil

MOVED by Belyuen

SECONDED by Wagait

THAT the incoming and outgoing TOPROC correspondence be received.

CARRIED

7. Governance Model for Regional Waste Management Facility

Members discussed the Governance Model for Regional Waste Management Facility noting that:

- City of Palmerston prefers the hybrid model
- The information contained in the report will become very relevant at some stage in the future
- Council's located in the vicinity of the Cox Peninsula may need to consider elements of the report separately
- Ongoing advocacy needs to occur with the Northern Territory Government to identify new sites for the future
- TOPROC needs to take the opportunity to lodge a bid as part of the Building our Territory initiative resulting from the establishment of an Infrastructure Development Fund in response to the sale of TIO

MOVED by Darwin

SECONDED by Belyuen

1. THAT the Morrison Low Report entitled Governance Model Regional Waste Management Facility be received and noted.
2. THAT TOPROC submit a "Building our Territory" idea for:
 - a. the construction of a Waste Transfer Station in response to planned development on the Cox Peninsula;
 - b. construction of a Regional Waste Management Facility in the Top End; and
 - c. establishment of an Emergency Waste Management Facility for cyclone debris
3. THAT TOPROC write to the Chief Minister urging the Northern Territory Government to give consideration to allocating funds for future waste planning and construction as a priority with the Infrastructure Development Fund that will be established as a result of the sale of TIO.
Specifically, that the Northern Territory Government consider allocating funds for the construction of:
 - a. A Waste Transfer Station in response to planned development on the Cox Peninsula;
 - b. A Regional Waste Management Facility in the Top End; and
 - c. Establishment of an Emergency Waste Management Facility for cyclone debris
4. THAT TOPROC write to:
 - the Minister for Local Government and Community Services
 - Minister for Lands and Planning; and
 - Chief Minister

Advising that

- a. TOPROC has received the report entitled *Governance Options for Regional Waste Facility*;
- b. TOPROC seeks clarification as to future planning for Waste Management on the Cox Peninsula;
- c. TOPROC seeks allocation of a suitable site for a future Regional Waste Management Facility; and
- d. TOPROC seeks allocation of a suitable site for an Emergency Waste Management Facility.

CARRIED

City of Darwin Chief Executive Officer, Mr Brendan Dowd attended the meeting at 10.34am

8. Department of Local Government – Special Purpose Grant

MOVED by Belyuen

SECONDED by Palmerston

THAT TOPROC seek permission from the Department of Local Government to utilise outstanding grant funds of \$19,541 to undertake a review and update of the TOPROC Regional Development Framework and Memorandum of Agreement.

CARRIED

MOVED by Coomalie

SECONDED by Palmerston

THAT pending approval from the Department of Local Government, TOPROC contract KPMG to undertake a review and update of the TOPROC Regional Development Framework and Memorandum of Agreement.

CARRIED

9. General Business**10.1 TOPROC Membership fees 2014/15**

City of Darwin advised that invoices for TOPROC Council membership fees for 2014/15 had been processed.

10.2 TOPROC Meeting Schedule 2014/15

THAT the 2014/15 Meeting schedule be updated with the following invites:

- Minister for Local Government and Community Services, the Hon. Bess Price
- Minister for Infrastructure and Minister for Transport, the Hon. Matt Conlan
- Federal Member for Solomon, Natasha Griggs MP
- Senator Nigel Scullion
- Senator Nova Peris
- Federal Member for Lingiari, Warren Snowdon MP
- Chief Executive, Department of Lands and Planning, Mr John Coleman
- General Manager, Northern Australia Development Office, Mr Luke Bowen (November 2015)

10.3 TOPROC Chair 2015

Litchfield Council nominated City of Darwin. Wagait Shire Council seconded the nomination.

MOVED by Litchfield

SECONDED by Wagait

THAT City of Darwin be appointed Chair of TOPROC for the period 1 January 2015 to 31 December 2015.

10. Member Updates

10.1. Belyuen Community Government Council

Belyuen Community Government Council provided the following update:

- Belyuen had applied to the Department of Prime Minister and Cabinet Indigenous Advancement Strategy to fund indigenous programs in Belyuen
- The first Advisory Group Meeting with Coomalie, Belyuen and Wagait had been held to advance discussions relating to the Cox Peninsula. Members from LGANT and the Department of Local Government also attended
- The Belyuen Community Christmas Party had been held

10.2. City of Darwin

City of Darwin advised that:

- City of Darwin's by-election in the Waters Ward was held, Alderman Justine Glover being appointed
- The Lord Mayor welcomed Alderman Simon Niblock to the TOPROC meeting as Council's appointee for July 2014 – June 2015
- Cyclone Tracy 40th anniversary commemorations were progressing well
- City of Darwin had made a decision to progress the Nightcliff Café with design and construction now proceeding pending appropriate Development Application approvals
- Work is continuing with the Northern Territory Government to finalise the City Centre Master Plan. Discussions to progress matters relating to the \$5 million Boardwalk project, ongoing repairs, maintenance and ownership matters are continuing
- City of Darwin is continuing to monitor progress with the Northern Australia Agenda
- Bess Price has been appointed as the new Minister for Local Government and Community Services. It is recommended that TOPROC invite her to a future TOPROC meeting

