

CITY OF DARWIN

SEVENTH ORDINARY MEETING OF THE TWENTY-FIRST COUNCIL

TUESDAY, 17 JULY 2012

MEMBERS: The Right Worshipful, Lord Mayor, Ms Katrina Fong Lim, (Chairman); Member J M Anictomatis; Member R K Elix; Member H I Galton; Member G J Haslett; Member R M Knox; Member G A Lambert; Member G Lambrinidis; Member R Lesley; Member A R Mitchell; Member S J Niblock; Member R Want de Rowe; Member K J Worden.

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Corporate Services, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Committee Administrator, Ms L Elmer.

GUESTS: The General Manager, Mr Tony Clementson from Tourism Top End will be in attendance from 5.15 p.m. to brief the Council on Tourism in Darwin.

Enquiries and/or Apologies: Linda Elmer
E-mail: l.elmer@darwin.nt.gov.au PH: 89300 670



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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

4.2 Leave of Absence Granted

THAT it be noted that The Right Worshipful, Lord Mayor, Ms Katrina Fong Lim is an apology due to a Leave of Absence being previously granted on 29 May 2012 for the period 13 – 22 July 2012.

DECISION NO.21\() (17/07/12)

4.3 Leave of Absence Requested

THAT a Leave of Absence be granted for Member J M Anictomatis for the period 25 July 2012 to 14 August 2012.

DECISION NO.21\() (17/07/12)

5. ELECTRONIC MEETING ATTENDANCE

6 DECLARATION OF INTEREST OF MEMBERS AND 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, 26 June 2012, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\() (17/07/12)

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

The General Manager, Mr Tony Clementson from Tourism Top End will be in attendance from 5.15 p.m. to brief the Council on Tourism in Darwin.

THAT the presentation from the Tourism Top End, be received and noted.

DECISION NO.21\() (17/07/12)

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 matters referred from Committees including Confidential Committee Items, and the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C22.1	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.
C24.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
C26.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
C26.2	8(e)	Information provided to the council on condition that it be kept confidential.
C26.3	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

DECISION NO.21\() (17/07/12)

11.2 Moving Open Items Into Confidential**11.3 Moving Confidential Items Into Open****12 PETITIONS****13 NOTICES OF MOTION**

14 OFFICERS REPORTS

- 14.1 **Proposed Amendment to the NT Planning Scheme for Lot 1812 (4) MacKillop Street Town of Darwin for the Purpose of Rezoning from Zone SD8 (Specific Use Zone Darwin No 8) to Zone MD (Multiple Dwelling Residential) – PA2012/0355**
Report No. 12TS0107 (07/08/12) Common No. 2260810

Report Number 12TS0107 attached.

1ST ORDINARY COUNCIL MEETING / OPEN**AGENDA ITEM: 14.1**

PROPOSED AMENDMENT TO THE NT PLANNING SCHEME FOR LOT 1812 (4) MACKILLOP STREET TOWN OF DARWIN FOR THE PURPOSE OF REZONING FROM ZONE SD8 (SPECIFIC USE ZONE DARWIN NO 8) TO ZONE MD (MULTIPLE DWELLING RESIDENTIAL - PA2012/0355

REPORT NO. 12TS0107 WS:fh COMMON NO. 2260810 DATE: 07/08/2012

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 48 of the Planning Act, the following Proposed Amendment to the NT Planning Scheme for Lot 1812 (4) Mackillop Street Town of Darwin for the Purpose of Rezoning from Zone SD8 (Specific Use Zone Darwin No 8) to Zone MD (Multiple Dwelling Residential - PA2012/0355 (**Attachment A**). The following report addresses relevant Council issues and recommends that Council endorse comments provided to the Reporting Body on 13 July 2012.

LINK TO STRATEGIC PLAN

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

Goal:

1. Achieve effective partnerships and engage in collaborative relationships.

Outcome:

- 1.1 Improve relations with all levels of Government.

Key Strategies:

- 1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin.

KEY ISSUES:

- Council staff recommend objecting to this rezoning proposal.
- The proposal is considered a spot rezoning and any rezoning should be considered in context with the redevelopment of the surrounding area.
- The subject site and surrounding area is designated as an Activity Centre Study Area within the proposed Greater Darwin Plan. There is potential that redevelopment of this lot, prior to performing studies on the entire Activity Centre area, may result in development inconsistent with the intended future strategic direction for the area.

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 REPORT NUMBER: 12TS0107 WS:fh
 SUBJECT: PROPOSED AMENDMENT TO THE NT PLANNING SCHEME FOR LOT 1812 (4) MACKILLOP STREET TOWN OF DARWIN FOR THE PURPOSE OF REZONING FROM ZONE SD8 (SPECIFIC USE ZONE DARWIN NO 8) TO ZONE MD (MULTIPLE DWELLING RESIDENTIAL - PA2012/0355)

RECOMMENDATIONS:

- A. THAT Report Number 12TS0107 WS:fh entitled Proposed Amendment to the NT Planning Scheme for Lot 1812 (4) Mackillop Street Town of Darwin for the purpose of Rezoning from Zone SD8 (Specific Use Zone Darwin No 8) to Zone MD (Multiple Dwelling Residential - PA2012/0355, be received and noted.
- B. THAT Council endorse the letter to the Reporting Body entitled Proposed Amendment to the NT Planning Scheme for Lot 1812 (4) Mackillop Street Town of Darwin for the Purpose of Rezoning from Zone SD8 (Specific Use Zone Darwin No 8) to Zone MD (Multiple Dwelling Residential - PA2012/0355, **Attachment B** to Report Number 12TS0107 WS:fh, dated 13 July 2012.

BACKGROUND

Site and Surrounds

The subject site is located in Zone SD8, which is a Specific Use zone with the purpose of expanding the range of permissible uses to include, a hostel and caretaker's residence. The surrounding properties are located within Zone SD (Single Dwelling Residential). However, the existing surrounding development is more varied. The subject site is bordered on the eastern rear boundary by the newly constructed staff car park for Arnhemica House on Parap Road. The five-storey Paravista Hotel is located directly across Mackillop Street from the subject site. There is a vacant lot to the north of the subject site. The remaining development in the surrounding area includes single dwelling and multiple dwelling homes. The Parap Village Shopping Centre and associated commercial uses begin approximately one block to the north of the subject site.

Site Development History

The subject site was originally developed as a guesthouse in 1971, with the original building approval issued in 1967.

A variety of development applications for extensions and renovations and planning scheme amendments for rezoning of the subject site have been refused over the past 30 years, due to incompatibility with development in the surrounding area.

In 1998, the subject site was rezoned to a Specific Use zone to allow for the continued operation of the guesthouse with a maximum of 20 rooms and a caretaker's residence.

In late 1998, Council provided comment to the Northern Territory Planning Authority regarding a proposal to demolish the existing pre-cyclone guesthouse, which was in poor repair and did not meet the Building Code of Australia guidelines current at that time. Council's comments did not include a recommendation to either support or object to the proposal. A subsequent letter to the Northern Territory Planning Authority on the same application, expressed Council's concerns in relation to the inappropriate and

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inconsistent land use of the proposed development within the existing residential environment and on the development having no relation to the future direction of the area". The Authority consented to this proposal in March 1999, however the owner did not proceed with the development.

Consent was granted in 2001 for the development of a new 20-room guesthouse and caretaker's residence on the subject site, in line with the approved zoning for the site. The applicant partially completed the development, with only a storeroom, which was not shown on the endorsed plans, being constructed by 2005.

In 2005, an application was made for an additional five (5) guest rooms, including storage area and garage. Council supported this application, however the Development Permit expired with no action taken by the Developers.

In 2007, the current Northern Territory Planning Scheme was adopted and the subject site's existing zoning was incorporated into the new scheme as zone SD8.

A Planning Scheme Amendment was proposed in 2009 to rezone the site to allow for a 40-room, 3-storey hostel, guesthouse, amenities and residence. Council did not support this application, as the proposal was not compatible with the land use of the surrounding residential area and due to concerns that the proposal could lead to a potential overdevelopment of the site. This application was refused by the Authority.

In 2010, an application was lodged by the Parap Residents Group to rezone the site from Zone SD8 (Specific Use) to Zone MD (Multiple Dwelling Residential). The owner of the lot strongly opposed that application at that time. The Minister for Lands and Planning was not prepared to submit the application for exhibition to the public, Council or other service authorities when the land owner was opposed to the proposal. The proposed rezoning was refused by the Minister.

The current application is also to rezone the site from Zone SD8 (Specific Use) to Zone MD (Multiple Dwelling Residential). The current owner of the property is preparing to sell it to the applicants and is in support of the proposal.

DISCUSSION

Current Proposal

The current application proposal is to rezone the property from Zone SD8, which allows the development approval of a 20 room hostel with caretaker's residence, to Zone MD (Multiple Dwelling Residential), which would permit five (5) multiple dwellings.

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 REPORT NUMBER: 12TS0107 WS:fh
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Application Assessment

The proposal would permit five (5) multiple dwellings on a lot surrounded by sites currently zoned for single dwellings. The proposal is considered out of character with the surrounding development.

The Greater Darwin Plan 2030, which addresses long-term strategic planning for the Greater Darwin region, is currently under consideration by the Minister for Lands and Planning. The adjacent Parap Village Shopping Centre and surrounding area is designated as an Activity Centre Study Area in the Greater Darwin Plan. It is likely that further upcoming planned studies of this area will result in an Area Plan and Master Plan that recommend higher density development in this area. If a density higher than Zone MD is encouraged for this area by the Department of Lands and Planning in the near future, development of the site at this point in time at Zone MD (Multiple Dwelling Residential) may prohibit redevelopment at the higher density in the future. Should any Area Plan developed support the rezoning of the lot to Zone MD, it may be possible for Council to support the current proposal but only after the adoption of such an Area Plan.

As there is currently no Area Plan or indication of the potential impacts the proposed rezoning may have on the wider community, on services and infrastructure for the area, the proposal is not supported at this time.

Summary

It is recommended that Council object to the rezoning of Lot 1812 (4) Mackillop Street, Town of Darwin, until such time as further upcoming studies by the Department of Lands and Planning have been conducted and any Area Plans and Master Plans are put in place. The outcomes of the upcoming studies are likely to result in recommendations for the future development of this site that Council can consider to make decisions on rezoning proposals for the site.

CONSULTATION PROCESS

In preparing this report, the following parties were consulted:

Team Coordinator Development & Waste Management.

POLICY IMPLICATIONS

There are no policy implications for Council for this application.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget and resource implications for Council for this application.

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 REPORT NUMBER: 12TS0107 WS:fh
 SUBJECT: PROPOSED AMENDMENT TO THE NT PLANNING SCHEME FOR LOT
 1812 (4) MACKILLOP STREET TOWN OF DARWIN FOR THE PURPOSE
 OF REZONING FROM ZONE SD8 (SPECIFIC USE ZONE DARWIN NO 8)
 TO ZONE MD (MULTIPLE DWELLING RESIDENTIAL - PA2012/0355)

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are no legal or legislative risks for Council for this application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications that relate to Council for this application.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN,
PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report can be directed to Cindy Robson on 8930 0528 or email c.robson@darwin.nt.gov.au

ATTACHMENTS

Attachment A: Development Application, PA2012/0355.

Attachment B: City of Darwin, Letter of Response to Development Assessment Services, dated 13 July 2012

NORTHERN TERRITORY OF AUSTRALIA
PROPOSAL TO AMEND NT PLANNING SCHEME
PA2012/0355

Mr Nicholas Sofocleous, Mrs Athena Sofocleous, Mr Jack Priore and Mrs Susanne Priore have applied to the Minister for Lands and Planning to amend the NT Planning Scheme by rezoning Lot 1812 Town of Darwin (4 Mackillop Street, Parap) from Zone **SD8** (Specific Use Zone Darwin No. 8) 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 **SD8** (Specific Use Zone Darwin No.8) and Zone MD (Multiple Dwelling Residential);
- a locality map; and
- a copy of the application from Mr Sofocleous, Mrs Sofocleous, Mr Priore and Mrs Priore.

The exhibition period is from Friday 15 June 2012 to Friday 13 July 2012.

Written submissions about the proposed planning scheme amendment should be received by 4.00pm on Friday 13 July 2012 and made to:

Kate Rogers
Graduate Trainee
Strategic 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 Ground Floor, Arnhemica House, 16 Parap Road, Parap.

For more information please telephone 8999 8963.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF EXHIBITION OF PROPOSAL
TO AMEND NT PLANNING SCHEME
PA2012/0355**

I, David Malone, delegate for the Minister for Lands and Planning give notice under section 17 of the *Planning Act* of the following:

(a) a proposal to amend the NT Planning Scheme, numbered PA2012/0355 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 following location:

Offices of the Department of Lands and Planning
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:

Kate Rogers
Graduate Trainee
Strategic Lands Planning
Department of Lands and Planning
GPO Box 1680
DARWIN NT 0801 or

Fax: (08) 8999 7189 or

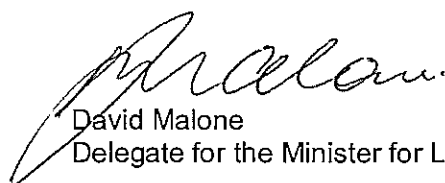
Email: planning@nt.gov.au

(e) the proposed amendment is to the NT Planning Scheme, to rezone Lot 1812 Town of Darwin (4 Mackillop Street, Parap) from Zone SD8 (Specific Use Zone Darwin No. 8) to Zone MD (Multiple Dwelling Residential).

Dated

13th of June

2012.



David Malone
Delegate for the Minister for Lands and Planning

- (b) there is no vehicular or pedestrian access from Jones Place or White Crescent to a lot within the zone;
- (c) air conditioning plant and other equipment within the zone which generates noise that may be heard by persons outside the lot is sited, and sound baffles or other structures that minimise noise shall be installed so as to minimise that noise;
- (d) a 3m wide landscape strip which has been planted with vegetation is provided along the Stuart Highway frontage of all lots within the zone; and
- (e) the car parking requirements within this zone in respect of a use or development referred to in:
 - i. sub-paragraph 3(a) – are to accord with the requirements in respect of an **education establishment**; and
 - ii. sub-paragraph 3(d) – are to accord with the requirements in respect of a building used or developed for **showroom sales**.

SD8

Lot 1812, Town of Darwin (Mackillop Street, Parap).

1. The purpose of this zone is to expand the range of permissible uses of the land to include a **hostel** and **caretaker's residence**.
2. A use or development in accordance with Zone SD and with **consent**, a **hostel** and a **caretaker's residence** provided:
 - (a) there are not more than 20 habitable rooms in the **hostel**; and
 - (b) no building on the land exceeds two **storeys** in height.

5.2 ZONE MD – MULTIPLE DWELLING RESIDENTIAL

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.

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

Demountable structures require consent.

Clause 6.14 refers to land subject to inundation.

Clause 7.10.2 refers to caravans.

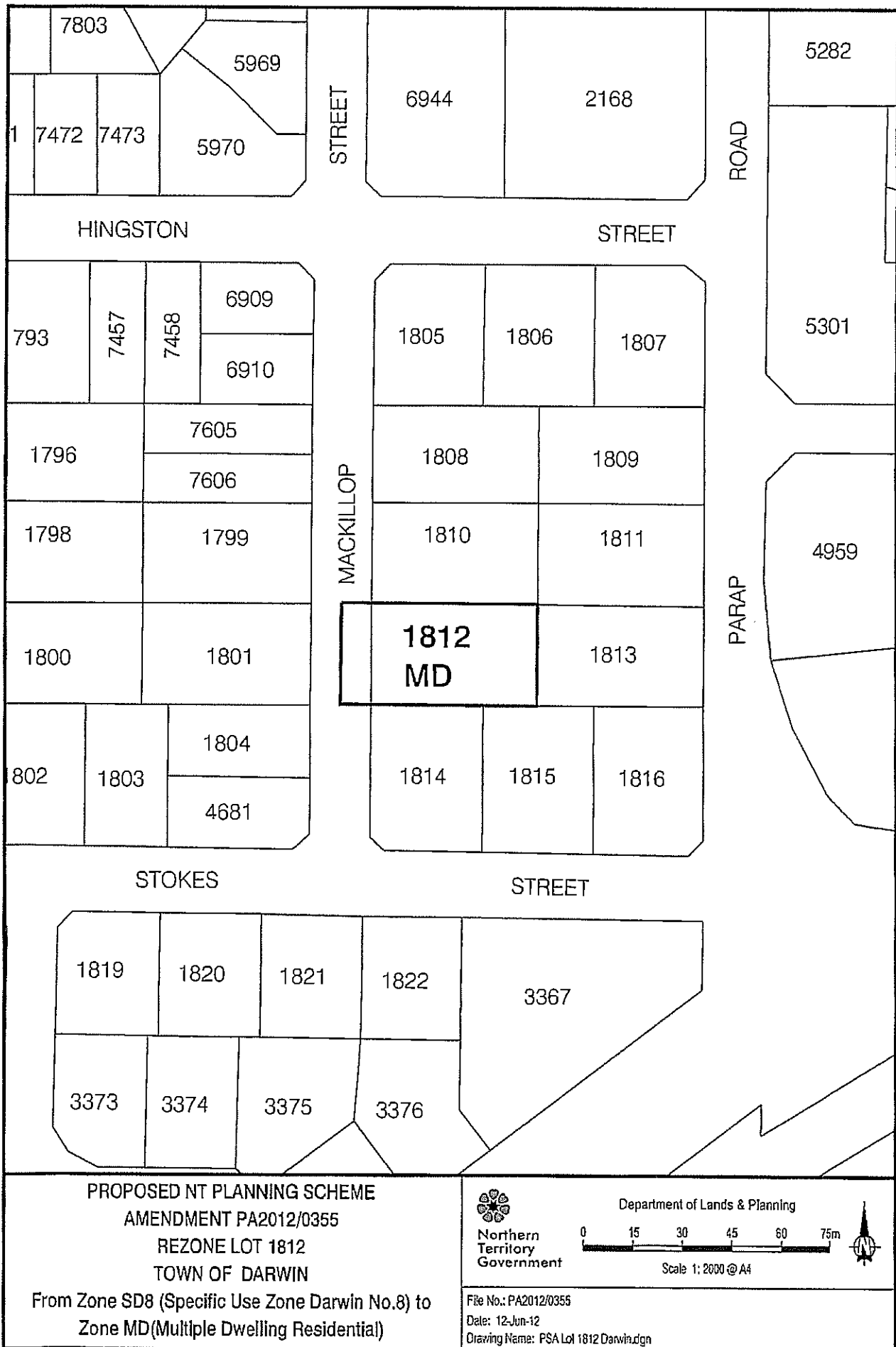
Clauses 11.1.1 and 11.1.2 refer to subdivision lot size and 11.2 to subdivision standards.

Clause 13.5 refers to the erection of mobile telecommunication structures.

