

OPEN SECTION

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DARWIN CITY COUNCIL

ENVIRONMENT & INFRASTRUCTURE COMMITTEE

MEMBERS: Member R K Elix (Chairman); The Right Worshipful, The Lord Mayor, Mr G R Sawyer, Member J L Sangster; Member F P Marrone; Member H D Sjoberg.

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Infrastructure, Mr L Cercarelli; Manager Climate Change & Environment, Mrs P Robinson; Manager Infrastructure Projects, Mr D Lelekis; Manager Infrastructure Maintenance, Mr K Smith; Assistant Committee Administrator, Ms L Elmer.

Enquiries and/or Apologies: Linda Elmer
E-mail: l.elmer@darwin.nt.gov.au - PH: 89300 685
OR Phone Committee Room 1, for Late Apologies - PH: 89300 519

Committee's Responsibilities

- | | |
|----------------------------|----------------------|
| * Car Parking | * Public Facilities |
| * Council Buildings | * Roads |
| * Drainage | * Street Lighting |
| * Environmental Management | * Traffic Management |
| * Parks and Reserves | * Urban Enhancement |
| * Plant Management | * Waste Management |

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Environment & Infrastructure Committee Meeting - Monday, 16 February, 2009

1 MEETING DECLARED OPEN

2 APOLOGIES AND LEAVE OF ABSENCE

2.1 Apologies

2.2 Leave of Absence Granted

Nil

3 DECLARATION OF INTEREST OF ELECTED MEMBERS

4 CONFIDENTIAL ITEMS

Nil



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E&IC2/4

Environment & Infrastructure Committee Meeting - Monday, 16 February, 2009**5 WITHDRAWAL OF ITEMS FOR DISCUSSION****COMMITTEE'S DECISION**

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the Environment & Infrastructure Committee Meeting held on Monday, 16 February, 2009, be received and all recommendations contained therein be adopted by general consent with the exception of Item Number

DECISION NO.20\() (16/02/09)

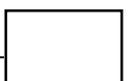
6 CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS ENVIRONMENT & INFRASTRUCTURE COMMITTEE MEETING**COMMITTEE'S DECISION**

THAT the Committee resolve that the minutes of the previous Environment & Infrastructure Committee Meeting held on Monday, 17 November, 2009, tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\() (16/02/09)

7 BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS ENVIRONMENT & INFRASTRUCTURE MEETING**8 INFORMATION ITEMS**

Nil



ENCL: YES

DARWIN CITY COUNCIL

DATE: 06/01/09

REPORTTO: ENVIRONMENT & INFRASTRUCTURE
COMMITTEE/OPENA

APPROVED: KS

FROM: GENERAL MANAGER INFRASTRUCTURE

APPROVED: LC

REPORT NO: 09TS0020 KS

COMMON NO: 990367

SUBJECT: STREETScape LANDSCAPING ISSUES

ITEM NO: 9.1**SYNOPSIS:**

This report is to provide Council with information and recommendations on street trees at two locations within the City. These issues are presented to Council at the written request of the resident in the case of Gsell Street and in the case of Undoolya Street, Council has previously considered the matter.

GENERAL:**53 Gsell Street Wanguri – Attachment A**

A request was received from the property owner of 53 Gsell Street Wanguri to remove one or more street trees from the verge in front of the property. There were a total of five trees at the front of the property and the request was for one tree to be removed to allow space for the resident to place the rubbish bins. The conflict between trees and rubbish bin space was further complicated due to a bus stop within 20 metres of the property and a school across the road which at times increased the number of parked cars in the street. Following receipt of the letter and consultation with the resident, Council staff removed one of the trees (Mimmosop elengi) to allow the space on the verge. Follow up discussion with the resident, approximately three weeks after the tree was removed, revealed that the matter had been resolved to the satisfaction of the resident and no further action was required. The correspondence from the resident is attached as it was requested by the resident that this matter be presented to Council.

It is recommended that no further action be taken and that the correspondence and action be noted by Council.

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 REPORT NUMBER: 09TS0020KS
 SUBJECT: STREETScape LANDSCAPING ISSUES

Undoolya Street Tiwi – Attachment B

There are currently three mature Mahogany trees (*Kaya senegalensis*) growing within the verge area of 22 Undoolya Street Tiwi and 30 Calvert street Tiwi. These trees have been the subject of a previous report to Council. In May 2006 a report (Report No. 06TSO139) was provided to Environment and Infrastructure Committee following a request from the resident of 30 Calvert Street to remove one of the trees due to strong concerns over roots causing damage to paving and spa and the threat of continuing limb failure onto the property and the footpath and road. In May 2006 there were four trees on the verge.

