

ORDINARY COUNCIL MEETING - OPEN SECTION
TUESDAY, 27 NOVEMBER 2012

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CITY OF DARWIN

SIXTEENTH ORDINARY MEETING OF THE TWENTY-FIRST COUNCIL

TUESDAY, 27 NOVEMBER 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 Infrastructure, Mr L Cercarelli; General Manager Corporate Services, Mr F Crawley; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Executive Officer, Ms A Smit.

GUESTS: Mr Alix McLean and Mr Geoff Ferguson from Opus will be in attendance from 5.15pm to brief Council on the Level 3 Energy Audit of Council Facilities.

Enquiries and/or Apologies: Arweena Smit
E-mail: a.smit@darwin.nt.gov.au
PH: 8930 0685

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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

Nil

4.3 Leave of Absence Requested

5 ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

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, 13 November 2012, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\() (27/11/12)

7.2 Confirmation of the Previous Special Council Meeting

Common No. 1955119

THAT the tabled minutes of the previous Special Council Meeting held on Tuesday, 20 November, 2012, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\() (27/11/12)

8 BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING

8.1 Business Arising

9 MATTERS OF PUBLIC IMPORTANCE

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10 DEPUTATIONS AND BRIEFINGS

10.1 Energy Audit Report Common No. 2261891

Mr Alix McLean and Mr Geoff Ferguson from Opus will be in attendance from 5.15pm to brief the Council on the Level 3 Energy Audit of Council facilities.

THAT the presentation from Opus, in relation to the Level 3 Energy Audit of Council facilities, be received and noted.

DECISION NO.21\() (27/11/12)

11 PUBLIC QUESTION TIME

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12 CONFIDENTIAL ITEMS

12.1 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>
C24.1	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.

DECISION NO.21\() (27/11/12)

12.2 Moving Open Items Into Confidential

12.3 Moving Confidential Items Into Open

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13 PETITIONS

Nil

14 NOTICES OF MOTION

Nil

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15 COMMITTEE REPORTS

15.1 COMMUNITY & CULTURAL SERVICES (19/11/12)

Presentation of Report by Acting Chairman – Member R M Knox

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 19 November 2012

1 **Community & Cultural Services Team Report – October 2012**

Report No. 12C0091 KH:ES (19/11/12) Common No. 1733166

THAT Report Number 12C0091 KH:ES entitled Community Development team Update - October 2012, be received and noted.

DECISION NO.21\() (27/11/12)

2 **Regulatory Services Monthly Update – October 2012**

Report No. 12C0092 DN:rg (19/11/12) Common No. 1330602

THAT Report Number 12C0092 DN:rg entitled Regulatory Services Update October, 2012, be received and noted.

DECISION NO.21\() (27/11/12)

3 **Libraries Information Update - October 2012**

Report No. 12P0012 KC:md (19/11/12) Common No. 1943023

THAT Report Number 12P0012 entitled Libraries Information Update for October 2012, be received and noted.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.1 COMMUNITY & CULTURAL SERVICES (19/11/12)

Presentation of Report by Acting Chairman – Member R M Knox

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 19 November 2012

4 Minutes Youth Advisory Group - 10 October 2012

Report No. 12C0093 SP:kl (19/11/12) Common No. 2365043

- A. THAT Report Number 12C0093 SP:kl entitled Minutes Youth Advisory Group 10 October 2012, be received and noted.
- B. THAT Council support Youth Advisory Group participation in the annual NT Youth Conference.

DECISION NO.21\() (27/11/12)

5 Minutes Disability Advisory Committee (DAC) Meeting - 18 October 2012

Report No. 12C0100 SJ:kl (19/11/12) Common No. 2304280

- A. THAT Report Number 12C0100 SJ:kl entitled Minutes Disability Advisory Committee (DAC) Meeting - 18 October 2012, be received and noted.
- B. THAT a letter of appreciation from the Lord Mayor be sent to Ms Lynne Strathie as outgoing Chairman of the Disability Advisory Committee.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.1 COMMUNITY & CULTURAL SERVICES (19/11/12)

Presentation of Report by Acting Chairman – Member R M Knox

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 19 November 2012

6 Minutes Of The Arts And Cultural Development Advisory Committee (ACDAC) Meeting 8 November 2012

Report No. 12C0098 AR:kl (19/11/12) Common No. 2368379

- A. THAT Report Number 12C0098 AR:kl entitled Minutes of the Arts and Cultural Development Advisory Committee (ACDAC) Meeting 8 November 2012, be received and noted.
- B. THAT Council appoint Mr Peter Scrivener to the selection panel for the East Point Reserve Public Art Opportunity.
- C. THAT Council invite former ACDAC member Mr Tony Clementson to be appointed to the selection panel for the East Point Reserve Public Art Opportunity.
- D. THAT Council appoint Ms Anna Reece to the selection panel for the HMS Beagle Ship Bell Chime Opportunity for Composers.

DECISION NO.21\() (27/11/12)

7 Recharge Scheme Pilot Program

Report No. 12C0094 SJ:kl (19/11/12) Common No. 2105371

- A. THAT Report Number 12C0093 SJ:kl entitled RECHARGE Scheme Pilot Program, be received and noted.
- B. THAT Council participate as a pilot Council in the national roll out of the Recharge Scheme.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.1 COMMUNITY & CULTURAL SERVICES (19/11/12)

Presentation of Report by Acting Chairman – Member R M Knox

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 19 November 2012

8 Fees and Charges - Totally and Permanently Incapacitated (TPI) Ex-Service Men and Women

Report No. 12C0101 HB:kl (19/11/12) Common No. 2315507

- A. THAT Report Number 12C0101 HB:kl entitled Fees and Charges - Totally and Permanently Incapacitated Ex-Service Men and Women be received and noted.
- B. THAT Council provide a concession rate for dog registrations to Totally and Permanently Incapacitated (TPI) Gold Card holders.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.1 COMMUNITY & CULTURAL SERVICES (19/11/12)

Presentation of Report by Acting Chairman – Member R M Knox

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 19 November 2012

9 2012/2013 Community Grants Program - 2nd Round Applications

Report No. 12C0097 SJ:kl (19/11/12) Common No. 2367920

- A. THAT Report Number 12C0097 SJ:kl entitled 2012/2013 Community Grants Program - 2nd Round Applications, be received and noted.
- B. THAT the following grant applications for the 2nd Round of the 2012/2013 Community Grants Program be recommended for approval and referred to Council:

i) Australian Red Cross	\$3,000
ii) Starfish Swim Group	\$5,000
iii) Darwin Community Arts	\$6,000
iv) Multicultural Council of the NT	\$4,000
v) The Salvation Army Property Trust NT	\$3,100
vi) Arts Access Darwin	\$5,000
vii) The Tamil Society of the NT Inc	\$3,000
viii) Satu Bulan Theatre Company	\$3,000
ix) Top End Orienteers NT	\$1,625
x) Melaleuca Refugee Centre	\$4,681
xi) Friends of Kahlin	\$4,450
xii) Larrakia Nation Aboriginal Corporation	\$6,320
Total	\$49,176

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.1 COMMUNITY & CULTURAL SERVICES (19/11/12)

Presentation of Report by Acting Chairman – Member R M Knox

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 19 November 2012

10 **Small Community Events Assisted By Aldermen**

Report No. 12C0105 JB:kl (19/11/12) Common No. 2375078

- A. THAT Report No 12C0105 JB:kl entitled, Small Community Events Hosted by Aldermen, be received and noted.
- B. THAT Council allocate \$5000 in-kind per annum to each Ward for the conduct of small community events assisted by Aldermen commencing 2012/13 financial year.
- C. THAT a procedure be developed for conduct of small community events assisted by Aldermen and that it describe Public Liability Insurance cover, Occupational Health & Safety compliance, the coordination of events, the determination and allocation of resources and the branding of City of Darwin associated with small community events.

DECISION NO.21\() (27/11/12)

11 **Out of Operation Signage**

THAT when Council facilities are out of operation a sign be displayed stating the reason and anticipated date of operation and contact details of relevant officer at Council.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.2 CORPORATE & ECONOMIC DEVELOPMENT (21/11/12)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Corporate & Economic Development Committee Meeting held on Wednesday, 21 November 2012

1 Corporate Services Monthly Report - October 2012

Report No. 12A0190 (21/11/12) Common No. 339108

THAT Report Number 12A0190, Corporate Services Monthly Report – October 2012 be received and noted.

2 Listing of Cheques/EFT Payments, October 2012

Report No. 12A0192 (21/11/12) Common No. 339125

THAT Report Number 12A0192, Listing of Cheques / EFT Payments – October 2012 be received and noted.

3 Financial Report to Council - October 2012

Report No. 12A0191 (21/11/12) Common No. 339122

THAT Report Number 12A0191 entitled, Financial Report to Council – October 2012, be received and noted.

15 COMMITTEE REPORTS

15.2 CORPORATE & ECONOMIC DEVELOPMENT (21/11/12)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Corporate & Economic Development Committee Meeting held on Wednesday, 21 November 2012

4 Minutes of Risk Management & Audit Committee Meeting – October 2012 Report No. 12A0194 (21/11/12) Common No. 353196

THAT Report Number 12A0194 entitled, Minutes of the Risk Management & Audit Committee meeting held on 26 October 2012, be received and noted.

5 Statement of Significant Accounting Policies Report No. 12A0168 (21/11/12) Common No. 2078949

- A. THAT Report Number 12A0168 entitled, Statement Of Significant Accounting Policies, be received and noted.
- B. THAT Council adopt the policy covering the Statement of Significant Accounting Policies contained at Attachment A of Report Number 120168 entitled Statement of Significant Accounting Policies.

6 Website Broadcasting of Council Meetings Report No. 12A0172 (21/11/12) Common No. 2226835

- A. THAT Report Number 12A0172 entitled, Website Broadcasting of Council Meetings, be received and noted.
- B. THAT Council engages Rod Louey-Gung from Telepresence World to assist with the preparation of a design document with associated costs. A further report will be presented to Council that will enable a more informed decision with regards to proceeding with a project to implement a solution.

15 COMMITTEE REPORTS

15.2 CORPORATE & ECONOMIC DEVELOPMENT (21/11/12)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Corporate & Economic Development Committee Meeting held on Wednesday, 21 November 2012

7 Monthly On-Street & Off-Street Parking Statistics – October 2012

Report No. 12A0193 (21/11/12) Common No. 376351

THAT Report Number 12A0193 entitled, Monthly On-Street and Off-Street Parking Statistics – October 2012, be received and noted.

8 Allocation of Surplus Funds Policy

Report No. 12A0195 (21/11/12) Common No. 2351091

- A. THAT Report Number 12A0195 entitled Allocation of Surplus Funds Policy, be received and noted.
- B. THAT Council adopt the Allocation of Surplus Funds Policy contained at Attachment A of Report Number 120195 entitled Allocation of Surplus Funds Policy.
- C. THAT \$1.39m in available working capital at 30 June 2012 be recognised as a budget variation in accordance with Section 128 of the Local Government Act.
- D. THAT Council adopt the budget variation for \$1.39m in available working capital at 30 June 2012 and allocate it to the Asset Replacement & Refurbishment Reserve.

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15 COMMITTEE REPORTS

15.3 ENVIRONMENT & INFRASTRUCTURE (20/11/12)

Presentation of Report by Chairman – Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 20 November 2012

1 Northern Territory Government – Nightcliff Projects Update – November 2012

Report No. 12TS0205 DL:lm (20/11/12) Common No. 2179914

THAT Report Number 12TS0205DL:lm entitled Northern Territory Government - Nightcliff Projects Update - November 2012, be received and noted.

DECISION NO.21\() (27/11/12)

2 Cavenagh Street Upgrade Searcy Street to Daly Street Project – November 2012 Progress Report

Report No. 12TS0206 (20/11/12) Common No. 223527

THAT Report Number 12TS0206 DL:lm entitled, Cavenagh Street Upgrade Searcy Street To Daly Street Project - November 2012 Progress Report, be received and noted.

DECISION NO.21\() (27/11/12)

3 Informal Verge Parking

Report No. 12TS0204 DL:lm (20/11/12) Common No. 2086925

THAT Report Number 12TS0204 DL:lm entitled, Informal Verge Parking, be received and noted.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.3 ENVIRONMENT & INFRASTRUCTURE (20/11/12)

Presentation of Report by Chairman – Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 20 November 2012

4 Berrimah North – Stormwater and Roadworks Contribution Plan Report No. 12TS0136 ND:lm (20/11/12) Common No. 1928454

- A. THAT Report Number 12TS0136 entitled, Berrimah North - Stormwater and Roadworks Contribution Plan, be received and noted.
- B. THAT Council adopt the Developer Contribution Plan for Roadwork and Stormwater Drainage Berrimah North as per **Attachment C** in Report Number 12TS0136 entitled Berrimah North – Stormwater and Roadworks Contribution Plan for an exhibition period of 28 Days.
- C. THAT following the 28 day exhibition period, that a further report be written summarising feedback received and including the final draft of Developers Contribution Plan for Berrimah North for adoption.