ZONING TABLE – ZONE MD

abattoir	x	
agriculture	x	
animal boarding	x	
bed and breakfast accommodation	D	6.5.1, 7.10.1
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
dependant unit	P	7.1, 7.3, 7.10.4
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 occupation	P	7.10.7
horticulture	x	
hospital	x	
hostel	x	
hotel	x	
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, 7.1, 7.3, 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 D = Discretionary x = Prohibited



27 Apr 12 07:42a

Judithe Beardon

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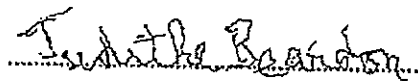
Department of Planning and Infrastructure

Darwin NT

Re: 4 McKillop Street PARAP Darwin NT

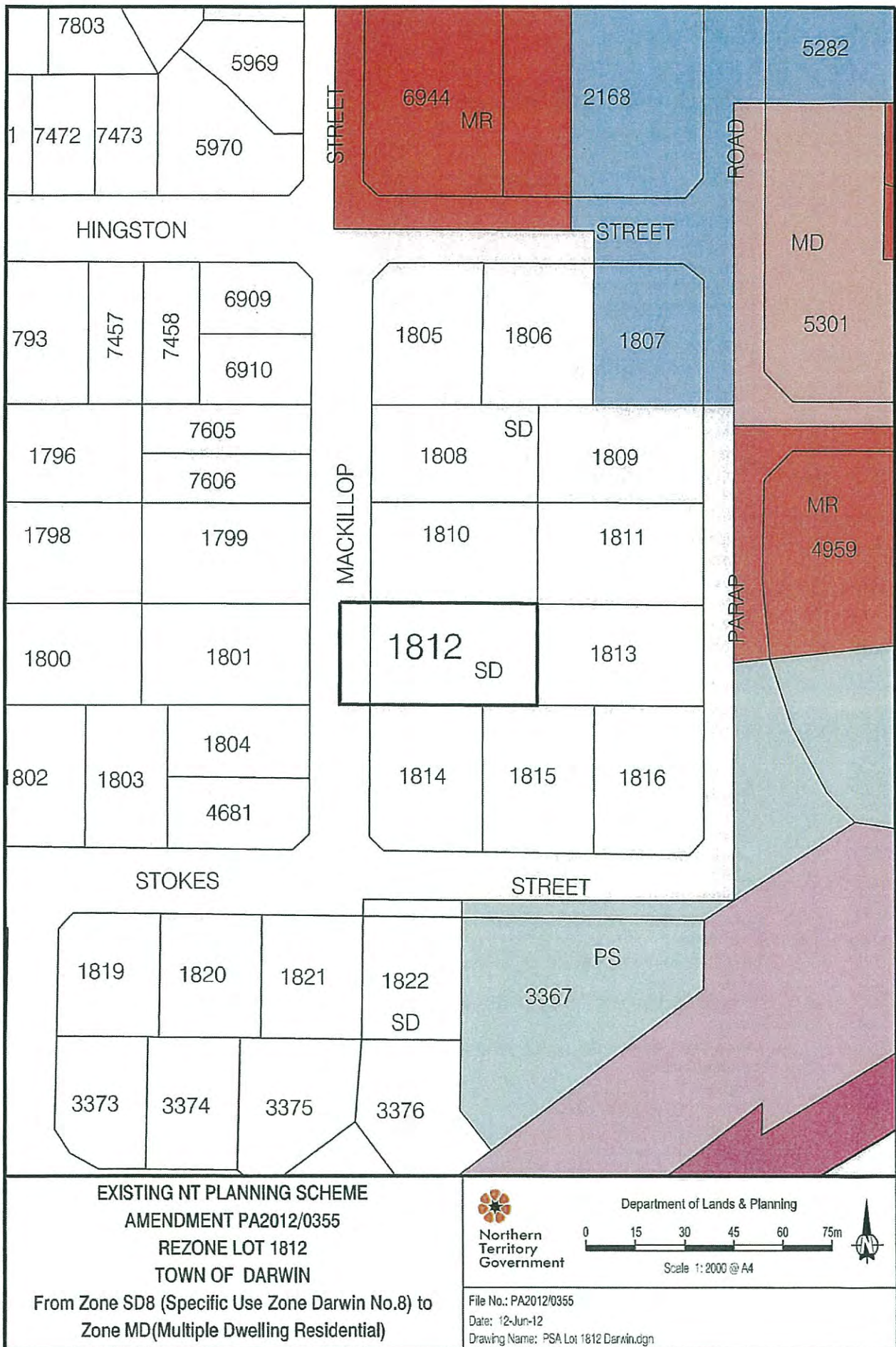
As owner of the above property/vacant land, I, Judithe Ann Beardon, of 467 Warrigal Road Ashwood Vic 3147, now authorise the purchaser of this property to apply for rezoning of the land from an SD8 to MD, in order to complete their re-development plans. Details of the purchasers are as follows:

Nicholas SOFOCLEOUS & Athena SOFOCLEOUS and Jack PRIORE & Susanne PRIORE, C/- 30 Tipperary Court, STUART PARK NT 082.



Judithe Ann Beardon

25th April 2012.



To whom it may concern.

This is an application for rezoning of existing zone SD8 to MD

This application is for rezoning of lot 1812, Mackillop Street, Parap.

The current Zoning is SD8 which allows for a Hostel of up to 2 storeys and a Caretaker's Residence.

The proposed new Zoning will be more compatible with the existing streetscape and surrounding developments.

Zone MD allows housing options to a maximum of two storeys.

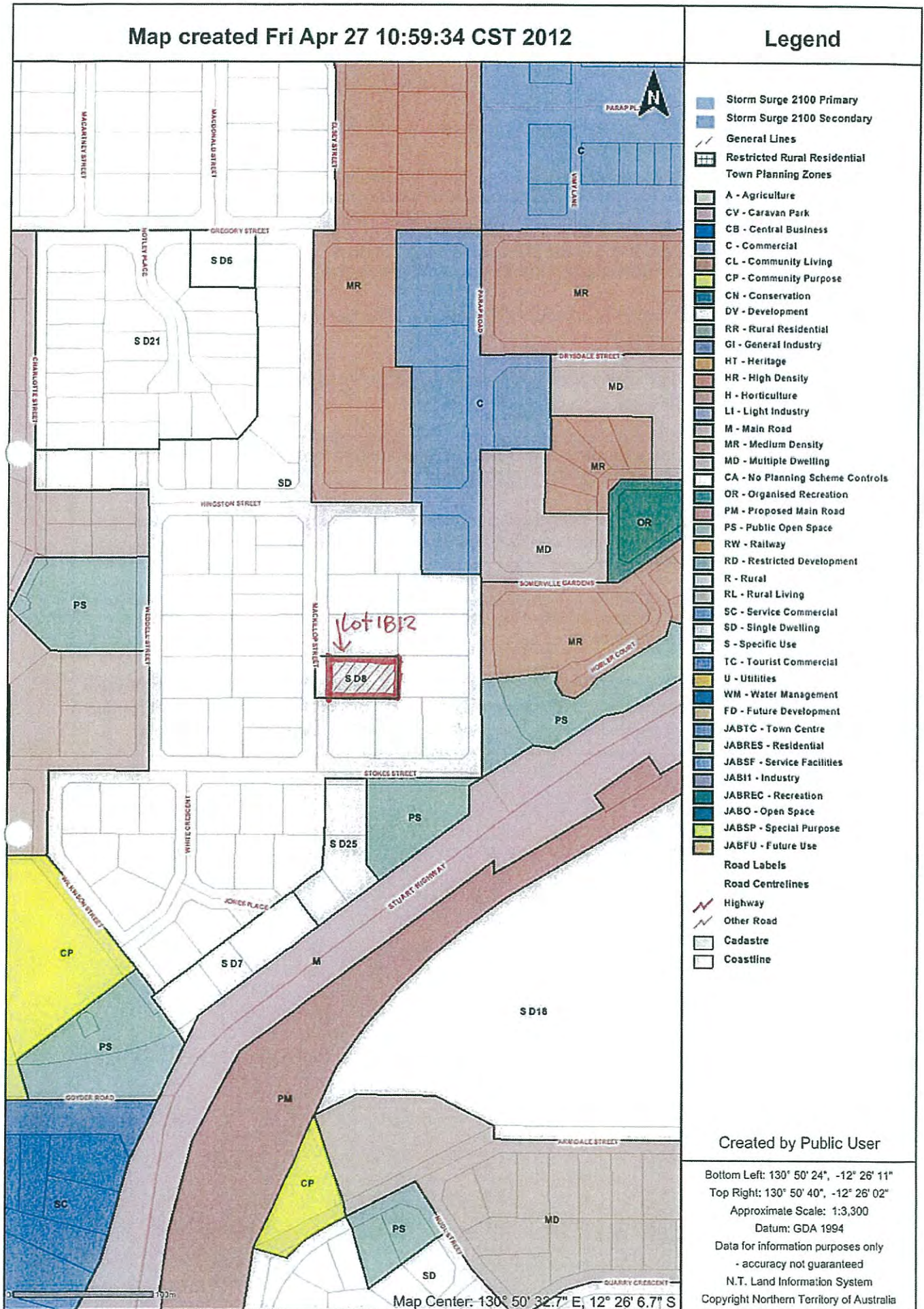
The proposal by the applicant is for 5x2 Bedroom ground level units. This proposal offers scale and character similar to the existing streetscape.

The proposed development will not strain existing services to the extent of existing proposal.

There is a current shortage of affordable housing in Darwin.

SECTION OF THE PLANNING ACT	REQUIREMENTS OF THE CLAUSE AND COMPLIANCE OF DEVELOPMENT
46(3)(a)	<p><i>an assessment demonstrating how the proposed development will comply with any planning scheme that applies to the land;</i></p> <p>The proposed development is more in line with existing zoning SD than the existing SDB zoning. The proposed development is 5x2Bed ground level units</p>
46(3)(b)	<p><i>an assessment demonstrating how the proposed development will comply with an Interim development control order, if any, applying to the land;</i></p> <p>N/A</p>
46(3)(c)	<p><i>if a public environmental report or an environmental impact statement has been prepared or is required under the Environmental Assessment Act in relation to the proposed development, a copy of the report or statement and the results of any assessment of the report or statement under that Act by the Minister administering that Act;</i></p> <p>N/A</p>
46(3)(d)	<p><i>an assessment demonstrating the merits of the proposed development;</i></p> <p>The proposed development is for 5x2 Bedroom ground level units. The site has adjoining ground level and elevated houses. Across the road is a motel and the lot adjoining the rear boundary is used as a carpark for the building opposite the Parap pub</p>
46(3)(e)	<p><i>a description of the physical characteristics of the land and a detailed assessment demonstrating the land's suitability for the purposes of the proposed development and the effect of development on that land and other land;</i></p> <p>the proposed rezoning of the land will be more compatible with the NT Planning scheme, it is expected that the land is suitable for this development.</p>
46(3)(f)	<p><i>a statement specifying the public facilities or public open space available in the area in which the land is situated, whether land for public facilities or public open space is to be provided by the developer and whether it is proposed that facilities or open space be developed by the developer;</i></p> <p>The proposal would not generate the need for any additional public facilities or open space in the area in which the land is situated. The lot adjoins other lots which are similarly zoned SDB</p>

46(3)(g)	<p>a statement specifying the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and whether public utilities or infrastructure are to be provided by the developer or land is to be provided by the developer for the provision of public utilities or infrastructure;</p> <p>The site has access to all services including Power, Water, Sewerage, Roads and Footpaths.</p> <p>No additional public utilities or Infrastructure are required to be provided by the developer</p>
46(3)(h)	<p>an assessment of the potential impact on the existing and future amenity of the area in which the land is situated;</p> <p>It is not considered that the proposal would have any negative impact on the existing or future amenity of the area, given that the proposal is consistent in nature and form with the surrounding developments.</p>
46(3)(i)	<p>an assessment of the benefit or detriment to the public interest of the development;</p> <p>The development may be considered of benefit to the public interest, as it is more compatible with objectives and policy. The proposal is to be of a high design and construction standard, which will compliment the surrounding, developments.</p>

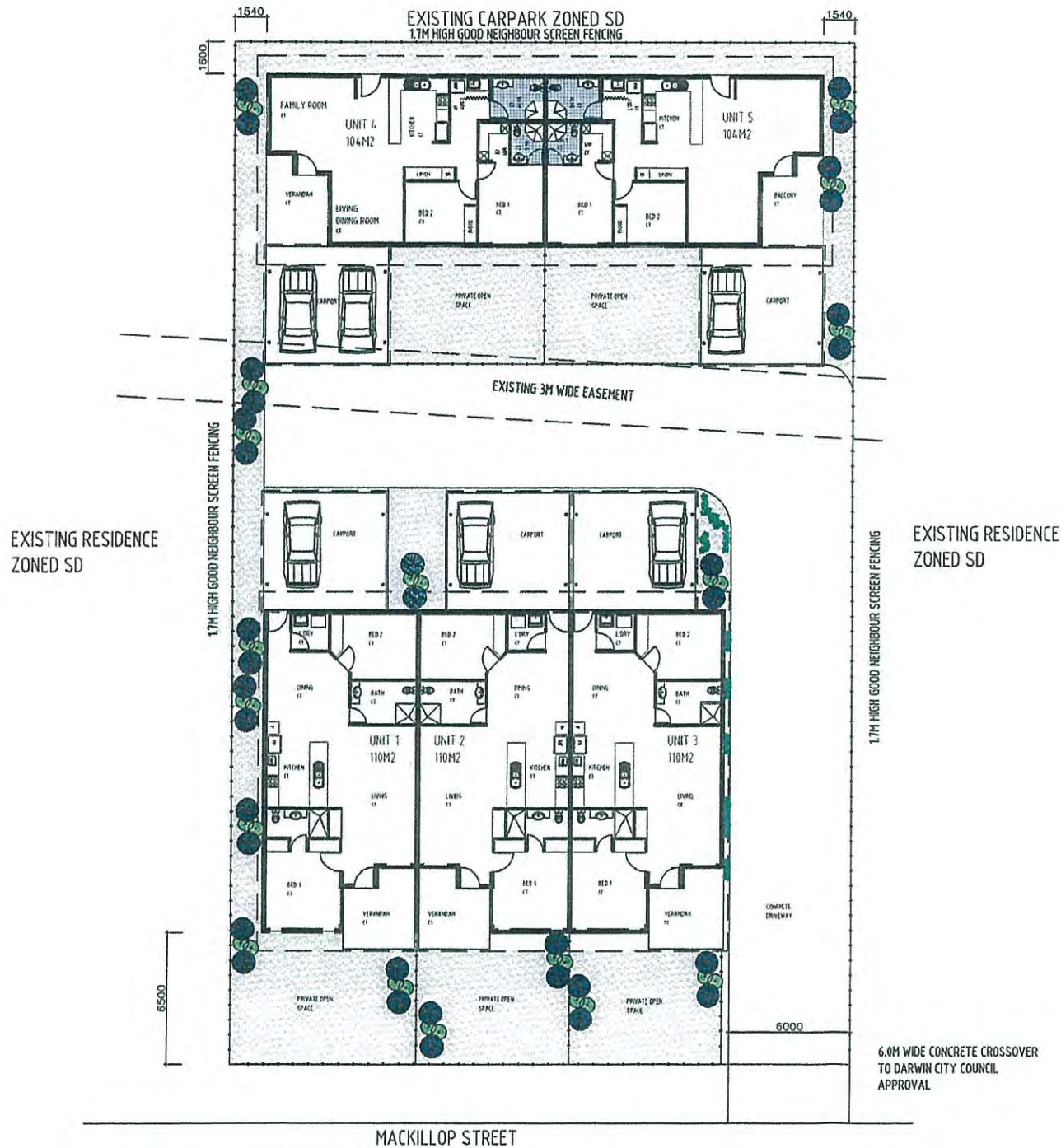




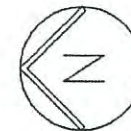
To see all the details that are visible on the screen, use the Print link next to the map.



LOT 1812



FLOOR AREAS	
AREA OF UNITS	538 m2
CARPORTS	172 m2
VERANDAHs	63 m2
SITE AREA	1532 m2
SITE COVERAGE	54.5%



MICHAEL ALAKIOTIS
ARCHITECTURAL DRAFTER
mob 0405 602 427
5 TERMANSEN ST. MOIL

SITE SET-OUT
PLAN

PROPOSED DEVELOPMENT
LOT 1812 MCKILLOP STREET
PARAP
VIC

Date: MAY '12

Job No. MAD894

Scale: 1:200

Dwg No. 894-SK1

builder to verify all dimensions on site prior to construction

Please quote: 2260810 WS:fh
Your reference: PA2012/0355

13 July 2012

Kate Rogers – Graduate Trainee
Strategic Lands Planning
Department of Lands and Planning
GPO Box 1680
DARWIN NT 0801

Dear Ms Rogers

Parcel Description: Lot 1812 (4) Mackillop Street, Town of Darwin.
Proposal: Planning Scheme Amendment to Rezone from Zone SD8 (Specific Use Zone Darwin No 8) to Zone MD (Multiple Dwelling Residential) PA2012/0355.

Thank you for the Planning Scheme Amendment Application referred to this office 14 June 2012, concerning the above. This letter may be placed before Council at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

Council objects to the granting of a Planning Scheme Amendment for the following reasons:

The subject lot is currently surrounded by land in Zone SD (Single Dwelling Residential). To rezone the subject lot to Zone MD (Multiple Dwelling Residential) without consideration of the zoning of the adjacent lots would be an example of spot rezoning, which is not supported by Council.

The Greater Darwin Plan, which is currently under consideration for adoption by the Minister for Lands and Planning, indicates that the subject lot is part of a proposed Activity Centre Study Area. Council understands that it is the intention of the Department of Lands and Planning to produce a well-developed Area Plan, and potentially a Master Plan, for the study area. This Area Plan is considered essential to determine the potential impacts the proposed rezoning may have on the wider community, on services and infrastructure for the area. It is the preference of Council that no rezoning of the land within this area be undertaken until such time as an Area Plan has been developed and adopted.

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


.../2

-2-

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

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

Yours faithfully



for **CINDY ROBSON**
STRATEGIC TOWN PLANNER

cc: A & N Sofocleous & J & S Priore

14 OFFICERS REPORTS

- 14.2 **Proposed Master Plan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin – for the Purpose of Endorsement Consideration under Zone SD37 (Specific Use Zone No. 37)” LUPD2012/0030**
Report No. 12TS0104 (17/07/12) Common No. 1789927

Report Number 12TS0104 attached.

1ST ORDINARY COUNCIL MEETING/OPEN**AGENDA ITEM: 14.2**

PROPOSED MASTER PLAN FOR PART LOT 5182 (213) DICK WARD DRIVE, TOWN OF DARWIN FOR THE PURPOSE OF ENDORSEMENT CONSIDERATION UNDER ZONE SD37(SPECIFIC USE ZONE NO. 37) - LUPD2012/0030

REPORT No.: 12TS0104 WS:fh**COMMON No.: 1789927****DATE: 17/07/2012**

Presenter: Acting Manager Design, Planning & Projects, Dave Cash

Approved: Acting General Manager Infrastructure, Drosso Lelekis

PURPOSE

The purpose of this report is to refer to Council for comment, a Proposed Master Plan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin for the Purpose of Endorsement Consideration Under Zone SD37 (Specific Use Zone No. 37) - LUPD2012/0030 **Attachment A**. This report addresses relevant Council issues and recommends that Council endorse comments to be provided to Strategic Lands Planning.

LINK TO STRATEGIC PLAN

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

Goal:

1. Achieve effective partnerships and engage in collaborative relationships.

Outcome:

- 1.1 Improve relations with all levels of Government.

Key Strategies:

- 1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin.

KEY ISSUES

- Council officers recommend supporting the proposal.

