

OPEN SECTION

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Environment & Infrastructure Committee Meeting – Tuesday, 21 August, 2012**CITY OF DARWIN****ENVIRONMENT & INFRASTRUCTURE COMMITTEE****TUESDAY, 21 AUGUST 2012**

MEMBERS: Member R I Elix (Chairman); The Right Worshipful, The Lord Mayor, Ms K M Fong Lim; Member S J Niblock; Member K J Worden; Member G Lambrinidis.

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Infrastructure, Mr L Cercarelli; Executive Manager, Mr M Blackburn; Manager Design, Planning and Projects, Mr D Lelekis; Manager Infrastructure Maintenance, Mr K Smith; Team Coordinator Development & Waste Management, Mrs J Welshman; Executive Officer, Miss A Smit.

Enquiries and/or Apologies: Arweena Smit
E-mail: a.smit@darwin.nt.gov.au - PH: 89300 685

Committee's Responsibilities

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

THAT effective as of 16 April 2012 Council pursuant to Section 32 (2)(b) of the Local Government Act 2008 hereby delegates to the Environment & Infrastructure Committee the power to make recommendations to Council and decisions relating to Environment & Infrastructure matters within the approved budget.

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2	APOLOGIES AND LEAVE OF ABSENCE	3

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Environment & Infrastructure Committee Meeting – Tuesday, 21 August, 2012

1 MEETING DECLARED OPEN

2 APOLOGIES AND LEAVE OF ABSENCE

2.1 Apologies

2.2 Leave of Absence Granted

Nil

3 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION

4 CONFIDENTIAL ITEMS

Nil

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Environment & Infrastructure Committee Meeting – Tuesday, 21 August, 2012

5 WITHDRAWAL OF ITEMS FOR DISCUSSION

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the Environment & Infrastructure Committee Meeting held on Tuesday, 21 August 2012, be received and all recommendations contained therein be adopted by general consent with the exception of Item Number

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

6 CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS ENVIRONMENT & INFRASTRUCTURE COMMITTEE MEETING

COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous Environment & Infrastructure Committee Meeting held on Tuesday, 24 July 2012 tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

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

7 BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS ENVIRONMENT & INFRASTRUCTURE COMMITTEE MEETING

7.1 Business Arising

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Environment & Infrastructure Committee Meeting – Tuesday, 21 August, 2012

8 INFORMATION ITEMS

Nil

**ENVIRONMENT & INFRASTRUCTURE
COMMITTEE/OPEN**

AGENDA ITEM: 9.1

**SUBSTITUTION OF LICENSED PREMISES APPLICATION - GO SUSHI TRAIN FROM
SHOP 5/28 MITCHELL STREET TO SHOP 4/28 MITCHELL STREET
LOT 4661 (28) MITCHELL STREET, DARWIN**

REPORT No.: 12TS0137 BS:FH COMMON No.: 247110

DATE: 21/08/2012

Presenter: Manager Design, Planning & Projects, Drosso Lelekis

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to recommend Council endorsement of a response to the Northern Territory Liquor Commission regarding the Go Sushi Train restaurant which is applying to move their Liquor Licence to new premises (within the same building) and change their business name.

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:

- The Go Sushi Train restaurant is relocating within the same building and is seeking the existing Liquor Licence also be amended to the new address;
- No changes to the existing Liquor Licence conditions are proposed other than location and business name;
- Council staff have no comment and raise no objections to the proposal.

RECOMMENDATIONS:

- A. THAT Report Number 12TS0137 BS:FH entitled Substitution Of Licensed Premises Application - Go Sushi Train From Shop 5/28 Mitchell Street To Shop 4/28 Mitchell Street Lot 4661 (28) Mitchell Street, Darwin, be received and noted.
- B. THAT Council endorse the letter of response to the Northern Territory Liquor Commission regarding the substitution of Licensed Premise Application – Go Sushi Training, included as **Attachment B** to Report Number 12TS0137 BS:FH.

PAGE: 2
 REPORT NUMBER: 12TS0137 BS:FH
 SUBJECT: SUBSTITUTION OF LICENSED PREMISES APPLICATION - GO SUSHI
 TRAIN FROM SHOP 5/28 MITCHELL STREET TO SHOP 4/28 MITCHELL
 STREET LOT 4661 (28) MITCHELL STREET, DARWIN

BACKGROUND

Council has been advised of a substitution of Licensed Premises Application for the Go Sushi Train from Shop 5/28 Mitchell Street to Shop 4/28 Mitchell Street, Lot 4661 (28) Mitchell Street, Darwin.

In addition a change of business name is also being sought in the Liquor Licence.

The application is included as **Attachment A** to this report.

The existing Liquor Licence for Go Sushi Train was issued in 2001.

DISCUSSION

Applicant: Desperado Investments PTY LTD

Name of Premises: Go Sushi Train

Current and/or Proposed Conditions:

No changes to the existing conditions have been proposed.

Trading Hours:

No changes to the existing trading hours have been proposed.

Council's Land Affected:

No Council owned or controlled land is affected by the proposal.

Considerations Under The Liquor Act

Grounds For Objection Under Section 47F(2) Of The Liquor Act

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

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

The premises are located in the CB (Central Business) Zone and the proposed moving of premises from one licensed premises to another licensed premises is not expected to affect the amenity of the neighbourhood.

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 REPORT NUMBER: 12TS0137 BS:FH
 SUBJECT: SUBSTITUTION OF LICENSED PREMISES APPLICATION - GO SUSHI
 TRAIN FROM SHOP 5/28 MITCHELL STREET TO SHOP 4/28 MITCHELL
 STREET LOT 4661 (28) MITCHELL STREET, DARWIN

Conclusion

There appears to be nothing related to this application which would be grounds for objection under Section 47F(2) of the Liquor Act.

Conditions To A Liquor Licence – Section 3 Objects Of The Act & Section 6 Public Interest Criteria

The substitution of the Liquor Licence will consist of:

- Relocation of the business to shop 4/28 Mitchell Street, Darwin;
- Change of business name from “Go Sushi Train” to “Go Sushi Grand Central”

Go Sushi Train is currently located in shop 5 which is located in the northern corner of the premises with an entrance from Chapel Lane. Go Sushi Train is proposing to move to shop 4 of the same premises, which is located on the opposite side of the building, adjacent to the Mitchell Street service lane.

Shop 4 was occupied by the restaurant known as Hot Rocks, which was issued a Liquor Licence in 2007.

The transfer of the Go Sushi Train’s Liquor Licence to the new premises at shop 4, is not expected to affect the amenity of the area as these premises are currently licensed.

No issues are raised regarding the proposed name change from Go Sushi Train to Go Sushi Grand Central.

Conclusion

There appears to be nothing related to this application which would require additional considerations or conditions of the proposed licence under Section 3 & 6 of the Liquor Act.

Council Staff recommend that Council raise no objects to the application and that the response being **Attachment B** to this report be endorsed.

CONSULTATION PROCESS

Public Consultation is undertaken by the Liquor Commission.

In preparing this Report the follow parties were consulted:

- Regulatory Manager
- Strategic Town Planner
- Planning Officer

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 REPORT NUMBER: 12TS0137 BS:FH
 SUBJECT: SUBSTITUTION OF LICENSED PREMISES APPLICATION - GO SUSHI
 TRAIN FROM SHOP 5/28 MITCHELL STREET TO SHOP 4/28 MITCHELL
 STREET LOT 4661 (28) MITCHELL STREET, DARWIN

POLICY IMPLICATIONS

There are no Council policy implications for this application.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

No issues have been identified with this application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications for Council for this application.