- The Northern Territory Government have recently sought input into a number of documents listed below and City of Darwin are happy to share our submissions to any of these reviews:-
 - NTG Economic Development Strategy
 - Planning Scheme Amendment to include Darwin Regional Land Use Plan as a policy document in the Planning Scheme
 - Cemeteries Act review
 - EPA Waste Strategy
- City of Darwin advised that we need to continue to advocate for an Emergency Waste Site in case of Cyclone as Shoal Bay isn't suitable for that purpose
- City of Darwin sought advice as to any local impacts that are being felt in response to completion of phases of the Inpex project
- Internally, the Council is progressing its Leadership and Culture development work and the Chief Executive Officer is happy to discuss this work with any Council. In addition, Council has fully rolled out its Fitness for Work policy and procedures (Drug and Alcohol random testing)
- City of Darwin will be producing an E Newsletter from February next year on a fortnightly basis
- The Lord Mayor provided an overview of a recent Sister City Delegation to Haikou, China and the benefits obtained from attending key events such as the United Cities Local Government Conference, Asian Mayors Forum and Haikou's first Mayor's Sister City Conference. The Lord Mayor also advised that she is happy to promote other Council or industry work when attending these delegations in order to attract interest to the Top End

10.3. City of Palmerston

City of Palmerston provided the following update:

- The large TV screen has been installed in Goyder Square noting little community criticism since its installation
- Palmerston recently purchased a large Christmas Tree and installed at Goyder Square
- City of Palmerston completed its Electoral Review noting that recommendations included increasing the number of Alderman from 6 to 8 and changing the title from Alderman to Councillor
- Consultation on stage 2 Goyder square redevelopment was complete with construction estimated at \$5 million
- Stage 1 Boulevard realignment was complete with Stage 2 to commence next dry season
- The Superblock development, Boulevard Plaza being a \$200 million 18 story mixed use development in the centre of the Palmerston CBD would start in next dry season

- Council owns a vacant block of land between the Library and the Quest and is in the process of seeking expressions of interest for a 15-18 story mixed use development on the site
- Other developments progressing include the Gateway Shopping Centre, Malucca development and Boulevard Plaza
- The City of Palmerston City Centre Master Plan public consultation is due to conclude in January with lodgement to the Planning Commission in February for incorporating into the Planning Scheme
- In 2015, five stages of the residential development Zuccoli will be under construction which includes the construction of two new schools (one public and private primary school). Zuccoli will see the development of 3,250 dwellings

10.4. Coomalie Community Government Council

Coomalie Community Government Council advised that:

- In July 2014 it expanded its shire by 25%
- Application has been made to the Department of Infrastructure and Transport and Department of Land and Planning to develop the Batchelor Air Strip as a general aviation air strip with a focus on commercial industry
- An event was held recently to celebrate community volunteers, recognising those who play a part in community and giving awards
- Coomalie thanked the Police Commissioner, Mr John McRoberts for the excellent working relationship between Council and the Batchelor Police and the cooperation they provide

10.5. Litchfield Council

Litchfield Council provided the following update:

- The Northern Beef Processing Facility had successfully opened noting that 95% of staff are local
- Litchfield continues to progress towards kerbside pick-up for rural residents in 2015
- Assistance has been sought from the Northern Territory Government to assist with flooding issues around Wadham Lagoon, Howard Springs
- Litchfield is seeking funding from the Northern Territory Government to fix Finn Road to allow extractive industry trucks to utilise the road. Currently the road movements are approximately 1,200 movements per day and is restricted to vehicles of no more than 10 tonne
- Council continues to experience difficulties in attracting funding for the Cemetery which is largely due to the funding now being split across the cemetery and crematorium

- Litchfield had commenced a review of its land use plan as the last updated occurred in 2012. The update would reflect the need for the plan to be underpinned by the Greater Darwin Land Use Strategy

10.6. Wagait Shire Council

Wagait Shire Council advised that

- It has made submissions in relation to the Greater Darwin Land Use Plan as it was reasonably silent in relation to future development of the Cox Peninsula and there was some confusion with regards to boundary expansion etc
- Community forums were held to discuss views on boundary expansion and similar issues with the community supporting progressing work with other councils to progress discussions relating to boundary expansion or amalgamations
- Annual cyclone clean up and preparation had occurred
- Wagait has recently finalised and submitted their Emergency Plans which included a recovery plan and submitted to the Territory Controllers and Department of Chief Minister
- The Wagait Pub was now totally demolished with the site remaining as a vacant block of land at this time. It was not known as to what future plans for the site may be at this stage

10.7. Local Government Association of Northern Territory (LGANT)

LGANT provided the following update:

- LGANT has made its budget submission to the Northern Territory Government seeking support to reintroduce the indexation of Financial Assistance Grants
- The budget submission also seeks specific financial support for the Victoria Daly / West Daly Councils
- Other budget submission highlights include:
 - Support for upgrading wireless networks in regional communities
 - Continued push for indexation of library grants
- LGANT have made a submission on the EPA Waste Management Strategy and circulated to all Councils
- Work will commence in February to review the LGANT Strategic Plan and annual priorities
- LGANT represented Local Government on the Northern Territory Governments confidential advisory group on Transfer Infrastructure Investment. Input had been sought from local governments with only three responses received. Local Government has only had the opportunity to have input into the hierarchy of proposals

11. Confidential Items

Nil

12. The Meeting closed at 12.14pm.

NEXT MEETING

To be held on Tuesday 3 February 2015 at Palmerston City Council. Agenda items are to be submitted to the secretariat no later than close of business Wednesday 14 January 2015.

Secretariat will be on leave:

- 22 December 2014 to 9 January 2015; and
- 19 January 2015 to 30 January 2015

MEETING CLOSED AT 12.14PM

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, 24 February 2015, at 5:00 pm. (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