RECOMMENDATIONS

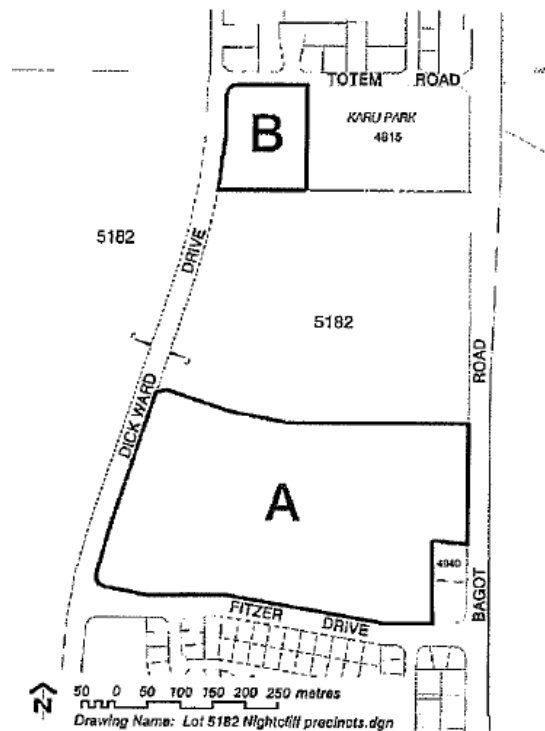
- A. THAT Report Number 12TS0104 WS:fh entitled, Proposed Master Plan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin for the Purpose of Endorsement Consideration Under Zone SD37 (Specific Use Zone No. 37) - LUPD2012/0030, be received and noted.
- B. THAT Council endorse the submission dated, 20/07/2012 to the Reporting Body, **Attachment B** to Report Number 12TS0104 WS:fh entitled Proposed Master Plan for Part Lot 5182 (213) Dick Ward Drive, Town of Darwin for the Purpose of Endorsement Consideration Under Zone SD37 (Specific Use Zone No. 37) - LUPD2012/0030

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 REPORT NUMBER: 12TS0104 WS:fh
 SUBJECT: PROPOSED MASTER PLAN FOR PART LOT 5182, (213) DICK WARD DRIVE, TOWN OF DARWIN - REZONE FROM ZONES RD (RESTRICTED DEVELOPMENT) AND CL (COMMUNITY LIVING) TO THREE DISTINCT SPECIFIC USE ZONES. - ALTERED AND APPROVED AS: "REZONE PART LOT 5182 FROM ZONE RD (RESTRICTED DEVELOPMENT) TO PRELIMINARY

BACKGROUND

Site and Surrounds

The subject site includes two separate portions, Area A and Area B, of Lot 5182 (213) Dick Ward Drive, Ludmilla, Town of Darwin. The site is generally bordered to the west by Dick Ward Drive, to the south by Fitzer Drive, to the east by Bagot Road and to the north by Totem Road. The specific boundaries of Area A and Area B are shown in the diagram below. Only Area A and Area B are the subject of this Master Plan; the remaining land within Lot 5182 is not proposed for development and is not part of this Master Plan document.



Area A and Area B are currently vacant, undeveloped sites. The sites are disturbed, containing a variety of types of weed species and show signs of illegal dumping, including burned out cars and other waste materials.

The area across Dick Ward Drive from the site is undeveloped land within the storm surge zone, with an Aboriginal community area to the southwest of the site. The area to the south of the site across Fitzer Drive is developed with primarily single dwelling residential uses. Existing commercial development, including a McDonald's restaurant and a service station, sit to the west of the site, adjoining Bagot Road. Across Bagot Road from the site are the RAAF Golf Course and the Darwin International Airport. The sites to the north of the site across Totem Road are developed with light industrial uses.

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Site Development History

Area A and Area B are the subject of a recent rezoning to Zone SD37 (Specific Uses), which provides a specific set of permitted and prohibited uses and development criteria for each site. The land between Area A and Area B remains undeveloped land in Zone RD (Restricted Development).

The specific controls of Zone SD37 are included at Attachment A.

Clause 10 of SD37 specifies that *"A Master Plan is to be prepared and submitted to the consent authority before any development commences or a development application is lodged for Areas A and B. This Master Plan is to be endorsed by the consent authority, and all future development is to be in accordance with the endorsed Master Plan"*. Clause 11 further specifies a variety of topics to be addressed by the Master Plan.

Despite the requirements within this zone for a Master Plan, there is no process within the Northern Territory Planning Scheme for adopting a Master Plan document. Therefore, this current Master Plan document has been provided to Council and other relevant service authorities, for informal comment at this time. At the time of lodgement of the first development application for the site, the Master Plan will be submitted as part of that development application for formal comments and subsequent adoption.

At that time, Council will have an additional opportunity to comment on the Master Plan; however, it is preferable to comment at this time, prior to detailed design plans accompanying a development application being developed. The Master Plan consultant has indicated willingness to work with Council and the other authorities regarding development of the Master Plan and incorporation of comments.

DISCUSSION

The Master Plan provides basic guidance over the proposed major access points of the site, for both vehicles and pedestrians, and for the siting of building and parking on the site. Primary roadways are identified, including reorganisation of existing traffic flows at the Bagot Road and Fitzer Drive intersection. A new roadway is proposed to link Bagot Road and Dick Ward Drive with signalized intersections at both ends. An additional new roadway to the rear of the existing service station and McDonald's site, will connect the proposed new, through road, to Fitzer Drive.

No vehicular access to within the development site is proposed from either Fitzer Drive or Dick Ward Drive. All access points will be off the two new roadways detailed above. An additional through road is proposed to link Area A to Area B from Totem Road. A cul-de-sac drive is proposed for the mostly light industrial area of

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Area B. A sketch plan of the proposed access points and roadway design is provided below and a larger version can be found in Appendix B of Attachment A.



The Master Plan also includes preliminary sign designs, detailed landscaping guidelines, a traffic assessment and ecological assessments of the site, including flora and fauna studies and soil types, each of which will be assessed in greater detail by experts in those fields. Signs and landscaping will be assessed by Council when specific applications are made regarding those features. Council's traffic consultants will provide more detailed comments on the traffic assessment. NRETAS will be the primary responsible authority for the quality and adequacy of the ecological assessments.

Landscaping guidelines appear adequate for the site and will be assessed further at application stage. Detailed cross sections for the road verges are provided for both Fitzger Drive and Dick Ward Drive.

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At initial overview, the proposed roadway and access points appear to be adequate to service the site and in line with previous recommendations for the site.

The Master Plan does not lock the developer into one single design for the internal site layout. Rather, the Master Plan provides location principles for design of various site features, such as landscaping along building edges and within parking lots and shielding loading and service areas of buildings from public view. The location principles provided appear adequate to guide future development of the site in an appropriate manner.

Landscaping and building design/layout and car parking will be examined in detail when individual development applications are lodged for the site.

The Master Plan addresses environmentally sensitive design, environmentally sensitive development and water sensitive urban design. The Master Plan also provides details on building heights and setbacks, recommended materials and colours, traffic flows and landscaping in car parking areas.

The following issues are particularly raised for consideration and discussion with the applicant.

The site layout appears to only have the backs of buildings and service areas facing Dick Ward Drive and Fitzer Drive. Consideration should be given to having some frontages or activation of these streets, particularly Dick Ward Drive. It is not considered a desirable planning outcome to have the rear of buildings facing major roadways within the community.

Council is undertaking a review of the Traffic Study submitted with the Master Plan and is unable to provide final comments during the allotted comment period. Council also notes that final approval for the design of the road network will be provided at formal application stage, when full details are provided of internal roads within the subject site.

The following preliminary comments are provided in relation to traffic matters:

- Based on the plans provided, it appears that the proposed access road for lot B intersects Totem Road, opposite the intersection of Durand Court and Totem Road. The proposed intersection, in close proximity with an existing T-intersection, may cause a traffic safety conflict point. Any intersections should comply with Council's Subdivision and Design Guidelines, to the satisfaction of the City of Darwin.

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- Council requests that the Consent Authority requires the proposed through road, from Totem Road to Area A, be fully constructed to Area A at such time as Area B is developed, in order to adequately disperse traffic and service Area B.
- The master plan proposes restricting the Fitzner Drive and Bagot Road intersection to a left-in, left-out only intersection. Any changes that will affect access to the existing residential properties along Fitzner Drive, should be done under consultation with the existing Ludmilla community.

Security fencing is proposed around the site, primarily a 1.8m high chain mesh fence amongst intensive site landscaping. However, there are also pedestrian entrances proposed along the edges of the site, particularly from Fitzner Drive where there are no vehicular site entrances. The Master Plan is unclear on how the pedestrian entrances interact with the fencing and whether these pedestrian entrances will be gate or otherwise controlled. If gates are to be utilised, operational principles including, when the gates are locked and unlocked and who is responsible for monitoring of the passageways, needs to be addressed.

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

Summary

Council will have an additional opportunity to comment on both the Master Plan and any detailed development plans for the site, at the time of development application.

All landscaping on Council's verges will be required to meet Council's standards.

Final comments in relation to the specific details of the development will be provided when a formal development application is lodged for assessment.

CONSULTATION PROCESS

In preparing this report, the following parties were consulted:

Team Coordinator Development & Waste Management and
 Design Team Leader.

POLICY IMPLICATIONS

Applicants must adhere to the City of Darwin Policy Number 51 – Verges and City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.

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BUDGET AND RESOURCE IMPLICATIONS

There are no budget and resource implications for Council for this application.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are no legal or legislative risks for Council for this application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications that relate to Council for this application.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DAVE CASH
ACTING MANAGER DESIGN,
PLANNING & PROJECTS

DROSSO LELEKIS
ACTING GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Cindy Robson on 89300528 or email: c.robson@darwin.nt.gov.au.

Attachments:

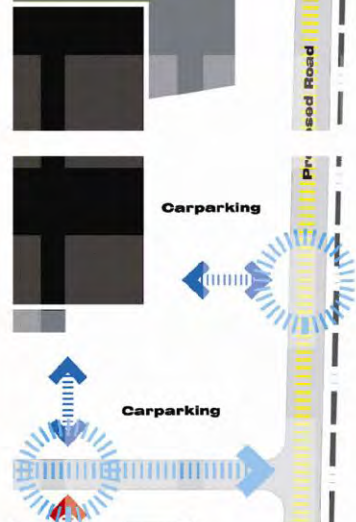
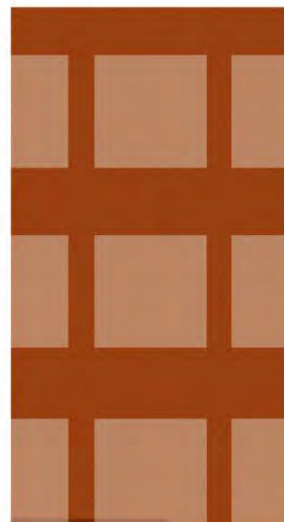
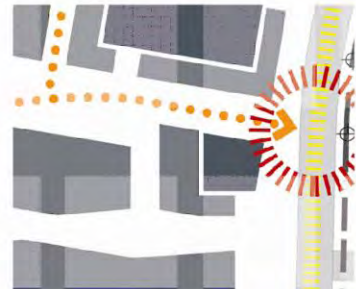
Attachment A: Master Plan, LUPD2012/0030

Attachment B: City of Darwin, Letter of Response to Development Assessment Services, dated 20/07/2012

BAGOT ROAD MASTERPLAN AND DEVELOPMENT DESIGN GUIDE

Part Lot 5182 SP S.77/93B
No. 213 Dick Ward Drive,
Darwin

Prepared for Gwalwa Daraniki and Citiland P/L



CONSULTING

Prepared By Planit Consulting Pty Ltd

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Review and Amendments Schedule – PLANIT CONSULTING PTY LTD

Author	LN, JB & AS	March 2012
Reviewer	BL	April 2012

Amendments

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PLANIT CONSULTING PTY LTD[®]
April 2012

SECTION 1

EXECUTIVE SUMMARY

This Masterplan and Development Design Guideline document covers those areas identified as Areas A & B and bounded by Bagot Road, Dick Ward Drive, Totem Road and Fitzner Drive. The Masterplan compliments the approved rezoning of the land which effectively seeks to facilitate a Service Commercial Zone use within Area A and an Industrial land use within Area B. This land is leased by the Gwalwa Daraniki Association, who will partner with commercial entities and individuals in order to realize the vision set out within this Masterplan.

The Masterplan provides an overall vision, strategy and guiding development principles for future development of the land consistent with the acknowledged opportunities and constraints identified herein.

The Masterplan provides guiding principles and controls dealing with:

- The new public domain to be created by the construction of new roads through the site;
- The public domain which will include street tree planting, entrance features, buffering and the facilitation of connectivity through the precincts;
- The development on individual land parcels. This includes potential lot design, controls for the siting and design of buildings, car parking provision and other measures such as ESD and landscaping.

The Masterplan has been prepared and submitted in order to satisfy a condition precedent of the gazette rezoning approval granted by the Minister for Lands & Planning in June 2011. This document will support the ultimate pursuit of a Development Permit for the development of the land in addition to setting down the principles upon which this future development is permitted to occur.

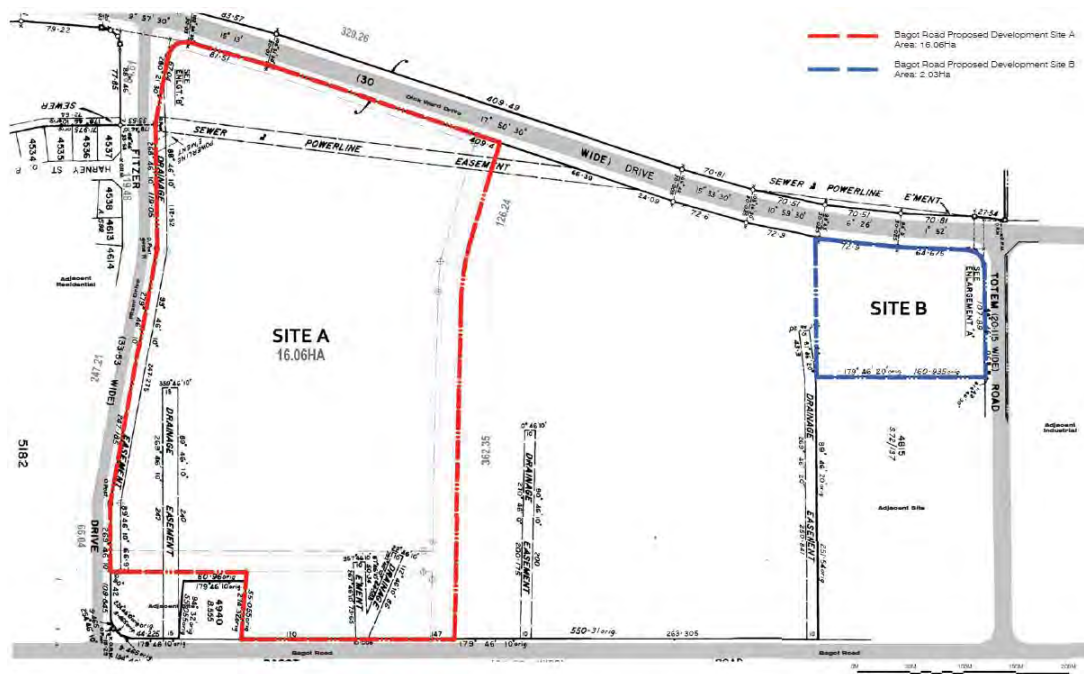
The Masterplan establishes the foundations for the future development of the land and provides the framework for future decision-making rather than providing the mechanism for the granting of any specific development consent for any subdivision or development works. In this regard, Development Permits, where applicable, will still be required to be sought and granted from and by the Department of Lands & Planning for each element of development of the land including but not limited to subdivision, public realm works and development of each lot.

SECTION 2

THE BACKGROUND

This document seeks to satisfy the conditions attached to the rezoning of Part Lot 5182 with frontage to both Dick Ward Drive and Bagot Road, Darwin and to give direction to the future development of the land. In this regard, the land has been the subject of an extensive rezoning process, which was commenced in 2007 and was granted ministerial consent in June of 2011.

The area that was rezoned, relates to two (2) distinct areas; A & B, as outlined in the plan extract below). The land has been zoned SD – Specific Use and is formally known as Zone SD37 (Specific Use Zone - Darwin No. 37).



The property provides for direct frontage to Dick Ward Drive, Bagot Road, Fitzner Drive & Totem Road and is located approximately 8km to the north east of the Darwin CBD and is located between the suburban localities of Coconut Grove and Ludmilla.

The land is held under a long term lease by the Gwalwa Daraniki Association, who at the time of writing had entered into a commercial agreement with Citiland P/L to develop the land, with a view to providing sustainable employment and income for members of the Gwalwa Daraniki Association.

The development of the subject land comprises detailed considerations to existing and potential constraints, with particular reference to the following:-

- The need to preserve the amenity of adjoining areas, particularly residential land uses;
- The need to enhance and address the existing traffic network limitations and constraints;
- The need to address and manage ecological & cultural issues; and

- d. The need to manage interactions with the nearby Darwin International Airport to ensure that the safe operation of aviation functions is maintained.

The rezoning of the land was structured in a manner consistent with the constraints of the land outlined above and incorporated a number of conditions that seek to ensure either additional detail by way of the preparation and approval of a masterplan prior to any development occurring and by identifying ongoing controls relevant to development on the land.

In general, a master plan aims to:

- Provide information regarding the type, scale and form of development intended for the site.
- Provide clarity in the development process by clarifying the planning principles and identifying the requirements of the development of the site.
- Assist the public by providing information regarding the likely future development.
- Assist the consent authority in the assessment of future development applications for the development of the site.

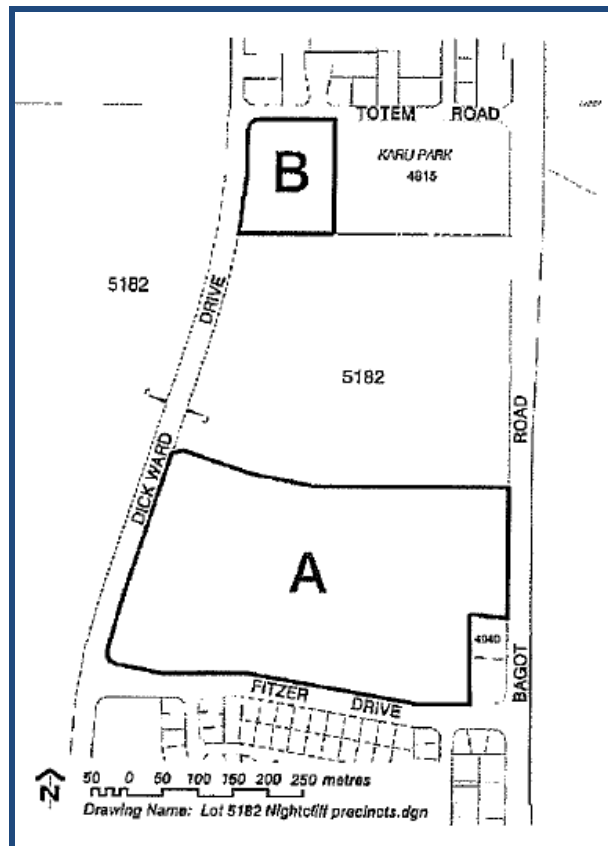
The terms of the rezoning released by the Minister in June 2011 are outlined below:-

The Minister for Lands and Planning has amended the NT Planning Scheme in relation to part Lot 5182 Town of Darwin. The amendment rezones part Lot 5182 from Zone RD (Restricted Development) to Zone SD37 (Specific Use Zone - Darwin No. 37).