A number of tree removal requests were considered as part of this report. Council resolved the following in relation to Undoolya and Calvert Streets:

Tree Removal Requests

Report No.06TS0139 (09/05/06) Common No.990367

- A. THAT Report No.06TS0139 entitled Tree Removal Requests, be received and noted.
- J. THAT Council does not support the removal of four African Mahogany trees at 30 Calvert Street, Tiwi.

DECISION NO.19\2955 (30/05/06)

Carried

Council has over the past several years pruned and dead wooded these trees twice yearly. The trees were planted too close together and have subsequently impacted on each others growth patterns. The canopies are competing for the same space, causing limbs to rub and cross over. This has resulted in larger limbs failing as well as creating excessive dangerous deadwood within the canopies.

In October 2007 one of the trees was damaged in a storm and became loose in the ground, swaying back and forth, posing a serious risk of falling onto houses and/or the road and footpath. Extensive damage was incurred to Power Water infrastructure and the tree was removed by Council staff. The other three trees remain. A Power Water fire service mainline is located directly beneath the three remaining trees.

In November 2008 the Council's Team Leader Arborist and Risk/OHS officer conducted a risk assessment of the trees following a request from residents and due to Council records indicating that a high number of branches have been dropping on to the road, footpath and fencing over the previous 12 months. As a result of the inspection the Officers recommended the trees be removed due to safety concerns and concerns that the roots may result in damage to private property, Council and PWC infrastructure if the trees remained. The roots causing damage are now able to be identified as belonging to the mahogany trees.

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 SUBJECT: STREETScape LANDSCAPING ISSUES

There is almost always debate around the removal of trees that are in sound condition but are causing damage to surrounding infrastructure. In these cases it is often the stakeholders who are directly affected that might provide the best gauge of whether the trees are able to remain. At Undoolya Street the following factors are critical;

- The trees have significant history of dropping large branches on to surrounding properties including fences, road and footpath.
- One tree has failed and required to be removed in an emergency situation.
- It is highly likely that if the trees remain they will damage private and public infrastructure.
- Adjacent property owners are requesting the trees be removed.
- Power Water are requesting the trees be removed as there is significant risk to damage of their infrastructure.
- A section of footpath has not been installed due to the size of the tree trunks and root system not leaving sufficient room.
- Council staff are unable to reasonably manage all risks to public safety and/or property damage.

The following course of action will be recommended:

1. The three existing African Mahoganies be removed immediately following notification of residents in the street via a letter drop.
2. That prior to removal any nesting sites within the trees be relocated, were a nest can not be relocated that the tree remain until the nest is inactive.
3. That Council will replant an appropriate number of trees and of a suitable species within the precinct as it is considered impractical to replant trees in this location given that the verge contains infrastructure and is of insufficient size.

FINANCIAL IMPLICATIONS:

| | |
|---|-------------------|
| Estimated cost to remove the trees | \$15,500 |
| Estimated maintenance cost to retain the trees | \$6,000 per annum |
| Estimated maintenance cost to DCC road and path | \$4,000 per annum |
| Potential damage to private infrastructure | Unknown |

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 REPORT NUMBER: 09TS0020KS
 SUBJECT: STREETScape LANDSCAPING ISSUES

STRATEGIC PLAN IMPLICATIONS:

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.1 Manage and maintain the municipal landscaping and infrastructure to a standard that meets community needs

2.1.5 Participate and partner in activities that contribute to a safer Darwin.

Goal

3 Assist Individuals and the Community Stay Connected with the Darwin Region

Outcome

3.2 Enhance transport systems

Key Strategies

3.2.3 Continue to manage and maintain the municipality pathway and cycleway network and infrastructure which meet the needs of the community

LEGAL IMPLICATIONS:

Council may be required to defend an action for damages for loss to surrounding property.

ENVIRONMENTAL IMPLICATIONS:

Temporary loss of shade and biodiversity benefits until replacement trees mature.

A sea hawk nest currently exists. Territory Wildlife Park have been consulted and advise that they can easily relocate the nest upon request.