DECISION NO.21\() (27/11/12)

15 COMMITTEE REPORTS

15.3 ENVIRONMENT & INFRASTRUCTURE (20/11/12)

Presentation of Report by Chairman – Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 20 November 2012

5 Wanguri Terrace Calming Proposal – Outcomes of Community Consultations

Report No. 12TS0196 DL:lm (20/11/12) Common No. 1668356

- A. THAT Report Number 12TS0196 DL:lm entitled, Wanguri Terrace Traffic Calming Proposal - Outcomes of Community Consultation, be received and noted.
- B. THAT Council note the outcomes of the community consultation for the Wanguri Terrace traffic calming proposal as summarised in Report Number 12TS0196 DL:lm and provided in detail in **Attachment A**.
- C. THAT Council approve the Wanguri Terrace traffic calming measurements and it's staged implementations subject to funding, as detailed in Report Number 12TS0196 and **Attachments A and C** of the report.
- D. THAT Council refers the Wanguri Terrace traffic calming measures – Stage 1 as detailed in Report Number 12TS0196 to the City of Darwin 2013/2014 budget for consideration.
- E. THAT Council apply for a 50 percent funding contribution from the Northern Territory Government 2013/2014 local area traffic management Funding Program for the Wanguri terrace traffic calming measures – stage 1 as detailed in Report Number 12TS0196
- F. THAT Council undertake an assessment of the effectiveness of the completed Wanguri Terrace traffic calming measures – stage 1, to determine if the stage 2 works as identified in Report Number 12TS0196 are required.
- G. THAT Council write to respondents, who provided contract details, thanking them for their input on the Wanguri Terrace traffic calming proposal and advising of Councils Decision on the matter.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.3 ENVIRONMENT & INFRASTRUCTURE (20/11/12)

Presentation of Report by Chairman – Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 20 November 2012

6 **Jingili Water Gardens – Community Orchard**

Report No. 12TS0160NK:nf (20/11/12) Common No. 1346574

- A. THAT Report Number 12TS0160NK:nf entitled, Jingili Water Gardens – Community Orchard, be received and noted.
- B. THAT Council endorse the Jingili Water Gardens – Community Orchard location as detailed and shown in Report Number 12TS0160NK:nf.

DECISION NO.21\() (27/11/12)

7 **Non-Commercial Wash Down Area at The Shoal Bay Waste Management Facility**

Report No. 12TS0110JW:tp (20/11/12) Common No. 2239345

THAT Report Number 12TS00110JW:TP entitled Non-Commercial Wash Down Area At The Shoal Bay Waste Management Facility, be received and noted.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.3 ENVIRONMENT & INFRASTRUCTURE (20/11/12)

Presentation of Report by Chairman – Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 20 November 2012

8 On Street Parking – Lot 7626 Nightcliff Road, Rapid Creek

Report No. 12TS0145 JW:tp (20/11/12) Common No. 2183450

- A. THAT Report Number 12TS0145 JW:tp, On Street Parking – Lots 725 & 7626 Nightcliff Road, Rapid Creek, be received and noted.
- B. THAT Council approves the construction on five (5) on street public car parking bays within Nightcliff Road adjacent to lot 7626, in accordance with issues and conditions identified within Report Number 12TS0145 JW:tp, to Council's satisfaction and at no cost to Council.
- C. THAT City of Darwin pursuant to Section 32 (2) of the Local Government Act 2008 (as Amended) hereby delegates to the Chief Executive Officer, the power to approve final designs and construction of five (5) on street public car parking bays within Nightcliff Road adjacent to lot 7626 in accordance with Report Number 12TS0145 JW:tp.

DECISION NO.21\() (27/11/12)

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15 COMMITTEE REPORTS

15.3 ENVIRONMENT & INFRASTRUCTURE (20/11/12)

Presentation of Report by Chairman – Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 20 November 2012

9 Northern Territory Government Proposal to Light Somerville Park, Parap Report No. 12TS0213 DL:lm (20/11/12) Common No. 2233945

- A. THAT Report Number 12TS0213 DL:lm entitled Northern Territory Government Proposal to Light Somerville Park, Parap, be received and noted.
- B. THAT Council approve “in principle”, the proposal by the Northern Territory Government for the installation of lights within Somerville Park, Parap as detailed in Report Number 12TS0213 DL:lm, subject to community consultation.
- C. THAT City of Darwin pursuant to Section 32 (2) of the Local Government Act 2008 (as Amended) hereby delegates to the Chief Executive Officer the power to undertake and assess the outcomes of community consultation and to approve the installation of lighting within Somerville Park, Parap as detailed in Report Number 12TS0213 DL:lm.

DECISION NO.21\() (27/11/12)

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16 OFFICERS REPORTS

16.1 Special Purpose Grants Application

Report No. 12TC0091AH (27/11/12) Common No.2367178

Report Number 12TC0091AH attached.

2ND ORDINARY COUNCIL MEETING/OPEN

AGENDA ITEM: 16.1

SPECIAL PURPOSE GRANT FUNDING**REPORT No.: 12TC0091****COMMON No.: 2367178****DATE: 27/11/2012****Presenter: Manager Strategy & Outcomes, Anne Hammond****Approved: Executive Manager, Mark Blackburn****PURPOSE**

The purpose of this report is to seek Council's endorsement for the lodgement of Special Purpose Grant applications as shown in **Attachments A and B**.

LINK TO STRATEGIC PLAN

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

Goals

5 Facilitate and Maintain a Cohesive Community

Outcomes

5.1 Facilitate community access and inclusion

Key Strategies

5.1.1 Create more opportunities for the community to access services and facilities

KEY ISSUES

- The purpose of the Local Government Special Purpose Grants is to improve community infrastructure and service delivery outcomes.
- The Department generally offer two rounds of Special Purpose Grants each financial year. Given the recent election and the late calling for applications the Department is only offering one round for the 2012/2013 year.
- There is a total of \$2.9m grant funding that will be shared on a priority basis across the Northern Territory.
- Applications close on 30 November 2012.

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 REPORT NUMBER: 12TC0091
 SUBJECT: SPECIAL PURPOSE GRANT FUNDING

RECOMMENDATIONS

THAT Report Number 12TC0091 entitled Special Purpose Grant Funding, including **Attachments A & B**, be received and noted.

BACKGROUND

The Department of Local Government offer grant funding to Northern Territory municipal and shire councils via the Special Purpose Grants program.

The objectives of the program are:-

- To support the implementation of key Northern Territory Government policy platforms such as Stronger Futures, Territory 2030 and the growth town Local Implementation Plans.
- To assist in the delivery of key outcomes outlined in the shire and municipal strategic and/or operational plans and the regional management plans.
- To assist in developing local government capacity to provide legitimate representation, effective governance, improved service delivery and sustainable development.
- To assist local governing bodies and the constituent communities they represent to become stronger and self sustaining.
- To assist in the delivery of essential council infrastructure and services.
- To provide a potential source of additional funding to those non local government bodies that provide local government/municipal services (e.g. trustees of reserves, cemetery trusts and LGANT).

The City of Darwin has been successful in securing funding for three projects over the past few years.

DISCUSSION

The City of Darwin was first advised on 7 November 2012 that a round of Special Purpose Grant Funding had opened. Applications are due by 30 November 2012.

In discussion with the Chief Officers Group and Managers, two projects have been identified as priorities for Council.

Civic Centre Generator Project

Total funding of \$260,000 is required to purchase, install and connect a back up generator for the Civic Centre. This funding includes minor building works that will be required to install the generator. Refer **Attachment A**.

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 REPORT NUMBER: 12TC0091
 SUBJECT: SPECIAL PURPOSE GRANT FUNDING

The Nightcliff Community Centre Hall Cooling Project

A total of \$422,228 is being sought to fund this project. The project scope includes, the installation of solutions for reducing the internal temperature of the hall to ensure usability all year round. Refer **Attachment B**.

Please note, in addition to the two applications as provided, the City of Darwin as TOPROC secretariat, will also be lodging an additional application. On behalf of TOPROC we will be seeking \$115,000 to fund a consultancy regarding developing appropriate governance models for a new regional waste management facility.

CONSULTATION PROCESS

In preparing this Report the following parties were consulted:

- Chief Officers Group
- Manager Community Development
- Building Services Officer

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Nil budget implications. As shown in **Attachments A and B**, the City of Darwin has not committed any additional funds. We have however, committed staff time to each of these projects.

In addition to the upfront costs, both of these projects will require very minor increases to the annual capital works program for the ongoing maintenance of these new assets.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

As shown in **Attachment A**, if Council was successful in securing funds for a generator, the risk of being unable to provide essential services in the event of a cyclone or extreme weather event would be significantly reduced.

There is no risk or legislative implication in relation to the Nightcliff Community Centre Hall Cooling Project as provided in **Attachment B**.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications in relation to the Civic Centre Generator Project.

As shown in **Attachment B**, environmentally preferable and energy efficient solutions have been sought for the Nightcliff Community Centre Cooling Project.

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REPORT NUMBER: 12TC0091
SUBJECT: SPECIAL PURPOSE GRANT FUNDING

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.

ANNE HAMMOND
MANAGER STRATEGY & OUTCOMES

MARK BLACKBURN
EXECUTIVE MANAGER

For enquiries, please contact Anne Hammond on 89300531 or email:
a.hammond@darwin.nt.gov.au.

Attachments:

- Attachment A:** SPG Application – Civic Centre Generator Project
Attachment B: SPG Application – Nightcliff Community Centre Hall Cooling Project



DEPARTMENT OF
**HOUSING, LOCAL GOVERNMENT AND
REGIONAL SERVICES**

www.nt.gov.au

SPG APPLICATION

NAME OF ORGANISATION:.....City of Darwin.....

CONTACT PERSON:.....Anne Hammond.....

CONTACT DETAILS:.....8930 0531 or a.hammond@darwin.nt.gov.au.....

PROPOSED VALUE OF GRANT:...\$260,000 (exc GST).....

APPLICATION PRIORITY:- (i.e. 1, 2 or 3)...1

PROJECT DETAILS

The City of Darwin plays a key role in the Northern Territory All Hazards Emergency Management Plan including:

- Emergency response recovery'
- Public Information
- Emergency Management Support arrangements

The Council is progressively upgrading its systems for emergency management to provide an effective support framework across all levels of government.

The tropical weather in the top end causes severe weather patterns which cause varying levels of damage and power outages. It is therefore vital that the City of Darwin can continue to operate in the instance of a power outage in order to continue delivering essential services to the Darwin community. Timely communication between the community and Council is especially critical during an extreme weather event.

The City of Darwin does not have a back up generator it can power the Civic Centre in the case of a power outage. Currently, when a Cyclone Watch is declared, Council has to hire a back up generator to have on site in case the Civic Centre loses power. In addition, an electrician is required to make a connection and operate the manual transfer switch. This poses a major risk in the event of a major disaster.

This funding will be used to purchase a generator to power the Civic Centre in the instance of a power outage. The generator will be able to provide power to the whole building, running all equipment necessary to provide the community with essential services and timely communication during a cyclone. This will ensure business continuity for the organisation and allow Council to implement its Emergency Management Plan and Community Resilience Plan.

If successful in receiving the grant the City of Darwin will purchase a single generator providing 350kVA load. Standard generator acoustic enclosures provide sound attenuation to between 75dBA and 80dBA at 1m. The proposed generator enclosure has a rating of 60dBA which will reduce noise disturbances for nearby residents. The proposed generator is also designed that in the event of a power failure the generator will automatically switch the building load onto the generator supply. When mains power is restored, the building load will automatically switch back

to mains power and the generator will run down and stop. In addition, this system will also include power monitoring facilities, meaning that the unit has the ability to have a future connection to enable remote web based monitoring.

The requested \$260k also includes the installation and associated controls, cabling and the like.

DOES THE PROPOSED PROJECT RELATE TO THE MUNICIPAL STRATEGIC PLAN? YES

The City of Darwin is finalising its Strategic Plan.

This project is aligned to a number of goals and outcomes, being:-

Goals: 1 – Collaborative, Inclusive and Connected Community
5 – Effective and Responsible Governance

Outcomes: 1.1 – Community inclusion supported
1.3 – Connected community through technology
5.1 – Quality service
5.3 – Good governance
5.4 – Effective leadership and advocacy

WHAT ARE THE ONGOING COMMUNITY BENEFITS EXPECTED FROM THIS PROJECT?

The purchase of a new generator will provide assurance of ongoing essential service delivery and critical communication to the Darwin community in the case of a cyclone or an extreme weather event. This will ensure business continuity for the organisation and allow Council to implement its Emergency Management Plan and Community Resilience Plan in the case of a power outage. This will contribute to Council providing the best level of safety and service for the community. This will be an ongoing benefit as this is a realistic threat every wet season in Darwin.

WHAT OTHER SOURCES OF FINANCE HAVE BEEN CONSIDERED TO FUND THE PROJECT?

The City of Darwin has previously applied for a Special Purpose Grant for this project.

OUTLINE WHAT THE MUNICIPAL'S COMMITMENT IS TO THE PROJECT IN CASH AND KIND?

This project forms part of a larger overall project focussing on Council's business continuity processes. Over the past year, the City of Darwin has invested in excess of \$250k in the larger Business Continuity and Recovery (BCR) project.

The City of Darwin has purchased and implemented BCR software, developed Emergency Management Plans, BCR Plans and a Community Resilience Plan (*currently under development*). Included in this \$250k, the City of Darwin has committed funds for a UPS system to protect Council's electronic equipment from sudden power loss. The UPS also ensures the protection of all Council electronic data and records stored on Council's server. In addition to the UPS, a stand alone generator has been purchased specifically to power and protect Council's server (*expected delivery and installation 8 Dec 2012*). This generator is only for the server and does not provide power to the Civic Centre.

This is all in addition to Council's Guardian system which was implemented in 2008 to assist in the management of a disaster. Guardian is an innovative program that provides the City of Darwin a complete database to track, monitor and respond to all aspects of natural disasters. Every year the City of Darwin delivers extensive staff training and conducts simulations written, prepared by and delivered to City of Darwin staff.

The project is essentially the final piece of the City of Darwin's BCR strategy. With the range of plans and software that the City of Darwin now has in place, this generator will enable staff to continue working within the Civic Centre to deliver essential services in the event of an outage.

The City of Darwin will contribute in-kind costs to this project. Council's Building Manager will provide the project management for the purchase and set up of the generator.

WHAT FINANCIAL PROVISIONS WILL BE PUT IN PLACE TO ENSURE THAT ON-GOING COMMUNITY BENEFIT WILL BE DERIVED FROM THE PROJECT?