Part Lot 5182, Dick Ward Drive, Town of Darwin.

1. The purpose of this zone is to provide for a commercial and industrial development which:
 - (a) *minimises the negative impacts of being exposed to aircraft noise;*
 - (b) *preserves the amenity of adjoining residential areas; and*
 - (c) *preserves the safety and maintains the curfew free operation of the Darwin International Airport.*
2. The parts of Lot 5182 that are subject to this clause are the two areas of land that are bounded by a thick black line and marked as Areas A and B on the diagram to this clause.

Continues next page...



3. Area A is to be:

- (a) *used with or without consent in accordance with the provisions of Zone SC (Service Commercial); and*
 (b) *notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:*

- | | |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| i. animal boarding; | xiii. motor repair station where located on land adjoining or opposite a residential zone; |
| ii. car park; | xiv. office except where ancillary to the primary use; |
| iii. education establishment; | xv. place of worship; |
| iv. home based contracting; | xvi. passenger terminal; |
| v. home occupation; | xvii. residential building; |
| vi. hostel; | xviii. restaurant; |
| vii. hotel; | xix. service station where located on land adjoining or opposite a residential zone; |
| viii. leisure and recreation; | xx. supporting accommodation; |
| ix. licensed club; | xxi. transport terminal; and |
| x. medical clinic; | xxii. veterinary clinic. |
| xi. motel; | |
| xii. motor body work where located on land adjoining or opposite a residential zone; | |

- (c) *developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.*

4. Areas B is to be:

- (a) *used with or without consent in accordance with the provisions of Zone LI (Light Industry);*

(b) *notwithstanding the above, the following uses if proposed as the primary or ancillary use are prohibited within this area:*

- | | |
|--------------------------------------------------------------|------------------------------------|
| i. car park; | x. place of worship; |
| ii. community centre; | xi. passenger terminal; |
| iii. education establishment; | xii. restaurant; |
| iv. home occupation; | xiii. residential building; |
| v. hotel; | xiv. rural industry; and |
| vi. leisure and recreation; | xv. veterinary clinic. |
| vii. licensed club; | |
| viii. medical clinic; | |
| ix. office except where ancillary to the primary use; | |

(c) *developed in accordance with the requirements of clause 8.2 and 11.3 of the NT Planning Scheme.*

5. Development of Area A is to protect the residential amenity of the adjoining Ludmilla community by:

- (a) *providing a vegetated landscaping buffer Fitzer Drive, which will include the existing 10 metre drainage easement that runs along the property boundary. Landscaping of this buffer is to take into consideration the Community Safety Design Guide and is to be designed to the satisfaction of the consent authority; or*
- (b) *providing a minimum 3m landscaping area adjacent to this northern side of the drainage easement within Area A where the operation and/or maintenance requirements of this easement preclude landscaping;*
- (c) *meeting the requirements of Clause 6.12 of the NT Planning Scheme;*
- (d) *designing buildings to have an active frontage to Fitzer Drive that allows for the passive surveillance of the landscape buffer; and*
- (e) *the landscaping buffer discussed at paragraphs 5(a) and 5(b) are to be constructed prior to the commencement of any development within Area A.*

6. A road reservation that runs along the northern boundary of Area A is to be provided. Buildings are to have a frontage to this reservation and are to provide an active street interface.

7. Loading bays, storage facilities and waste storage utilities should be screened from Dick Ward Drive by using a eight (8) metre landscaping buffer and other landscaping design techniques in Areas A and B to the satisfaction of the consent authority.

8. The presentation of blank walls to Dick Ward Drive is to be minimised in Areas A and B by using architectural design techniques such as awnings, windows, eaves, roof design and other architectural design techniques.

9. Building and lot designs are to demonstrate that they can be constructed to comply with:

- (a) AS2021-2000 'Acoustics – Aircraft noise intrusion – Building siting and construction'; and
- (b) Any applicable height provisions set out in the Defence (Areas Control) Regulations 1989.

10. A master plan is to be prepared and submitted to the consent authority before any development commences or a development application is lodged for Areas A and B. This master plan is to be endorsed by the consent authority, and all future development is to be in accordance with the endorsed master plan.

11. The master plan required at paragraph 10 is to outline how the requirements in this schedule are met (where applicable), and is to:

- (a) *identify pedestrian and cycle links through the site that connect to Bagot Road, Dick Ward Drive, Fitzer Road and Totem Road;*
- (b) *integrate parking areas with the pedestrian network;*
- (c) *include a road network design that provides necessary network upgrades, ingress and egress points, provides a low speed environment that protects the amenity of adjoining areas and prioritises a safe pedestrian network;*
- (d) *provide any relevant cultural, soil and flora and fauna assessment that demonstrates that development of the land will not cause detrimental impact to the community or the environment;*
- (e) *provide detailed concept designs that illustrate the landscaping treatment for Areas A and B;*
- (f) *include drawings that show how the landscaping buffer and built form adjacent to Fitzer Drive will be designed; and*
- (g) *demonstrate how buildings are likely to be accommodated within the development and that compliance with Clauses 8.2 and 11.3 of the NT Planning Scheme is achievable.*

SECTION 3 THE VISION

Citiland Pty Ltd intends to develop premium Commercial and Light Industrial lands within close proximity to the Darwin Airport Precinct and make use of the sites location along major arterial roads within the Darwin region.

This Masterplan document encourages developers to produce environmentally sensitive contemporary buildings of a high design quality that will add to the corporate image of the tenant and to the overall vision of the site as a premier commercial, retail and light industrial address.

The development area is located between Dick Ward Drive and Bagot Road to the west of the Darwin International Airport. This land is ideally suited to logistics, freight and on time receival and dispatch service providers for both the aviation and general industry sectors. The potential for commercial and retail operators to establish within the site has been noted due it being situated amongst an existing residential area. It provides an opportunity to service the surrounding community and the Darwin region beyond.

The land will seek to comprise and incorporate the following:-

Large Format Retail

This land use could include a number of major retail and bulky goods stores servicing channels such as discount outlets, sporting and outdoor goods, furniture and hardware to electrical goods and more.

Service Commercial

The proposal will comprise service commercial facilities complimentary to large format retail areas with siting likely to be consistent with main transport routes and exposure to high volumes of passing consumer traffic.

Information, Communications and Technology

The land will provide for a high level of Information, Communications and Technology Infrastructure to proponents so as to take advantage of available top end technology and services. The infrastructure provided will be consistent with the Government's policy of promoting choice in communications.

Environmentally Sustainable Development

The proponents are committed to providing a cutting edge environment in which the design principles will ensure the attainment of sustainable environments and the creation of a clean and green destination. In order to achieve this vision, the proposal will promote:-

- Native landscaping,
- Passive Building Design, and
- Water Sensitive Urban Design.

SECTION 4 THE LAND

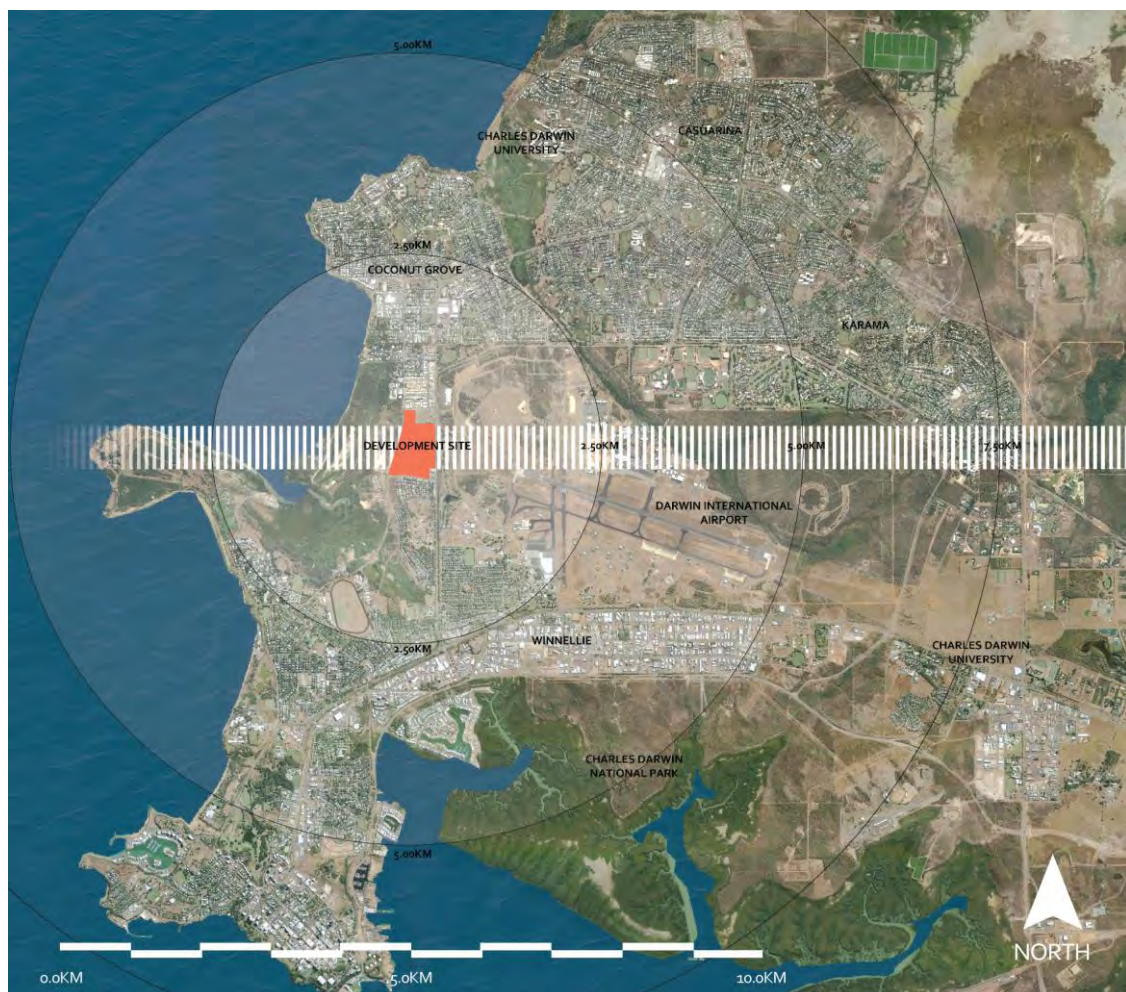
4.1 Local Context

The current leaseholder of the land is the Gwalwa Daraniki Association Inc. The NT Atlas (accessed 12/06/2011) also shows that the property has a Crown Lease Perpetual tenure type.

The property is legally described as Part Lot 5182, Dick Ward Drive, Darwin.

The Masterplan area incorporates a total surface area of 18.09ha (Area A – 16.06ha, Area B – 2.03ha) and provides for direct frontage to Dick Ward Drive, Bagot Road, Fitzer Drive & Totem Road.

The Masterplan area is located approximately 8km to the north east of the Darwin CBD and is located between the suburban localities of Coconut Grove and Ludmilla. See the below extract for insight into the regional context of the site.

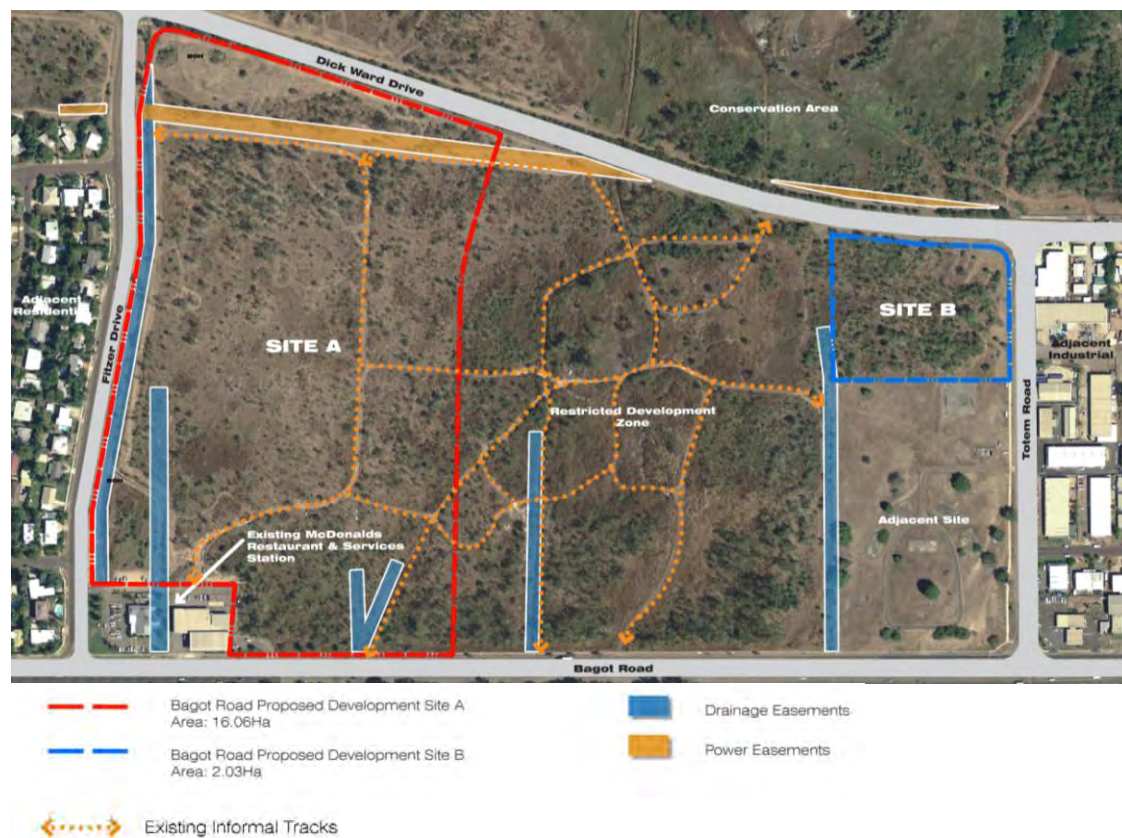


4.2 Site Analysis – Site Location and Description

4.2.1 Existing Site Conditions - Land use

The Masterplan area is currently vacant and unimproved, with the exception of existing informal tracks located throughout the site. An existing Service Station and McDonalds Restaurant are also located on a separate area of land that fronts Bagot Road in the southern corner of the site.

The Masterplan area is currently accessed from Fitzner Drive and an existing driveway / entrance road running to the rear of the McDonalds Restaurant and the Service Station.



4.2.2 Existing Site Conditions – Climate & Soils

The Darwin region, inclusive of the Masterplan area, experiences distinct wet and dry seasons with high temperatures and dry winds as well as monsoonal rain and other significant rainfall events. These rainfall events can cause flooding which is determined by the volume, duration and spatial distribution of the rainfall. Most of the rain falls during the Wet season between November and April, while the Dry season extends from May to October. Darwin falls within the Hot Humid zone, with a mean maximum temperature of 32°C and mean minimum temperature of 23.2°C. The mean rainfall for Darwin is 1715mm, with 93.5 days of rain, falling mainly within the wet season of November to April.

The CSIRO - Atlas of Australian Soils, NT Portion, while at a coarse scale, suggests that there are two soil types on the subject properties; Kandosols and Tenosols. Kandosols are classified as lacking strong texture contrast and have massive or only weakly structured B horizons which are not calcareous throughout (Isbell, 2002). Tenosols are soils which have weak pedologic organization apart from the A horizon, and include a diverse range of soils that do not fit the requirements of other soil orders (Isbell, 2002).

Sites A and B have not been assessed for acid sulfate or potential acid sulfate soils. In this regard, these areas are classified under the heading of 'No Known Occurrence of Acid Sulfate Soils' in the ACID SULFATE SOILS – Darwin map (NRETAS, 2009).

Water could be a constraint for the proposed development site. It is mapped as having mainly Kandosols which can be waterlogged during the wet season. Small portions of both Sites A and B fall within the Secondary Darwin Storm Surge zone, with the Restricted Development (RD) area which separates the development sites being mapped as within the Primary Darwin Storm Surge zone. The Land Use and Land Unit mapping suggest that the site has low to moderate suitability for urban subdivision with limitations due to drainage, a high seasonal water table and a hard setting surface. In order to gain development approval the developer will need to be prepared to adopt appropriate engineering and drainage to make this area suitable for the proposed development for the above issues.

4.2.3 Existing Site Conditions – Landform

The site is generally level, with only a slight grade towards the north east and relief of less than 1m.

4.2.4 Existing Site Conditions - Hydrology

The Masterplan Area is located approximately 1km from the high water mark of Beagle Gulf in the Arafura Sea, and is on a gentle slope (~1%) from east to west. The North West corner of Area A as well as the South West corner of Area B is considered to be subject to possible flooding due to storm surge event. It is estimated that approximately 10% of the total Masterplan area could be affected by Secondary Darwin Storm Surge (one in one thousand year event) (refer **Site Analysis Plan** within **Appendix B**).

4.2.5 Existing Site Conditions - Traffic and Circulation

As discussed above, the subject site is bounded by the following roads:

- Bagot Road;
- Dick Ward Drive;
- Totem Road; and
- Fitzer Drive.

Bagot Road is a major arterial road providing for through travel between the Stuart Highway to the south and the northern suburbs of Darwin, including the Darwin Airport. Recent traffic counts indicate that Bagot road currently carries in the order of 35,000 vehicles per day.

Bagot Road is generally a six lane divided road with major intersections controlled by traffic signals or grade separated ramps, however, there are some priority controlled intersections located in the vicinity of the site including the Fitzer Drive intersection.

Dick Ward Drive functions as a two lane Sub-Arterial road and provides for north-south travel between Coconut Grove and Fannie Bay. Recent traffic counts indicate that Dick Ward Drive currently carries in the order of 10,000

vehicles per day. It is a two lane undivided road with a 70km/h speed limit. Intersections are generally priority controlled with Austroads Type C style turning treatments.

Fitzer Drive is located at the southern end of the subject site. It extends between Bagot Road and Dick Ward drive and functions as a Residential Collector Road. Recent traffic counts indicate that Fitzer Drive currently carries in the order of 4,000 vehicles per day. All movements are allowed at the Bagot Road / Fitzer Drive intersection. The Bagot Road / Fitzer Drive intersection does not exhibit any significant congestion levels. However, concern is raised regarding the operation of this intersection (under priority control) considering the function of and volume of traffic on Bagot Road. Further detail has been provided within **Appendix C – Traffic Impact Assessment**.

To the north of the site, Totem Road extends between Bagot Road and Dick Ward Drive. It carries in the order of 5,000 vehicles per day, and functions as an Industrial Collector Road. Its intersection with Dick Ward Drive is a priority T junction, with a dedicated right turning lane provided for traffic turning right into Totem Road. The Bagot Road / Totem Road intersection is controlled by traffic signals, with a 'seagull' style treatment provided for southbound traffic.

Public bus services currently use Dick Ward Drive and Bagot Road. Bus stops in Dick Ward Drive are located in the vicinity of the residential neighborhood at the southern end of the subject site. It is estimated that future traffic growth will occur at a rate of approximately 3% per annum. Consequently, it is estimated that Bagot Road will carry in the order of 48,000 vehicles per day by the year 2020, and Dick Ward Drive will carry in the order of 14,000 vehicles per day by the year 2020.