PUBLIC RELATIONS IMPLICATIONS:

The decision to remove the trees may result in additional requests for other trees to be removed from other residents concerned about trees adjacent to their properties.

COMMUNITY SAFETY IMPLICATIONS:

Road and footpath users will be at higher risk from branch drop and trip hazards of roots if the trees remain.

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 REPORT NUMBER: 09TS0020KS
 SUBJECT: STREETScape LANDSCAPING ISSUES

DELEGATION:

Nil

CONSULTATION:

Consultation will be required with property owners of 30 Calvert street and 22 Undoolya Street along with surrounding residents should the trees be removed.

PROPOSED PUBLIC CONSULTATION PROCESS:

That the residents of Calvert Street and Undoolya Street be advised via letter drop of Council's decision.

APPROPRIATE SIGNAGE

Nil

RECOMMENDATIONS:

THAT it be a recommendation to Council:-

- A. THAT Report Number 09TS0020KS entitled Streetscape Landscaping Issues be received and noted.
- B. THAT Council approves the following in relation to street trees located at 22 Undoolya Street and 30 Calvert Street, Tiwi;
 - That the three existing African Mahoganies be removed immediately following notification of residents in the street via a letter drop.
 - That prior to removal any nesting sites within the trees be relocated, were a nest can not be relocated that the tree remain until the nest is inactive.
 - That Council replant an appropriate number of trees and of a suitable species within the precinct as it is considered impractical to replant trees in this location given that the verge contains infrastructure and is of insufficient size.

KERRY SMITH
MANAGER INFRASTRUCTURE
MAINTENANCE

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to Kerry Smith on 08 8930 0655.

ENCL: NO

DARWIN CITY COUNCIL

DATE: 27/01/2009

REPORTTO: ENVIRONMENT & INFRASTRUCTURE
COMMITTEE/OPENA

APPROVED: KS

FROM: GENERAL MANAGER INFRASTRUCTURE

APPROVED: LC

REPORT NO: 09TS0017KS:nh

COMMON NO: 1469454

SUBJECT: INFORMATION REPORT - MAHOGANY TREE TAMARIND PARK LOT
3432 (12) KNUCKEY STREET, DARWIN**ITEM NO: 9.2****SYNOPSIS:**

Further to previous reports presented to Council in recent months, the Manager Infrastructure Maintenance has prepared the following report on works undertaken, within the first weeks of January 2009, to the African Mahogany (*Kaya senegalensis*) tree at Tamarind Park Darwin CBD.

GENERAL:

This tree has been the subject of several reports and comment from arboriculture specialists, Darwin City Council staff and members of the public.

In the interest of maintaining the aesthetic and environmental attributes of this mature tree it is the understanding of staff that a level of risk associated with it has been assessed and accepted by council. The risk accepted is that in order to prevent damage to the CWA building, adjacent to the tree, a major root be pruned approximately 500mm from the external wall of the building which may add to the instability of the tree.

Prior to the root pruning work ground penetrating radar was used to assess the extent of roots under the CWA building. A total of five roots were found to exist between the building and the tree. Depth of the roots was not able to be determined. One root was confirmed as the cause of the damage to the floor of the building and this root was pruned with root barrier installed on 9th January 2009.

There was considerable debate surrounding the options available to Council to retain or remove the tree. Staff recommendation was to remove the tree, Councils decision was to retain the tree.

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 REPORT NUMBER: 09TS0017KS:nh
 SUBJECT: INFORMATION REPORT - TAMARIND PARK TREES LOT 3432 (12)
 KNUCKEY STREET, DARWIN

Canopy reduction has been undertaken in recent months and no further reduction is possible to maintain the health of the tree.

In order to manage the risk of the tree becoming unstable a programme of monitoring has been implemented. Two sets of data were taken to establish the degree (if any) of root heave currently and the angle of lean of the tree prior to root pruning. The root heave and angle of lean will then be checked at the following intervals after root pruning;

- Two days
- One week
- Two weeks
- Four weeks
- Three months

Subject to any changes in the data, outside of normal growth, further monitoring will be assessed and possibly bi- annual checks from the end of the three month period. Should there be any significant indication that the tree has moved following the root pruning, the risk that the tree poses to the community, will be considered with options to retain or remove the tree assessed.