It is anticipated that an additional amount of 1% of the project cost (\$2,600) will need to be added to Council's annual budget to cover annual maintenance of this new asset. The City of Darwin will also adjust existing cyclone and emergency plans to include the new generator. Council will run regular emergency drills to test the generator and the procedures in place for its operation.

Please refer **Attachment A** for a preliminary quote for the generator.

Please note: This quote is almost 2 years old, therefore additional costs have been factored in to cover price increases and costs have also been factored in for minor building works that will be required as part of the installation of the generator.

CEO's SIGNATURE:/...../20.....



DEPARTMENT OF
**HOUSING, LOCAL GOVERNMENT AND
REGIONAL SERVICES**

www.nt.gov.au

SPG APPLICATION

NAME OF ORGANISATION:.....City of Darwin.....

CONTACT PERSON:.....Anne Hammond.....

CONTACT DETAILS:.....8930 0531 or a.hammond@darwin.nt.gov.au.....

PROPOSED VALUE OF GRANT:...\$422,228 (exc GST).....

APPLICATION PRIORITY:-...2.....

PROJECT DETAILS (attach separate papers if required)

Nightcliff Community Centre is one of the City of Darwin's most heavily utilised community facilities. Corrugated Iron Youth Performing Arts is the anchor tenant for the performance space. The facility is unusable during the warmer months due to the oppressive heat in the space. In response, the City of Darwin has sought to pursue options in developing the cost effective and environmentally sound cooling systems for the space.

A consultancy has been completed on potential cooling options, enabling the opportunity to demonstrate leadership in the area of proactive and responsible planning.

This grant funding application is therefore seeking funds to support the implementation of cooling solutions.

The solution will ensure that the centres patrons are comfortable whilst utilising energy efficient solutions and thereby reducing the running costs and greenhouse gas emissions.

The solution will likely use a variety of treatments including air conditioning to reduce heat load and temperature. The recommended solution for the hall is a packaged air conditioning system with an energy recovery unit that provides greater control over temperature/humidity and fresh air with different types of sensors interlocked with the system.

DOES THE PROPOSED PROJECT RELATE TO THE MUNICIPAL STRATEGIC PLAN? YES

The City of Darwin will shortly launch its new Strategic Plan. Based on the new Plan, this project is aligned to a number of goals and outcomes, being:-

- Goals:**
- 1 – Collaborative, Inclusive and Connected Community
 - 2 – Vibrant, Flexible and Tropical Lifestyle
 - 3 – Environmentally Sustainable City

- Outcomes:**
- 1.1 – Community inclusion supported
 - 2.2 - A sense of place and community
 - 2.3 – Increased sport, recreation and leisure experiences
 - 3.1 – Council's carbon footprint reduced.

WHAT ARE THE ONGOING COMMUNITY BENEFITS EXPECTED FROM THIS PROJECT?

The Nightcliff Community Centre is in high demand with a mixture of both permanent and casual users. Corrugated Iron Youth Arts Inc has leased the Nightcliff Community Centre Hall from Council since 1998.

The hall is used every day for youth circus and dance workshops, theatre rehearsals and performances. The hall currently does not have any air conditioning nor insulation under the roof (due to the unenclosed roof space).

During the build up and wet season the temperature and humidity levels in the hall are extremely high which causes health and safety issues for the staff and community members utilising the hall. This in turn prevents the hall being accessed and utilised all year round.

The recommended approach for the Nightcliff Community Hall Cooling Project incorporates environmentally sustainable, energy efficient features and contemporary approaches. All options not only the initial capital and project costs, the ongoing maintenance and running costs, resource implications and the long term replacement costs.

WHAT OTHER SOURCES OF FINANCE HAVE BEEN CONSIDERED TO FUND THE PROJECT?

The City of Darwin funded the initial consultancy for the investigation of options available for the Nightcliff Community Hall Cooling Project. The cost of the consultancy was approximately \$15,000 and was completed in October 2012.

Refer to **Attachment A** for the budget breakdown.

OUTLINE WHAT THE MUNICIPAL'S COMMITMENT IS TO THE PROJECT IN CASH AND KIND?

The City of Darwin commits +/- \$100k annually to the maintenance of its Community and Child Care Centre's but due to limited funding, is unable to fund large projects such as this.

The City of Darwin will however be committing in-kind costs through staff time. Council's Building Manager will continue to work on the project if the funding is received, project managing all works outlined in this application. Council's Family & Children's Services Officer will be the liaison point between Council and the hall patrons.

WHAT FINANCIAL PROVISIONS WILL BE PUT IN PLACE TO ENSURE THAT ON-GOING COMMUNITY BENEFIT WILL BE DERIVED FROM THE PROJECT?

Ongoing continuation of the program.

CEO's SIGNATURE:/...../20.....

ORDINARY COUNCIL MEETING - OPEN SECTION
TUESDAY, 27 NOVEMBER 2012

PAGE

2ND COU11/25

16 OFFICERS REPORTS

16.2 Amendment to the NT Planning Scheme for Lot 1663 (8) Eden Street, Town of Darwin for the Purpose of a Rezone from MD (Multiple Dwelling Residential) to MR (Medium Density Residential) - PA2012/0752 Report No. 12TS0192 WS:fh (27/11/12) Common No. 2351035

Report Number 12TS0192WS:fh attached

2nd ORDINARY COUNCIL MEETING/ OPEN AGENDA ITEM: 16.2
AMENDMENT TO THE NT PLANNING SCHEME FOR LOT 1663 (8) EDEN STREET, TOWN OF DARWIN FOR THE PURPOSE OF A REZONE FROM MD (MULTIPLE DWELLING RESIDENTIAL) TO MR (MEDIUM DENSITY RESIDENTIAL) - PA2012/0752
REPORT No.: 12TS0192 WS:fh COMMON No.: 2351035 DATE: 27/11/2012

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 Amendment to the NT Planning Scheme for Lot 1663 (8) Eden Street, Town of Darwin for the Purpose of a Rezone from MD (Multiple Dwelling Residential) to MR (Medium Density Residential) - PA2012/0752, included as **Attachment A**. This report addresses relevant Council issues and recommends that Council endorse comments provided to the Development Consent Authority dated 16 November 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

- It is recommended that Council does not support this application.
- The proposed rezoning is a 'spot' rezoning.
- There is currently a single dwelling on-site.
- Zone MR (Medium Density Residential) would allow the site to be redeveloped with multiple dwellings up to four (4) storeys in height.
- There is a mix of zones in the immediate area.
- There is no strategic direction to guide future development in Stuart Park.

PAGE: 2
 REPORT NUMBER: 12TS0192 WS:fh
 SUBJECT: AMENDMENT TO THE NT PLANNING SCHEME FOR LOT 1663 (8) EDEN STREET TOWN OF DARWIN - REZONE FROM MD (MULTIPLE DWELLING RESIDENTIAL) TO MR (MEDIUM DENSITY RESIDENTIAL) PA2012/0752

RECOMMENDATIONS

- A. THAT Report Number 12TS0192WS:fh entitled, Amendment to the NT Planning Scheme for Lot 1663 (8) Eden Street, Town of Darwin for the Purpose of a Rezone from MD (Multiple Dwelling Residential) to MR (Medium Density Residential) - PA2012/0752, be received and noted.
- B. THAT Council endorse the submission dated, 16 November 2012 to the Reporting Body, **Attachment B** to Report Number 12TS0192WS:fh entitled, Amendment to the NT Planning Scheme for Lot 1663 (8) Eden Street, Town of Darwin for the Purpose of a Rezone from MD (Multiple Dwelling Residential) to MR (Medium Density Residential) - PA2012/0752.

BACKGROUND

There is no planning history relating to the subject site on the City of Darwin records management system.

Site and Surrounds

The subject site is identified as Lot 1663, Town of Darwin, also referred to as 8 Eden Street, Stuart Park. The current zoning of the subject land is MD (Multiple Dwelling Residential). The proposed rezoning seeks to apply the MR (Medium Density Residential) zoning. Lot 1663 has a total area of 987 square metres.

The subject allotment currently contains an established single dwelling. Residential land in the vicinity of the subject land is a combination of MR, MD, SD (Single Dwelling Residential), SC (Service Commercial) and CP (Community Purpose). The premises at 3 Eden Street, has recently been rezoned from MD to MR and the land surrounding the subject site is zoned MD. The SC (Service Commercial) zone is located to the west and south along the Stuart Highway.

The SD (Single Dwelling) zone is located along the eastern section of Eden Street and Stuart Park Primary School is located on Nudl and Ashley Streets nearby. The subject site is two lots away from a large transit corridor, the Stuart Highway and the Botanical Gardens (Zone PS - Public Open Space) is located on the opposite side of the Stuart Highway.

Current vehicular access to the allotment is via a sealed driveway from Coronation Drive.

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 REPORT NUMBER: 12TS0192 WS:fh
 SUBJECT: AMENDMENT TO THE NT PLANNING SCHEME FOR LOT 1663 (8) EDEN STREET TOWN OF DARWIN - REZONE FROM MD (MULTIPLE DWELLING RESIDENTIAL) TO MR (MEDIUM DENSITY RESIDENTIAL) PA2012/0752

DISCUSSION

Current and Proposed Zoning

The current zoning of the subject land is MD (Multiple Dwelling Residential). The proposed rezoning seeks to apply the MR (Medium Density Residential) zoning.

Under the current MD provisions, the 987m² lot could be developed with up to three dwellings, to a maximum of two (2) storeys. Under the proposed MR provisions, the land has the potential to be developed with up to eleven (11), one or two bedroom units, or seven (7) three or four bedroom units, to a maximum height of four (4) storeys.

The development potential of Zone MR will allow for development significantly greater than the established scale of development along Eden Street.

The increased density is likely to significantly increase traffic movement, to and from the subject land. Given the location adjacent to the intersection with Eden Street and the Stuart Highway, it is likely that the majority of traffic will utilise this intersection.

There is a small area of public open space located nearby, along Presley Street and across the Stuart Highway. No other convenient areas of public open space exist within close proximity to the subject site.

The continuing trend, towards higher densities in Stuart Park, incrementally places higher demands on services and infrastructure in the area, including roads and traffic, stormwater, open space and community services. If the Northern Territory Government were to develop a plan to increase densities in the area, then likely impacts on services and infrastructure could be assessed and necessary upgrades and contribution plans could be developed.

The response letter, included as **Attachment B** to this report, notes that should the Northern Territory Government develop a strategic direction to guide future development in the area, which includes higher densities, it may be possible to support a rezoning. However, on the basis that there is no strategic direction to support an increased density in the area, Council does not support this application.

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 REPORT NUMBER: 12TS0192 WS:fh
 SUBJECT: AMENDMENT TO THE NT PLANNING SCHEME FOR LOT 1663 (8) EDEN STREET TOWN OF DARWIN - REZONE FROM MD (MULTIPLE DWELLING RESIDENTIAL) TO MR (MEDIUM DENSITY RESIDENTIAL) PA2012/0752

Summary

The applicant seeks to rezone the subject site from Zone MD to Zone MR. The character of Eden Street is mixed towards the western end of the street. Notwithstanding this, dwellings along Eden Street maintain a consistent bulk and scale of development to two (2) storeys, with MD and SD zone developments.

Many areas within Stuart Park are undergoing a 'transition' from established lower densities to higher density and a wider variation in dwelling types. The Planning Scheme does not detail a strategic direction in this instance.

Specific issues relating to traffic, waste and stormwater will need to be addressed during the development assessment process, if this application is approved by the Development Consent Authority.

CONSULTATION PROCESS

In preparing this report, the following parties were consulted:

- Strategic Town Planner
- Planning Officer

POLICY IMPLICATIONS

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

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resources implications as a result of this application.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are no legal or legislative implications as a result of this application.

ENVIRONMENTAL IMPLICATIONS

This application has no environmental implications

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 REPORT NUMBER: 12TS0192 WS:fh
 SUBJECT: AMENDMENT TO THE NT PLANNING SCHEME FOR LOT 1663 (8) EDEN STREET TOWN OF DARWIN - REZONE FROM MD (MULTIPLE DWELLING RESIDENTIAL) TO MR (MEDIUM DENSITY RESIDENTIAL) PA2012/0752

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN, PLANNING
& PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

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

Attachments:

Attachment A: Development Application, PA2012/0752

Attachment B: City of Darwin, Letter of Response to Development Assessment Services, dated 16 November 2012.

NORTHERN TERRITORY OF AUSTRALIA**PROPOSAL TO AMEND NT PLANNING SCHEME
PA2012/0752**

Mrs Denise Gfeller has applied to the Minister for Lands, Planning and the Environment to amend the NT Planning Scheme by rezoning Lot 1663, Town of Darwin (8 Eden St, Stuart Park) from Zone MD (Multiple Dwelling Residential) to Zone MR (Medium Density Residential).

Attached are:

- the Notice of Exhibition under section 17 of the *Planning Act*;
- extracts from the NT Planning Scheme relating to Zone MD (Multiple Dwelling Residential);
- extracts from the NT Planning Scheme relating to Zone MR (Medium Density Residential);
- a locality map; and
- a copy of the application from Mrs Denise Gfeller.

The exhibition period is from Friday 19 October 2012 to Friday 16 November 2012.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday, 16 November 2012 and made to:

Jamie Castles
Graduate Trainee
Strategic Lands Planning
Department of Lands, Planning and the Environment
GPO Box 1680
DARWIN NT 0801; or

Email: planning@nt.gov.au

Fax: (08) 8999 7189; or

Hand delivered to Ground Floor, Arrhemica 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

PA2012/0752

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

- (a) a proposal to amend the NT Planning Scheme, numbered PA2012/0752 as referred to in (e), is to be exhibited under Division 3 of Part 2 of the Act;
- (b) the amendment is to be exhibited at the Department of Lands, Planning and the Environment, 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:

Jamie Castles
Graduate Trainee
Strategic Lands Planning
Department of Lands, Planning and the Environment
GPO Box 2520
DARWIN NT 0801 or

Fax: (08) 8999 7189 or

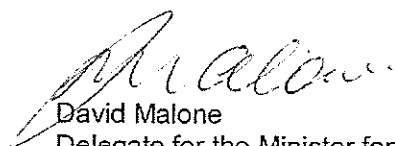
Email: planning@nt.gov.au

- (e) the proposed amendment is to the NT Planning Scheme, to rezone Lot 1663 Town of Darwin (8 Eden Street, Stuart Park) from Zone MD (Multiple Dwelling Residential) to Zone MR (Medium Density Residential).