There are existing pedestrian / cycle footpaths on each of Bagot and Totem Roads and Dick Ward Drive and Fitzer Drives.

4.2.6 Existing Flora & Fauna

Vegetation

The Masterplan area supports three (3) distinct vegetation communities which are all common within the local region. The proposed development site has been highly disturbed by weeds and by illegally dumped waste.

There are sections where Gamba grass and mission grasses are the dominant species. In addition to this, the other vegetation types have understoreys that are made up of a large proportion of weeds. Refer mapping extract below.





Weeds

As per the recommendations of the Minister, a Weed Management Plan has been prepared for the land and includes the following commitments - no soils taken off-site, all cleared grasses and shrubs be piled and buried on-site to a depth of 1m.

The following weed species were identified on site during a site inspection during October 2011:

Listed Weeds

- Mimosa (*Mimosa pigra*) A/C and WONS
- Gamba Grass (*Andropogon gayanus*) B/C
- Perennial Mission Grass (*Pennisetum polystachion*) B/C

Environmental Weeds

- Annual Mission (*Pennisetum pedicellatum*)
- Cooch Grass (*Cynodon dactylon*)
- Sabi Grass (*Urochloa mosambicensis*)
- Tully Grass (*Urochloa humidicola*)
- Centro (*Centrosema molle*)
- Coffee Bush (*Leucaena leucocephala*)
- Wild passion Fruit (*Passiflora foetida*)

During the vegetation clearing operation all vehicles should be washed free of vegetation and soil matter. Any earth transported for use onsite should be weed-free. Further requirements for the management of Gamba grass can be found in the Weed Management Plan for 'Andropogon gayanus' (Gamba Grass) 2010 produced by NRETAS and in the **Weed Management Plan** prepared for the subject site which is attached within **Appendix G**.

Threatened Species

Armstrong's cycad (*Cycas armstrongii*,) was found in low numbers within the northern boundary of both Sites A and B as well as the Central RD lands. This species is listed as vulnerable under the *TPWC Act 2000*. The species is locally abundant, but recognised as vulnerable as its habitat coincides with much of the urban development occurring around the Darwin area. The NT government has produced a cycad management program to provide for the use of these cycads which would otherwise be destroyed through clearing associated with Development. A management plan for the removal of the specimens at the subject site will need to be created in order to receive a permit to move the cycads elsewhere.

Other threatened species are known to be native within the vicinity of the proposed development site; however the Armstrong's cycad was the only species identified upon inspection. No additional threatened species will be impacted by the proposed development.

4.2.7 Existing Site Conditions - Services and Infrastructure

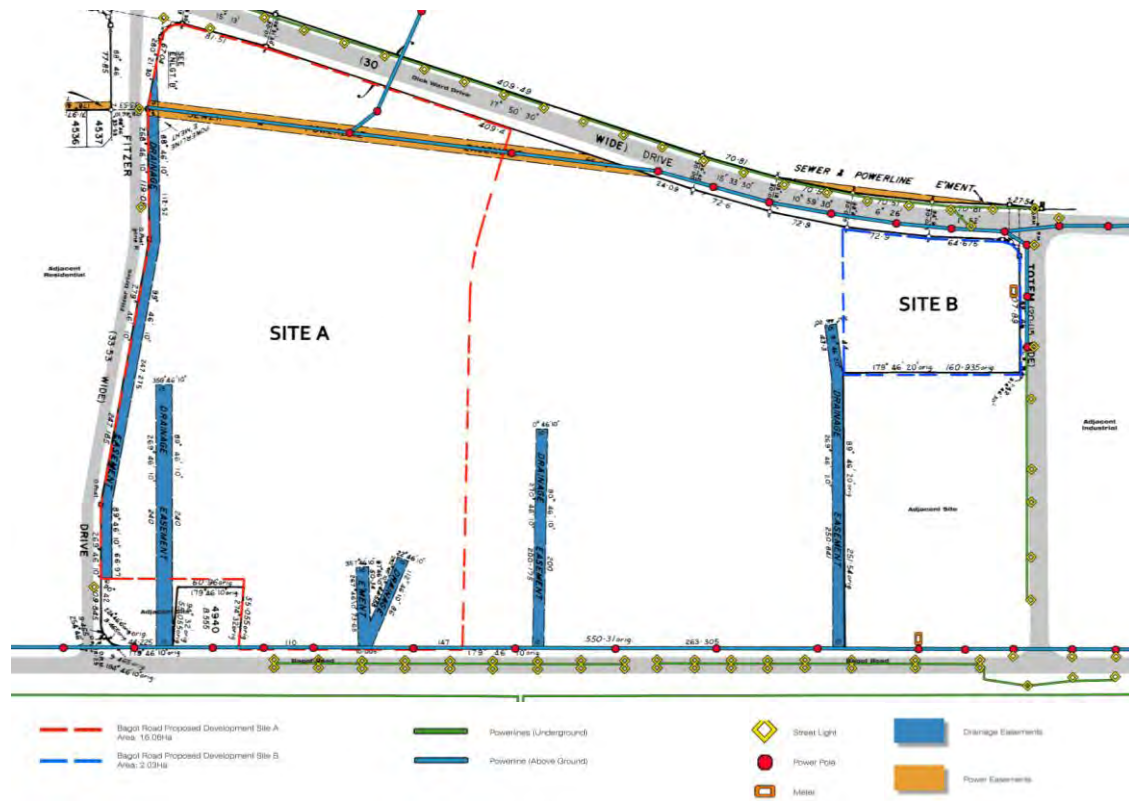
The NT Atlas describes the subject site as part of parcel 5182 in Ludmilla suburb in the Town of Darwin in survey plan S77/93B. The site analysis plan shows a number of easements affecting the development area.

In this regard there are two drainage easements along a general east-west direction in the southern portion of Area A and a sewer and power line easement which is located in a north-south direction along the western border of Area A. There is also a V shaped drainage easement in the northeastern corner of Area A.

The Central, or RD Lands, contains two (2) drainage easements which will not be impacted as the construction of a road through this section of the property is all that is proposed.

Area B does not contain any easements or encumbrances.

It will be necessary to ensure that the function of these easements is maintained within the future development of the land. The existing drainage and power easements, shown in the extract below, will be adjusted and realigned to provide for integration of the development with the strategies and layout of the Masterplan document.



4.2.8 Existing Site Conditions - Site Contamination

The site visit confirmed that the land and vegetation on-site is highly disturbed. The main disturbances observed were:

Area A

- Extensive weed infestation
- Several burnt-out cars have been dumped on the tracks that run through the site
- Refrigerators, washing machines and other household appliances
- Soil piles and building materials
- General Waste

Area B

- Extensive weed infestation
- Refrigerators, washing machines and other household appliances
- Soil piles and building materials
- 44 Gallon Drums
- General Waste

Central (RD Lands)

- Extensive weed infestations

- Several burnt-out cars have been dumped on the tracks that run through the site
- Refrigerators, washing machines and other household appliances
- Soil piles and building materials
- General Waste

The site has been subject to major earthwork in the past (observed soil piles and young vegetation recruitment). There is a chance that it may have been used for Cyclone Tracy dumps and even potentially post war dumps (which may contain materials such as asbestos, car batteries, paints, hydrocarbons and acids). Accordingly, it is recommended a Site Contamination Assessment (Phase 1 Audit) be carried out prior to the issue of any development permit over the land.

SECTION 5

DEVELOPMENT OBJECTIVES

5.1 Generally

This development control plan provides practical planning criteria that will ensure a high standard of development is maintained throughout this estate.

The development controls are designed to ensure that a high level of design is maintained and that investors/operators will benefit from a quality working environment and that investment returns and long-term property values will be maximised while meeting environmental objectives and facilitating more sustainable development.

5.2 Key Objectives

The key objectives of the Masterplan are to:

- Present a contemporary character by providing a unified streetscape with commercial and light industrial buildings of a high quality
- Encourage the design of modern, functional buildings that will provide creative, premium commercial and light industrial precincts and set new standards within the Darwin property market
- Promote sustainable design principles through the use of building materials and products that minimise waste, provide energy efficient buildings, protect downstream environments and enhance the efficiency and use of water resources
- Maintain a high standard of landscaping throughout the estate that integrates the individual sites and street landscaping with a focus on native and water wise species
- Establish estate identities
- Encourage creative contemporary design that aims at developing the most effective, highest and best use of the sites, while supporting the vision of the "Bagot Road Masterplan".

SECTION 6

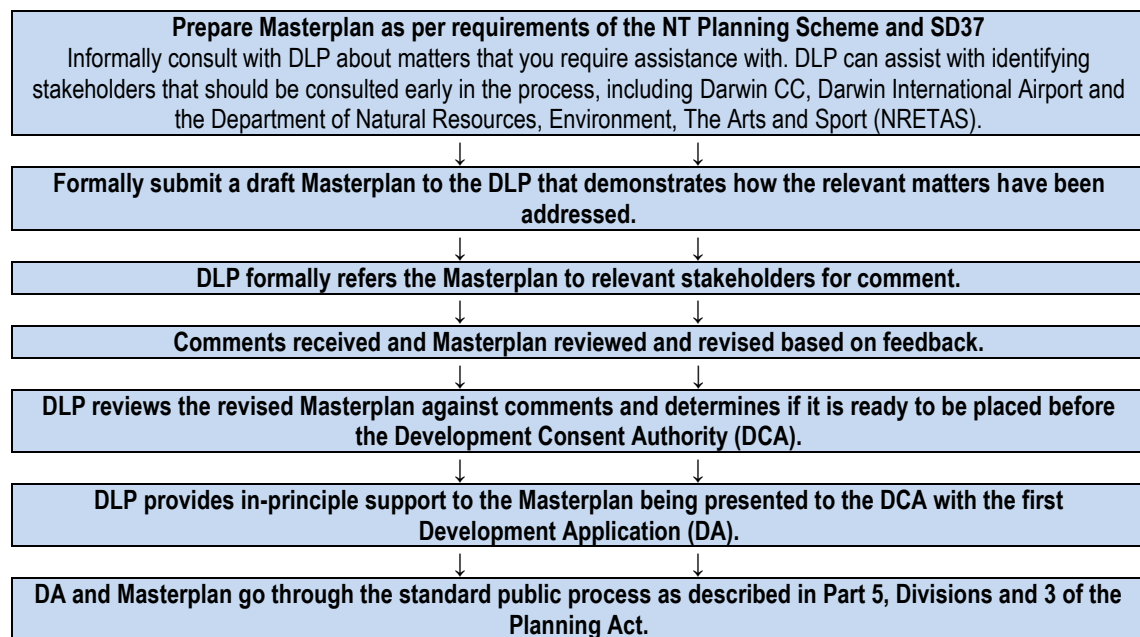
PLANNING FRAMEWORK

6.1 Status of Masterplan

The NT Planning Scheme provides the statutory basis for the future development controls relevant to the subject land. However in this instance, the terms relating to SD 37 (as approved by the minister) also call for the preparation of a Masterplan to guide future development. This Masterplan is an amalgam of both the provisions of the NT Planning Scheme and the intent for the land and its proponents.

In this regard, the Masterplan will seek to provide additional detail to confirm the intent of the Rezoning of the subject land, but also form the basis upon which all future Development Applications will be prepared and assessed. In effect, the Masterplan will act as a Development Control Plan for the subject land.

In consultation with the Department of Lands & Planning, a process flow chart has been prepared in respect of the preparation and adoptions of the Masterplan. This process is outlined below:-



The Masterplan has been prepared in accord with the above process.

In general, a master plan aims to:

- Provide information regarding the type, scale and form of development intended for the site.
- Provide certainty in the development process by clarifying the planning principles and identifying the requirements of the development of the site.
- Assist the public by providing information regarding the likely future development.
- Assist the consent authority in the assessment of future development applications for the development of the site.

The town planning controls contained within this Masterplan have been specifically tailored to the development to facilitate implementation of the development vision. Furthermore, the Structure & Precinct Plans have been informed by:

- Leading trends in master planned development, employment precincts and sustainable development;
- Detailed site investigations, environmental studies and infrastructure assessment;
- Input from the Council and Territory agencies; and
- Market Based Analysis.

The Masterplan shows typical site treatments and some potential development outcomes, however the Masterplan is not informed by an exact commercial decision and therefore it does not seek to provide guidance to a fixed development outcome. Rather, the Masterplan seeks to set in place the fundamental development outcomes that are important for the site and its surrounds and to ensure that all future development is responsive to the sites constraints and opportunities. Accordingly, there is flexibility in respect of the Masterplan document, with the exception of where the Masterplan has adopted the relevant provisions of the NT Planning Scheme that will remain fixed in respect of ongoing assessment.

This Masterplan will also follow through in the longer term so as to act as Design Guidelines to be administered by the proponents with respect to the development of the land. This process is separate to that relating to the NT Planning Act and will therefore effectively be addressed during the design phase and prior to Development Approval being sought. This is to ensure that a tight control is maintained in respect of attaining the vision for the subject lands.

6.2 Development Approval

All construction works require Development Approval from the Department of Lands and Planning, including:

- Any new building
- Alteration and extensions to internal or external of a building
- Signage
- A change of development use
- Hardstand areas
- Fencing to boundaries, within the front setback area or addressing the secondary street
- Landscaping, and
- Construction Environmental Management Plans.

NOTE: The Development Approval is the first stage to achieving a Building Permit. When granted, a Development Approval is the approval of the development concept – it is not a Building Permit.

Development Approval applications must include sketch plans with the following information:

- Overall site plan, including AHD levels, the location of adjoining buildings, landscaping areas, provision for parking and access (minimum scale 1:500)
- Detailed floor plans and coloured elevations (all sides) showing window locations, doors etc (minimum scale 1:200)
- A schedule of external finishes including proposed materials, colours and features
- Details of any tenant specific fitout items such as fire tanks, refrigeration units etc

- An indicative landscaping plan outlining the landscaping concept, types and size of plants and trees, existing landscaping or features, lawn areas etc. (minimum scale 1:200) Note: a fully detailed landscaping plan is required with the application
- Other detail that may be requested by the Department of Lands and Planning to allow the assessment to be properly completed
- Details outlining any special requirements or conditions that may need to be addressed such as additional power, trade or noxious waste etc
- Details of traffic flow, access and egress as well as carparking demands for the tenancy types
- A Planning Report detailing what activity will be undertaken on the site with comment on measures to be incorporated in the design and operation of the facility to achieve sustainable development and to address any regulatory requirements connected with the site's permitted use
- Completed development application form and fee.

A Development Approval is binding and based on the information provided. Any variation to that approval will require a new submission to the Department of Lands and Planning. The landowner reserves the right for architectural approval of proposed structures within the subject site. A Development Approval shall remain valid for 2 years from the date issued by the Department of Lands and Planning.

6.3 Building Permit

A building permit is required before any building works can be commenced. All buildings and site improvements shall be designed in accordance with the current edition of the Building Code of Australia. Building Certifier's consider and issue all building permits.

Applications for Building Permit shall include plans with the following information:

- Detailed construction documentation including plans and specifications
- Details of all materials, colours and finishes
- A Construction Environmental Management Plan to cover the works period is required
- Completed application form with fees with three separate copies of the proposal and documentation.

The development building plans may be required to be submitted to the Fire and Emergency Services for comment. A Building Permit approval is binding. Any variation to that approval will require a new submission to the Department of Lands and Planning. A Building Permit approval will remain valid for 2 years from the date issued by the Department of Lands and Planning. Plans must be provided to the Department of Lands and Planning in the form of "as constructed" plans and specifications within 3 months of practical completion of a building.

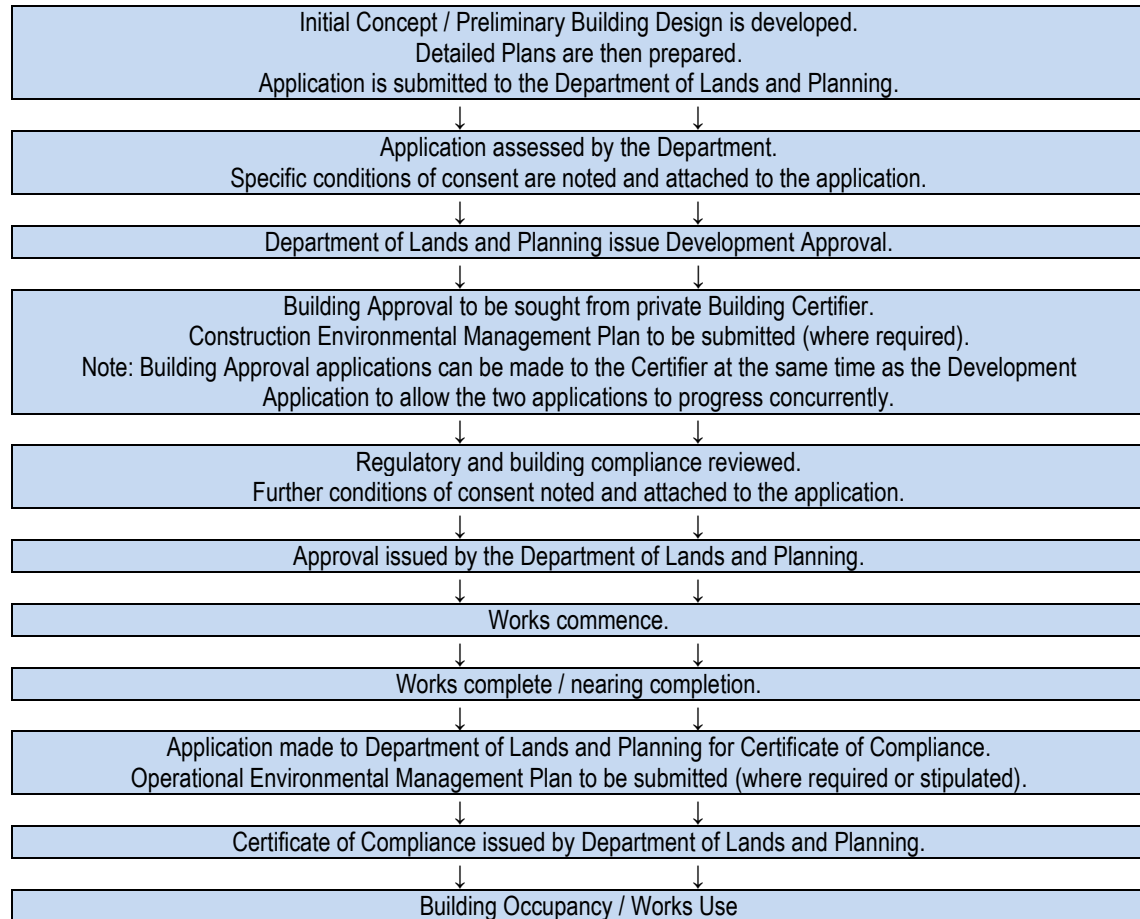
6.4 Environmental Management Plan (EMP)

Builders and developers are required to prepare, submit and gain approval for a Construction Environmental Management Plan that covers the build period. An Environmental Management Plan is also required for the ongoing operation of the site prior to occupancy of the building. These requirements are considered best to be conditioned by the determining authority as part of the Development Consent.

6.5 Change of Use

Once approval is granted any change of use from that approved use will require a new submission and approval from the Department of Lands and Planning. This subsequent submission will be assessed on merit and approval will be at the sole discretion of the Department.