COUNCIL OFFICER - DECLARATION OF INTEREST

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

DROSSO LELEKIS
MANAGER DESIGN,
PLANNING & PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to Brian Sellers on 8930 0683 or email b.sellers@darwin.nt.gov.au

Attachments:

Attachment A: Application to Relocate Liquor Licence and Change Business Name.

Attachment B: City of Darwin, Letter to Licencing, Regulation and Alcohol Strategy, Department of Justice.

Lot 4661, 28 Mitchell Street



DESPERADO INVESTMENTS PTY LTD
t/a GO SUSHI TRAIN

72 009 610 280
PO Box 807
DARWIN NT 0801

Licensing Inspector – Investigations
Liquor Commission
GPO Box 1154
DARWIN NT 0801

Attention : Shane McCorkell JP

Re : RELOCATION OF PREMISES FOR HOLDING OF LIQUOR LICENCE

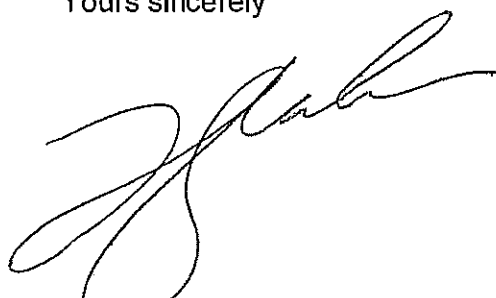
Dear Sir, (No 80516758)
I wish to move the Liquor Licence currently held by the business "Go Sushi Train", of which I am the nominee, from Shop 5, 28 Mitchell Street Darwin, to the licensed premises of "Hot Rock Restaurant-Bar", Shop 4, 28 Mitchell Street Darwin.

Possession of the new premises is expected by 20 August 2012. The new floor plan and alterations will be submitted when finalized.

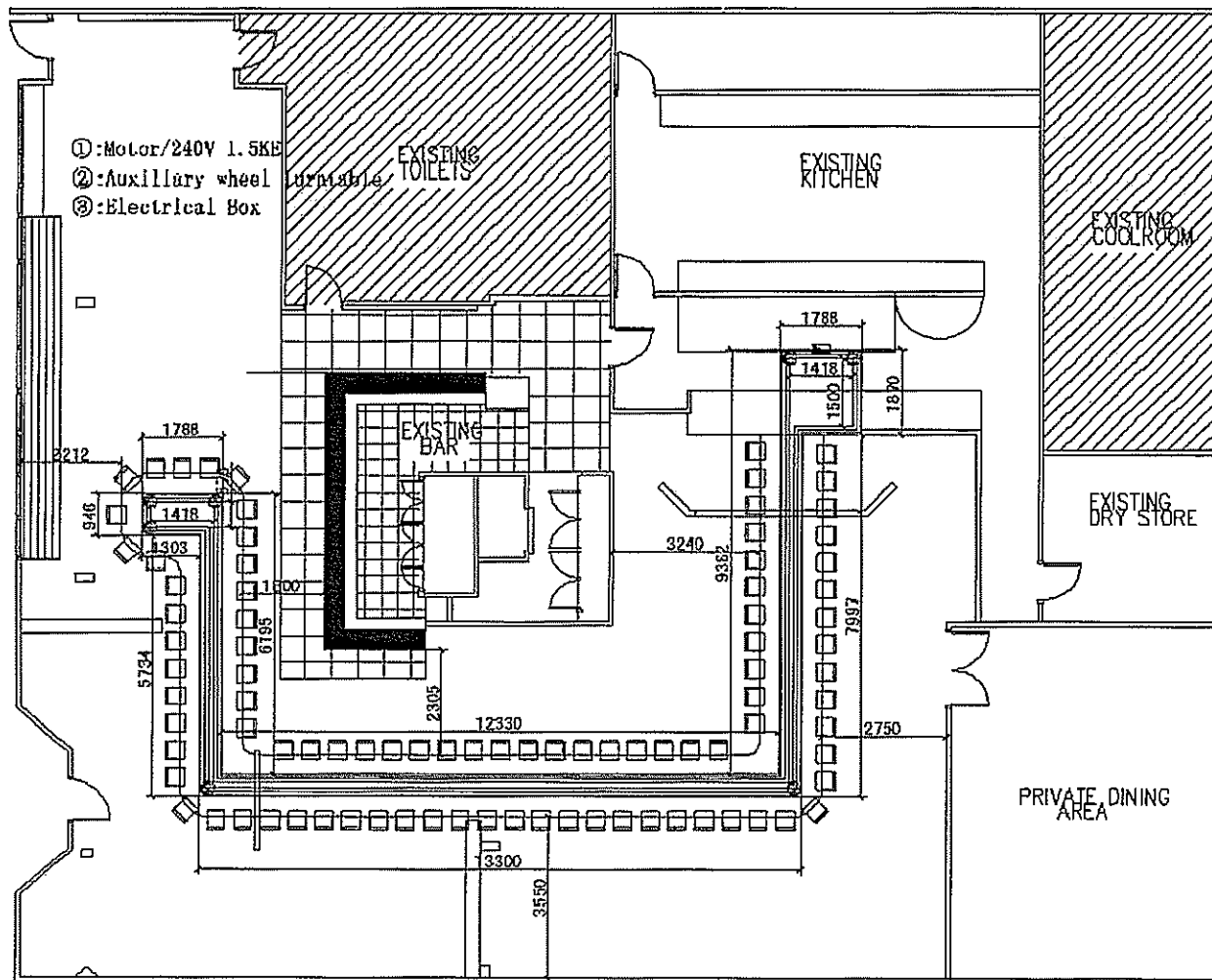
There will also be a business name change from "Go Sushi Train" to "Go Sushi Grand Central".

If further information is required, please contact me on my home phone
(08) 89816902

Yours sincerely



Theo Manolas
Nominee



YUYANG FOOD MACHINERY

Company Information:
Address: 12, Nanchi Road, Huizhe District, Chengdu, China
Postcode: 610285
Tel: 020 84382202
020 84309808
E-mail: yuyang@yuyang.com
Chinese Website: www.sushifac.com
English Website: www.yysushi.com
Sales Department:
Mobile: 18322223603

SIGNATURE

CUSTOMER

PRINCIPALS

PROJECT

Sushi Conveyor belt Design

PRINCIPALS

Bruce

DESIGN

Pain

SCALE

1:100

Last modification date:
2012.08.07

Customer Special Requirement

				conveyor belt seat		Length of Conveyor Belt		63.0	(m)	
12	Electric Box	Normal Device	Bridge Device		Single Seat pc:90	Comfortable Seat pc:00	Length of Table Device		59.0	(m)
	Gear	1pc driving gear 4pc assisting gear	Flattness Setting Device	1SET	Total seat:90 pc					
	Electric Machine	Taiwan ChangJiang Motor 0.75W		Conveyor Belt Electrical Box Coordinate (2:4333 Y:4333)						
	Chain Piece	Nylon Chain Piece		Conveyor Belt Table Device Coordinate (2:4333 Y:4333)		PS: conveyor belt's length difference is $\pm 100\text{mm}$				

LIQUOR ACT

**1st NOTICE OF APPLICATION FOR SUBSTITUTION OF PREMISES OF
LIQUOR LICENSED PREMISES
GO SUSHI TRAIN**

DESPERADO INVESTMENTS PTY LTD, HEREBY GIVE NOTICE that it has applied to the Northern Territory Licensing Commission for a substitution of the licensed premises, Go Sushi Train, Liquor Licence (number 80516758), located at shop 5/28, Mitchell street, Darwin.