Dated

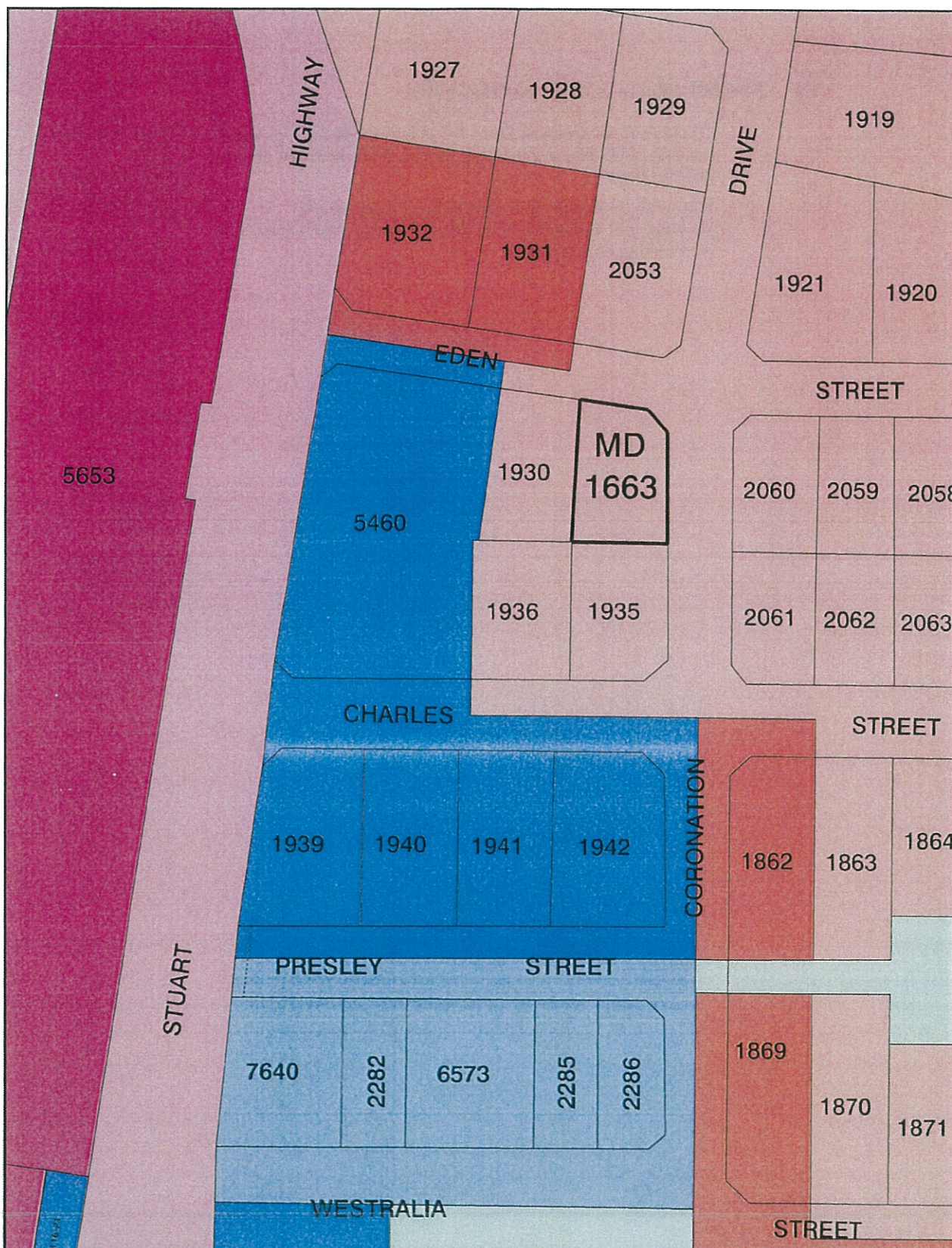
9th of October

2012.



David Malone

Delegate for the Minister for Lands, Planning and the Environment



EXISTING NT PLANNING SCHEME
 AMENDMENT PA2012/ 0752
 REZONE LOT 1663
 TOWN OF DARWIN
 From Zone MD to Zone MR



Northern
 Territory
 Government

Department of Lands, Planning and the Environment

0 15 30 45 60 75m

Scale 1: 2000 @ A4



File No.: PA2012/0752

Date: 16-Oct-12

Drawing Name: PA2012_0752 Rezone Lot 1663 Town of Darwin.dgn

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.

Clause 1.3 refers to Sheds.

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

Clause 6.8 refers to Demountable Structures.

Clause 6.11 refers to Garages and Sheds.

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

Clause 7.10.2 refers to caravans.

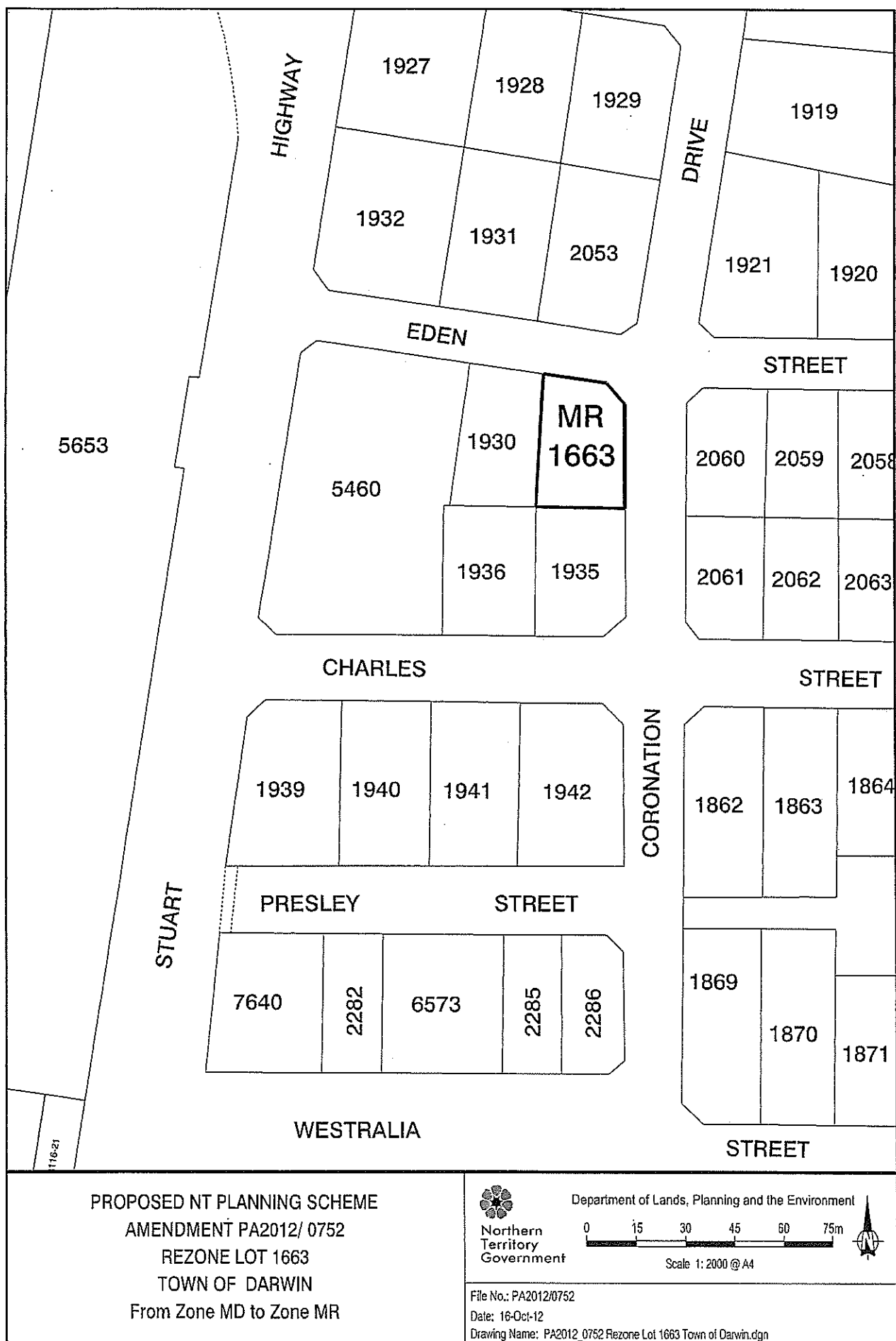
Clauses 11.1.1 and 11.1.2 refer to subdivision lot size and 11.2 to subdivision standards.

Clause 13.5 refers to the development of telecommunication facilities.

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



5.3 ZONE MR – MEDIUM DENSITY RESIDENTIAL

1. The primary purpose of Zone MR is to provide for a range of housing options to a maximum height of four **storeys** above **ground level**.
2. The availability or future availability of services, size of lots and proximity to major roads, schools and other community facilities should be sufficient to support **multiple dwelling** residential development.
3. The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.

Clause 1.3 refers to Sheds.

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

Clause 6.8 refers to Demountable Structures.

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

Clause 6.11 refers to Garages and Sheds.

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

Clause 7.1 limits the height of residential buildings in certain circumstances.

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 development of telecommunication facilities.

ZONING TABLE – ZONE MR

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, 7.4, 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, 7.4, 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

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

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


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

(Town) / Hundred / Locality: <u>Darwin</u> Parcel Number(s) and / or Unit Number: <u>Lot 1663, 8 Eden Street</u> LTO Plan: Number and Street Name: <u>8 Eden Street, Stuart Park 0820</u> and	
Existing Zone: <u>MD (Multiple Dwelling Residential)</u> Proposed Zone: <u>MR (Medium Density Residential)</u> Tenure:	
Is the proponent the Land Owner? <u>YES</u> / NO	


2. PROPONENT INFORMATION

PROPONENT INFORMATION	
ILIS - Customer No. (if known): Company Name (if applicable): ABN or ACN (if applicable): Title: Mr <u>Mrs</u> Miss Ms Dr Other: Family Name(s): <u>Gfeller</u> Given Name(s): <u>Denise</u> Preferred Name(s): Postal Address: <u>PO Box 3488, Darwin 0801 N.T.</u> Telephone No. (Business Hours): <u>0417 437 425</u> Mobile No.: <u>0417 437 425</u> Facsimile No.: Email Address: <u>denise.gfeller@gmail.com</u>	


3. DESCRIPTION OF PROPOSED AMENDMENT

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

4. REASON(S) FOR PROPOSAL

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

5. APPLICANT TO SIGN AND/OR AFFIX SEAL

The application is complete and all required documentation is attached.	
	04 / 10 / 2012
Signature(s)	
<p>PRIVACY NOTE:</p> <p>The Department of Lands and Planning, on behalf of the Minister, is authorised under the Planning Act to collect the information on this form, or otherwise provided by you, to consider a proposal to amend a Planning Scheme. Failure to provide the information in full may result in delays processing the proposal.</p> <p>Some of the personal information provided by you on this application may be publicly available, as part of a public exhibition process. The information may also be provided to other NT Government agencies, the Australian Valuation Office, local governments and Commonwealth Government Departments and agencies, as required by law.</p> <p>Collection of personal information on this form is done in accordance with the privacy legislation contained within the Information Act 2002 (NT). For more information please refer to the Department of Lands and Planning privacy statement located at www.nt.gov.au/ntg/disclaimer.shtml</p> <p>Any personal information provided can be subsequently accessed by you on request. If you have any queries please contact the Planning Coordinator, Strategic Lands Planning on 8999 8963.</p>	

Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
Darwin NT 0801

Re: Amendment to NT Planning Scheme - Rezoning for Lot 1663, 8 Eden Street, Stuart Park
0820, Darwin NT

To Whom It May Concern

I, Denise Gfeller of the above mentioned address wish to apply for rezoning of Lot 1663 from
MD (Multiple Dwelling Residential) to MR (Medium Density Residential).

Attached please find:

Rezoning Submission

Copy of Title

Site Plan of Lot 1663

Part Copy of Sheet 42 from NT Planning Scheme Zoning Map Book

Letter of support

Copy of Photos

Yours faithfully,



Denise Gfeller
8 Eden Street
Stuart Park 0820
04.10.2012

Rezoning Submission for Lot 1663. 8 Eden Street. Stuart Park 0820

With the current and future growth of Darwin and the accommodation shortage, rezoning of Lot 1663 would be beneficial to address the high demand for housing and increasing population in Darwin.

The locality of Lot 1663 is ideal as it is in a corner, (Eden Street and Coronation Drive) and one Street back from the Stuart Highway, the main Road connecting Darwin City to the Northern Suburbs, Hospitals and AirPort, and the main Road leading in and out of Darwin to Palmerston and the rural area.

It is close to:

Public Transport – 100m, 2min walk and Cycle Paths,

Doctor Surgery with a/h facility, Pharmacy, Convenience Store, Newsagency, Take Away Shops – 270m, 3min walk, 1min drive,

Recreation Parks – B. Sullivan Recreation Park, opposite Stuart Park Shops – 300m, 4min walk, 1min drive, R.F. (Bob) Anthony Memorial Park in Armidale Street – 750m, 9min walk, 1min drive and Dinah Sporting Oval – 1.1km, 13min walk, 3min drive.

Stuart Park Primary School, 500m, 7min walk, 2min drive, Darwin High School – 1.4km, 18min walk, 5min drive, St Johns College – 700m, 9min walk, 3min drive.