6.6 Development Flow Chart



SECTION 7

MASTERPLAN DEVELOPMENT DESIGN ELEMENTS

7.1 Urban Design Principles

The following urban design principles are designed to ensure that all future development within the site assists in the realisation of the Masterplan vision and objectives.

- Present a contemporary character by providing a unified streetscape with commercial and light industrial buildings of a high quality
- Encourage the design of modern, functional buildings that will provide creative, premium commercial and light industrial precincts and set new standards within the Darwin property market
- Promote sustainable design principles through the use of building materials and products that minimise waste, provide energy efficient buildings, protect downstream environments and enhance the efficiency and use of water resources
- Maintain a high standard of landscaping throughout the development that integrates the individual sites and street landscaping with a focus on native and water wise species
- Establish a development identity
- Encourage creative contemporary design that aims at developing the most effective, highest and best use of the sites, while supporting the vision of the "Bagot Road Masterplan".

7.2 Land use Distribution

It is envisaged that in broad terms, uses for Area A will comprise:

- Retail Uses / Showroom
- Large Format Retail (Hardware and Bulky Goods)
- Service Commercial Uses
- Potential Light Industrial

It is envisaged that in broad terms, uses for Area B will comprise:

- Industry
- Warehousing and Distribution facilities
- Light Industrial
- Storage
- Potential Light Manufacturing (predominantly light industry)

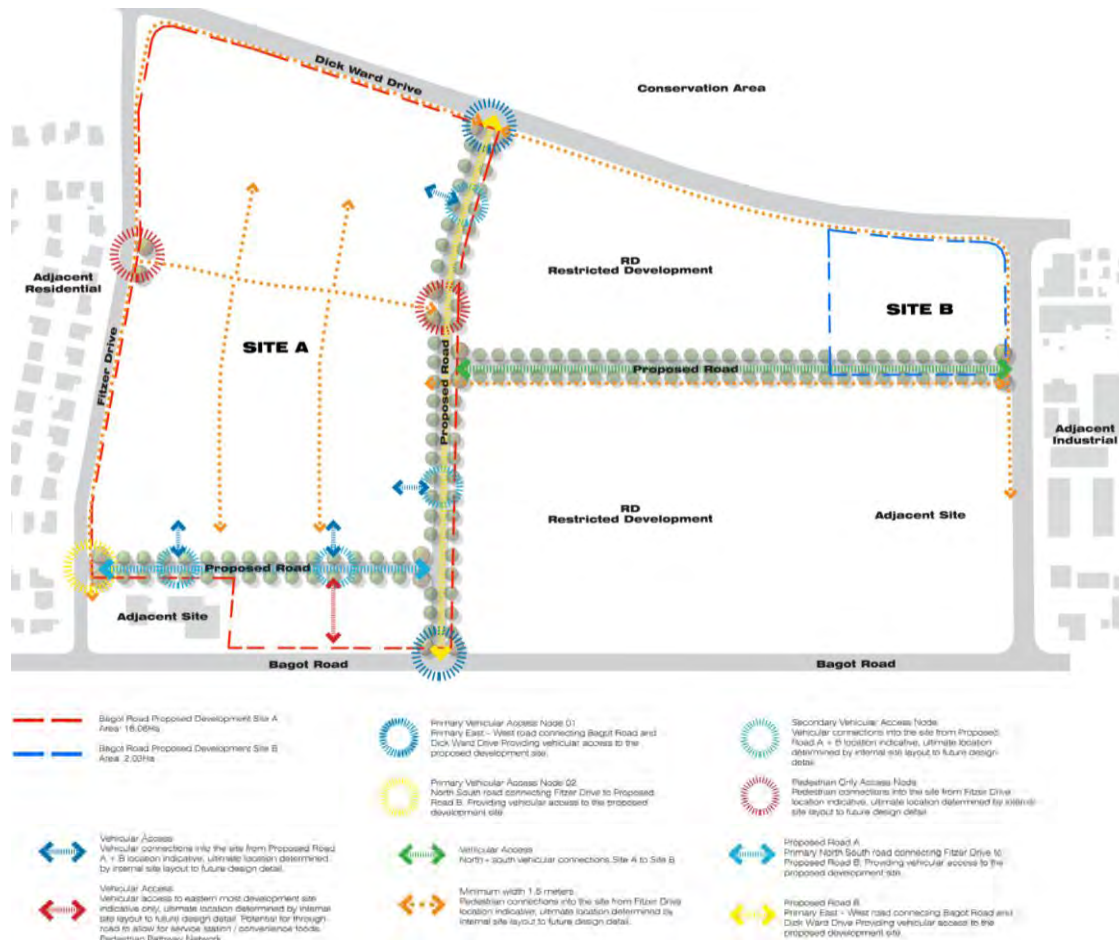
Final uses for the land will be subject to development consent in accordance with the NT Planning Scheme.

7.3 Urban Structure - Connectivity

The urban structure of the Master Plan aims to ensure that the built form and road access remains in keeping with the scale and extent of the proposed development and are compatible with the surrounding traffic network.

It provides vehicular connections through the site to the surrounding street network without encouraging 'rat running' and allows for an integrated pedestrian and bicycle access with connections into the surrounding street, open space and bicycle networks.

The design of the main link road between Bagot Road and Dick Ward Drive also allows for the future introduction of a bus route through the site and ensures that the surrounding residential areas are not forced to be impacted upon in this regard. The siting of the service road to the rear of the existing McDonalds and Service Station will allow for an easing of the inefficient access arrangement currently impacting upon Bagot Road. Further detail is illustrated within the extract below.



7.4 Conventional Subdivision or Centrally Managed

The indicative subdivision concept for the land comprises 49 lots of varying sizes. Each lot possesses suitable frontage and exposure so as to suitably provide for a standalone future development. Alternatively, the future development of the land could take the form of an integrated centrally managed facility, in which building format tenure may take preference as opposed to a conventional subdivision format. Further consideration of each of these potential forms will take place at a later date and commensurate with market conditions and further research.

The design and configuration of any lot created must fulfill the planning principles and objectives set out in this document. Further detail regarding an indicative subdivision design is illustrated within the following extract.



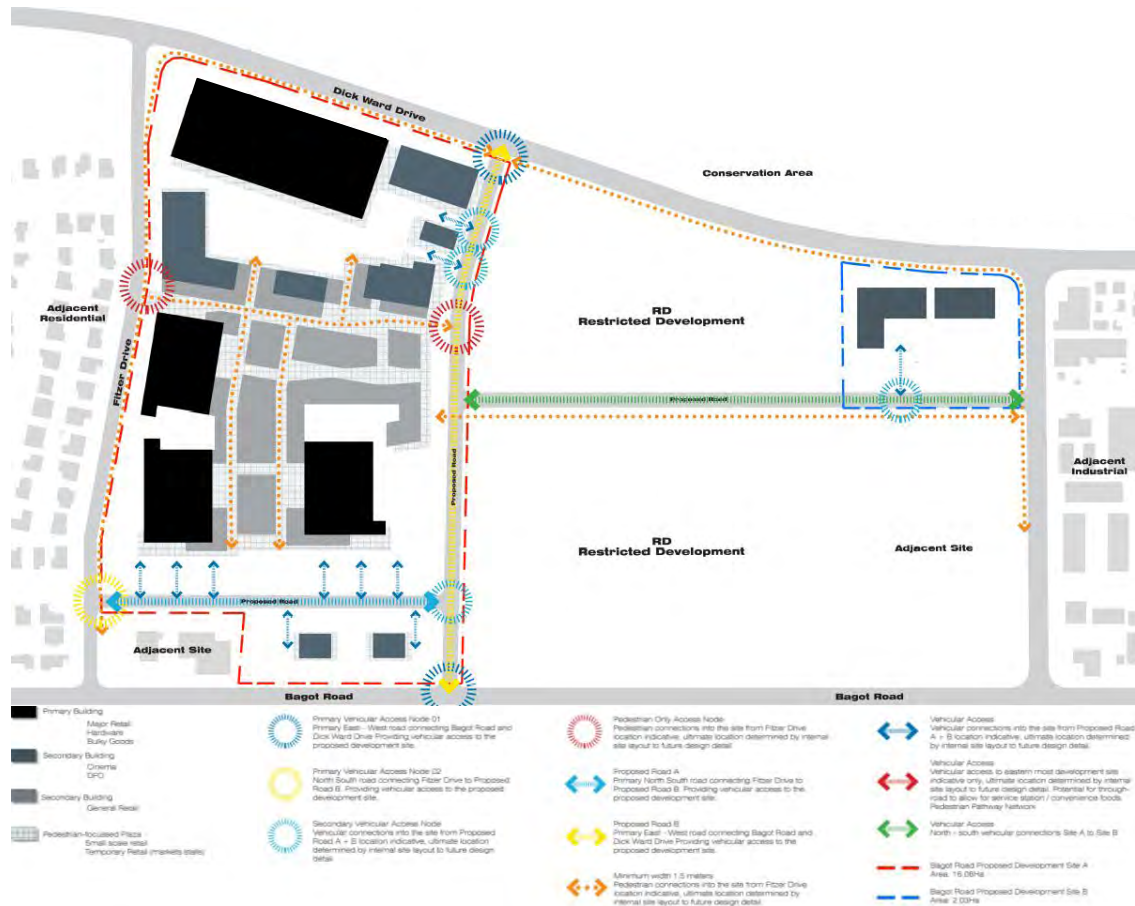
7.5 Indicative Built Area

Area A: The master plan and building design guidelines associated with this precinct are aimed at ensuring that this precinct forms its own stand alone character that is reflective of the following:-

- The sites function as a commercial destination as opposed to an extension of existing commercial / retail areas;-
- The need to address entrance and exit facilities reflective of the sites function as a key destination;
- The need to respect the existing character and amenity of adjoining residential areas; and
- The need to ensure that built form presentation is attentive to and respectful of the long and visually prominent frontages that the site provides for.

Area B: The building design guidelines of this Master Plan have been developed to ensure that the development of the land is carried out in a manner consistent with existing light industrial areas adjacent and with access to Totem Road. Attention will however be given to the detail of design ultimately sought, with commitment to sustainability and high level landscaping being key features.

The following extract details an indicative build area for the subject site.

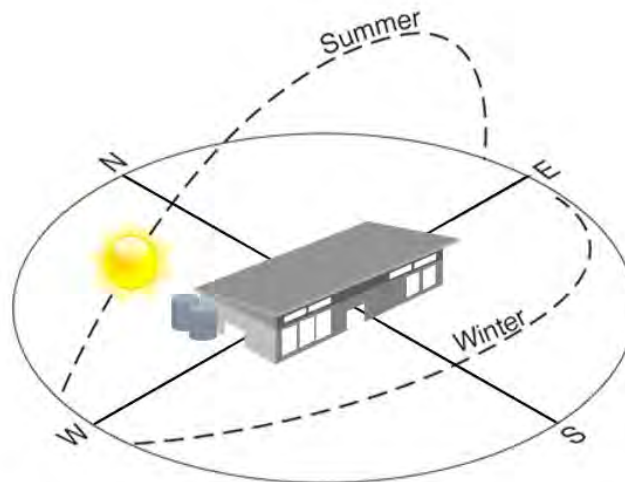


7.6 Environmentally Sustainable Design

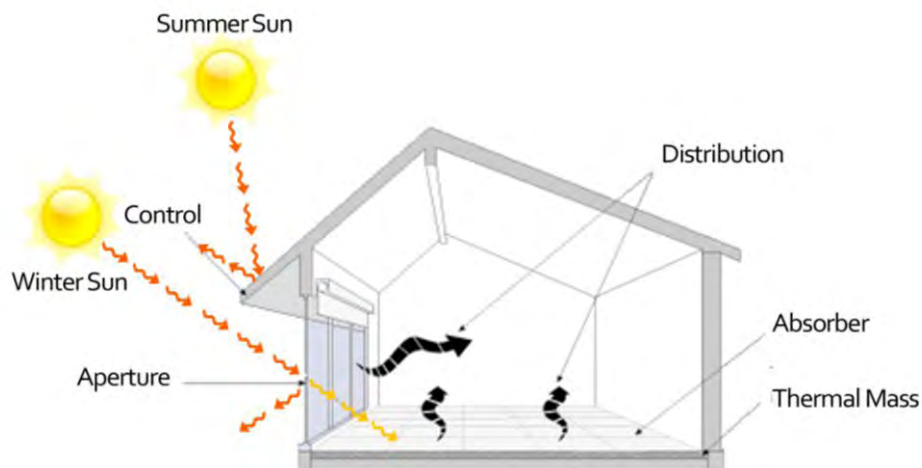
The future development of the site is to give consideration to the creative use of materials, sensitive management of water and the provision of sustainable land management techniques including;

- Provision of a holistic stormwater drainage management and detention and water quality program in private land and the private domain;
- Configuration of effective integrated irrigation systems using site runoff and roof water collection as required;
- Responsiveness to the site microclimatic conditions;
- Contribute to the successful implementation of passive solar and ESD principles within the private domain (built form and common open space areas).

The implementation of ESD principles within the Masterplan area are considered to be preferable building design elements. Developers will be encouraged to incorporate passive design, recycled materials and limit the reliance upon internal heating and cooling where possible.



Solar Orientation – Winter and Summer Sun



Solar Orientation – Aperture and Controls

Design Objectives

- To preserve solar access to north-facing solar collectors (e.g. windows, photovoltaic cells, solar hot water/air panels);
- To maximise the thermal performance, comfort and energy efficiency reducing the need for artificial heating and cooling.
- To optimise natural ventilation.
- To encourage the use of onsite renewable energy generation

Acceptable Solutions

The siting and orientation of buildings should maximise the opportunities afforded by prevailing environmental conditions. This will ensure that energy savings are realised and positive environmental outcomes achieved.

The guidelines for efficient orientation layouts are as follows:

- Consider prevailing summer wind patterns and utilise these to obtain passive cooling outcomes.
- Siting and orientation of buildings should consider and complement neighboring buildings.
- Designing windows on the north side of buildings for summer sun protection and winter sun penetration.
- Avoiding large windows on the south side of buildings and unprotected windows on the west side.
- Allowing for south-to-north ventilation through buildings to reduce heat build-up in the summer.

Water Sensitive Urban Design

In accordance with WSUD principles, the use of a number of stormwater treatment devices in series to form a 'treatment train' is encouraged.

The stormwater treatment train for each sub-catchment could include a combination of two or more of the following measures:

- Bioretention devices within constructed swales where slope <5%.
- Gross Pollutant traps (GPTs).
- Sedimentation basins at the inlet zone for the constructed wetlands.
- Constructed wetlands with a minimum 30% soft-edge treatment.
- Diffuse low-flow discharge (<Q3month) and stormwater treatment within the rehabilitation areas.

Treatment Train Type 1 (TTT1)

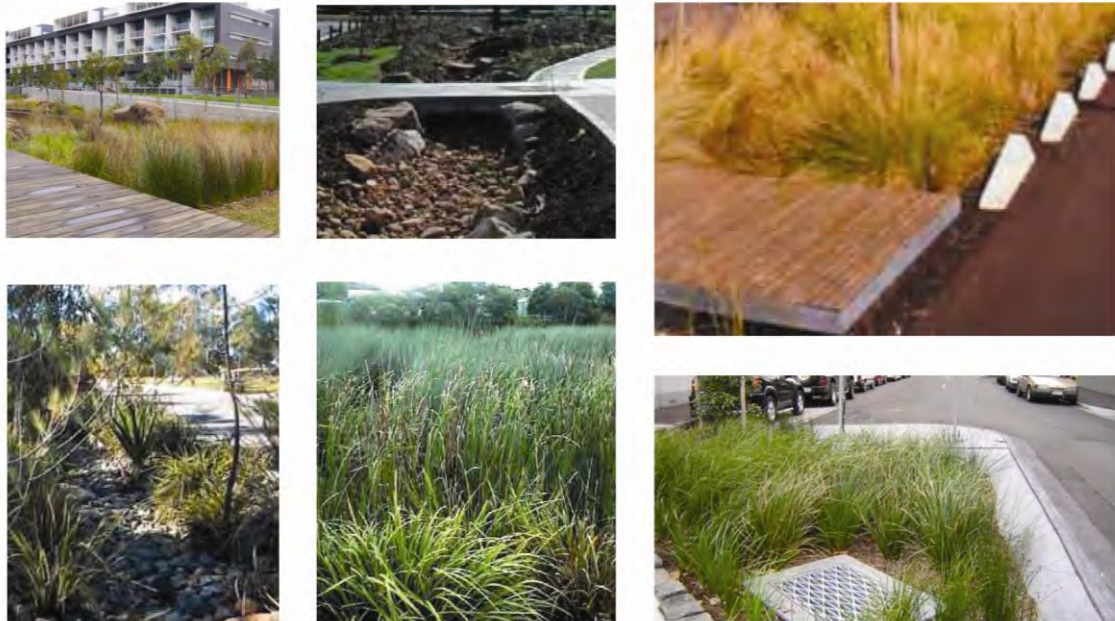
In areas where grades are less than 5% and the underlying soils are sandy the treatment train for each hectare of development might comprise:

- (i) Infiltration systems in lots
- (ii) Vegetated swales within road reserves and open space areas
- (iii) Constructed wetlands

Integrated Water Cycle Management:

- (a) Integrated Water Cycle Management (IWCM) is a desirable element that may be adopted during the design stage of development. The IWCM approach aims to provide feasible integrated solutions for the management of water supply, wastewater, stormwater and groundwater throughout the site. Water management measures (including use of rainwater collection and reuse, grey water systems and wastewater treatment and reuse) are to be investigated and appropriately incorporated during the building design stage (where relevant).
- (b) IWCM can involve the integration of a large number of concepts for re-use, reduction and recycling. These options may include (but are not limited to):
 - (i) demand management – use of water efficient appliances
 - (ii) rainwater (roof runoff) collection and re-use
 - (iii) stormwater collection and reuse
 - (iv) aquifer storage and recovery
 - (v) effluent recycling (sewer mining)
 - (vi) WSUD measures for water quality improvement.
- (c) The IWCM strategy for the Bagot Road Masterplan area will incorporate but not be limited to following strategies.

- (i) Communal rainwater tanks will be investigated as an option for collection and storage of runoff for use in landscape and open space irrigation in Masterplan area.
- (ii) Investigations into the feasibility of demand management measures, in order to conserve water by reducing both reticulated water usage and the volume of wastewater generated, will be undertaken. This will include the use of WELS Scheme rated water-efficient devices to further reduce demand across the development.



Water Sensitive Urban Design: Landscape Integrated WSUD Elements

7.7 Materials

The materials selection shall aim to achieve a high level of finish and aesthetic quality, minimising maintenance requirements and have appropriate durability for their design purpose.

Treatment of site soil is recommended prior to application. In addition imported topsoil shall be used to achieve optimum soil growing medium with correct soil composition and pH values.

Where organic materials have to be imported, only 'clean' high quality materials will be used, i.e. clean fill, imported topsoil, organic mulch, etc. Irrigation is to be provided, as necessary, to ensure the successful establishment and continued growth of new landscape plantings.

7.8 Landscape Design

A set of detailed **Landscape Design Guidelines** have been prepared for the Master Plan Area and are provided at **Appendix A** of this report.

The proposed landscape design shall incorporate Environmental Best Practice methods in the development of retail and industrial open space, streetscaping and management.

The principles endeavour to consider environmental factors in all open space planning and explore opportunities to create endemic environments. It will create landscapes that will encourage the public's appreciation of native flora and fauna, whilst also promoting ecological sustainability.