At the time of writing this report there was no change between the base data and follow up checks.

FINANCIAL IMPLICATIONS:

| | |
|------------------------------------|----------------|
| Root Pruning | \$100 |
| Monitoring (three month programme) | <u>\$1,200</u> |
| Total | \$1,300 |

STRATEGIC PLAN IMPLICATIONS:

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.1 Manage and maintain the municipal landscaping and infrastructure to a standard that meets community needs

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 REPORT NUMBER: 09TS0017KS:nh
 SUBJECT: INFORMATION REPORT - TAMARIND PARK TREES LOT 3432 (12)
 KNUCKEY STREET, DARWIN

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

2.1.2 Continue to implement the CBD Streetscape Strategy

LEGAL IMPLICATIONS:

No change from previous report

ENVIRONMENTAL IMPLICATIONS:

Nil

PUBLIC RELATIONS IMPLICATIONS:

The removal of any tree is almost always criticised by some members of the community. Council has considered its future liability, ongoing cost, risk of further damage occurring to a heritage listed building and public safety, and the loss of amenity that the existing tree provides.

COMMUNITY SAFETY IMPLICATIONS:

The existing tree has been reported as sound at present.

DELEGATION:

NIL.

CONSULTATION:

No further consultation is proposed.

PROPOSED PUBLIC CONSULTATION PROCESS:

No further consultation is proposed.

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REPORT NUMBER: 09TS0017KS:nh
SUBJECT: INFORMATION REPORT - TAMARIND PARK TREES LOT 3432 (12)
KNUCKEY STREET, DARWIN

APPROPRIATE SIGNAGE

Nil.

RECOMMENDATIONS:

THAT it be a recommendation to Council:-

THAT Report Number 09TS0017KS:nh entitled Information Report - Mahogany Tree Tamarind Park Lot 3432 (12) Knuckey Street, Darwin, be received and noted.

KERRY SMITH
MANAGER INFRASTRUCTURE
MAINTENANCE

LUCCIO CECCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to Kerry Smith on 08 8930 0655.

ENCL: YES

DARWIN CITY COUNCIL

DATE: 14/01/09

REPORT

TO: ENVIRONMENT & INFRASTRUCTURE COMMITTEE/OPENA **APPROVED:** TV

FROM: GENERAL MANAGER INFRASTRUCTURE **APPROVED:** LC

REPORT NO: 09TS0003 TV:cb

COMMON NO: 1450219

SUBJECT: DRAINAGE EASEMENT THROUGH PARAP TENNIS COURTS
LOT 5292 (77) ROSS SMITH AVENUE, PARAP

ITEM NO: 9.3**SYNOPSIS:**

This report was considered by the Chief Officer's Group on 10 February 2009 and now referred to Environment & Infrastructure Committee for consideration.

A request for the creation of a stormwater easement over Lot 5292, 77 Ross Smith Avenue, Parap (Parap Tennis Courts) has been received by the developers of Lot 5602, 49 Parap Road, Parap. This report considers this request and options regarding likely compensation to Council.

GENERAL:

In February 2008 a development permit was approved for the site to be developed as 48 x 2 and 72 x 3 bedroom multiple dwellings and 42 x 2 bedroom serviced apartments with ancillary café/restaurant in 5 x 4 storey buildings. The permit contains a standard condition regarding the need to collect stormwater drainage and discharge it to the drainage network to the technical requirements and at no cost to Council.

The site currently drains via a pit located at the rear boundary into an existing internal stormwater pipe system within Council's allotment Lot 5292. No stormwater easement currently exists over the system within Council's allotment and the system has insufficient capacity to handle the proposed development of Lot 5606. Council is unable to locate any records regarding the existing connection.

Council staff have been liaising with the developer for almost a year regarding this matter throughout the planning process. It is not practical to drain the proposal development site to the front boundary.

The developer has approached Council to seek permission to create an easement over Lot 5292, and to construct a piped stormwater system in the easement and

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 REPORT NUMBER: 09TS0003 TV:cb
 SUBJECT: DRAINAGE EASEMENT THROUGH PARAP TENNIS COURTS
 LOT 5292 (77) ROSS SMITH AVENUE, PARAP

connecting to the existing system within Ross Smith Avenue. The proposed easement and pipe are as per the attached plans (**Attachment A**).

As a result of the creation of the easement on Council's land the property value will be diminished by \$21,700 as advised by the Australian Valuation Office.

To agree to this proposal the developer will be expected to recompense Council for this devaluation in value.

The developer is proposing all costs associated with the creation of the easement and associated drainage works will be borne by them.

The location of the easement adjacent to the property boundary minimises any potential impact should Council wish to develop the site in the future.

Council has a number of options relating to the issue of compensation to be paid to Council. These are:

- 1) That full compensation be paid to Council in accordance with the certified valuation, being \$21,700.

This may be fair and reasonable given that the easement and upgrade are required as a result of the redevelopment of Lot 5606. The cost to Council relating to the land has been independently valued.

- 2) That Council accept a reduced compensation amount.

Council could consider a reduction in the certified value based on the following:

- The developer is covering all associated costs with the creation of the easement and pipe installation.
- This work is likely to alleviate pressure of Council's internal stormwater system by removing an existing connection.
- The developer has no other practical means of draining the site.

Council would need to determine a value of compensation it considered appropriate in this case, i.e. 25% reduction.

- 3) That no compensation be sought.

This option involves Council reviewing the entire value.

FINANCIAL IMPLICATIONS:

Nil.

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REPORT NUMBER: 09TS0003 TV:cb
SUBJECT: DRAINAGE EASEMENT THROUGH PARAP TENNIS COURTS
LOT 5292 (77) ROSS SMITH AVENUE, PARAP

STRATEGIC PLAN IMPLICATIONS:

The issues addressed in this report are in accordance with the following goals/strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

Goal

4 Create and Maintain an Environmentally Sustainable City

Outcome

4.2 Improve water conservation

Key Strategies

4.2.2 Manage and maintain Council's storm water management system

LEGAL IMPLICATIONS:

This issue is not considered confidential.

ENVIRONMENTAL IMPLICATIONS:

Nil.

PUBLIC RELATIONS IMPLICATIONS:

Not applicable.

COMMUNITY SAFETY IMPLICATIONS:

Improved drainage of the allotment and minimise impact of stormwater from the development onto Council land.

DELEGATION:

Not applicable.

CONSULTATION:

Chief Officer's Group
Manager Business Services.

PROPOSED PUBLIC CONSULTATION PROCESS:

Not applicable.

APPROPRIATE SIGNAGE

Not applicable.

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REPORT NUMBER: 09TS0003 TV:cb
SUBJECT: DRAINAGE EASEMENT THROUGH PARAP TENNIS COURTS
LOT 5292 (77) ROSS SMITH AVENUE, PARAP

RECOMMENDATIONS:

THAT it be a recommendation to Council:-

- A. THAT Report Number 09TS0003 TV:cb entitled Drainage Easement through Parap Tennis Courts, Lot 5292 (77) Ross Smith Avenue, Parap, be received and noted.
- B. THAT Council consent to the creation of a stormwater easement vested to Council and construction of stormwater drainage system through Lot 5292 by the developer of Lot 5606 at no cost to Council, subject to payment of \$21,700 to Council.
- C. THAT Council authorises the Lord Mayor and Chief Executive Officer to sign and seal under the Council's Common Seal all relevant documents associated with the creation of the stormwater easement over Lot 5292, and receipt of the specified compensation.

TED VIVIAN
DEVELOPMENT TEAM LEADER

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

Any queries on this report may be directed to Ted Vivian on 8930 0413.

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Environment & Infrastructure Committee Meeting - Monday, 16 February, 2009

10 GENERAL BUSINESS**10.1 Outstanding Items**

| ITEM NO. | MEETING REQUESTED | MEETING REQUIRED | SUBJECT MATTER | REASON FOR NON-SUBMISSION REMARKS |
|----------|---|------------------|--|--|
| 17.2 | Ordinary Council 30/09/08 20\0802 | Not Specified | Short Term Free Car Parking in the Central Business District - Short term free car parking. | Report to be submitted to a future E & I Committee meeting |
| 17.2 | Ordinary Council 25/11/08 20\1057 | Not Specified | Raphael Road and Swan Crescent Winnellie – Carparking -Options to address the issues of illegal parking in the middle of Raphael Road and Swan Crescent Winnellie | Report to be submitted to a future E & I Committee meeting |

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that information contained in Item 10.1, be received and noted.

DECISION NO.20\() (16/02/09)