George Brown Botanic Garden, Warratah Oval, Gardens Parks Golf Link and Mindil Beach Sunset Market are all approximately 2.6km. 26min walk. 5min drive or much closer/quicker by cutting through Geranium Street and enter Botanic Gardens from the top and enjoy the beautiful Market Gardens.

Darwin Sailing Club and Darwin Water Ski Club are also in close proximity of around 2km, 20 to 25min walk, 5min drive.

Parap Village Market – 1.6km, 20min walk, 4min drive.

East Point Reserve – 4.9km, 55min walk, 9min drive.

Darwin Central Business District is located only 2.8km away 35min walk, 7min drive by car.

Buses drive to the CBD frequently.

Stuart Park is located on the fringe of the City with a mixture of different zonings. All along the Stuart Highway, starting from Thrifty Rent A Car to Daly Street Bridge, the zoning is SC (Service Commercial), the Stuart Park Shops are C (Commercial), there are several MD Multiple Dwelling) Blocks along Eden and Charles Street, Westralia Street, Henry Street, Queen Street, King Street and Winston Avenue. A few MR (Medium Density) Blocks exist along Coronation Drive. There have been some recent 4 storey developments in Coronation Drive and Queen Street and two Properties, 3 Eden Street and 10 Charles Street have recently been successful in rezoning from MD to MR.

Proposal

Lot 1663 has a total of 987m² and, under the Northern Territory Planning Scheme, is sufficient for the MR zone. The maximum height is 4 stories.

There are no easements on the property which would allow for full usage of the land.

With the 3m setback from each boundary, a mixture of 2 and 3 bedroom apartments with balconies for open space could be built.

The ground level would be dedicated to 2 car parks per Unit.

There would be a staircase and access corridor in the middle of the Block to separate the Units.

A tropical garden will provide as privacy within the Block and towards the neighbours.

However, as this is not a Development Application, matters regarding the development can be addressed at a later stage with relevant authorities.

Impact on surrounding properties:

The impact on the townhouses corner Eden Street and Coronation Drive, opposite proposed rezoning site would be minimal, as their living/outdoor area faces Coronation Drive, the same way I envisage the development of the Units to face.

The Unit block at the back of the property, 7 Charles Street, also has living/outdoor area facing Coronation Drive.

The impact on the Duplex, 6 Eden Street and 4 small Units on Coronation Drive would be minimal, as a lush tropical garden will be established and 1.8m solid screen fence will provide privacy.

Traffic:

There will be a slight increase of traffic but it should have minimal impact on the area as access to Stuart Highway is immediate. The road system is well established in this area and leads directly to CBD, Northern Suburbs and Palmerston.

Infrastructure

There is a well established infrastructure in the area. There is town water, sewage and main power supply. Any additional services will be provided by the developer to the satisfaction of the relevant authority.

Zoning Table

In regards to the clauses of zone MD and MR. There is no difference between the two zones in the "Index of Zones" in what is permitted, discretionary and not permitted. The obvious difference is the building height restrictions between the two zones.

I am aware that any new development proposal will have to be approved by the appropriate authorities and all questions and issues will have to be addressed then.

As for this proposal to amend the planning scheme in regards to rezoning of Lot 1663 from MD to MR I believe that there would be no negative effects or impact on neighbourhood or surroundings as this is a very well established area.

The requirements for the proposal are that it is close to major roads with public transport, open spaces and recreation areas, Schools and Shops. Lot 1663 is close to all these factors and with the current zones around this block, rezoning to MR would not be out of character.

I look forward to your consideration of this application. Thank you.

Denise Gfeller

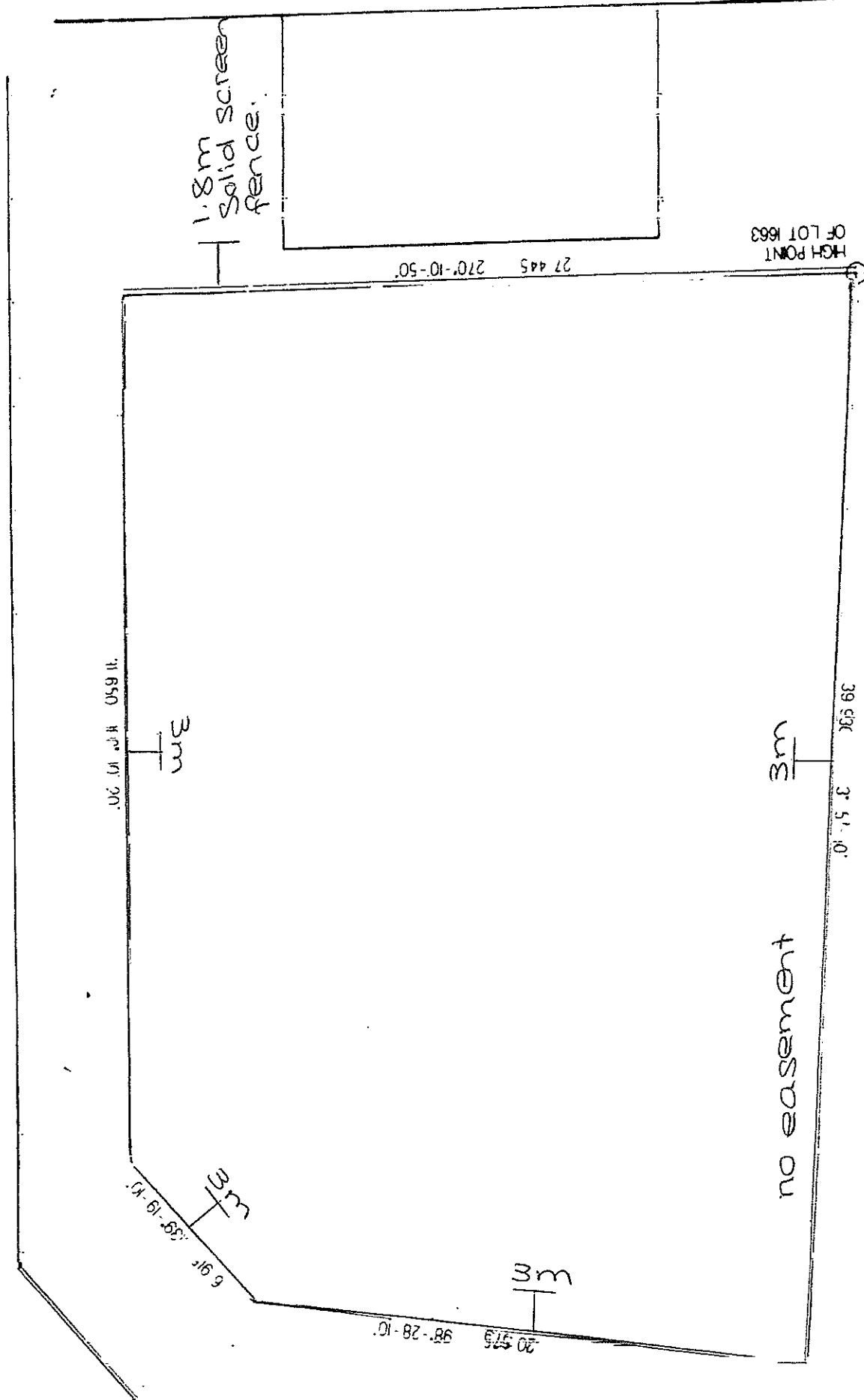
0417 437 425

04.10.2012





CORONATION DRIVE

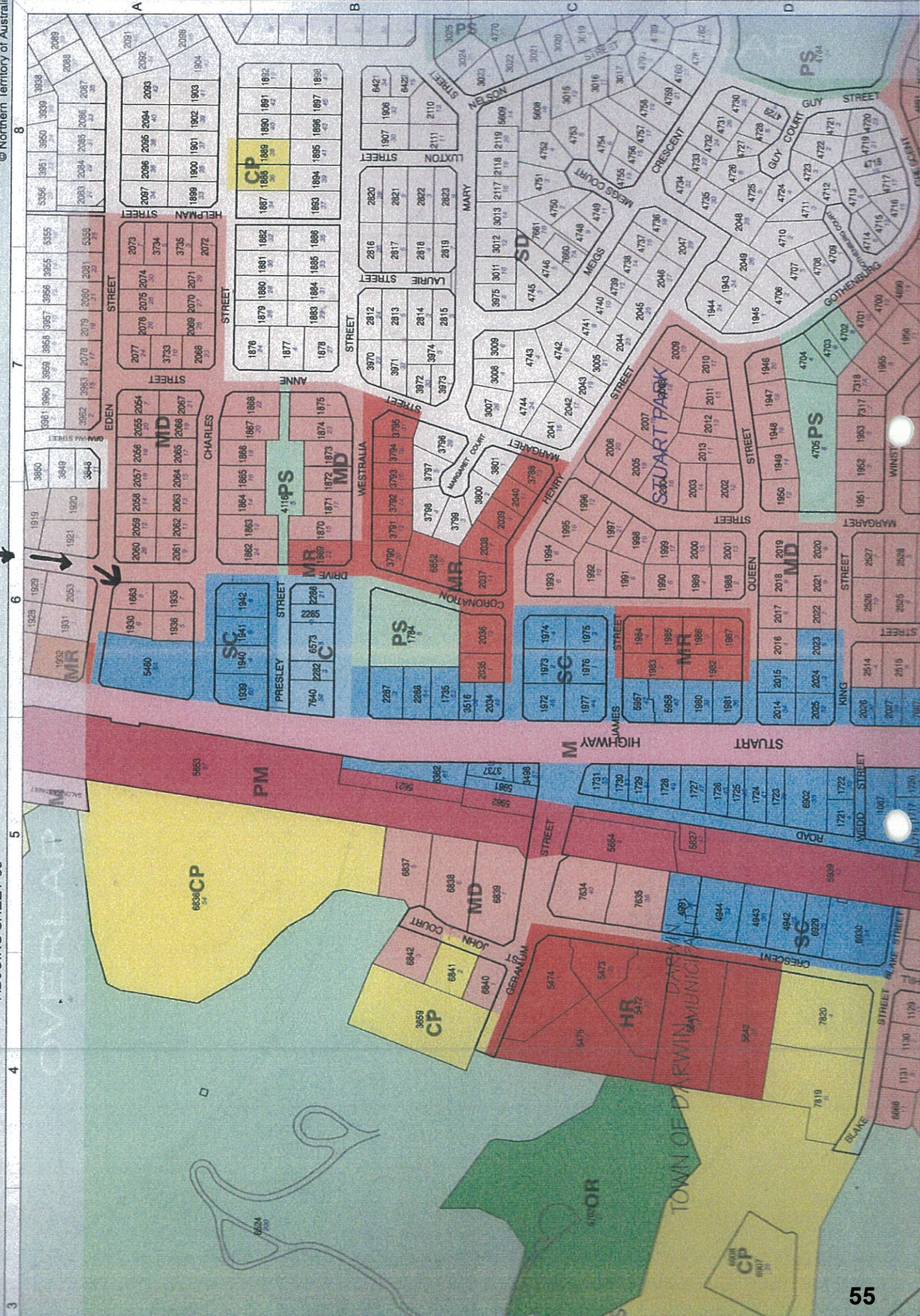


Lot 1663

ADJOINS SHEET 33

ADJOINS SHEET 43

© Northern Territory of Australia



16 November 2012

Please quote: 2351035 WS:fh
Your reference: PA2012/0752

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

Dear Ms Stevenson

Parcel Description: Lot 1663 (8) Eden Street, Town of Darwin.
Proposed Development: Rezone from MD (Multiple Dwelling Residential) to MR (Medium Density Residential) - PA2012/0752.

Thank you for the Development Application referred to this office 18 October 2012, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

On the basis that there is no strategic direction to support an increased density in the area, Council does not support this application.

The Northern Territory Planning Scheme does not provide strategic direction with regard to managing the development of urban land in this area and as such it is difficult to gauge whether or not this proposal would result in an appropriate form of development.

Zoning along Eden Street is mixed, with MR (Medium Density Residential) across the road to the northwest, SC (Service Commercial) Zone to the west and to the south along the Stuart Highway. The land directly adjoining the site and in the surrounding area is predominantly MD (Multiple Dwelling) Zone, with SD (Single Dwelling Residential) Zone located nearby, to the north eastern section of Eden Street. While the predominant built form of the area is limited to one and two storey scale developments.

Should the Northern Territory Government develop a strategic direction to guide future development in the area, which includes higher densities, it may be possible to support a rezoning. However, currently there is no strategic direction or indication of the potential impacts the rezoning may have on services and infrastructure, or on the wider community.

.../2

- 2 -

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: Mr Brad Cunningham

ORDINARY COUNCIL MEETING - OPEN SECTION
TUESDAY, 27 NOVEMBER 2012

PAGE

2ND COU11/26

16 OFFICERS REPORTS

16.3 **Development Application for Section 6467 (798) Vanderlin Drive, Hundred of Bagot for the Purpose of the Addition of a Restaurant with a Drive Through Facility to an Existing Showroom Sales, Shop and Restaurant Development - PA2012/0840**

Report No. 12TS0218WS:fh (27/11/12) Common No. 2361911

Report Number 12TS0218WS:fh attached

2nd ORDINARY COUNCIL MEETING/OPEN**AGENDA ITEM: 16.3**

DEVELOPMENT APPLICATION FOR SECTION 6467 (798) VANDERLIN DRIVE, HUNDRED OF BAGOT FOR THE PURPOSE OF THE ADDITION OF A RESTAURANT WITH A DRIVE THROUGH FACILITY TO AN EXISTING SHOWROOM SALES, SHOP AND RESTAURANT DEVELOPMENT - PA2012/0840

REPORT No.: 12TS0218WS:fh COMMON No.: 2361911 DATE: 27/11/2012

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 Development Application for Section 6467 (798) Vanderlin Drive, Hundred of Bagot for the Purpose of the Addition of a Restaurant with a Drive Through Facility to an Existing Showroom Sales, Shop and Restaurant Development - PA2012/0840, included as **Attachment A**. This report addresses relevant Council issues and recommends that Council endorse comments provided to the Development Consent Authority dated 16 November 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

- It is recommended that Council supports in principle the granting of a Development Permit provided identified issues are adequately addressed.
- It is unclear from the information submitted with the application whether adequate on-site car parking will be provided.
- A comprehensive traffic assessment has been requested.