The Master Plan creates a long-term vision that will improve the environmental value of land and its attractiveness as a destination in the future.

7.8.1 Landscape Design Objectives

The proposed landscape design shall be based achieving the following objectives:

- Provide a high level of design quality and visual amenity for the proposed development;
- Build upon the master plan vision as outlined in this document;
- Incorporation of ESD design principles, where relevant in siting and design;
- Extend the natural and cultural landscape values of the area; and
- Implement new urban streetscapes, buffer areas and entrance / fencing arrangements that reflect the character of the area and enhance the vision for the land.

All landscaping is to be in keeping with the rationale behind these objectives.

7.9 Building Design Rationale

The principal design rationale is to apply the objectives of building form and functionality, balanced with consideration of visual aesthetics, in order to achieve a high standard of development, which reflects the urban context of the area, its status as a destination development, its proximity to the Darwin International Airport and Darwin CBD and its temperate environment.

The buildings shall be designed in a strong contemporary style incorporating the requirements of environmental sustainability.

It is recommended that proponents consider the services of suitably qualified professionals in preparing applications.

7.10 Environmentally Sustainable Development

Environmental sustainability is crucial in contemporary developments, allowing for the prolonged use and limited impact of buildings on the surrounding environment. As such, the proponents of the Masterplan and the Department of Lands and Planning support developers who demonstrate their commitment to the design and implementation of sustainable building technology, including minimisation of building waste, recycling, energy and water efficiencies and improved environmental outcomes.

All buildings, at a minimum, are to conform to the energy efficiency requirements of the Building Code of Australia (Part J).

The consideration of sound environmental design parameters can significantly reduce everyday running cost of buildings without significant additional building cost.

Building envelopes and internal layouts should be designed to minimise energy consumed for heating, cooling and light where:

- Window design & shading facilitates good thermal and daytime performance
- Building materials and insulation minimise the thermal transfer
- Building materials and energy sources are selected to minimise energy requirements and greenhouse gas emissions.
- Building services shall be designed to minimise energy and resource use through:
 - Maximising the use of natural light and ventilation
 - Selection of energy efficient lighting control systems, fittings and appliances
 - Design for the use and management of natural ventilation
 - Utilise energy efficient mechanical ventilation and air-conditioning equipment and controls
- Minimise water use via water efficient fixtures and fittings and maximise water re-use and recycling where possible
- Minimise waste through product and material choice and recycling and re-use

7.11 Visual Management

7.11.1 Visual Management Principles

The primary objective of the Visual Management and indeed the Landscape Strategy is to mitigate the visual impacts of development when viewed from surrounding major roads, public areas or other sensitive land uses, and ensure that major landscape elements within the site are retained and managed as part of the regional landscape. In particular, the development of the land must not impose upon the adjacent residential areas fronting Fitzer Drive, nor should the ultimate form of development be imposing to both Bagot Road and Dick Ward Drive.

• **Fitzer Drive** – A landscaped buffer area will be established for the full length of Fitzer Drive (with the exception of required pedestrian entrance / exit facilities). This buffer will consist of suitable fencing, pedestrian arrangements and treatment of the existing drainage easements so as to ensure retention of a residential character for Fitzer Drive.

• **Bagot Road and Dick Ward Drive** – Landscaping in these areas will be aimed at ensuring a 'green' outlook and an attractive streetscape for passing motorists and pedestrians alike.

Mitigating the impact of development when viewed from major roads around the perimeter of the site, and from roads and public spaces within the site, will be achieved by incorporating appropriate controls (following from the conditional requirements of the Rezoning), including:

- **Setbacks** - Refer Section 7.12.3 below.
- **Landscape** - that ensures a high quality landscape within the site, minimises built form impacts on the local environment, and provides screening for the site's entries and buildings – Refer **Landscaping Guidelines** within **Appendix A**;
- **General Building Controls** - that ensure the provision of well-designed built form, that is appropriate to surrounding areas, with particular reference to ensuring that built form facing Fitzner Drive is either buffered (landscaping) or treated appropriately in a design sense so as to ensure an aesthetic that is attentive to adjacent residential houses.

7.12 Built Form, Character and Detail

7.12.1 Building Materials and Colours

The subject site is a new major development within the Darwin built environment and to reflect this high quality commercial and light industrial space, the promotion of varied facades and a high degree of architectural merit is desired.

In general terms, all buildings should be designed and sited so as to achieve the following:-

- The front elevation must be designed to address the street and to provide a corporate image and an inviting entrance;
- Compliance with Australian Standard 2021 – Aircraft Noise Intrusion – Building Siting & Construction as determined by the location of the site relative to the ANEF contours identified in the Bagot Road Master Plan;
- Architectural form and character must avoid large unrelieved expanses of wall or roof;
- The main entrance is to be on the front elevation or close to the front of the building, clearly visible from the street; and
- Entrance points to buildings are to be designed as focus points and must provide protection for pedestrians by means such as awnings, verandahs, canopies or colonnades.
- External finishes should reduce glare and reflectivity and building lighting should be in accordance with aviation requirements.

Materials for exterior use can be selected from the following range:

Roofing Products – Light Industrial

- Colorbond metal decking (ex. reflective metal sheeting); and
- Concrete with tanking membrane (Interesting & varied parapet elements are required in this instance).

Roofing Products – Commercial / Retail

- Colorbond metal decking (ex. reflective metal sheeting); and
- Concrete with tanking membrane (Interesting & varied parapet elements are required in this instance).

Walls – Light Industrial

- Composite aluminium panels.
- Pre finished profiled metal sheeting – stainless steel or metallic finish.
- Colorbond metal sheeting (industrial buildings only) – limited to no more than 75% of overall cladding coverage and no more than 50% of street elevation.
- Off form in situ concrete – coloured or natural finish.
- Tilt up or pre cast concrete panels – coloured or paint finish.
- Rendered concrete masonry – paint finish.
- Stone or tile cladding to masonry or concrete substrate.
- Thermal performance glazing in powder coated aluminium frames (no greater than 25% of external cladding).
- Solar control sun shading and screening.
- Wall openings and recesses are encouraged.

Walls – Commercial / Retail

- Composite aluminium panels.
- Pre finished profiled metal sheeting – stainless steel or metallic finish.
- Colorbond metal sheeting - maximum of 25% colourbond cladding is permitted.
- Composite FC sheeting (commercial grade).
- Off form in situ concrete – coloured or natural finish.
- Tilt up or pre cast concrete panels – coloured or paint finish.
- Rendered concrete masonry – paint finish.
- Stone or tile cladding to masonry or concrete substrate.
- Thermal performance glazing in powder coated aluminium frames.
- Solar control sun shading and screening.
- Wall openings and recesses are encouraged.

NB. Low maintenance timber elements are also encouraged where appropriate.

Floors & Surfaces – Light Industrial

- Asphalt concrete or concrete pavements to parking and driveway areas.
- Coloured concrete, paving or exposed aggregate concrete pathways.
- Tiled building forecourts and entry thresholds.
- Internal flooring to choice of proponent.

Floors & Surfaces – Commercial / Retail

- Asphalt concrete or concrete pavements to parking and driveway areas.
- Coloured concrete, paving or exposed aggregate concrete pathways, concourses or plaza areas.
- Tiled building forecourts and entry thresholds.
- Internal flooring to choice of proponent.

Colours – Light Industrial Buildings

- Natural colours are preferred, with the dominance of colour largely reflective of materials chosen.
- Strong dominant colours will be supported where serving an architectural function.

Colours – Commercial / Retail

- Natural colours are preferred, with the dominance of colour largely reflective of materials chosen.
- Strong dominant colours will be supported where serving an architectural function.



7.12.2 Building Height

Maximum building height for development within Sites A and B will be in keeping with the controls applicable under the NT Planning Scheme. Site A will adhere to a three (3) storey, maximum height level of 14m. Site B will adhere to a two (2) storey, maximum height level of 8.5m. These heights are to be measured from the existing ground level prior to earthworks.

7.12.3 Building Setbacks

Setbacks for the development site are determined by the requirements of each area as follows:-

Area A

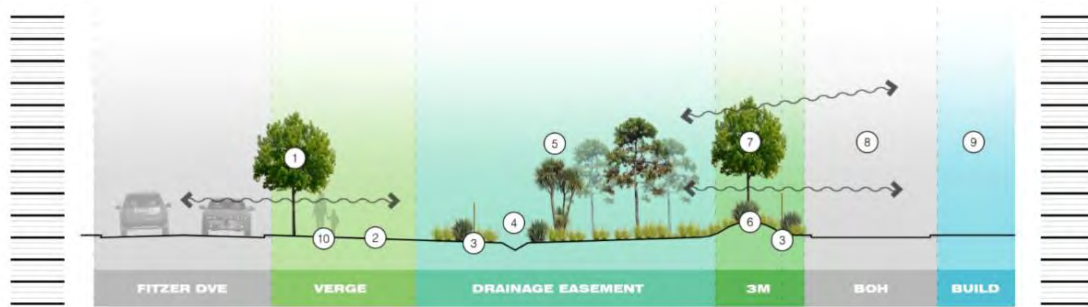
1. Provide a vegetated landscaping buffer to Fitzler Drive, which will include the existing 10 metre drainage easement that runs along the property boundary (See below extract). Landscaping of this buffer is to take into consideration the Community Safety Design Guide and is to be designed to the satisfaction of the consent authority;



* For detail regarding numbering of the extract see attached Landscaping Guidelines

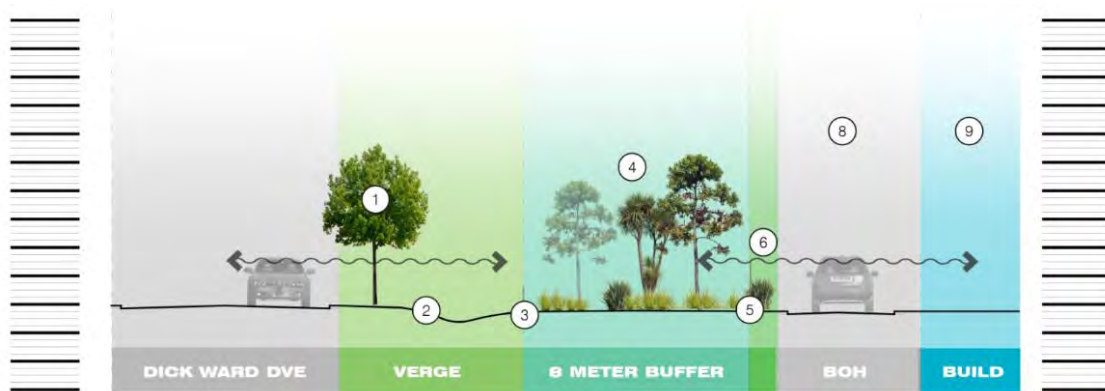
And

2. Provide a minimum 3m landscaping area adjacent to this northern side of the drainage easement within Area A where the operation and/or maintenance requirements of this easement preclude landscaping (See below extract). No set setback is required in addition to the landscaping buffering outlined above, however consideration should be given to sufficient setback to allow for maintenance of the landscaped buffer, car parking and loading and unloading facilities (where relevant);



* For detail regarding numbering of the extract see attached Landscaping Guidelines

3. A 8m wide landscaped buffer is to be provided along the Dick Ward Drive frontage. In addition, a road or road reservation must be provided along the northern boundary of Area A (See below extract). A 6m setback is applicable to this road (with all buildings fronting this road to provide an active street interface).



* For detail regarding numbering of the extract see attached Landscaping Guidelines

4. A front setback of 6m applies to all street frontages, with a minimum setback of 2.5m applicable from secondary street frontages. The facade is to address the secondary street frontage with landscaping and an elevation that responds to the streetscape; and
5. Side setbacks are to be in accordance with the Building Code of Australia.

Area B

A minimum 8m wide landscaped buffer is to be provided along the Dick Ward Drive frontage.

1. Pursuant to Section 9.1 of the NT Planning Scheme industrial buildings with frontage to Dick Ward Drive require 9m minimum setbacks. This setback may include the 8m of landscaping.
2. A minimum setback of 3m is applicable from secondary street frontages. The facade is to address the secondary street frontage with landscaping and an elevation that responds to the streetscape.

7.12.4 Plot Ratio

Within Area A, a plot ratio of 1:1 pursuant of Section 6.4 of the NT Planning Scheme, applies.

Plot ratio refers to the total development floor area divided by the total site area.

Within Area B, no plot ratio requirement applies.

7.12.5 Landscape Area

Landscaping on site must complement and enhance the streetscape, be attractive, water efficient and contribute to a safe street environment. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.

Landscaping should be designed so that:

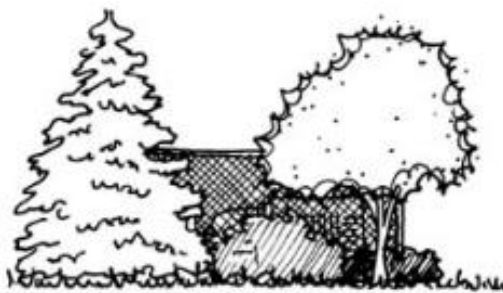
- (a) planting is focused on the area within the street frontage setbacks and communal open space areas and uncovered car parking areas;
- (b) it maximizes efficient use of water and is appropriate to the local climate;
- (c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;
- (d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;
- (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;
- (f) the layout and choice of plants permits surveillance of public and communal areas; and
- (g) it facilitates on-site infiltration of stormwater run-off.

The quality and extent of the landscaping consented to should be maintained for the life of the development.

Refer to the attached **Landscape Design Guidelines** document in **Appendix A** for detail in this regard.

7.12.6 External Service and Storage Areas

Service, storage and refuse areas shall be set behind the approved building line and be screened from public view. Plant and machinery placed on the roof will also require architectural screening. Landscape screening and/or approved fencing can be used to achieve screening and should be considered an extension of the design of the building. Examples of vegetative screening are shown in the below extracts.



7.12.7 Fencing Elements

Quality boundary fencing shall be integrally considered as part of the total design of any development, particularly where such fencing has the potential to impact upon the streetscape. It is recognized that fencing has the potential to excessively dominate a streetscape, but that equally it can bring variation to the streetscape when considered in the context of the overall design.

It is acknowledged that site security is important. Applicants are encouraged to consider a range of security deterrents including effective lighting, landscaping, and natural surveillance and building orientation to achieve the required protection.

Fencing is discouraged forward of the building line thereby encouraging an open and transparent interface with the street. Fencing alignments will be assessed with due consideration to the impact on adjoining properties and the aesthetic balance of the general streetscape.

The following minimum accepted standards of fencing apply to the Bagot Road Masterplan Area:-

- Maximum front fence height of 2m (only where it can be demonstrated as necessary from a security or safety perspective).
- Fencing behind the front building line must be part of integrated design and landscape or architectural theme.

Further detail relating to fencing can be found with **Appendix A – Landscape Guidelines**.

7.12.8 Carparking and Access

The carparking for both areas is to be designed to promote effective and flowing traffic movement throughout the Masterplan area.

Objectives

- To ensure the location and design of car parking, driveways and servicing areas are efficient safe, convenient and are appropriately landscaped so as to create minimum visual impact on areas of public domain.
- To ensure that all car parking demands generated by a particular development are accommodated within the development site.
- Parking and service areas are to be of adequate size and dimension to facilitate safe and convenient use.
- To ensure that car parking areas are of suitable dimensions and layout to allow maneuvering space for vehicles.
- All garbage collection to be carried out inside each site.

Development Principals

- Loading, storage and external works are to be located or appropriately screened with landscaping, in addition to any other means necessary to enhance the visual quality of the area.
- Sufficient car parking shall be provided on site to meet the peak demands of the development.
- No stacked car parking shall be allowed.
- Off street parking is to be generally provided behind or to the side of buildings and away from street frontages.
- Loading docks should be positioned so they do not interfere with visitor and employee parking spaces and ensure that delivery vehicles do not stand on any public road, footway, laneway or service road.
- Loading docks should be located at the side or rear of buildings.

Parking and loading areas visible from the public domain shall include landscaping to lessen their visual impact. For areas less than 20 spaces screen planting to the perimeter of the car park shall be sufficient. See the following extract for clarification.

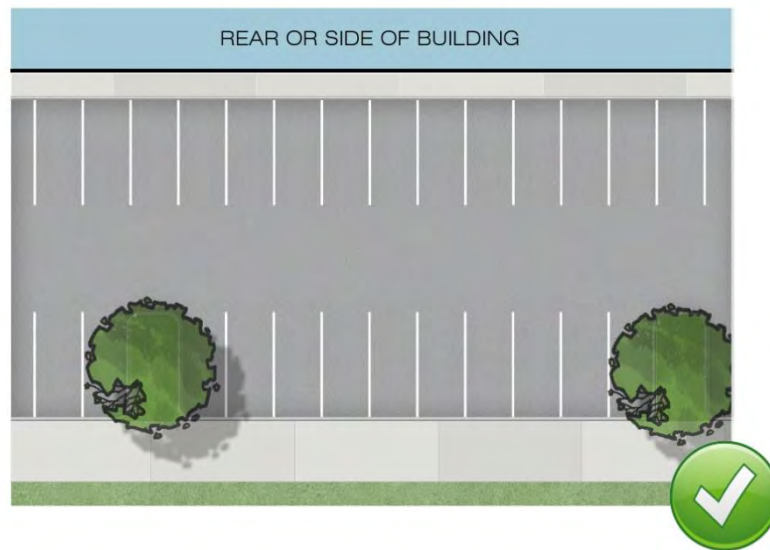


Carpark areas of less than 20 spaces

For areas in excess of 20 car spaces, tree bays must be incorporated at one bay for every 10 spaces except where bays abut rear or side walls of warehouse buildings. See the below extracts for further clarification.



Carpark areas of more than 20 spaces



Carpark areas of greater than 20 spaces adjoining rear or side buildings

Carparking Demand

Car parking within the development area shall be provided in accordance with the NT Planning Scheme. The following demand schedule outlines the minimum requirements:

Building Use	Carparking Demand
Car Park	Assessed on merits
Light Industry	2 for every 100m ² of net floor area other than offices Plus; 4 for every 100m ² of net floor area of office Plus; 1 for every 250m ² used as outdoor storage
Office (must be ancillary to primary use)	2.5 for every 100m ² of net floor area
Plant Nursery	2 for every 100m ² of net floor area plus 1 for every 250m ² used as outdoor nursery
Restaurant	6 for every 100m ² of net floor area and any alfresco dining areas, Plus; 10 for drive-through (if any) for cars being served or awaiting service
Rural Industry	1 for every 100m ² of net floor area other than offices Plus; 4 for every 100m ² of net floor area of office Plus; 1 for every 250m ² used as outdoor storage
Service Station	2 for every 100m ² of net floor area or 5 whichever is the greater (not including parking serving bowwers)

Shop	6 for every 100m ² of net floor area
Warehouse	1 for every 100m ² of net floor area other than offices Plus; 4 for every 100m ² of net floor area of office Plus; 1 for every 250m ² used as outdoor storage

All vehicles (inclusive of delivery and service vehicles) are to enter and leave the site in a forward direction. Loading and delivery bays are to be integrated into the design and clearly identified in any future application. No loading and unloading shall be carried out within the street or in a manner that requires the reversing of vehicles on to the street.

Refuse vehicles should be afforded easy access to the site frontage for collection of waste. Where collection of waste is proposed on site, then all waste vehicles must be able to enter and exit the site in a forward manner.