The substitution will consist of:

- Relocation of the business to shop 4/28 Mitchell Street, Darwin
- Change of business name from "Go Sushi Train" to "Go Sushi Grand Central"

The licensed liquor hours, concept and conditions will remain unchanged.

This is the first notice of application. The notice will be published again in the Northern Territory News paper on Friday, 17 August 2012.

The objection period is deemed to commence from Wednesday, 15 August 2012 and expires on Wednesday 29 August 2012.

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

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

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

For further information regarding this application contact the Director of Licensing on telephone 8999 1800. Objections to this application should be lodged in writing with the Director of Licensing, GPO Box 1154, Darwin, within fourteen (14) days of the commencement date of the objection period.

Dated this 15th Day of August 2012.

Please quote: 247110 BS:fh
Your reference: 20120815 – Go Sushi

Shane McCorkell
Licencing Inspector – Investigations
Licencing, Regulation and Alcohol Strategy
Department of Justice
PO Box 1154
DARWIN. NT. 0801

Dear Mr McCorkell

Parcel Description: Lot 4661 (28) Mitchell Street, Darwin
Subject: Substitution of Licensed Premises Application for Go Sushi Train from Shop 5/28 Mitchell Street to Shop 4/28 Mitchell Street.

Thank you for your correspondence dated 13 August 2012 concerning the above.

Council, at its 2nd Ordinary Meeting on the 28 August 2012, considered the above Liquor Licence Application and provides the following response:

- i). Council raises no objection to the proposal under Section 47F(2) of the Liquor Act.
- ii). Council has no comments in relation to the proposal taking into account the Objects of the Liquor Act as defined in Section 3 and 6 of the Liquor Act.

If you wish to discuss this matter further please contact Brian Sellers on 8930 0683 or email dcc@darwin.nt.gov.au

Yours faithfully

CINDY ROBSON
STRATEGIC TOWN PLANNER

**ENVIRONMENT & INFRASTRUCTURE
COMMITTEE/OPEN**
AGENDA ITEM: 9.2
PROPOSED ADDITIONAL CAR PARKING, LOT 1450 STUART HIGHWAY, WINNELLIE
REPORT No.: 12TS0140 LC:LM COMMON No.: 1926104
DATE: 21/08/2012
Presenter: General Manager Infrastructure, Luccio Cercarelli
Approved: Chief Executive Officer, Brendan Dowd
PURPOSE

The purpose of this report is to seek Council's approval of an application to lease Council road reserve to allow the construction of additional car parking for Lot 1450 Stuart Highway, Winnellie.

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

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

Outcome

1.2 Effectively engage with community

Key Strategies

1.2.1 Increase involvement of the Business Community for developing solutions to local issues

KEY ISSUES

- Council has received a request from the owners of Lot 1450 Stuart Highway, Winnellie to utilise road reserve on the Hickman Street and Winnellie Road frontages for car parking.
- The need for additional car parking is being driven by the changing commercial face of the Winnellie area.
- The additional car parking would be accessed via the property's internal road and parking network.
- The applicant is requesting a lease over the land from Council.
- No short or medium term Council use/ need for the road reserve area has been identified.
- A Lease or Permit to Occupy would mean that Council would retain ownership should it ever require the road reserve.
- Delegation to the Chief Executive Officer will be sought to finalise the matter.

PAGE: 2
 REPORT NUMBER: 12TS0140 LC:LM
 SUBJECT: PROPOSED ADDITIONAL CARPARKING, LOT 1450 STUART HIGHWAY, WINNELLIE

RECOMMENDATIONS

THAT it be a recommendation to Council:-

- A. THAT Report Number 12TS0140 LC:LM entitled Proposed Additional Car Parking, Lot 1450 Stuart Highway, Winnellie, be received and noted.
- B. THAT Council provides approval in principle for the issuing of a Permit to Occupy parts of the Hickman Street and Winnellie Road to the owner of Lot 1450 Stuart Highway, Winnellie for the purpose of constructing car parking subject to the following conditions:
 - That a Permit to Occupy for a total period of 10 years (5 years plus 5 years be entered into with the owner of Lot 1450 Stuart Highway, Winnellie.
 - That the applicant pay an annual charge to utilise the land as determined by the Australian Valuer General and that this charge be subject to annual CPI increases.
 - That the design and construction be generally undertaken in accordance with the City of Darwin Parking Policy Number 003 Design Criteria and to the satisfaction of the General Manager – Infrastructure, Darwin City Council at no cost to Council.
 - That the verge area adjacent to the car parks and surrounding the allotment is to be landscaped to the satisfaction of the General Manager – Infrastructure at no cost to Council by the developer.
 - That the developer/owner will be responsible for the ongoing maintenance of the verge landscaping.
 - That the developer/owner will be responsible for the ongoing maintenance of the car park area.
- C. THAT the City of Darwin pursuant to Section 32(2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer, the power to finalise the Permit to Occupy including all associated conditions and financial arrangements and the design, construction and final acceptance by Council of the car parking and landscaping within Hickman Street and Winnellie Road, road reserve adjacent to Lot 1450 Stuart Highway. Winnellie in accordance with Report 12TS0140 LC:LM.

BACKGROUND

Council has received a request from the owner of Lot 1450 Stuart Highway, Winnellie to construct car parking which would be accessed internally off the allotment within parts of the Hickman Street and Winnellie Road reserves, **Attachment A**.

Attachment B provides a site plan of the allotment, road reserves and affected portions of the road reserves.

PAGE: 3
 REPORT NUMBER: 12TS0140 LC:LM
 SUBJECT: PROPOSED ADDITIONAL CARPARKING, LOT 1450 STUART HIGHWAY, WINNELLIE

DISCUSSION

The applicant has been in discussion with Council Staff over a period of time about options to facilitate additional parking for Lot 1450 Stuart Highway, Winnellie.

Currently a significantly wide road reserve exists on Hickman Street (approximately 30 metres) and Winnellie Road (approximately 40 metres). The road reserve appears to have been created to cater for the future potential widening of the road pavements. Council staff have been unable to locate documents detailing why the reserves have been developed to these widths. Currently Council has no short or medium term plans to modify the road.

The applicant has indicated that the need for additional car parking is driven by the changing commercial face of the Winnellie area as it drifts from its open warehouse, open yard and lower person density use.

Given the location of the site it is considered that the proposal to provide parking accessed via an internal network presents a safer option than the normal practice of on-street angle parking.

CONSULTATION PROCESS

In preparing this Report the following parties were consulted:

- Terry Flowers Holdings Pty Ltd
- City of Darwin, Manager Design Planning & Projects
- City of Darwin, Design Team Leader
- City of Darwin, Business Manager

POLICY IMPLICATIONS

Council Policy Number 003 – Car Parking – General
 Council Policy Number 010 – Land Acquisition, Disposal and Lease

As the Permit to Occupy is for a period of ten years or less the provisions of Council Policy Number 010 are deemed not to be triggered as a result of this process.

BUDGET AND RESOURCE IMPLICATIONS

The annual rental for the occupation of the road reserve will be negotiated at market rates determined by an independent valuation and the annual rental will be reviewed annually in line with the consumer price index.

At this point in time a valuation has not been obtained.

All costs associated with the preparation of the valuation and the permit to occupy and all construction and maintenance costs will be met by the applicant

PAGE: 4
 REPORT NUMBER: 12TS0140 LC:LM
 SUBJECT: PROPOSED ADDITIONAL CARPARKING, LOT 1450 STUART HIGHWAY,
 WINNELLIE

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Various legal matters relating to the drafting of a Permit to Occupy.

It is proposed to offer a five year Permit to Occupy with a further five year option.

The terms of the permit to occupy will provide that Council may terminate the permit at anytime by providing the permit holder twelve months notice in writing.

Delegation to the Chief Executive Officer will be sought to finalise the permit, design and construction.

ENVIRONMENTAL IMPLICATIONS

Where required, the verge are will be landscaped to the satisfaction of the General Manager Infrastructure at no cost to Council.

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.

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

BRENDAN DOWD
CHIEF EXECUTIVE OFFICER

For enquiries, please contact Luccio Cercarelli on 89300580 or email:
 l.cercarellie@darwin.nt.gov.au.

Attachments:

Attachment A: Incoming Letter – Terry Flowers Holdings Pty Ltd – Dated 13 August 2012.

Attachment B: Site Plan – Lot 1450 Stuart Highway, Winnellie.

FAXED ATTACHMENT A
 15/8/12 2.47pm
 89818415

**PO BOX 37169
 WINNELLIE NT 0821**

**UNIT 1, No.7 STEELE STREET
 WINNELLIE NT 0820**

**Terry Flowers Holdings
 Pty Ltd**

Phone: 08 8984 4400
 Facsimile: 08 8984 4866
 Mobile: 0438 844 866
 Home Phone/Fax: 08 8948 2928
 Email: mitflowers@bigpond.com

13 August 2012

The City Engineer,
 Darwin City Council,
 PO Box 84
 Darwin NT. 0801

Proposed additional Carparking Lot 1450 Stuart Hwy Winnellie. Your Ref, 1926104 PC:lm

Dear Mr Cercarelli,

Further to recent discussions on 24/7/12 and related emails, I confirm, —

1. We seek approval from Council to provide additional public car parking on Council owned street verge land accessed from the internal road network of our property as previously detailed along as much of the Hickman and Winnellie Rd frontages that safe practice and safe traffic flow will permit.
2. The carparking proposed is on verge land considerably wider than the average street verge and is no longer required for other possible uses now that the airport terminal has been relocated to its current location. Even with a 6 to 7 m depth of carpark there remains approx. 5m of lawned verge area (it varies along the frontage) which we will continue to maintain, as we have done since 1985.
3. The angle carparking will be constructed to Council Standard Designs with no cost to Council. Should existing tree / shrub plantings need to be reduced, we will replace or modify the landscaping to current Council specifications.
4. We understand that Council's current policy prefers that you do not sell the proposed land area to us, but lease it instead, for use as public carparking and we have no objection to that option.
5. We confirm that internal access is the only option available to this extra carparking proposal, as access from the street frontage is primarily prevented by safe traffic flow considerations because of the close proximity to the two very busy, fast moving intersections of Stuart Hwy / Hickman and Hickman / Winnellie Rd. (as well as

C:\Users\terry\Documents\1450\Additional Onsite Carparking Proposal\Follow up Letter to Mtg Mr
Cercarelli July 24th.doc August 13, 2012

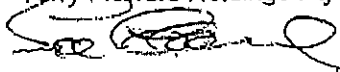
disruption to existing U/G services and the need for an ugly and intrusive retaining wall.)

6. The need for additional carparking is driven by the changing Commercial face of this area of Winnellie as it drifts from its open warehouse, open yard, lower person density past.

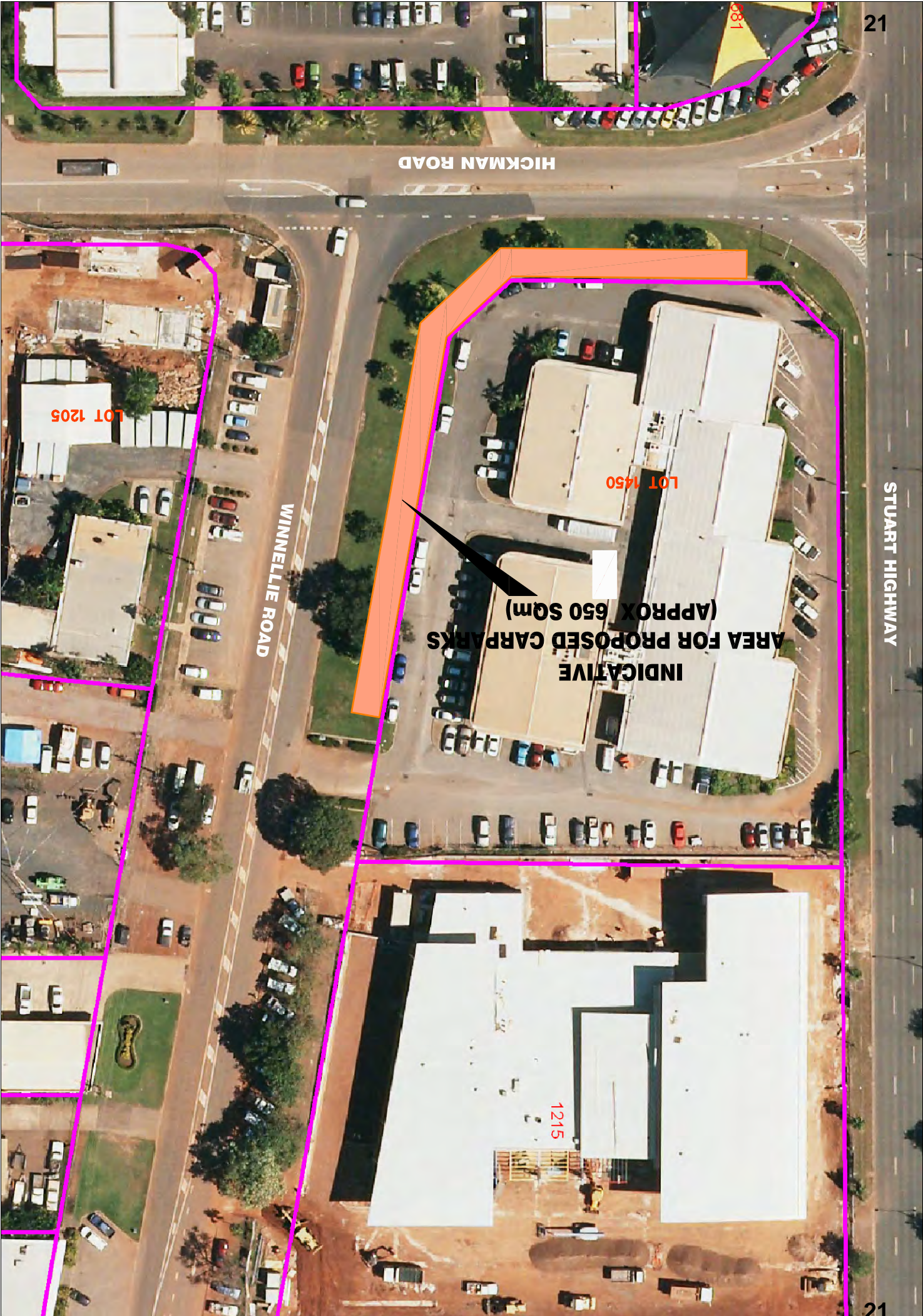
Your reconsideration of this proposal based on the above clarifications would be appreciated.

Yours Sincerely,

Terry Flowers Holdings Pty Ltd.



Terry Flowers.



**ENVIRONMENT & INFRASTRUCTURE
COMMITTEE/OPEN**
AGENDA ITEM: 9.3
**CAVENAGH STREET UPGRADE SEARCY STREET TO DALY STREET PROJECT -
AUGUST 2012 PROGRESS REPORT**
REPORT No.: 12TS0134 DL:LM COMMON No.: 223527
DATE: 21/08/2012
Presenter: Manager Design Planning & Projects, Drosso Lelekis
Approved: General Manager Infrastructure, Luccio Cercarelli
PURPOSE

The purpose of this report is to provide an update on progress for the Cavenagh Street upgrade Searcy Street to Daly Street project for the month of August 2012.

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

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

Outcome

3.2 Enhance transport systems

Key Strategies

3.2.2 Continue to manage and maintain the municipal road network and infrastructure to a standard that meets the needs of the community

KEY ISSUES

- Works commenced on the 16 August 2012 and are expected to be completed in December 2012;
- Works have been awarded to East Arm Civil Pty Ltd at a cost of \$3,019,787. (including GST);
- The Cavenagh Street reconstruction works will be funded by the Federal Government's Roads To Recovery Program and the landscaping works will be funded through the City of Darwin's Capital Works program;
- An extensive community engagement plan is being implemented for the project;
- Measures are being put in place to provide alternative property access where possible, for affected businesses/occupants and temporary re-routing of public buses and taxi parking along Smith Street has been implemented;

PAGE: 2
 REPORT NUMBER: 12TS0134 DL:LM
 SUBJECT: CAVENAGH STREET UPGRADE SEARCY STREET TO DALY STREET
 PROJECT - AUGUST 2012 PROGRESS REPORT

RECOMMENDATIONS

THAT it be a recommendation to Council:-

THAT Report Number 12TS0134 DL:LM entitled Cavenagh Street Upgrade Searcy Street To Daly Street Project – August 2012 Progress Report, be received and noted.

BACKGROUND

The City of Darwin was successful in securing Australian Government funding under the Department of Infrastructure, Transport, Regional Development and Local Government Roads to *Recovery Program – 2009 – 2014, (R2R)*.

The Cavenagh Street upgrade project was approved by Council as the key project for this expenditure.

Under the Australian Government funding agreement this project is to be completed by the 31 December 2012.

At Council's 2nd Ordinary Meeting on 31 May 2011 the following was resolved:

Cavenagh Street Renewal Project

Report No. 11TS0081LC:KB (24/05/11) Common No. 223527

C. THAT Council reconstruct and resurface Cavenagh Street from Daly Street to Searcy Street and that this be submitted as its replacement project for Roads to Recovery funding;

DECISION NO.20\4016 (31/05/11)

Carried

This report provides an update on progress for the Cavenagh Street upgrade project for the month of August 2012.

DISCUSSION

Cavenagh Street is a major CBD road that is over 50 years old. It is approaching the end of its effective useful life and is due for reconstruction.

Based on sound asset management principles and road condition data Cavenagh Street was identified as a high priority for upgrade. The Australian Government Roads to Recovery funding assistance has provided Council with the opportunity to deal with this matter in a timely and effective manner.

The scope of work includes the following:

- Pavement refurbishment/reconstruction including re-design of the existing road surface for improved drainage;

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- Landscaping of Cavenagh Street median at the Daly Street;
- Widening of the Cavenagh Street median island from Daly Street to Searcy Street by 200 mm to provide increased space for landscaping;
- Replacement of 2 median islands along Gardens Road with new landscaping; and
- Replacement of a damaged section of stormwater drain along Cavenagh Street.

There will be no loss of on-street car parking bays along Cavenagh Street after project completion.

Construction works commenced on the 16 August 2012 and will be completed in December 2012.

The works have been staged in order to minimise impact at any one time and to allow the management of traffic. The indicative staging plan is shown in **Attachment A**.

All necessary detours and traffic management will be in place to facilitate the works in a safe and efficient manner.

Reasonable efforts will be made to minimise disruption and inconvenience. However, given the scale and nature of this project, there will be some level of disruption and inconvenience to the public.

Council staff continue to work with businesses and property owners within the works zone to minimise disruption, providing access and ensure they are fully informed.

Temporary arrangements have been put in place to transfer bus routes from Cavenagh Street to Smith Street. The temporary bus-stops and bus route along Smith Street is now operating and these arrangements will remain in place for the duration of the construction works along Cavenagh Street.

Two temporary kerb-side bus-stops have been established along Smith Street, one at the front of Spillet Park, utilising the new shade structure constructed in that location as part of the MY0800 project, and the other across the road from the Saint Mary's School, to provide a facility for school buses.

In addition, through consultation with both the Northern Territory Government and the Taxi Council, arrangements have been put in place to temporarily transfer the taxi parking bays outside Woolworths along Cavenagh Street, to Smith Street, across the road from the ANZ, on the other side of the Woolworths car park.

These temporary changes will facilitate the reconstruction program. Appropriate signage and line marking are in place and advertising has been undertaken.

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CONSULTATION PROCESS

A consultation plan was developed and is being implemented.

The project stakeholders have been identified and face to face discussions have and continue to occur with key stakeholders-including the business owners/occupants along both sides of the affected section of Cavenagh Street, the Taxi Council and Public Transport section of the Northern Territory Government.

Hand-delivered letters, with attached project fact sheets, question and answers sheets and feedback forms were also provided to the above mentioned stakeholders.

Letters, with attached project fact sheets, question and answer sheets and feedback forms were also sent to other key stakeholders including Emergency Services and Chamber of Commerce, NT and Property Council of Australia, NT.

Copies of the project Fact Sheet, Question and Answer Sheet and Registration to be kept informed have been previously provided to Council for information (Report Number 12TS0090DM:LM June 2012).

In summary, Council staff have found that stakeholders along the Searcy to Daly Street section (work zone) at Cavenagh Street are understanding of the need to reconstruct Cavenagh Street, and acknowledge they will be disrupted to various degrees. Council staff will continue to work with stakeholders throughout this process to minimise disruption.

Consultation with affected businesses along Smith Street was undertaken regarding the relocation of bus stops and taxi ranks. This involved face-to-face information drops for the occupants of the businesses along Smith Street, between Knuckey Street and the furthest temporary bus-stop along Smith Street. Businesses were informed of the temporary bus-stop and taxi parking arrangements along Smith Street and to provide context for these temporary measures.

The information provided included an information leaflet outlining the temporary bus-stops and taxi parking arrangements, including a plan showing the locations of these temporary facilities and a copy of the fact sheet that was used in the consultation with the Cavenagh Street business owners/occupants.

Advertisements have been placed in the local paper advising of the commencement date of the works. All information, including the current Works Plan, have been provided on the City of Darwin website. The website will be updated on a regular basis.

Variable Message Boards (VMB's) have been installed at various locations to forewarn of the impending road works along Cavenagh Street, including the closure of the inbound lanes at Daly Street. The messages on the VMB's will be adjusted to reflect the staging of the works as they progress.

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Regular advertisements will be placed in the local paper to keep the general public informed of works progress.

A media release announcing the commencement of the works was issued on the 15 August 2012.

Community consultation will continue through to the completion of the project.

POLICY IMPLICATIONS

This project is an essential asset-renewal project and will extend the life of Cavenagh Street in line with Council's asset management strategies.

BUDGET AND RESOURCE IMPLICATIONS

The Australian Government funding from the Roads To Recovery Program – 2009-2014 for the delivery of this road reconstruction is \$2,862,000 (excluding GST).

Funding to the value of \$400,000 was allocated in the 2011/12 Capital Works Budget for delivery of the landscaping components of this project. It will be requested that this funding be carried forward into 2012/2013 for its intended purpose.

The tender was awarded to East Arm Civil Pty Ltd for the \$3,019,787 (including GST).

Based on the available Australian Government funding and the identified 2011/2012 capital works carry forward there is sufficient funding within the 2012/2013 budget to undertake the works.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Risk mitigation, traffic management and legislative requirements will be managed throughout the project.

ENVIRONMENTAL IMPLICATIONS

Enhancement of existing median island landscaping will provide improved environmental benefit.

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.

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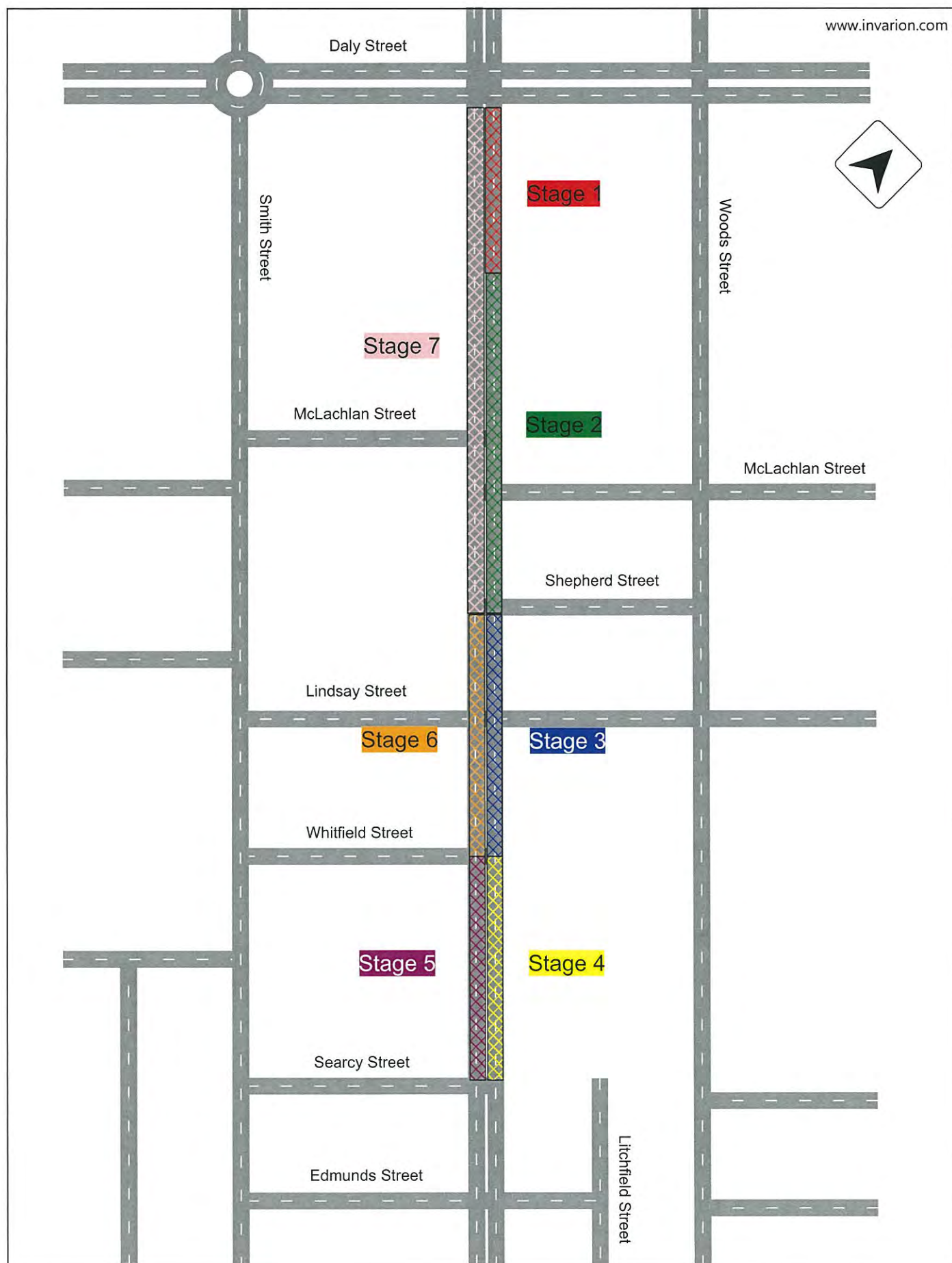
DROSSO LELEKIS
MANAGER DESIGN PLANNING &
PROJECTS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Drosso Lelekis on 89300414 or email:
d.lelekis@darwin.nt.gov.au.

Attachments:

Attachment A: Cavenagh Street Staging Plan



**ENVIRONMENT & INFRASTRUCTURE
COMMITTEE/OPEN**
AGENDA ITEM: 9.4
LEGUNE AVENUE, LEANYER – FOOTPATH CONSTRUCTION
REPORT No.: 12TS0087 ND:LM COMMON No.: 2003069
DATE: 21/08/2012
Presenter: Asset Manager, Nadine Douglas
Approved: General Manager Infrastructure, Luccio Cercarelli
PURPOSE

The purpose of this report is to consider the construction of a footpath within Legune Avenue, Leanyer.

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

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.2 Increase recreational, cultural and heritage experiences

Key Strategies

2.2.3 Provide facilities to encourage safe cycling and walking

KEY ISSUES

- This report recommends the construction of a footpath within Legune Avenue as it would provide a safe pedestrian network to schools and adjacent amenities/streets, keeping pedestrians off the road.
- The construction of a footpath within Legune Avenue has been previously scheduled and has faced some opposition from residents.

RECOMMENDATIONS

THAT it be a recommendation to Council:-

- A. THAT Report Number 12TS0086 ND:LM entitled Legune Avenue, Leanyer - Footpath Construction, be received and noted.
- B. THAT Council endorse the construction of a footpath on the even numbered side of Legune Avenue, Leanyer within the 2012/13 financial year.

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SUBJECT: LEGUNE AVENUE, LEANYER – FOOTPATH CONSTRUCTION

BACKGROUND

Legune Avenue currently has no footpath on either verge for the length of the street. There is a pathway connection through a walkway to Leanyer Drive. There are also several properties that have restricted pedestrian access due to verge vegetation, causing pedestrians to use the road. The construction of a footpath would provide a safe, dedicated route for all users that meets access and mobility standards.

The construction of a footpath in Legune Avenue has been in several works programs. In 2003 and 2005, the then Member for Wanguri, Paul Henderson, wrote to Council requesting the status of the construction of a footpath in subsequent financial years. Due to residential opposition the footpath was not constructed in these years.

The Legune Avenue footpath was programmed for construction in 2010/11. Letters were sent to all residents of Legune Avenue advising them of the intended construction of a footpath on the even numbered side. One responded to Council's letter objecting to the construction. A subsequent letter was also provided, signed by sixteen (16) properties (eighteen signatures) from the even numbered side of the road also objecting to the footpath construction.

As a result of the objections received, a second letter seeking further feedback was sent to all residents. The letter sought feedback relating to whether a footpath was supported and if so, what side was preferred and any other comments. The feedback received included responses both for and against the footpath construction. To be noted is that only seven (7) of the sixteen (16) properties that signed the petition responded to the Council's letter with an objection to construction. There were also five (5) properties from the original objecting letter that responded supporting the footpath construction (though not necessarily for it to be constructed on their side of the road).

Due to the history of the Legune Avenue footpath construction being programmed then deferred on multiple occasions, this report seeks Council's direction in regards to the footpath construction.

DISCUSSION

It is considered that the construction of a footpath in Legune Avenue would benefit the broader community due to its location and proximity to schools, community services and shops. It would provide a significant network linkage to adjacent roads with footpaths and a walkway that connects to Leanyer Drive and the schools.

Footpaths are selected by a number of factors, including, but not limited to;

- finishing connections within streets
- providing footpaths along all sub arterial roads and collector roads
- providing footpaths to streets requiring network connection, ie to adjacent streets and walkways

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- damaged existing footpaths requiring significant maintenance

This is in accordance with Councils Policy, Number 048 – Footpaths, which states;

- *New footpath construction will be determined according to the road hierarchy, town planning zones and special needs.*

And;

Footpath Construction and Reconstruction for Existing Roads

Within financial constraints and priorities based on condition and need, Council will provide a footpath on:

- (i) one side of the road for local roads*

Legune Avenue, as shown in **Attachment A**, provides a connection from multiple streets through to an open walkway (with footpath constructed) that connects to Leanyer Drive. Immediately within the vicinity of the Leanyer Drive connection there are two (2) primary schools, two (2) churches and further down the road is the Hibiscus Shopping Centre.

If constructed, the footpath network would be completed by a short Hodgson Drive connection from Legune Avenue to Leanyer Drive to reduce the number of road crossings required for access to the schools.

The even side of the road is considered to be the most suitable to link to the walkway and connect to adjoining roads' footpaths.

Feedback

The feedback received from the initial letter regarding construction was one objection, as would be expected for new footpath construction. In most instances the concerns of the resident(s) can be resolved, but as mentioned in the Background section of this report, a letter with signatures opposing the construction was also received and hence the construction placed on hold and letters requesting further feedback sent out to all residents.

The table below summarises the feedback received.

Table 1 - Summary of Numbers

	Residences	Agree	Disagree	No Comment	Objection Letter Signatures
Odd side	25	5	4	16	0
Even side	28	6	9	13	18
Total	53	11	13	29	18

The numbers above show that less than 25% of residents object to the footpath, with nearly 21% wanting a footpath and over 54% having no comment. To be noted is that several comments were in regards to irrigation and 'digging up' concerns, all

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which are managed at the time of construction. These comments came from both negative and positive feedback groups.

Some of the more detailed comments received include;

Negative

- Visually the street is already attractive
- Not needed
- The road is quiet enough for people to walk along, never had a problem
- Front fencing wasn't allowed in the covenant so gardens went to the verge

Positive

- We have trees out the front but they can come out
- Great idea, children coming and going from school won't be on the road, there have already been accidents
- Ensures the safety of pedestrians, particularly children that now have to walk on the road to school
- Don't mind which side as long as we get a footpath

The negative comments are consistent with those received for most works within verges and can usually be resolved by discussing individual issues with the resident. The positive feedback highlights the need to provide a safe route for pedestrians and is consistent with Council's policies.

For the reasons discussed in this report, it is recommended that Council endorse the construction of a footpath on the even numbered side of Legune Avenue, Leanyer within the 2012/13 financial year.

CONSULTATION PROCESS

Consultation with Legune Avenue residents has been undertaken as discussed in the Background and Discussion sections.

If Council endorses the recommendations then a letter would be sent to all residents and homeowners advising them of the outcome and of the programmed construction. If Council were to defer the construction of the footpath then this would be advised also.

POLICY IMPLICATIONS

Council Policy Number 048 – Footpaths

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BUDGET AND RESOURCE IMPLICATIONS

If endorsed, the footpath would be placed on the 2012/13 Footpath Construction and Reconstruction Program with construction to commence within the next three months.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

There are two main risks to Council;

1. That the footpath is constructed and residents continue to oppose and attempt to stop the construction, this may be through the media and/or petitions.
2. That the footpath is not constructed and pedestrians continue to use the road due to a safe alternative not being provided.

ENVIRONMENTAL IMPLICATIONS

Increasing the accessibility of Darwin's pedestrian network increases the likelihood of usage and therefore reduction in the reliance on vehicles. For Legune Avenue this would be particularly beneficial to primary school children in the area by providing a safe route along Legune Avenue to the connections to the schools.

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.

NADINE DOUGLAS
MANAGER ASSETS

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

Any queries on this report may be directed to Nadine Douglas on 89300417 or n.douglas@darwin.nt.gov.au

Attachments:

Attachment A: Legune Avenue, Leanyer – Photos And Location

ATTACHMENT A

12TS0087ND:KB – LEGUNE AVENUE, LEANYER – PHOTOS AND LOCATION



1 Legune Avenue from Hodgson Drive, even numbered side is on the left.



3 Legune Avenue from Rosewood Crescent, even numbered side is on the right.



2 Hodgson Drive and Legune Avenue intersection, leading to the school.



4 Pathway through park connecting Legune Avenue to Leanyer Drive, adjacent to Baines Street intersection.



LEGUNE AVENUE, LEANYER – LOCATION AND PROXIMITY TO SCHOOLS AND PEDESTRIAN CONNECTIONS.



**ENVIRONMENT & INFRASTRUCTURE
COMMITTEE/OPEN**
AGENDA ITEM: 9.5
CASH FOR CONTAINERS UPDATE AUGUST 2012
REPORT No.: 12TS0138 JW:TP COMMON No.: 1824430
DATE: 21/08/2012

Presenter: Team Coordinator Development & Waste Management,
Joy Welshman

Approved: General Manager Infrastructure, Luccio Cercarelli

PURPOSE

The purpose of this report is to provide an update on the Northern Territory Government Container Deposit Scheme – Cash for Containers.

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

5 Facilitate and Maintain a Cohesive Community

Outcome

5.3 Support harmony within the community

Key Strategies

5.3.2 Develop and support programs to promote community spirit, cohesion and safety

KEY ISSUES

The following key points can be highlighted in the April to June 2012 quarterly report on the Cash for Containers Scheme, provided by the Northern Territory Government:

- One in three eligible containers have been redeemed this quarter increasing from one in four last quarter,
- There has been a 52% increase in container redemptions by the community, compared to the first quarter of the program's implementation;
- There has been a 31.31% redemption rate across all eligible containers and material types in this quarter, which equates to an increase of 52% on last quarter;
- More than 12 million containers were processed through Collection Depots this quarter (up from 8 million last quarter);

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- More than 38 million approved containers have been sold in the Territory this quarter;
- 100% of all containers collected through the scheme were recycled or re-used.

RECOMMENDATIONS

THAT it be a recommendation to Council:-

THAT Report Number 12TS0138 JW:TP entitled Cash For Containers Update August 2012, be received and noted.

BACKGROUND

The *Environment Protection (Beverage Container and Plastic Bags) Act 2011 (NT)* (the Act) establishes the Northern Territory Container Deposit Scheme (CDS), referred to as Cash for Containers. The Cash for Containers components of the Act commenced on 3 January 2012. The aim of the scheme is to reduce beverage container litter, increase resource recovery and contribute to a 50% reduction in waste going to landfill in the Northern Territory.

DISCUSSION

The second quarter report on the Cash for Containers Scheme has been released by the Northern Territory Government.

The following information is provided as a summary to the Northern Territory Government Quarterly Report on the Cash for Container Scheme. The information and figures have been extracted from the Government Report. The full report is available at:

<http://www.nretas.nt.gov.au/environment-protection/containerdeposit/quarterly-reports>

Highlights from the Northern Territory Government April to June 2012 Quarterly Report on the Cash for Containers program; include:

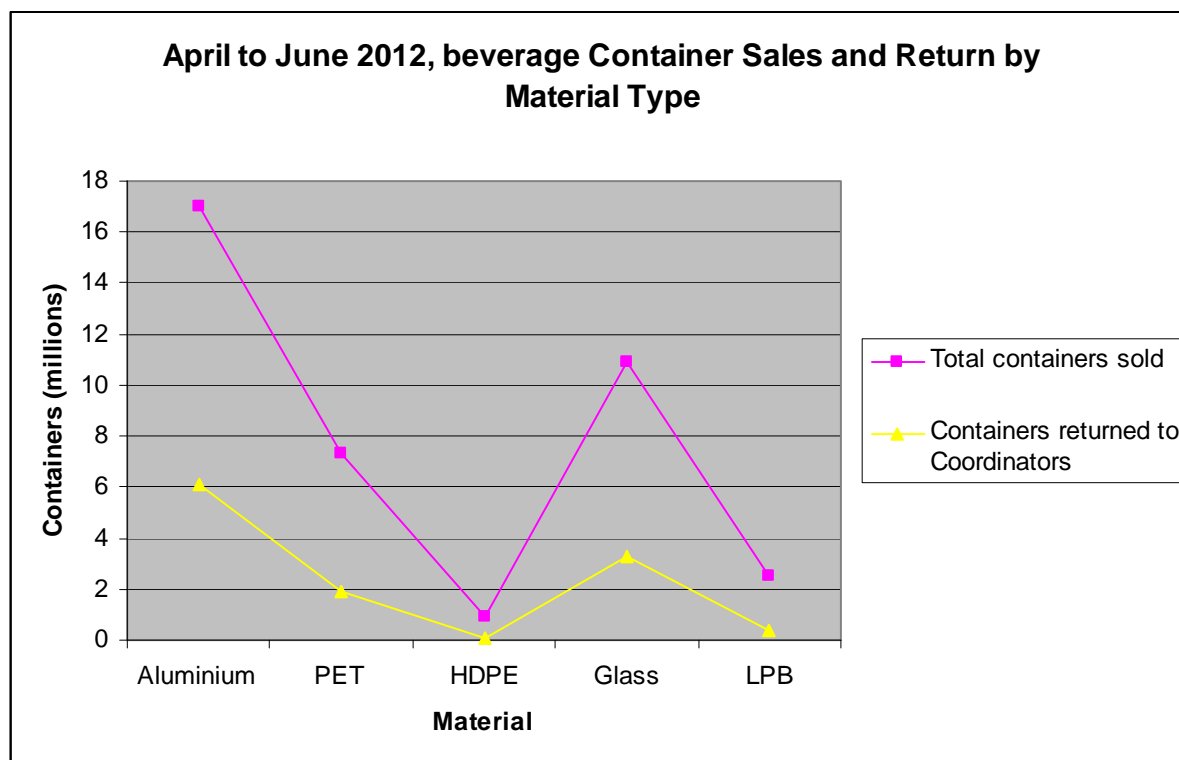
- There has been a marked increase in the number of containers returned – up from 1 in 4 containers redeemed last quarter to nearly 1 in 3 containers redeemed this quarter;
- More than \$1.2 million was paid out in deposits;
- An increase in container redemptions of over 113% in areas outside of the Greater Darwin region from the first quarter; and
- 100% of all containers collected through the scheme were recycled or re-used.

The Government report indicates that the success of the scheme in collecting containers is increasing.

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April to June 2012 – Total NT beverage container sales returns and return rates (Coordinators)

Container material	Total containers sold	Containers returned to Coordinators	Container return rate (%)
Aluminium	17,048,707	6,074,399	35.63
PET	7,367,868	1,930,000	26.19
HDPE	959,645	109,662	11.43
Glass	10,929,941	3,258,943	29.82
LPB	2,541,585	381,169	15
Other	120	0	
Totals	38,847,866	11,754,173	30.26



In relation to technical terms relating to certain material types:

- PET (polyethylene terephthalate) refers to the product that plastic beverage containers are made from (for example, water bottles);
- HDPE (high-density polyethylene) refers to materials such as some juice containers;
- LPB is liquid paper board which is utilised in the packaging of beverages such as popper juices. LPB also includes ASEPTIC which is the packaging of a beverage in a sterile container, used for example in long life UHT beverages; and

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- Other containers refers to steel, foil sachets and other plastics including biodegradable, photo-sensitive and plant-based plastics. Also includes resin types established since 1988 and those marked with the number 7.

The Government indicates that a number of new Collection Depots have opened during this quarter, including Tennant Creek, Elliot, and a Reverse Vending Machine (RVM) at Parap. A mobile collection system has also been in operation in Wagait Shire and more regional and remote areas such as Adelaide River are to be serviced in the coming months.

The report further states that, Cash for Containers, Coordinators have reported that 100% of returned material is either being recycled or reused and not going to landfill. The report indicates that the glass is being stockpiled for use in road base and that the remaining materials are being stored for sale.

CONSULTATION PROCESS

Nil

POLICY IMPLICATIONS

Council Policy Number 006 Environment – General, supports the Container Deposit Scheme.

BUDGET AND RESOURCE IMPLICATIONS

There is no budget implications to Council relating to the Scheme.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

The environmental implication to Council include the reduction of waste to landfill and reduced litter within the municipality.

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.

JOY WELSHMAN
COORDINATOR DEVELOPMENT
& WASTE MANAGEMENT

LUCCIO CERCARELLI
GENERAL MANAGER
INFRASTRUCTURE

For enquiries, please contact Joy Welshman on 89300413 or email:
 j.welshman@darwin.nt.gov.au.

OPEN SECTION

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E&I8\6

Environment & Infrastructure Committee Meeting – Tuesday, 21 August, 2012

10 GENERAL BUSINESS