PAGE: 2
 REPORT NUMBER: 12TS0218WS:fh
 SUBJECT: DEVELOPMENT APPLICATION FOR SECTION 6467 (798) VANDERLIN DRIVE, HUNDRED OF BAGOT FOR THE PURPOSE OF THE ADDITION OF A RESTAURANT WITH A DRIVE THROUGH FACILITY TO AN EXISTING SHOWROOM SALES, SHOP AND RESTAURANT DEVELOPMENT - PA2012/0840

RECOMMENDATIONS

- A. THAT Report Number 12TS0218WS:fh entitled, Development Application for Section 6467 (798) Vanderlin Drive, Hundred of Bagot for the Purpose of the Addition of a Restaurant with a Drive Through Facility to an Existing Showroom Sales, Shop and Restaurant Development - PA2012/0840, be received and noted.
- B. THAT Council endorse the submission dated, 16 November 2012 to the Development Consent Authority, **Attachment B** to Report Number 12TS0218WS:fh entitled, Development Application for Section 6467 (798) Vanderlin Drive, Hundred of Bagot for the Purpose of the Addition of a Restaurant with a Drive Through Facility to an Existing Showroom Sales, Shop and Restaurant Development - PA2012/0840.

BACKGROUND

The site is within the SC (Service Commercial) Zone and is located on the corner of the Stuart Highway and Vanderlin Drive, Berrimah. The site has prominent street frontage to both roads and has entrances and exits along both of these roads. The Stuart Highway and Vanderlin Drive are both under the control and care of the Northern Territory Government. However, the Stuart Highway service road, which provides access for the proposed restaurant, is under the care and control of the City of Darwin.

The existing development contains four (4) retail units and a 'drive-thru' restaurant. Land to the north is part of the Berrimah Zone Substation and the Gull Service Station is located on the opposite corner of the Stuart Highway and Vanderlin Drive, with caryards across the Stuart Highway.

DISCUSSION

The development proposal is for the construction of a new drive-through restaurant to be located on the site, adjacent to the existing drive through restaurant.

Calculations for the car parking do not include the entire net floor area of the new development and as such, the application incorrectly calculates the amount of parking required for the restaurant. The kitchen area and office are excluded from net floor area, resulting in an underestimation of required parking bays for the proposed development.

Twenty (20) car parking bays will also be removed to make way for the new building. The loss of existing bays should be included in the calculations for parking required on site. From the information provided in the application, it is not possible for City of Darwin staff to determine what the existing and proposed parking requirements are for the site.

PAGE: 3
 REPORT NUMBER: 12TS0218WS:fh
 SUBJECT: DEVELOPMENT APPLICATION FOR SECTION 6467 (798) VANDERLIN DRIVE, HUNDRED OF BAGOT FOR THE PURPOSE OF THE ADDITION OF A RESTAURANT WITH A DRIVE THROUGH FACILITY TO AN EXISTING SHOWROOM SALES, SHOP AND RESTAURANT DEVELOPMENT - PA2012/0840

The Northern Territory Planning Scheme requires ten (10) spaces for cars being served or awaiting service. Therefore, only the number of car parking spaces in the drive-through lane, prior to service window, count towards this requirement. On-site arrangements should be made to accommodate the requirements of the Northern Territory Planning Scheme for ten (10) vehicles awaiting service.

Traffic

As the proposed drive-through restaurant is accessed from the City of Darwin's service road. A comprehensive Traffic Impact Assessment report has been requested, prepared in accordance with the Austroads document, Guide to Traffic Management Part 12: Traffic Impacts of Developments in the report structure provided as Appendix C of that document, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities, to the satisfaction of the General Manager, Infrastructure.

Stormwater Drainage

Stormwater drainage infrastructure in the locality is the responsibility of the Northern Territory Government. The applicant has been requested to show that the stormwater runoff generated can be discharged underground to the drainage network.

CONSULTATION PROCESS

In preparing this report, the following parties were consulted:

- Team Coordinator Development and Waste Management.
- Strategic Town Planner
- Planning Officer

POLICY IMPLICATIONS

There are no identified impacts upon Council policies in relation to this application.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications in relation to this application.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are no identified legal or legislative risks in relation to this application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications in relation to this application.

PAGE: 4
 REPORT NUMBER: 12TS0218WS:fh
 SUBJECT: DEVELOPMENT APPLICATION FOR SECTION 6467 (798) VANDERLIN DRIVE, HUNDRED OF BAGOT FOR THE PURPOSE OF THE ADDITION OF A RESTAURANT WITH A DRIVE THROUGH FACILITY TO AN EXISTING SHOWROOM SALES, SHOP AND RESTAURANT DEVELOPMENT - PA2012/0840

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

DROSSO LELEKIS
MANAGER DESIGN, PLANNING
& PROJECTS

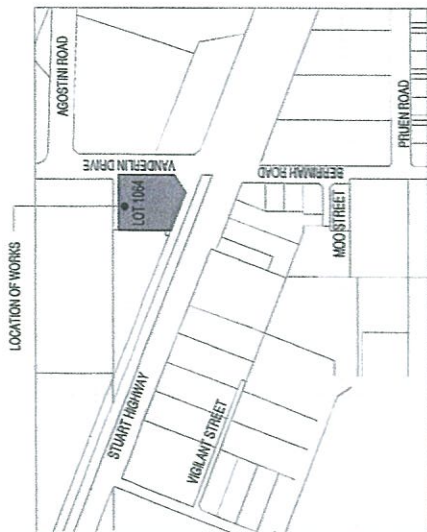
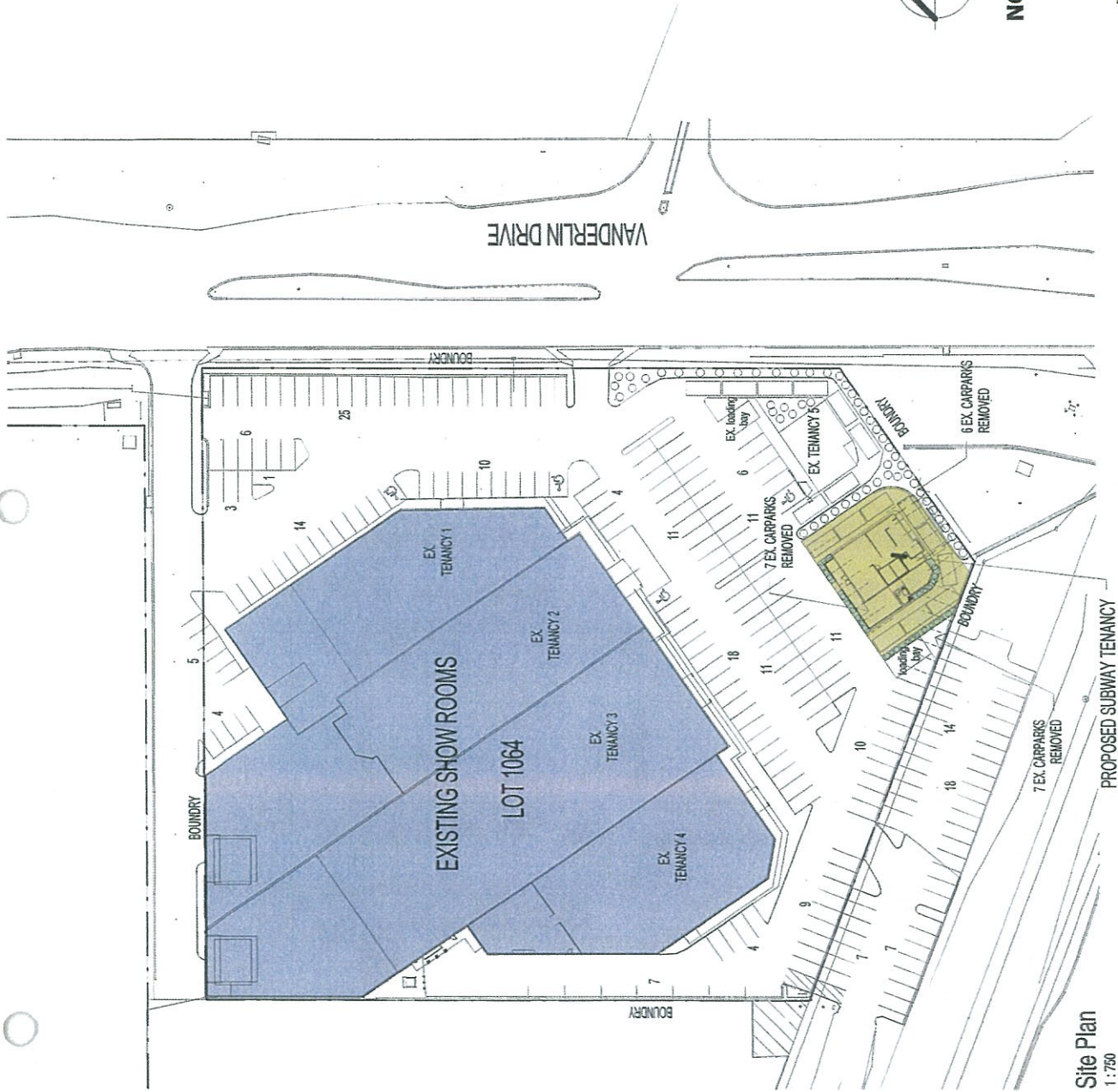
LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

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

Attachments:

Attachment A: Development Application, PA2012/0840

Attachment B: City of Darwin, Letter of Response to Development Assessment Services, dated 16 November 2012.



Locality Plan
MIS

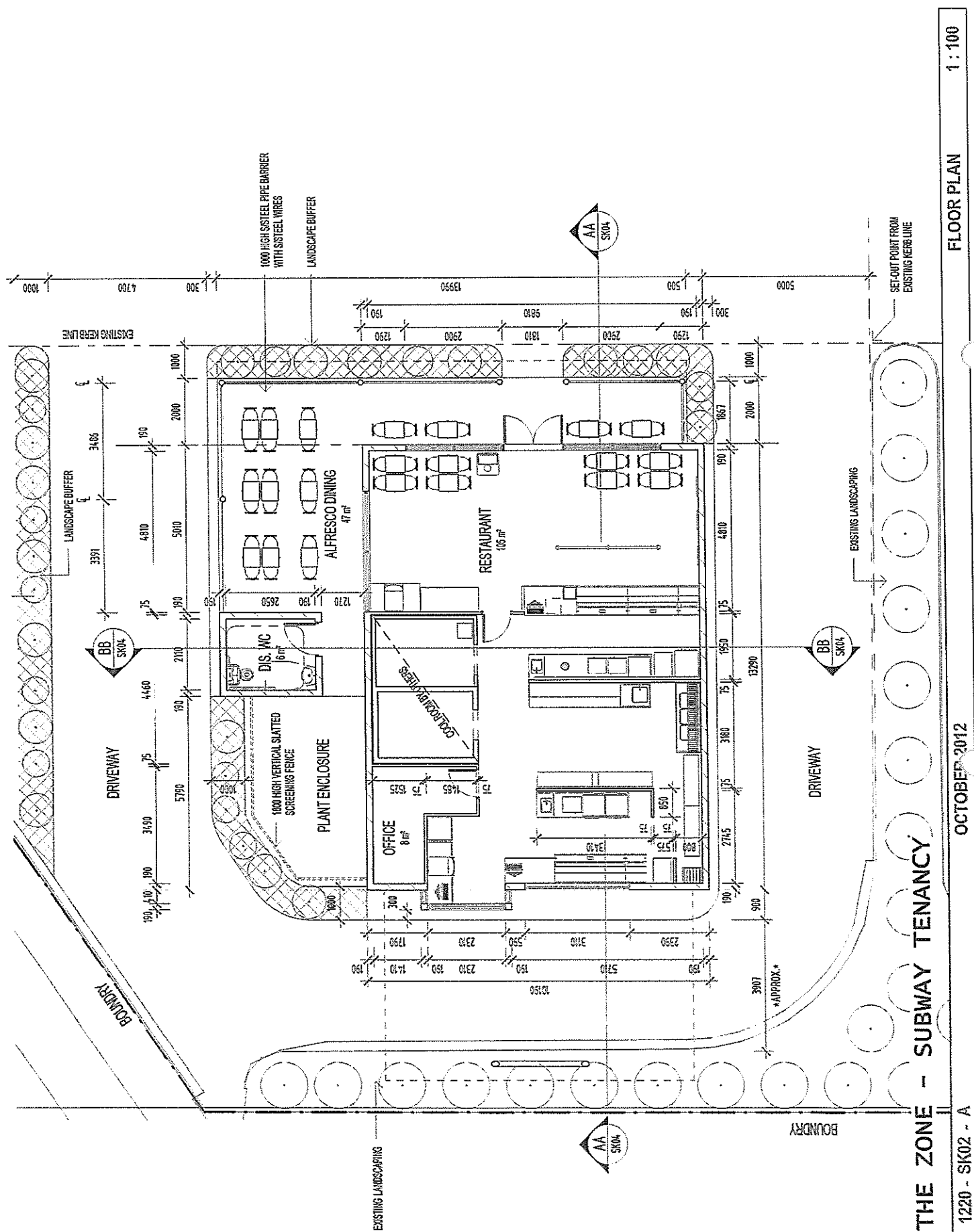
Site Plan
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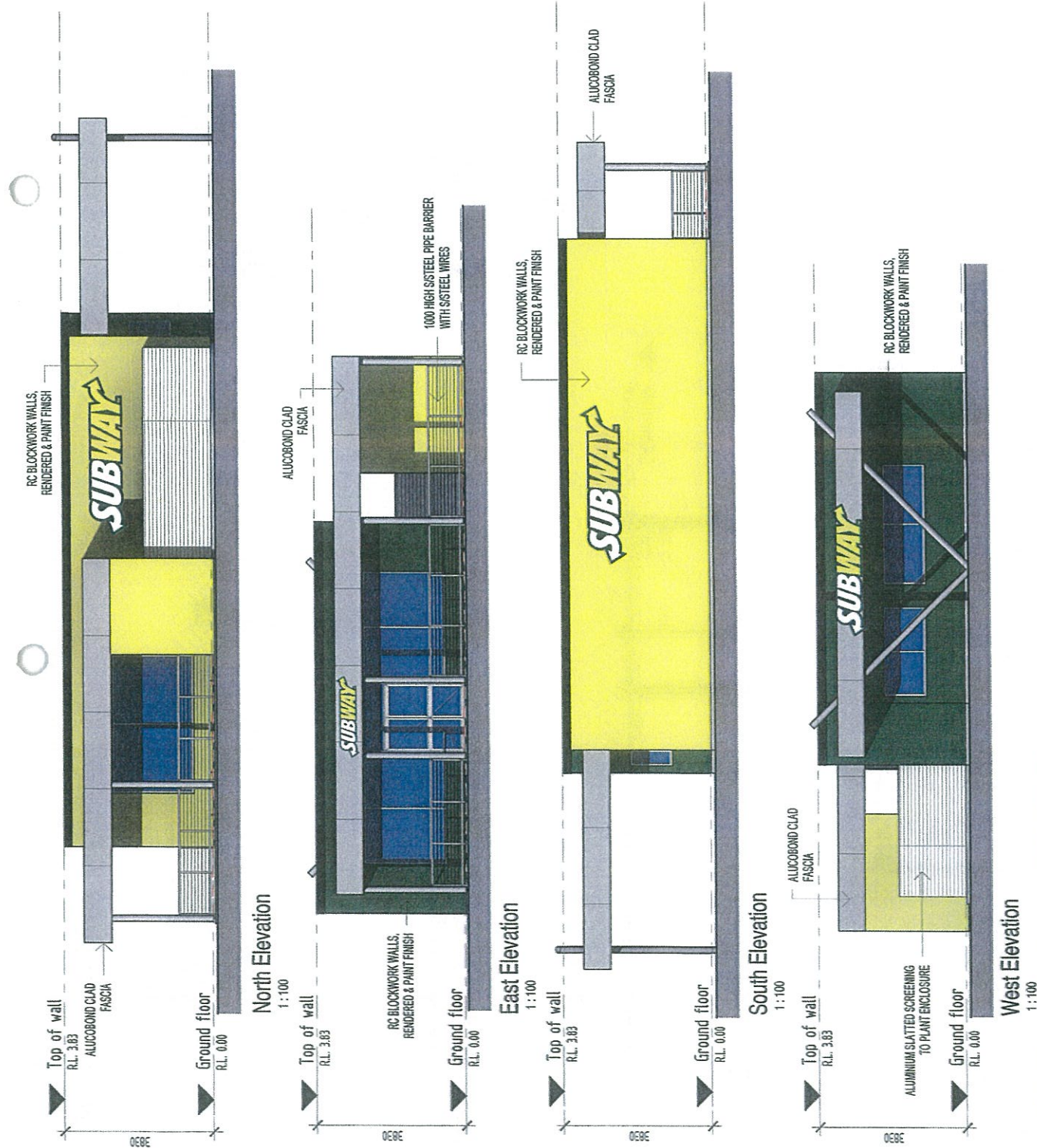
SITE PLAN As indicated

THE ZONE - SUBWAY TENANCY

OCTOBER 2012

1220 - SK01 - A





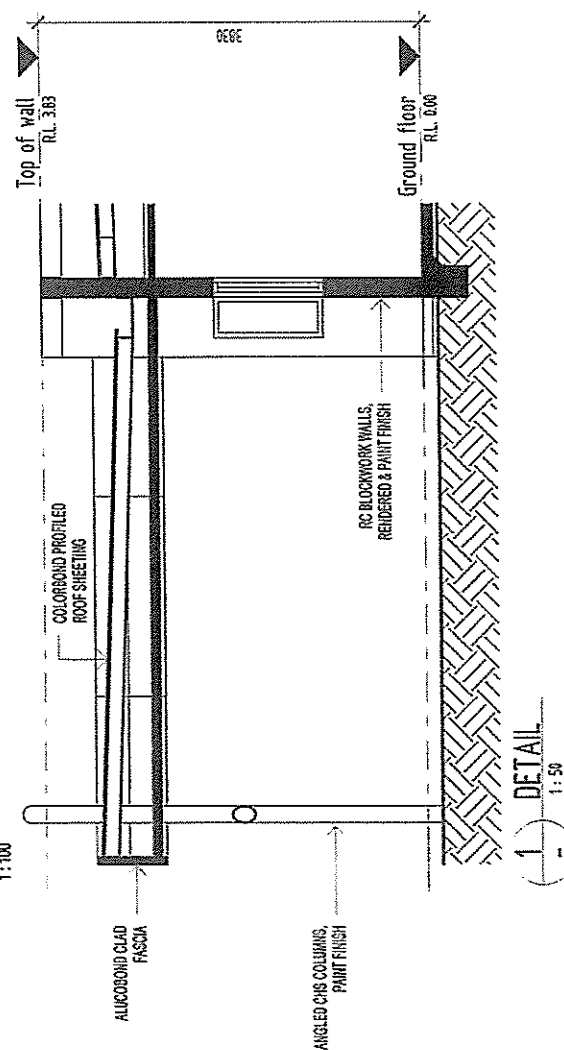
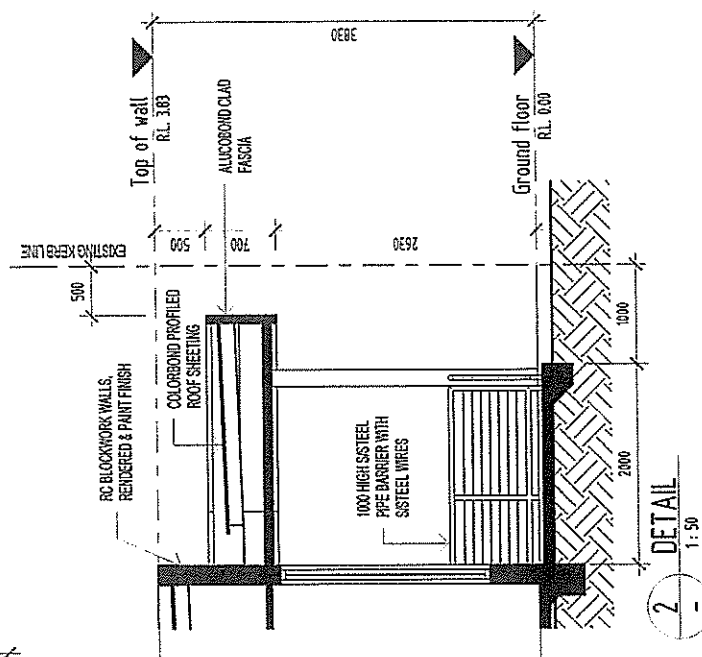
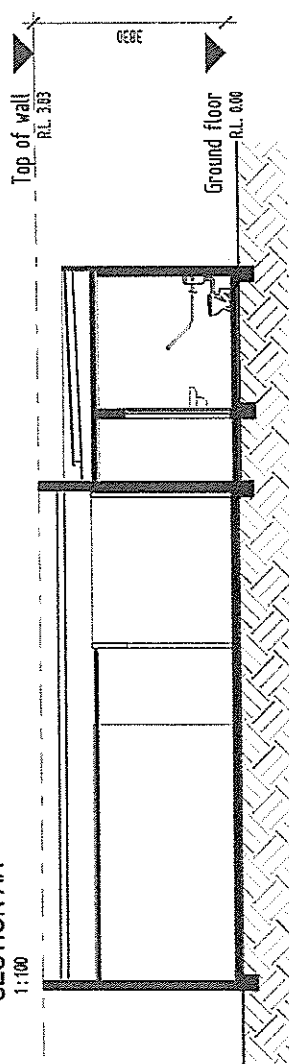
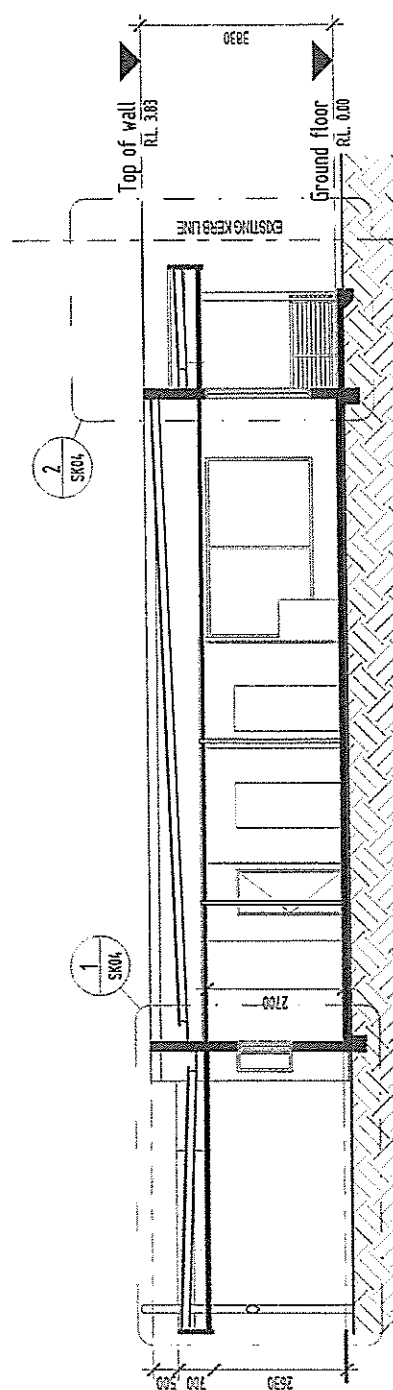
THE ZONE - SUBWAY TENANCY

1220 - SK03 - A

OCTOBER 2012

ELEVATIONS

1 : 100

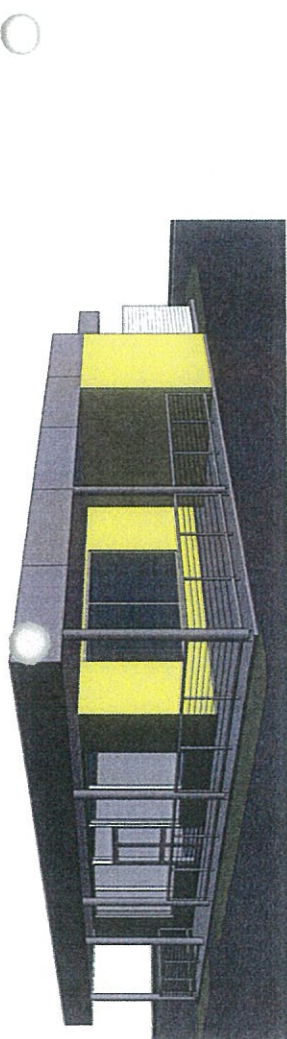


THE ZONE - SUBWAY TENANCY

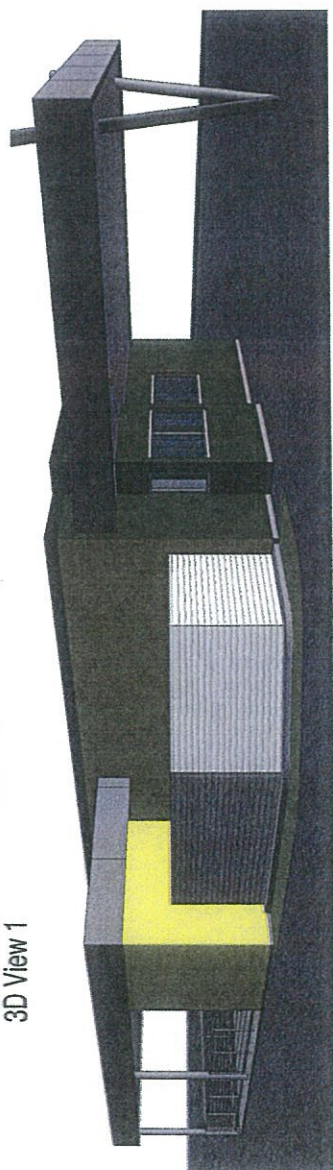
SECTIONS As indicated

OCTOBER 2012

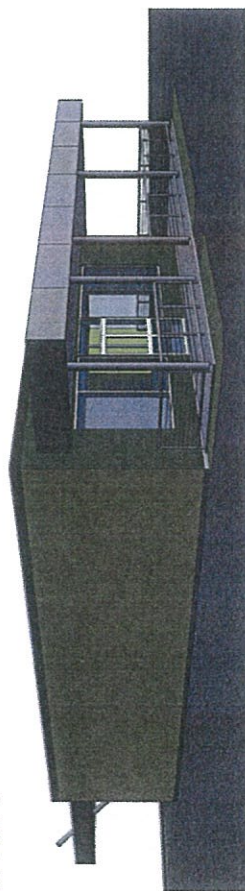
1220 - SK04 - A



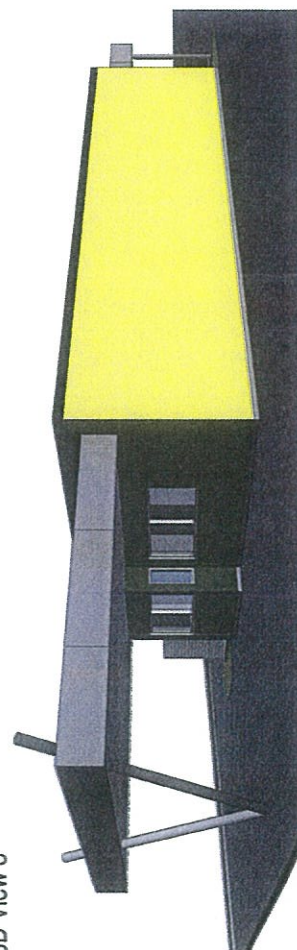
3D View 1



3D View 2



3D View 3



3D View 4

THE ZONE - SUBWAY TENANCY

1220 - SK05 - A

OCTOBER 2012

3D VIEWS

16 November 2012

Please quote: 2361911WS:fh
Your reference: PA2012/0840

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

Dear Ms Stevenson

Parcel Description: Section 6467 (798) Vanderlin Drive, Hundred of Bagot.
Proposed Development: Addition of a restaurant with a drive through facility to an existing showroom sales, shop and restaurant development - PA2012/0840

Thank you for the Development Application referred to this office 2 November 2012, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

- i). **Council supports in principle the granting of a Development Permit provided the following issues are adequately addressed:**
 - a). Council notes that all signage is subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.
 - b). The application notes that the Stuart Highway frontage is the only building frontage that is not articulated. The street frontage is the most important building aspect, as it is the frontage most viewed by the public. Council recommends that detailing, including windows, be added to the Stuart Highway frontage.
 - c). Council notes that the proposed drive-through does not hold ten (10) vehicles, as required by the Northern Territory Planning Scheme. The Northern Territory Planning Scheme requires ten (10) spaces for cars being served or awaiting service. Therefore, only the number of car parking spaces in the drive-through lane, prior to service window, count towards this requirement. On-site arrangements should be made to accommodate the requirements of the Northern Territory Planning Scheme for ten (10) vehicles awaiting service.

.../2

- 2 -

- d). The site plans provided do not show the net floor area of existing buildings and development on site. The application incorrectly calculates the amount of parking required for the restaurant, as the application does not address the parking required for kitchen area and staff. This kitchen and food preparation area should be included in the calculations for parking required on site. Council further questions the applicant's calculations of the amount of car parking required for other existing development on site. It is not possible for Council to determine from the information provided what the existing parking requirements are for the site. Should a car parking shortfall for the site be determined, **Council requests the Authority require a monetary contribution is paid to Council in accordance with its Car Parking Contribution Plan in lieu of the on-site car parking shortfall as a result of this development.**
- e). As the proposed drive-through restaurant is accessed by the City of Darwin's service road, **the City of Darwin requires a comprehensive Traffic Impact Assessment report** prepared in accordance with the Austroads document, Guide to Traffic Management Part 12: Traffic Impacts of Developments in the report structure provided as Appendix C of that document, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities, to the satisfaction of the General Manager, Infrastructure.
- ii). **Should the above issues be adequately addressed, Council offers the following comments:**

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

- a). **Council requests the Authority requires a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Department of Infrastructure's stormwater drainage system, to the satisfaction of the City of Darwin.** The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to this drainage network.
 - 1). The plan shall include details of site levels and appropriate stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to the Northern Territory Government's system.
 - 2). Council requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and

.../3

- 3 -

dispose of it into the Northern Territory Government's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

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

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager Infrastructure, City of Darwin, and all approved works constructed to Council's requirements at the applicant's expense.
- 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.
- 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.
- 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.
- 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 signage for the site shall be subject to a separate assessment in accordance with City of Darwin Policy Number 42 – Outdoor Advertising Signs Code.

.../4

- 4 -

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

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'Cindy Robson', with a long horizontal flourish extending to the right.

CINDY ROBSON
STRATEGIC TOWN PLANNER

cc: Mr Ken Bryan

ORDINARY COUNCIL MEETING - OPEN SECTION
TUESDAY, 27 NOVEMBER 2012

PAGE

2ND COU11/27

16 OFFICERS REPORTS

16.4 **Minutes of the Bombing Darwin & Military History Advisory Committee Meeting – November 2012**

Report No. 12TC0093JS:as (27/11/12) Common No. 1071899

Report Number 12TC0093JS:as attached.

2ND ORDINARY COUNCIL/OPEN

AGENDA ITEM: 16.4

**MINUTES OF THE BOMBING OF DARWIN & MILITARY HISTORY ADVISORY
COMMITTEE MEETING – NOVEMBER 2012**

REPORT No.: 12TC0093JS:as

COMMON No.: 1071899

DATE: 27/11/12

Presenter: Research and Project Coordinator, Judith Scott

Approved: Executive Manager, Mark Blackburn

PURPOSE

The purpose of this report is to present the minutes of the Bombing of Darwin & Military History Advisory Committee meeting 14 November 2012 **Attachment A** and details of recommendations for Council's consideration.

LINK TO STRATEGIC PLAN

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

Goal

6 Promote Brand Darwin

Outcome

6.2 Promote our Darwin city

Key Strategies

6.2.1 Promote Darwin's history, particularly its WWII experiences

KEY ISSUES

Responses from veterans planning to attend the 2013 Bombing of Darwin Day commemoration and program are being received following the mailing of the first newsletter.

City of Darwin officers are working with officers in the Chief Minister's Department to prepare a recommendation for in-kind and financial support for the 2013 event.

The RAAF have agreed that the RAAF base at Winnellie will be the venue for the Lord Mayor's dinner for the veterans on Monday 18 February 2013.

PAGE: 2
 REPORT NUMBER: 12TC0093JS:as
 SUBJECT: MINUTES OF THE BOMBING OF DARWIN & MILITARY HISTORY
 ADVISORY COMMITTEE MEETING – NOVEMBER 2012

RECOMMENDATIONS

THAT it be a recommendation to Council:-

- A. THAT Report Number 12TC0093JS:as entitled, Minutes Of The Bombing Of Darwin & Military History Advisory Committee Meeting – November 2012, be received and noted.
- B. THAT the Council expresses its appreciation for the contribution Chaplain John Marshall has made during his time in Darwin.

BACKGROUND

Bombing of Darwin Day is now a day of national observance.

Planning for the commemorative event for Bombing of Darwin Day 2013 at the Darwin Cenotaph and for the Veterans' Program is underway.

DISCUSSION

The www.frontlineaustralia.com.au website has been updated to include a five minute DVD montage of select moments from the commemorative event at the Darwin Cenotaph for the 70th Anniversary of the Bombing of Darwin. The website and facebook page have been updated with amended content.

CONSULTATION PROCESS

City of Darwin to provide updates to the Capital City Committee on the commemorative activities to support the national day of observance, Bombing of Darwin Day.

POLICY IMPLICATIONS

Nil.

BUDGET AND RESOURCE IMPLICATIONS

The City of Darwin has committed \$157,999 towards the Bombing of Darwin Day 2013.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

PAGE: 3
REPORT NUMBER: 12TC0093JS:as
SUBJECT: MINUTES OF THE BOMBING OF DARWIN & MILITARY HISTORY
ADVISORY COMMITTEE MEETING – NOVEMBER 2012

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.

**JUDITH SCOTT
RESEARCH & PROJECT
COORDINATOR**

**MARK BLACKBURN
EXECUTIVE MANAGER**

For enquiries, please contact JUDITH SCOTT on 89300522 or email:
jmscott@darwin.nt.gov.au.

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BOD7\1

CITY OF DARWIN

MINUTES OF THE BOMBING OF DARWIN & MILITARY HISTORY ADVISORY COMMITTEE TO BE HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN ON WEDNESDAY, 14 NOVEMBER 2012, COMMENCING AT 2.00P.M.

PRESENT: The Right Worshipful, The Lord Mayor, Ms K M Fong Lim (Chairman); Member G J Haslett; RSL, Mr S Gloster; Defence, Chaplain, Mr J Marshall; Defence, WCO, Mr G Ilton.

OFFICERS: Project & Research Coordinator, Mrs J M Scott; Community Events Coordinator, Mr D Dempsey.

APOLOGY: Acting General Manager Tourism Top End, Ms H Galton; NRETAS, Mr H Leschen; Tourism NT, Ms M Reichlmeier; Defence, Major B Ardley; Veterans Affairs, Mr M Uhe; Executive Manager, Mr M Blackburn.

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- Wednesday, 10 October 2012

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BOD11\3

Bombing of Darwin & Military History Advisory Committee – Wednesday, 14 November 2012

1 MEETING DECLARED OPEN

The Chairman declared the meeting open at 2.00p.m.

2 APOLOGIES AND LEAVE OF ABSENCE

2.1 Apologies

(Gloster/Haslett)

- A. THAT the apology from Mr H Leschen, be received and noted.
- B. THAT the apology from Ms M Reichlmeier, be received and noted.
- C. THAT the apology from Ms H Galton, be received and noted.
- D. THAT the apology from Major B Ardley, be received and noted.
- E. THAT the apology from Mr M Uhe, be received and noted.
- F. THAT the apology from Mr M Blackburn, be received and noted.

Carried

3 CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS BOMBING OF DARWIN & MILITARY HISTORY ADVISORY COMMITTEE MEETING

(Haslett/Gloster)

COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous Bombing of Darwin & Military History Advisory Committee Meeting held on Wednesday, 10 October 2012, tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\()

(14/11/12)

Carried

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BOD11\4

Bombing of Darwin & Military History Advisory Committee – Wednesday, 14 November 2012

4 BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS BOMBING OF DARWIN & MILITARY HISTORY ADVISORY COMMITTEE MEETING

4.1 Business Arising

Nil

5 INFORMATION ITEMS

Nil

6 OFFICERS REPORTS

6.1 Bombing of Darwin Day 2013 – November Update

Report No. 12TC0088DD:as (14/11/12) Common No.1071899

(Marshall/Ilton)

COMMITTEE'S RECOMMENDATION

THAT it be a recommendation to Council:-

THAT Report Number 12TC0088DD:as entitled, Bombing of Darwin Day 2013 November Report – be received and noted.

Carried

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BOD11\5

Bombing of Darwin & Military History Advisory Committee – Wednesday, 14 November 2012

7 GENERAL BUSINESS

7.1 Reports from other Committee Members

7.1.1 Appreciation to Chaplain John Marshall

(Lord Mayor/Gloster)

THAT the Council express its appreciation for the contribution Chaplain John Marshall has made during his time in Darwin.

Carried

7.1.2 Lord Mayor's Dinner

Gary Ilton notified the Committee that RAAF will again support the Lord Mayor's dinner.

7.2 Date, Time and Place for next Bombing of Darwin & Military History Advisory Committee Meeting

(Ilton/Lord Mayor)

THAT the next Bombing of Darwin & Military History Advisory Committee meeting be held on Wednesday, 12 December, at 2.00p.m. Meeting Room 1, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.21\()

(14/11/12)

Carried

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BOD11\6

Bombing of Darwin & Military History Advisory Committee – Wednesday, 14 November 2012

The meeting closed at 2.30 p.m.

THE RIGHT WORSHIPFUL, THE
LORD MAYOR, MS KATRINA
MARY FONG LIM (CHAIRMAN) -
BOMBING OF DARWIN AND
MILITARY HISTORY ADVISORY
COMMITTEE MEETING -
WEDNESDAY, 14 NOVEMBER
2012

Confirmed on: **Wednesday, 12 December 2012**

Chairman: _____

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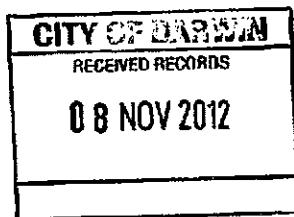
17 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

17.1 WWII Naval Oil Tanks – The Esplanade

Document No. 2366328 (27/11/12) Common No. 242133

THAT the incoming letter from the Heritage Council dated 8 November 2012, relating WWII Naval Oil Tanks, The Esplanade, Document Number 2366328, be received and noted.

DECISION NO.21\() (27/11/12)



Heritage Council

Northern Territory

GPO Box 4198
DARWIN NT 0801
Ref: HAC2001/0117

Chief Executive
City of Darwin
GPO Box 84
DARWIN NT 0801

Dear Sir / Madam

I am writing to you in relation to the proposed heritage listing of the WWII Naval Oil Tanks, the Esplanade.

The nomination of the WWII Naval Oil Tanks to the NT Heritage Register was accepted by the Heritage Advisory Council on 30 August 1994 under the terms of the now revoked *Heritage Conservation Act*. The Heritage Advisory Council wrote to the City of Darwin on 18 August 1994 seeking comment on the proposed heritage listing.

The City of Darwin wrote back to the Heritage Advisory Council on 23 January 1995 raising concerns about the proposed heritage listing.

It appears that the Heritage Advisory Council was not able to resolve the concerns.

There is now a new *Heritage Act* for the Northern Territory, which replaces the *Heritage Conservation Act*.

The new Heritage Council has decided that, due to the many years that have passed since heritage listing was first proposed in relation to the WWII Naval Oil Tanks, the heritage listing process should not proceed any further.

The Heritage Council has also written to the person who nominated the WWII Naval Oil Tanks for heritage listing with this advice.

Please note that the *Heritage Act* allows for anyone, at any time, to re-nominate the WWII Naval Oil Tanks to the NT Heritage Register under the provisions of the *Act*.

If you have any queries regarding the above, please do not hesitate to contact Mr Michael Wells, Director of the Heritage Branch on 8999 5036 or via email at michael.wells@nt.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to be 'B. Reid', with a stylized flourish at the end.

Dr Brian Reid
Chairman

6 November 2012

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21 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 11 December 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\() (27/11/12)

22 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\() (27/11/12)

23 ADJOURNMENT OF THE MEETING (MEDIA LIAISON)