The design of car parking and vehicular manoeuvring areas should address:

- The separation of car parking from truck movement and service areas;
- Safe pedestrian access;
- A limit of two (2) vehicle crossovers per site (where related to a conventional subdivision pattern);
- Disabled parking and access in accordance with AS 1428:2002 and the BCA;
- Car park design and function shall conform to Australian Standards AS 2890.1, AS 2890.2 and AS 2890.3; and,
- Provision of unobstructed sight triangles in accordance with AS2890.1

7.12.9 Lighting Considerations

Special lighting restrictions apply to development within close proximity to airports to ensure the safe operation of aircraft. As such, lighting design will be assessed to ensure safety is not compromised. Early consultation with the Darwin International Airport will be strongly recommended to all developers. Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of the airport.

7.12.10 Infrastructure Services

Infrastructure services including mains sewer, reticulated water supply, electricity supply and communications cabling are generally available at the frontage of each site. Proponents should consult with the Department of Lands and Planning regarding the location and capacity of services prior to commencing the design of any project. Current infrastructure services are adequate to cater for development proposed in accordance with these guidelines. Where an intense development is proposed, the Department of Lands and Planning may seek a contribution or works in kind to augment services to cater for the proposed development.

The existing easements for drainage and power will need to be realigned for location within road reserves along with all other essential services for the development area or sited within future development lots.

7.12.11 Stormwater Management

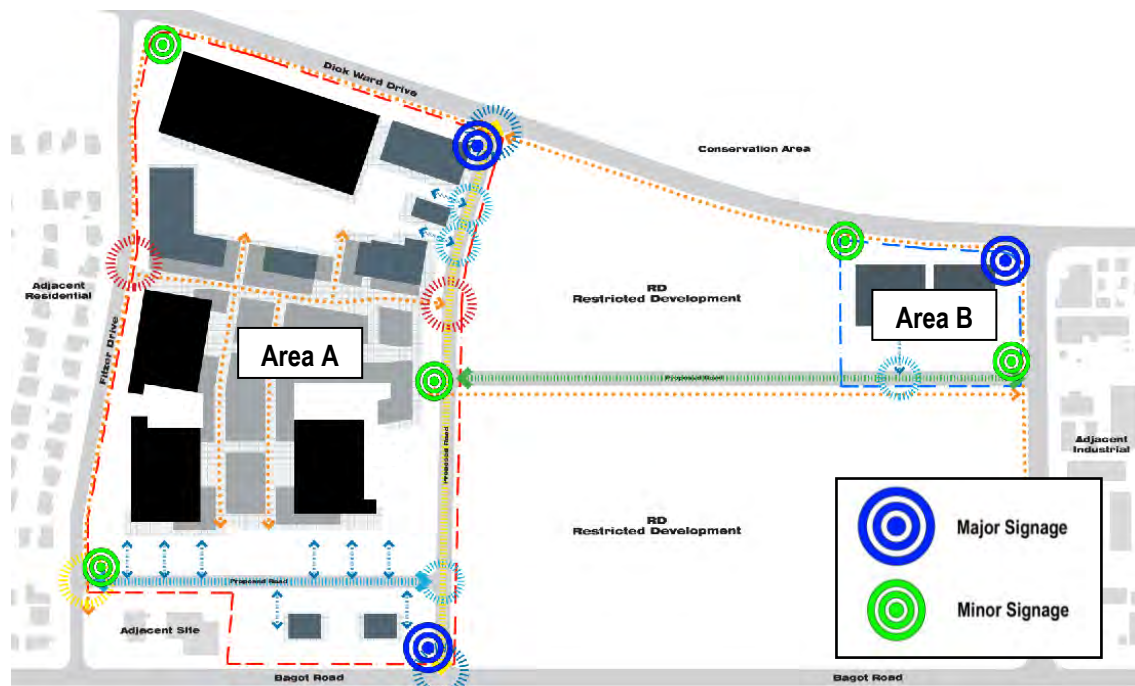
All development proposals upon Department of Lands and Planning land must make adequate provision for the control and management of stormwater within their development. Water Sensitive Urban Design strategies should be applied to stormwater management on sites, with stormwater resulting from up to the 1 in 3 month storm occurrence retained on site and integrated with maintenance of site landscaping.

No polluted or contaminated stormwater may leave any site. Where necessary pollution control equipment such as oil & grit traps and gross pollution traps shall be installed, certified as correctly operational and properly serviced and maintained at all times.

7.12.12 Signage

Signage has the potential to play an important role in the creation of a strong design character. Typical material finishes, plant species and logo types have been used for the purposes of illustrating a potential design outcome that complies with the design guidelines as detailed within this report.

The Masterplan area provides for a number of key signage locations which have been illustrated within the below extract. Due to the varying character between Areas A and B, the signage to be erected at each of the key locations is envisaged to be representative of the character of each site.



Signage at Key Locations within the Bagot Road Masterplan Area



Indicative Major Signage – Area A

Area A Major Signage Aims are:

- To establish iconic signage that integrates with the commercial and retail development character of the site;
- To promote not only the centre as a whole; but also the keystone tenants that operate from Area A;
- To use modern and innovative signage design to promote interest in the Area A as a shopping destination; and
- To endorse Area A of the Bagot Road Masterplan as a premier retail and commercial destination.



Indicative Major Signage – Area B

Area B Major Signage Aims are:

- To establish iconic signage that integrates with the light industrial and bulky goods development character of the site;
- To promote not only the centre as a whole; but also the keystone tenants that operate from Area B;
- To use modern and innovative signage design to promote interest in the Area B as a shopping destination; and
- To endorse Area B of the Bagot Road Masterplan as a premier light industrial location.

Major Signage General Design Principals to be addressed:

- All signage is to be integrated into the landscape
 - All signage to be located within private lots
 - CPTED principals to be employed
 - Creation of a strong and identifiable design character
- 1) Material selection should be sympathetic to the character of the region and be responsive to the intended character for the development. Material selection should echo architectural finishes palette.
 - 2) Primary Development Logo / Signage displayed prominently to reinforce development identity.
 - 3) Tenant Information.
 - 4) Low planting (600mm height maximum) understory ensures signage will remain visible and minimizes maintenance requirements. Use of key species groundcover to reinforce development character. Taller species used to frame signage and the repetition of key species will strengthen the design continuity.
 - 5) Potential to incorporate temporary / interchangeable banners to promote special events etc.

Material selection should be sympathetic to the character of the region and be responsive to the intended character for the development. Stone sourced from the area, or rammed earth using local soil (or varying oxides as illustrated) would strengthen local identity and sense of place. Way Finding / Informative signage that provides information such as 'Dual Use Pathway' or directional signage to key nodes can be included at the 'pedestrian level'.

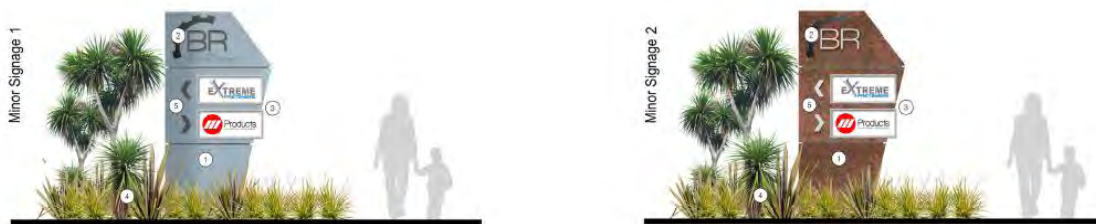
Signage to primary entry points, placed in key vantage points for maximum exposure to large fields of view. Typical material finishes, plant species and logo types have been used for the purposes of illustrating a potential design outcome that complies with the design guidelines as detailed within this report.



Indicative Minor Signage – Area A

Area A Minor Signage Aims are:

- To primarily act as a centre identification sign;
- To direct consumers to available carparking and amenities;
- To integrate with the commercial and retail development character of the site;
- To use modern and innovative signage design to promote interest in the Area A as a shopping destination; and
- To endorse Area A of the Bagot Road Masterplan as a premier retail and commercial shopping location.



Indicative Minor Signage – Area B

Area B Minor Signage Aims are:

- To primarily act as a centre identification sign;
- To direct consumers to available carparking and amenities;
- To integrate with the light industrial and bulky goods development character of the site;
- To use modern and innovative signage design to promote interest in the Area B as a shopping destination; and
- To endorse Area B of the Bagot Road Masterplan as a premier light industrial and bulky goods location.

Minor Signage General Design Principals to be addressed:

- All signage is to be integrated into the landscape
 - All signage to be located within private lots
 - CPTED principals to be employed
 - Creation of a strong and identifiable design character
- 1) Material selection should be sympathetic to the character of the region and be responsive to the intended character for the development. Material selection should echo architectural finishes palette.
 - 2) Primary Development Logo / Signage displayed prominently to reinforce development identity.

- 3) Tenant Information.
- 4) Low planting (600mm height maximum) understory ensures signage will remain visible and minimizes maintenance requirements. Use of key species groundcover to reinforce development character. Taller key species used to frame signage, the use of key, the repetition of a key species will strengthen the design continuity.
- 5) Way Finding / Informative signage that provides information such as 'Dual Use Pathway' or directional signage to key nodes can be included at the 'pedestrian level'.

Minor signage relates to lower hierarchy entry points and to key locations within the development for purposes of way-finding. As a result, these signs are at a more 'human scale'. Typical material finishes, plant species and logo types have been used for the purposes of illustrating a potential design outcome that complies with the design guidelines as detailed within this report.

An **Indicative Signage Plan** has been prepared to provide design bases for the key signage areas available to the Bagot Road Masterplan area. This has been attached within **Appendix B** and provides scope to developers in terms of establishing the Bagot Road Masterplan area as a premier retail, commercial and light industrial centre.

Signage relating to single tenancies, wall signs and other small scale advertisements are to be assessed on merit when an application is made to Council. These signs are not to offend the aims of the key signage areas. All applications made to the Council must indicate proposed signage for the building and overall site.

7.12.13 Land in Proximity to Airports

The purpose of this clause is to:

- a) minimise the detrimental effects of aircraft noise on people who reside or work in the vicinity of an airport;
- b) prevent any new use or intensification of development on land that would prejudice the safety or efficiency of an airport; and
- c) retain the non-urban character of the land.

In determining an application for the use or development of land subject to the ANEF 20 unit value contour line or greater, the consent authority is to have regard to the Building Site Acceptability Table based on ANEF Zones taken from AS 2021 – 2000 as a guide to the type of use or development it may consent to.

Lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport.

Use or development of land is not to be of a nature that attracts birds or bats to an extent that prejudices the safe operation of an airport.

7.12.14 Weed Management

It has been noted that the subject site contains a number of weed and pest floral species. The Masterplan area is to be managed in keeping with the attached **Weed Management Plan** within **Appendix G**. This will allow for the treatment of the site with attractive landscaping and softening elements, as well as preventing the further spread of the weed species within the surrounding area.

7.12.15 Bird Strike Management

Due to the subject site being located in close proximity to the Darwin International Airport, bird strike has been identified as a factor that must be addressed during the design stage of development within the Masterplan area. Active bird deterrence is to be encouraged with attractants and nesting areas to be kept to a minimum. Habitat modification and the prevention of established nesting areas should be monitored and removed where appropriate.

SECTION 8

CONCLUSION

This Masterplan and Development Design Guideline document covers those areas identified as Areas A & B and bounded by Bagot Road, Dick Ward Drive, Totem Road and Fitzer Drive. The Master Plan provides an overall vision, strategy and guiding development principles for future development of the land consistent with the acknowledged opportunities and constraints identified.

The Masterplan provides guiding principles and controls dealing with:

- The new public domain to be created by the construction of new roads through the site;
- The public domain which will include street tree planting, entrance features, buffering and the facilitation of connectivity through the precincts;
- The development on individual land parcels. This includes potential lot design, controls for the siting and design of buildings, car parking provision and other measures such as ESD and landscaping.

The Masterplan establishes the foundations for the future development of the land and provides the framework for future decision-making.

It is considered that the implementation of the Masterplan and Development Design Guide is to be supported by the NT Department of Lands and Planning.

Please quote: 1789927 WS:fh

Your reference: LUPD2012/0030-(Preliminary)

20 July 2012

Michael Holmes - Senior Planner
Strategic Lands Planning
Department of Lands and Planning
GPO Box 1680
DARWIN NT 0801

Dear Mr Holmes

Parcel Description: Part Lot 5182, (213) Dick Ward Drive, Town of Darwin
Proposed Development: Consideration of Master Plan for Endorsement Under
Zone SD37 (Specific Use Zone Darwin No. 37)."
LUPD2012/0030 – (Preliminary)

Thank you for the proposed Master Plan referred to this office on 13 June 2012, concerning the above. Council provides the following comments:

The proposed Master Plan includes options for the future potential subdivision of the site. As the final subdivision and internal road layout have not been fully resolved, Council's comments are limited only to the level of detail provided in the Master Plan. Council reserves the right to amend these comments when a detailed, formal application is lodged for subdivision and/or development of the subject land.

Traffic

Council is undertaking a review of the Traffic Study submitted with the Master Plan and is unable to provide final comments during the allotted comment period, due to time constraints. Notwithstanding this preliminary review, Council will require that the traffic study is updated to reflect actual development proposed for the site as part of future development applications for the site. Council also notes that final approval for the design of the road network and the traffic study will be provided at formal application stage, when full details are provided of internal roads within the subject site.

The following preliminary comments are provided in relation to traffic matters:

- i). Based on the plans provided, it appears that the proposed access road for Area B intersects Totem Road, opposite the intersection of Durand Court and Totem Road. The proposed intersection is in close proximity with an existing T-intersection and may cause a traffic safety issues. Any proposed intersections should comply with Council's Subdivision and Design Guidelines, to the satisfaction of the General Manager Infrastructure and must be covered within the updated traffic study to be provided for Council approval as part of the development application for the proposed land use on site.

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- ii). Council requests that the consent authority require the proposed through road, from Totem Road to Area A, be fully constructed to Area A when Area B is developed, in order to adequately disperse traffic and service Area B.
- iii). The master plan proposes restricting the Fitzner Drive and Bagot Road intersection to a left-in, left-out only intersection. Any changes that will affect access to the existing residential properties along Fitzner Drive, should be done under consultation with the existing Ludmilla community.

Active Street Interfaces

The indicative site layout appears to have the backs of buildings and service areas facing Dick Ward Drive and Fitzner Drive. Consideration should be given to having some frontages or activation of these streets, particularly Dick Ward Drive. It is not considered a desirable planning outcome to have the rear of buildings facing major roadways within the community.

Fencing

Security fencing is proposed around the site, primarily in the form of a 1.8m high chain mesh fence amongst intensive site landscaping. However, there are also pedestrian entrances proposed along the edges of the site, particularly from Fitzner Drive where there are no vehicular site entrances. The Master Plan is unclear on how the pedestrian entrances interact with the fencing and whether these pedestrian entrances will be gated or otherwise controlled. If gates are to be utilised, operational principles, including when the gates are locked and unlocked and who is responsible for monitoring of the passageways, needs to be addressed.

Signs

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

Landscaping

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 constructed to Council's requirements at the applicant's expense.

Engineering Design

Engineering design and specifications for the proposed and affected roads, including street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, streetscaping and landscaping of nature strips shall be submitted for approval by the General Manager Infrastructure, City of Darwin and all approved works constructed to Council requirements at the applicant's expense.

The following conditions pursuant to the Planning Act and Council's responsibilities under the Local Government Act may be applied to any future Development Applications for the site, as applicable.

- The location, design and specifications for proposed and affected crossovers shall be provided to the satisfaction of the General Manager Infrastructure, City of Darwin and at no cost to Council.

.../3

- 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 Council's drainage network, and reinstatement works carried out, all to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin and at no cost to Council.
- Sight lines shall be provided at crossovers to public streets to the satisfaction of the General Manager Infrastructure, City of Darwin. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be linemarked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- Any easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose shall be made available free of cost to the City of Darwin or neighbouring property owners.
- All developments on or adjacent to any easements on site in favour of Council 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 Council 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 Master Plan, the applicable Reporting Body is requested to take into account any implications of the Disability Discrimination Act (Cth) or the Anti Discrimination Act (NT) with regard to access for the disabled.

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

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

cc: Planit Consulting

15 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**15.1 Call for Nomination – LGANT Office Bearers**

Document No. 2281259 (14/06/12) Common No. 2281259

- A. THAT the incoming Letter from Chief Executive Officer, Mr Tony Tapsell, Local Government Association of the NT dated 14 June 2012 regarding Nomination of Office Bearers, Document Number 2281259, be received and noted.
- B. THAT the following Elected Members be nominated to the LGANT Executive positions:
- Alderman as President;
 - Alderman as Vice President – Municipal;
 - Alderman as Board Member – Municipal.

DECISION NO.21\() (17/07/12)



LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY

NOMINATION OF OFFICE BEARERS

In accordance with clause 14.8 (see below) of the LGANT Constitution, I hereby call for nominations to the eight (8) positions on the LGANT Executive Board. Election to the eight (8) positions on the LGANT Executive Board will be held on Friday 9 November 2012 at the LGANT Annual General Meeting.

Tony Tapsell
Chief Executive Officer
14 June 2012

Nominating Council:

The Council resolved at a meeting held on _____ 2012 to nominate the following elected member(s) to the LGANT Executive:

Name of Elected Member	Executive Member
	President
	Vice President - Municipal
	Vice President - Shire
	Board Member - Municipal
	Board Member - Shire

Please tick the position(s) you are nominating for.

Signed _____
CEO

/ /2012.

Please forward completed nomination form and a short biography on each nominee by **Tuesday 7 August 2012** to:

Cassie Cook
Executive Assistant to the CEO
Email: cassie.cook@lgant.asn.au
Fax: 8941 2665

CLAUSE 14.8 FROM THE LGANT CONSTITUTION

14. THE EXECUTIVE - *REPRESENTATION*

- 14.8 The Chief Executive Officer shall call for nominations for the Executive positions by 15 June of each election year and nominations shall close on 7 August of each election year. **(Amended 31 July 2009 Special General Meeting)**

Please note Clauses 14.6 and 14.7:

- 14.6 A delegate is eligible to nominate to serve as a member of the Executive provided he/she has received endorsement from the Council he/she is elected to by way of resolution at a Council meeting. **(Added to constitution 27 June 2005 Special General Meeting)**
- 14.7 Where there are multiple nominations from delegates of any one Council for positions on the Executive only one position can be occupied during the term of the Executive. The first delegate to be elected will occupy a position and all other nominations will automatically be withdrawn prior to an election being held for the other positions. **(Added to constitution 27 June 2005 Special General Meeting)**

16 REPORTS OF REPRESENTATIVES

17 QUESTIONS BY MEMBERS

18 GENERAL BUSINESS

18.1 Election of Deputy Lord Mayor 1 August - 30 November 2012 Common No. 375173

THAT in accordance with Part 4.3 of the Local Government Act 2008 and Council Policy No.015, Council appoints Alderman ____ to the position of Deputy Lord Mayor, for the period 1 August - 30 November 2012.

DECISION NO.21\() (17/07/12)

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 31 July 2012, at 5.00 p.m. (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.21\() (17/07/12)

20 CLOSURE OF MEETING TO THE PUBLIC

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.

DECISION NO.21\() (17/07/12)

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON