

OPEN SECTION

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DARWIN CITY COUNCIL

TOWN PLANNING COMMITTEE

WEDNESDAY 2 DECEMBER 2009

MEMBERS: Member H I Galton (Chairman); The Right Worshipful, Lord Mayor, Mr G R Sawyer; Member J D Bailey; Member R T Dee; Member R K Elix; Member G M Jarvis; Member G A Lambert; Member R Lesley; Member F P Marrone; Member A R Mitchell; Member K M Moir; Member J L Sangster; Member H D Sjoberg.

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Infrastructure, Mr L Cercarelli; Strategic Town Planner, Mr P Lindwall; Assistant Committee Administrator, Mrs A Adams.

Enquiries and/or Apologies: Amanda Adams
E-mail: amanda.adams@darwin.nt.gov.au - PH: 89300 685

Committee's Responsibilities

The Council assigns the following functions to the Committee for the purpose of consideration and decisions as follows:

- * All Development Applications referred from the Development Consent Authority
- * All Town Planning related matters referred from the NT Government
- * Town Planning Strategy, Policies and Procedures
- * Development Application and Town Planning Matters referred to Council from Developers, Community Groups and Individuals
- * Signage Applications, Policies and Procedures
- * Liquor Licence Applications

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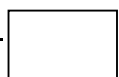


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Town Planning Committee Meeting – Wednesday, 2 December, 2009**1 MEETING DECLARED OPEN****2 APOLOGIES AND LEAVE OF ABSENCE****2.1 Apologies****2.2 Leave of Absence Granted**

- A. THAT it be noted that Member R K Elix is an apology due to a Leave of Absence being previously granted on 15 September 2009 for the period 24 October - 13 December 2009.
- B. THAT it be noted that Member R Lesley is an apology due to a Leave of Absence being previously granted on 29 September 2009 for the period 23 November – 12 December 2009.

DECISION NO.20\() (02/12/09)

3 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION**4 CONFIDENTIAL ITEMS**

Nil



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Town Planning Committee Meeting – Wednesday, 2 December, 2009**5 WITHDRAWAL OF ITEMS FOR DISCUSSION****5.1 Items Withdrawn by Staff****COMMITTEE'S DECISION**

THAT the Committee resolve under delegated authority that the following items withdrawn by staff as Items of Significance, be considered:

DECISION NO.20\() (02/12/09)

5.2 Items Withdrawn by Members**COMMITTEE'S DECISION**

THAT the Committee resolve under delegated authority that Information Items and Officers Reports to the Town Planning Committee Meeting held Wednesday, 2 December, 2009, be received and all recommendations contained therein be adopted by general consent with the exception of Item Numbers:

DECISION NO.20\() (02/12/09)

6 CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING**COMMITTEE'S DECISION**

THAT the Committee resolve that the minutes of the previous Town Planning Committee Meeting held on Wednesday, 4 November, 2009, tabled by the Chairman, be confirmed.

DECISION NO.20\() (02/12/09)



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Town Planning Committee Meeting – Wednesday, 2 December, 2009**7 BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE
PREVIOUS TOWN PLANNING COMMITTEE MEETING**

Nil

8 DEVELOPMENT APPLICATIONS

Nil

9 GENERAL TOWN PLANNING REPORTS

Nil



ENCL: NO

DARWIN CITY COUNCIL

DATE: 04/11/09

REPORT

TO: TOWN PLANNING COMMITTEE /OPEN A

APPROVED: PL

FROM: GENERAL MANAGER INFRASTRUCTURE

APPROVED: LC

REPORT NO: 09TS0204 PL:lm

COMMON NO: 375173

SUBJECT: TOWN PLANNING SEPTEMBER QUARTERLY REPORT

ITEM NO: 10.1

SYNOPSIS:

This report summarises the current activities relating to planning matters for the quarter ending September 2009.

GENERAL:

Development Applications

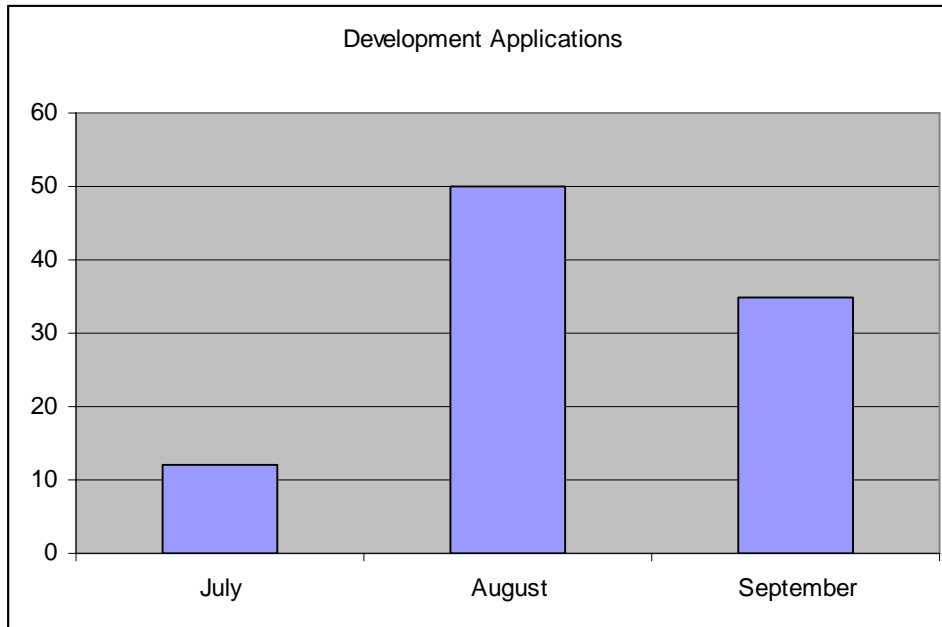
The Town Planning Committee endorsed 96 letters in response to Development Applications for the Darwin Municipality in the September quarter 2009.

Of these applications, 11 required reports and letters on proposed developments and involved an assessment of proposals against the NT Planning Scheme as well as determining the responsibilities of Council under the Local Government Act. In addition 10 reports and letters were in response to Planning Scheme Amendments to the NT Planning Scheme and required reports to the Committee on the implications for Council as a result of proposed rezonings.

5 reports on Development Applications were heard at 1st Ordinary meetings of Council in order for Council to endorse letters in a timely manner to Development Assessment Services as a result of the twice monthly meeting schedule of the Development Consent Authority.

48 letters were prepared which required a detailed response to Development Applications mainly in relation to Council's requirements for storm water connections, driveways, car parking and waste management.

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 SUBJECT: TOWN PLANNING SEPTEMBER QUARTERLY REPORT

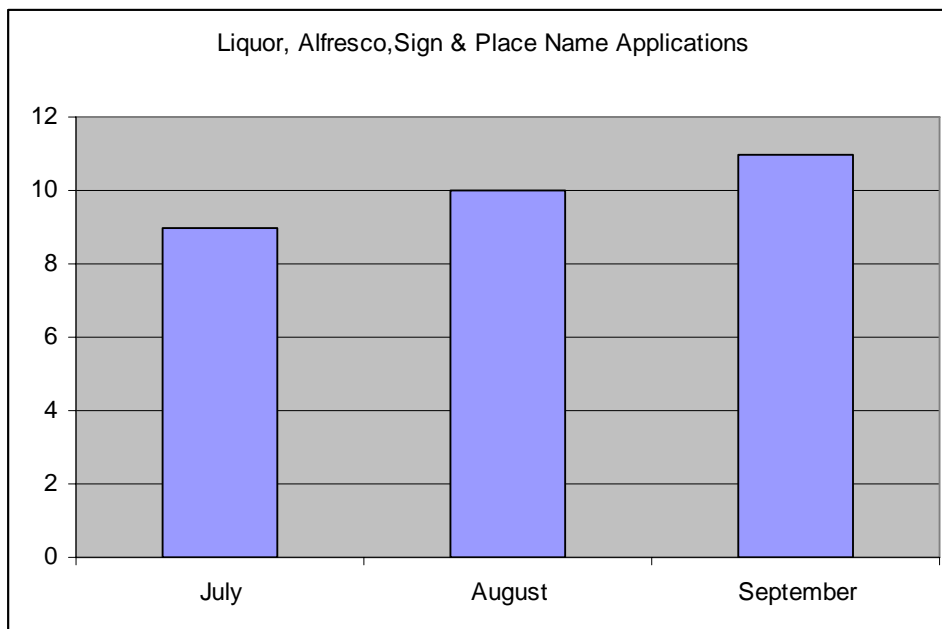


Liquor Licences, Alfresco dining and Sign Applications

4 liquor licences were considered by the Town Planning Committee. An additional 2 liquor licences were heard at Ordinary Council meetings. 2 sign applications were heard by Town Planning Committee. An additional 14 sign applications were heard at Ordinary Council meetings. 2 alfresco-footpath dining applications were heard at Ordinary Council meetings. 2 place name applications were heard by the Town Planning Committee and 2 were heard at Ordinary Council meetings. A total of six sign complaints were heard at Ordinary Council meetings.

A total of 34 applications on signs, alfresco dining and liquor licences were prepared in the September quarter. At the Ordinary meeting of 16 June 2009 Council resolved that in future all signs applications, liquor licences and alfresco dining applications will be heard at Town Planning Committee meetings.

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Other Planning Reports

The Planning Section also reported on a number of planning related matters to Ordinary Council meetings, including the proposed location of a sub station, the future planning of State Square, the draft NT Regional Integrated Transport Strategy and the implications of the increased meeting frequency of the Development Consent Authority.

FINANCIAL IMPLICATIONS:

Not Assessed.

STRATEGIC PLAN IMPLICATIONS:

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

Goal

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

1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle

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 REPORT NUMBER: 09TS0204 PL:lm
 SUBJECT: TOWN PLANNING SEPTEMBER QUARTERLY REPORT

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

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

LEGAL IMPLICATIONS:

This item is not considered "Confidential".

PUBLIC RELATIONS IMPLICATIONS:

Not Assessed.

COMMUNITY SAFETY IMPLICATIONS:

Not Assessed.

DELEGATION:

Not Assessed

CONSULTATION:

Not Assessed

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE:

Not Applicable.

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REPORT NUMBER: 09TS0204 PL:lm
SUBJECT: TOWN PLANNING SEPTEMBER QUARTERLY REPORT

RECOMMENDATIONS:

- A. THAT Report Number 09TS0204 PL:lm entitled Town Planning September Quarterly Report, be received and noted.

PETER LINDWALL
STRATEGIC TOWN PLANNER

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

Any queries on this report can be directed to Peter Lindwall on 8930 0528 or email p.lindwall@darwin.nt.gov.au

ENCL: YES

DARWIN CITY COUNCIL

DATE: 16/11/09

REPORT**TO:** TOWN PLANNING COMMITTEE/OPEN B**APPROVED:** PL**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** LC**REPORT NO:** 09TS0215 PL:lm**COMMON NO:** 1685678**SUBJECT:** STRATEGIC PLANNING WORKSHOP**ITEM NO: 10.2****SYNOPSIS:**

The Planning Workshop held with Council on 19 October 2009 provided direction for staff to develop a Strategic Planning Work Program to guide strategic policy development in 2010. This report analyses the results of the Workshop and presents a Strategic Planning Work Program for Council's consideration.

GENERAL:

The presentation to Alderman involved discussion of the existing land use, heights of buildings and the CB (Central Business) zone which covers the whole of the Darwin CBD. In addition a map showing precincts established by the 2006 Darwin Streetscape Strategy and heritage items was also presented. These maps are at **Attachment A** to this report. They assist in developing an argument that the Darwin CBD is made up of a fine grained structure of land uses, building heights, building setbacks, green open areas, a distinctive and unusual pattern of streets and laneways that is not served well by the "one size fits all" CB zone of the Northern Territory Planning Scheme (2007).

Following from the Workshop there are a number of strong points that were identified which will provide the framework for future strategic planning policy development.

Understanding of The Good

The general understanding of what was considered to be good about the Darwin CBD was that we should be maintaining a 'Main Street' which is typical of a regional centre. Cavenagh Street has been identified as a good example of a 'Main Street'. Other qualities that were highlighted surrounded the theme of a water plenty, colourful, spacious, friendly city that provided inviting spaces for the community to enjoy.

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 SUBJECT: STRATEGIC PLANNING WORKSHOP

The summarising points are:

- Cavenagh street has a good width
- The green spaces, trees and parks add to the attractiveness of the city
- There is good atmosphere in the mall with the people, children and play equipment
- The materials, layout and use of space surrounding the Darwin Entertainment Centre make the area inviting
- People enjoy vistas to the sea
- Historic sites along the esplanade add character to the city
- Civic Precinct is distinctly notable as an open, green space removed from the busyness of the CBD
- Alfresco Dining and outdoor lifestyle add atmosphere to the street
- The public art that exists is appreciated

Understanding of The Bad

When exploring things about the city that were not liked, there were a number of suggestions made about how it could be improved. These points have been included in the later section titled, 'The Future of Darwin'. An important point which was made is that there is currently no entry statement to the CBD, highlighting that one has arrived. Many of the points that were raised referred to aging streets and footpaths that require maintenance or reworks in order to bring them up to today's standards.

The summarising points are:

- No entry statement to the city
- Lack of activity in alleyways and side streets
- Wind tunnels exist
- The deteriorating state of the old Woolworths building in a prominent location
- The planter boxes in Smith Street, Knuckey Street and Peel Street are unattractive
- Unstable and uneven pavements
- Steps up into shops are not desirable
- Disabled parking locations are too few and in locations that are not convenient
- Daly Street developments do not engage the street or provide atmosphere
- Many buildings lack attractive architectural design
- Public toilets are not friendly, not safe and not there are not enough

What is Tropical Darwin?

The term 'Tropical Darwin' is used frequently to describe the nature of the CBD. It is a term that until now has not been defined by tangible elements. The question was put to the aldermen. "What does 'Tropical Darwin' mean?"

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The response highlighted a number of elements.

- Space
- Colour
- Sea
- Plants and trees integrated into the streetscape
- Outward looking vistas
- Family friendly
- Cyclone resistant
- Water
- Shade and shelter
- Light
- Art
- Outdoors

The understanding gained is that 'Tropical Darwin' describes a city that is designed to embrace the elements that are experienced in the tropics. The city should embrace the abundance of water, the colour and life that this brings and the outdoor lifestyle that is conducive to a warm climate. The life of the city should be brought to the street by providing opportunities for people to interact and appreciate parks, gardens and public art. Streetscapes provide a place to meet with protection from the sun and rain. 'Tropical Darwin' is also a city that understands the destruction that is common in the event of a cyclone and is able to quickly minimise the risk of damage.

The Future for Darwin

The workshop has highlighted a number of goals and desired outcomes for the future development of the city centre. Focusing on the built form, a number of points focus around developments having consideration to, and providing for public needs. It was made clear that Darwin CBD should be moving in a direction to reduce the requirement for the private motor vehicle and promote a city that embraces new technology, particularly technologies that produce or lead to the production of less green house gasses. Darwin should be a CBD that fosters its arts culture and brings a vibrancy to the streets through pedestrian friendly designs, protection from the weather and alfresco lifestyles. The framework for the city should include precinct plans that define the desired shape and use of the different components of the city.

The summarising points are:

- Architectural design that responds to the local climate
- Architectural design that is inspiring and creative
- Cars should not be dominant in the landscape
- Bring culture and art to the city
- Create a safe environment
- Protection from the sun and the rain
- IT and environmentally smart city
- Protection of Darwin's history

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- Promote cycling and walking to move around the city
- The use of water features as public art
- Provide a bus that does loops of the city
- Make getting to the city by public transport easy and attractive
- A city easy to get around for those with disabilities
- Improve the public transport terminal to be more attractive
- Use of light, video and water as public art
- New developments that provide a contribution to the streetscape
- Improve the connectivity between public spaces

Strategic Work Program

The outcomes of the Planning Workshop can provide the framework for the development of a Council strategic planning policy for the Darwin CBD which can be utilised for the purposes of consulting and informing the community and various stakeholders and lobbying for change.

A Precinct Plan for the Darwin CBD

Strategic policy can further explore the concept of land use and development controls for precincts in the CBD.

Objectives

- The highest buildings should be located in the centre of the CBD to give the city shape and to protect views and breezeways;
- Encourage good urban design;
- Reinforce mixed land use;
- Establish diversity in the retail uses in the Mall Precinct;
- Recognise community needs of city residents and visitors;
- Incorporate effective traffic management.

Outcomes

- Establish setbacks for development in the CB Zone to protect open areas and green spaces within the City;
- Car parking requirements that meet the needs of the emerging city;
- Sensitive development of the height, bulk and development of land in the Darwin CB Zone;
- Functional public and private vehicular access into new city developments;
- Workable service and waste vehicle access into new developments.

The Plan

- Produce an “Area Plan” based on the special needs of precincts in the CBD to guide future development.

Coordination

Establish a coordination mechanism between Darwin City Council planners and planners at the Department of Planning And Infrastructure’s Strategic Lands

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Planning section to enable a flow of information on planning matters between the two levels of government.

Timeframe

Staff have commenced work on a strategic planning work program aiming for a draft report to the July 2010 Town Planning Committee meeting. Until that time it is envisaged that a number of interim reports will be presented to the Town Planning Committee on specific policy issues to guide the planning process.

A final strategic planning report on the Darwin CBD can be used to lobby for change in the planning controls for the city centre.

FINANCIAL IMPLICATIONS:

Not Assessed.

STRATEGIC PLAN IMPLICATIONS:

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

Goal

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

1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle

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

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

LEGAL IMPLICATIONS:

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This item is not considered "Confidential".

PUBLIC RELATIONS IMPLICATIONS:

Not Assessed.

COMMUNITY SAFETY IMPLICATIONS:

Not Assessed.

DELEGATION:

Not Assessed

CONSULTATION:

Not Assessed

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE:

Not Applicable.

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REPORT NUMBER: 09TS0215 PL:LM
SUBJECT: STRATEGIC PLANNING WORKSHOP

RECOMMENDATIONS:

- A. THAT Report Number 09TS0215 entitled Strategic Planning Workshop, be received and noted.

PETER LINDWALL
STRATEGIC TOWN PLANNER

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

Any queries on this report can be directed to Peter Lindwall on 8930 0528 or email p.lindwall@darwin.nt.gov.au

ENCL: YES

DARWIN CITY COUNCIL**DATE:** 28/10/09**REPORT****TO:** TOWN PLANNING COMMITTEE MEETING
/OPEN B**APPROVED:** PL**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** LC**REPORT NO:** 09TS0206 PL:lm**COMMON NO:** 1677313**SUBJECT:** DEVELOPMENT APPLICATION LOT 6470 (100) ESPLANADE DARWIN CITY TOWN OF DARWIN PROPOSED DEVELOPMENT - 15X1, 42X2, 32X3 AND 4X4 BEDROOM MULTIPLE DWELLING AND SHOP IN A 13 STOREY BUILDING INCLUDING 2 LEVELS OF BASEMENT CAR PARKING AND 2 ABOVE GROUND PARKING LEVELS**ITEM NO: 10.3****SYNOPSIS:**

A Development Application for Lot 6470 (100) Esplanade, Darwin City has been referred to Council for comment pursuant to Section 48 of the Planning Act. The following report addresses relevant Council issues and recommends that Council endorse comments provided to the Development Consent Authority by staff. Council issues relevant to the Development Application are set-out within the attached letter to Development Assessment Services (**Attachment A**).

GENERAL:

It is noted that this application PA2009/1501 is the second application to be made active for this site. Council has already provided comments on the previous application PA2009/1426. An issue of concern to Council is the potential lack of transparency in a planning process where two applications are under consideration at the same time for the same site. This duplication could be confusing for community representatives or organisations who intend to make submissions on the proposed development.

The main difference between the application subject to this report and the previous application considered by the Town Planning Committee at its November meeting is a reduction in the height of the building by one storey and a reduction in the total number of multiple dwellings from 111 to 93 units.

Applicant: Planit Consulting Pty Ltd**Zone:** CB (Central Business)**Area:** 6,720m²

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 LOT 6470 (100) ESPLANADE DARWIN CITY TOWN OF DARWIN
 PROPOSED DEVELOPMENT - 15X1, 42X2, 32X3 AND 4X4 BEDROOM
 MULTIPLE DWELLING AND SHOP IN A 13 STOREY BUILDING
 INCLUDING 2 LEVELS OF BASEMENT CAR PARKING AND 2 ABOVE
 GROUND PARKING LEVELS

Proposal:

The proposal is to construct a residential building on the existing surface car park, adjacent to the Novotel at Lot 6470 (100) Esplanade, Darwin City. Car parking for the Novotel will be replaced in the new building. The Development Application of the proposal is included at **Attachment B**.

The proposed residential building will contain 93 multiple dwellings and a small shop (33m²) in a 13 storey building including 2 basement car parking levels. The multiple dwellings will range in size from 1 bedroom to 4 bedroom units, as follows:

	1-bedroom	2-bedroom	3-bedroom	4-bedroom	Total
Levels 2-9	15	42	32	4	93

The proposal includes 264 car parking bays (Including car parking for the Novotel) in 5 parking levels. The parking levels will include 2 basement levels and parking at ground level and at levels 1 and 2. The existing car parking court adjacent to Peel Street will be reconfigured and will be continued to be used for car parking.

History:

Development Permit DV2118, dated 18 March 1986, approved the existing development on the site. Amendments to the original approval were authorised by permits issued in 1987.

DP95/0065, dated 7 February 1995, approved the development of an additional 112 visitor accommodation suites in an 8-storey building in the location of the surface car park. This development did not proceed.

Site And Surrounds:

The site is a regular shaped land parcel of approximately 6,720m², with a boundary to the Esplanade of approximately 100m and a boundary to Peel Street of approximately 59m.

There is an electricity supply easement on the Peel Street boundary of the site.

The site faces Bicentennial Park and has views over Darwin Harbour.

Northern Territory Planning Scheme:

The proposal is for a residential use, with small shop, within Zone CB (Central Business). Multiple dwellings and shops are discretionary land uses under the Planning Scheme, subject to meeting the requirements of the following development criteria:

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 LOT 6470 (100) ESPLANADE DARWIN CITY TOWN OF DARWIN
 PROPOSED DEVELOPMENT - 15X1, 42X2, 32X3 AND 4X4 BEDROOM
 MULTIPLE DWELLING AND SHOP IN A 13 STOREY BUILDING
 INCLUDING 2 LEVELS OF BASEMENT CAR PARKING AND 2 ABOVE
 GROUND PARKING LEVELS

Clause	Requirement	Comment
Clause 6.3 - Building Heights in Central Darwin – refer to IDCO 18	The construction of a building or structure of a height exceeding 36 metres above ground level is prohibited in this location.	Complies – Above ground building height measures 35m on plans.
Clause 6.5.1 Parking Requirements	Refer to car parking assessment table below	Does not Comply - 274 bays required and 264 bays provided.
Clause 6.5.3 Parking Layout	Car parking bays at the end of driveways should extend 1.0m beyond the last bay.	The applicant has advised that the end bays are opposite access ramps which will provide a reverse area for the vehicle.
Clause 6.6 Loading Bays	A loading bay of minimum dimensions 3.5m (w) & 7.5m (l) is required for the motel on the site.	Does not comply - The reconfigured Novotel car parking court does not appear to include a loading bay of the required dimensions.
Clause 7.5 Private Open Space	12m ² with minimum dimensions of 2.8m x 4m for each dwelling without direct ground level access	All apartments appear to have balconies of 12m ² or greater.
Clause 7.6 Communal Open Space	15% of site not being less than 6m wide at any point	Does not comply – no communal open space is provided. Site is directly opposite Bicentennial Park.
Clauses 7.8 and 8.2 Building Design	Purpose of clause is to promote site-responsive designs.	Elevation plans provided to display design features of building.

Car Parking Assessment:

Use	Car Parking Requirement	No. Units / Floor Area*	Total Required
Proposed Multiple Dwellings	2 per unit	93 total	186
Proposed Shop	3 per 100m ² net area	37m ²	1
Existing Motel Suites	0.4 per guest suite	140 suites	57
Existing Motel Ground Floor Areas & Offices	3 per 100m ² net area	1,015m ²	30
Total			274

264 car spaces are provided resulting in a short fall of 10 car spaces which requires a monitory contribution be paid to Darwin City Council.

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 LOT 6470 (100) ESPLANADE DARWIN CITY TOWN OF DARWIN
 PROPOSED DEVELOPMENT - 15X1, 42X2, 32X3 AND 4X4 BEDROOM
 MULTIPLE DWELLING AND SHOP IN A 13 STOREY BUILDING
 INCLUDING 2 LEVELS OF BASEMENT CAR PARKING AND 2 ABOVE
 GROUND PARKING LEVELS

Disability Discrimination Legislation:

Disability Discrimination Act issues are addressed under the Building Act requirements. Council places a statement of support for equal opportunity on all responses.

Council Issues:

Crossovers and Driveways

The site has 4 existing vehicle crossovers and driveways from the Esplanade and 1 from Peel Street. The 4 Esplanade crossovers give access to the existing surface car park and the motel Porte Cochere. The Peel Street crossover is to the existing parking court and loading bay. It is proposed that the number of crossovers and driveways will be maintained, but with the 2 accesses to the existing surface car park modified to provide an entry and exit to the Porte Cochere proposed for the new building.

Landscaping

Council requests the Authority requires the applicant to provide a plan for the proposed footpath and landscaping works within Council's Esplanade and Peel Street road reserves. There is no footpath or landscaping works to the Esplanade or Peel Street shown on the development application plans.

The footpath and pedestrian crossings across the 'Porte Cochere' entry and exit lanes for both the proposed residential building and the Novotel should be designed to ensure pedestrian safety.

The proposed development should support the objectives of Council's Central Darwin Streetscape Strategy (2006).

Council also requests that a condition is placed upon any development permit issued regarding driver sightlines for the Esplanade and Peel Street vehicle driveways and crossovers, as follows:

"Sight lines shall be provided at crossovers to public streets to the satisfaction of the General Manager of Infrastructure, Darwin City Council. No wall, fence, tree or shrub shall be constructed or planted in front of the sight line".

Pedestrian Facilities

The 'Traffic Impact Study' prepared by 'i3 Consultants', sets out a concern with "...the current level of pedestrian / vehicle conflict, and the forecast increase, for pedestrian crossing movements on Esplanade." Whilst the consultant is recommending that consideration is given to additional pedestrian crossing facilities from the Bicentennial Park side of the Esplanade to the City side, there also needs to be awareness of the safety of the pedestrians using the footpath on the City side of

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 GROUND PARKING LEVELS

the street. The consultant has stated on page 24 of the Traffic Impact Study that pedestrian numbers crossing roads and driveways in the locality is considered to be high.

Council therefore request that pedestrian infrastructure be provided within the road reserve to address any potential increased pedestrian movement and potential pedestrian and vehicular conflict on roads adjacent to this location on the Esplanade.

All works would be to the satisfaction of Darwin City Council and at no cost to Council.

Traffic Impact Study

A traffic impact study has been prepared for the proposed development by 'i3 Consultants' of Western Australia. The traffic impact study covers 3 main areas as follows:

- Traffic impact of the development.
- Access to the development.
- Parking impact of the development

The report outlines that the proposed residential building is likely to generate between 50 and 90 trips during the morning and afternoon peak hours, whereas the current car parking use of the site generates between 24 and 30 trips during these same hours. The conclusion is that *"...the impact of the development is not considered to be significant enough to cause the adjacent roads to be forced into performing a function of higher road classification."* The recommendation is made however, that Council review the pedestrian data within the traffic impact report to determine the need for additional informal or formal pedestrian crossing facilities on the Esplanade. This is because pedestrian numbers crossing the road and driveway accesses are considered to be high and that there is a concern with the level of pedestrian / vehicle conflict within the locality (refer to pages 56 & 57 of traffic impact report).

Stormwater Drainage:

Proposals for on-site stormwater collection and discharge underground to street stormwater mains have not been included on the development application plans. Stormwater plans to be requested from applicant.

Council also requests that the Authority places a condition on any Development Permit issued regarding developer contributions for stormwater drainage. Developer Contribution Plans for Stormwater Drainage Works were gazetted by Council in 2007. Contribution Plan CP2006/02D – Darwin Zone E covers the site.

PAGE: 6
 REPORT NO: 09TS0206 PL:lm
 SUBJECT: DEVELOPMENT APPLICATION
 LOT 6470 (100) ESPLANADE DARWIN CITY TOWN OF DARWIN
 PROPOSED DEVELOPMENT - 15X1, 42X2, 32X3 AND 4X4 BEDROOM
 MULTIPLE DWELLING AND SHOP IN A 13 STOREY BUILDING
 INCLUDING 2 LEVELS OF BASEMENT CAR PARKING AND 2 ABOVE
 GROUND PARKING LEVELS

Awnings:

The applicant's plans include an approximate 3.0 metre wide awning over the Council's Esplanade road reserve as part of the 'Porte Cochere' structure for the proposed residential building. There is no footpath awning shown for the Novotel 'Porte Cochere'. Council's standard awning condition is requested on any development permit issued.

Waste Bin Storage:

The waste management and waste collection services for proposed development appear to meet Council's requirements. The applicant has also provided a Preliminary Garbage Truck Turning Path Plan (ref: Byrne Design and Drafting - 1114_SK2).

FINANCIAL IMPLICATIONS:

Not Assessed.

STRATEGIC PLAN IMPLICATIONS:

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

Goal

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

1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle

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

Goal

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

PAGE: 7
REPORT NO: 09TS0206 PL:lm
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INCLUDING 2 LEVELS OF BASEMENT CAR PARKING AND 2 ABOVE
GROUND PARKING LEVELS

LEGAL IMPLICATIONS:

This item is not considered "Confidential".

PUBLIC RELATIONS IMPLICATIONS:

Not Assessed.

COMMUNITY SAFETY IMPLICATIONS:

Not Assessed.

DELEGATION:

To the Chief Executive Officer to provide standard Development Permit conditions as appropriate.

CONSULTATION:

Through the Development Application statutory process.

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE:

Not Applicable.

PAGE: 8
 REPORT NO: 09TS0206 PL:lm
 SUBJECT: DEVELOPMENT APPLICATION
 LOT 6470 (100) ESPLANADE DARWIN CITY TOWN OF DARWIN
 PROPOSED DEVELOPMENT - 15X1, 42X2, 32X3 AND 4X4 BEDROOM
 MULTIPLE DWELLING AND SHOP IN A 13 STOREY BUILDING
 INCLUDING 2 LEVELS OF BASEMENT CAR PARKING AND 2 ABOVE
 GROUND PARKING LEVELS

RECOMMENDATIONS:

- A. THAT Report Number 09TS0206 PL:lm entitled Development Application Lot 6470 (100) Esplanade Darwin City Town Of Darwin Proposed Development - 15x1, 42x2, 32x3 And 4x4 Bedroom Multiple Dwelling And Shop In A 13 Storey Building Including 2 Levels Of Basement Car Parking And 2 Above Ground Parking Levels, be received and noted.
- B. THAT Council endorse the **revised** letter to the Development Consent Authority in **Attachment A** to Report Number 09TS0206 PL:lm.

PETER LINDWALL
STRATEGIC TOWN PLANNER

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

Any queries on this report can be directed to Peter Lindwall on 8930 0528 or email p.lindwall@darwin.nt.gov.au



Darwin City Council

Website: www.darwin.nt.gov.au

Please quote: 1667849 RB:lm

2 December 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

REVISED LETTER

**Lot 6470 (100) Esplanade, Darwin City Town Of Darwin
Proposed Development - 15x1, 42x2, 32x3 and 4X4 Bedroom Multiple
Dwellings and Shop in a 13 Storey Building including 2 Levels of Basement
Car Parking and 2 Above Ground Car Parking Levels**

Thank you for the Development Application referred to this office on 23 October 2009, 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:

It is noted that this application PA2009/1501 is the second application to be made active for this site. Council has already provided comments on the previous application PA2009/1426. An issue of concern to Council is the potential lack of transparency in a planning process where two applications are under consideration at the same time for the same site. This duplication could be confusing for community representatives or organisations who intend to make submissions on the proposed development.

1. **While Council supports in principle the granting of a Development Permit for this type of use, Council cannot support this application until the following issues are adequately addressed:**

Car Parking

The development generates a car parking requirement of 274 spaces under Clause 6.5.1 of the Planning Scheme, but 264 spaces are proposed in the car parking areas. This represents a 10 bay car parking shortfall. Council can accept a car parking contribution for the car parking shortfall in accordance with its CBD Car Parking Contribution Policy. The rate per car space shortfall is a payment of \$21,100.

Loading Bay

Council requests the Authority requires the applicant to provide an amended Site Plan which includes a loading bay for the Novotel building. Clause 6.6 of the Planning Scheme requires on-site provision of a loading bay of minimum dimensions 7.5m (length) by 3.5m (width) for a motel and no loading bay is shown on the submitted plans. The 'Traffic Impact Study' prepared by 'i3 Consultants' advises that the parking area to the rear of the Novotel, accessed from Peel Street is intended for the Novotel's servicing and staff vehicles. The site plan (ref: 2886-SK01), prepared by Jackman Gooden Architects however, does not include a loading or service bay within the Peel Street parking area. The plan shows 23 car parking spaces of dimensions 5.5m (length) by 2.5m (width) and 2 larger bays of approximately 7.5m (length) by 3m (width). All of the 25 bays are required to meet the minimum Planning Scheme car parking requirements for both the Novotel and proposed residential building on the site.

Landscaping

Council requests the Authority requires the applicant to provide a plan for the proposed footpath and landscaping works within Council's Esplanade and Peel Street road reserves. There is no footpath or landscaping works to the Esplanade or Peel Street shown on the development application plans.

- 1). The footpath and pedestrian crossings across the 'Porte Cochere' entry and exit lanes for both the proposed residential building and the Novotel should be designed to ensure pedestrian safety.
- 2). The proposed development should support the objectives of Council's Central Darwin Streetscape Strategy (2006).
- 3). Council also requests that a condition is placed upon any development permit issued regarding driver sightlines for the Esplanade and Peel Street vehicle driveways and crossovers, as follows:

"Sight lines shall be provided at crossovers to public streets to the satisfaction of the General Manager of Infrastructure, Darwin City Council. No wall, fence, tree or shrub shall be constructed or planted in front of the sight line".

Pedestrian Facilities

The 'Traffic Impact Study' prepared by 'i3 Consultants', sets out a concern with "...the current level of pedestrian / vehicle conflict, and the forecast increase, for pedestrian crossing movements on Esplanade." Whilst the consultant is recommending that consideration is given to additional pedestrian crossing facilities from the Bicentennial Park side of the Esplanade to the City side, there also needs to be awareness of the safety of the pedestrians using the footpath on the City side of the street. The consultant has stated on page 24 of the Traffic Impact Study that pedestrian numbers crossing roads and driveways in the locality is considered to be high.

Council therefore request that pedestrian infrastructure be provided within the road reserve to address any potential increased pedestrian movement and potential pedestrian and vehicular conflict on roads adjacent to this location on the Esplanade.

All works would be to the satisfaction of Darwin City Council and at no cost to Council.

Stormwater

Council requests the Authority requires a schematic plan to demonstrate how stormwater will be collected on the site and discharged underground to Council's stormwater drainage system. The drainage plan should include details of finished site levels and Council's stormwater drain connection point/s within the vicinity of the site. Council requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into Council'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 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 that the Authority places a condition on any Development Permit issued regarding developer contributions for stormwater drainage as follows:**

"Pursuant to Part 6 - Developer Contributions of the NT Planning Act, a monetary contribution shall be paid to Darwin City Council in accordance with Council's Developer Contribution Plans for Stormwater Drainage Works."

Contribution Plans CP2006/02D – Darwin Zone E covers Lot 6470 (100) Esplanade. A copy of the contribution plan may be viewed on Council's website or by contacting Council's Strategic Town Planner, Peter Lindwall, on telephone number 8930 0528.

- b). **Council requests the Authority includes the following note on any development permit issued which demonstrates an awning over Council's road reserve:**

"Notwithstanding the approved plans, any proposed awning is subject to Council's approval and shall meet all Council's requirements to the satisfaction of the General Manager of Infrastructure, Darwin City Council and at no cost to Council."

The applicant's site plan and elevation plans include an approximate 3.0 metre awning over the Council's Esplanade road reserve as part of the 'Porte Cochere' structure for the proposed residential building.

- c). **The proposed crossovers and driveways for the Porte Cochere appear to meet Council requirements.** The applicant's Site Plan (ref: 2866-SK01), prepared by Jackman Gooden Architects, shows a 7m vehicle 'entry' driveway / crossover to the Porte Cochere from Esplanade and 7m vehicle 'exit' crossover / driveway to the Esplanade.

It is understood that the existing vehicle accesses to the Novotel Porte Cochere on the Esplanade and the car parking court on Peel Street will remain unchanged.

- d). **The waste management and waste collection services for proposed development appear to meet Council's requirements.** The development application plans (ref: Jackman Gooden Architects - 2866-SK04 Ground Floor Plan) include a waste bin enclosure (approximately 5m (length) by 3m (width) and a waste chute extending to the 11th floor of the building. The applicant has also provided a Preliminary Garbage Truck Turning Path Plan (ref: Bymc Design and Drafting - 1114_SK2).
- e). The traffic impact report prepared by 'i3 Consultants' states that the inclusion of a Porte Cochere in the proposal is an improvement on the traffic access into the existing car park. The design of the Porte Cochere is such that it allows vehicles to move in a one-way in and one-way out movement and provides good sight lines to the footpath and pedestrian traffic.

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.

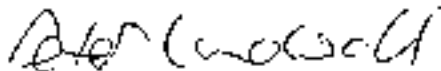
- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager of Infrastructure, Darwin City Council, and all approved works constructed to Council's requirements at the applicant's expense.
- The location, design and specifications for proposed and affected crossovers shall be provided to the satisfaction of the General Manager of Infrastructure, Darwin City Council 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 of Infrastructure, Darwin City Council and at no cost to Council.
- Sight lines shall be provided at crossovers to public streets to the satisfaction of the General Manager of Infrastructure, Darwin City Council. No wall, fence or tree exceeding 0.6 metres in height shall be constructed or planted in front of the sight line.

- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be line marked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- Pursuant to clause 6.5.2 of the Northern Territory Planning Scheme and s.70 (5) of the Planning Act a monetary contribution shall be paid to Darwin City Council for any determined parking shortfall.
- 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 of Infrastructure, Darwin City Council.
- Waste bin storage and pick up shall be provided in accordance with Council's Waste Bin Policy.

In considering this application, the 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 contact me on 8930 0528.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Planit Consulting Pty Ltd



DARWIN200

TOWN PLANNING REPORT

Application for Development Permit – Section 46

Lot 6470

100 The Esplanade, Darwin

Prepared for Halikos Pty Ltd

October 2009

**Prepared by
Planit Consulting Pty Ltd**





020 824 0000

Application for a Development Permit - Section 46
Lot 6472 - 100 The Esplanade, Darwin

Malikos Pty Ltd c/- Planit Consulting Pty Ltd

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CONSULTING

Application for a Development Permit - Section 46
Lot 6470 - 100 The Esplanade, Darwin

Halikos Pty Ltd C/- Planit Consulting Pty Ltd

Section

1

Introduction

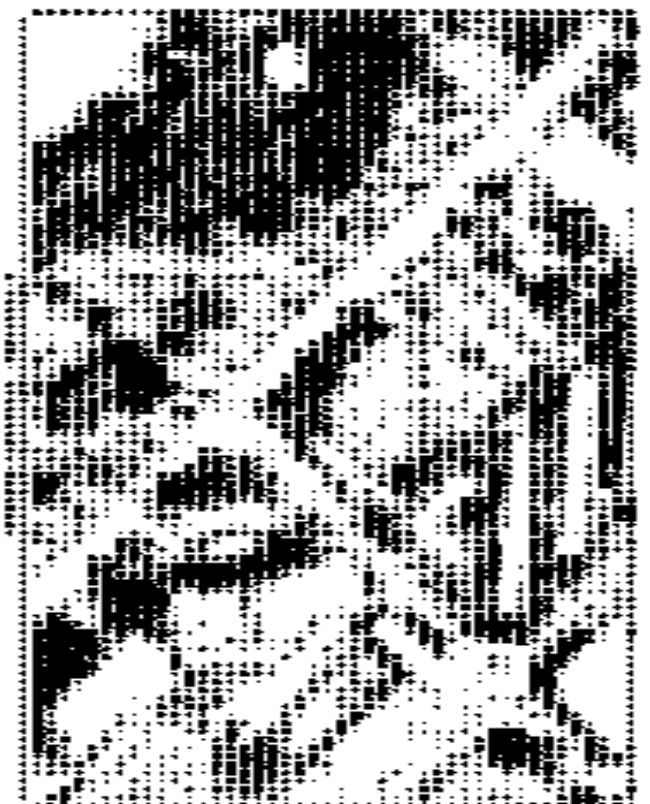
Planit Consulting Pty Ltd has been engaged by Halikos Pty Ltd to prepare a development application as per section 46(1) of the Planning Act 1999 over Lot 6470 at 100 The Esplanade, Darwin.

The application is for consent to develop a building containing 93 multiple dwellings and a ground level small commercial tenancy in a 13 level building, these 13 levels are inclusive of two basement parking levels, two above ground parking levels and 9 levels of residential dwelling units.

Please refer to architectural plans and drawings prepared by Jackman Gooden Architects contained in Attachment No.1.

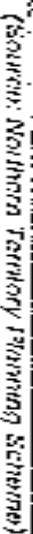
Site Description

The site is located at 100 The Esplanade, Darwin described as 1 of 6470 as shown in the aerial photos below and in the locality plan prepared by Jackson Goode Architects contained in Attachment No.1



The Esplanade – approximately 100 metres in length; and Peel Street – approximately 55 metres in length.

Under the Northern Territory (NT) Planning Scheme the site is zoned Central Business (CBF) as shown on the excerpt of the Planning Scheme map below



The surrounding locality is characterized by apartment buildings, accommodation buildings, entertainment venues and older style two story apartments. The site is located directly across from Hicentennial Park located by the Archery Sea

Proposal

The purpose of this application is to secure a development permit for an apartment building. The proposal is defined under the NT Planning Scheme as multiple dwellings, the Planning Scheme definition is provided below.

"Multiple Dwellings - means a building or group of buildings on a site which individually or collectively contain more than one dwelling (including serviced apartments) but does not include a dependant unit"

The proposed building is to contain 93 dwelling units of various sizes and a small commercial tenancy of 33m². The building is proposed to be sited where the existing car park is located, beside the existing hotel. Please refer to architectural plans prepared by Jackson Gauden Architects, contained in Attachment No 1.

The dwelling units will range in size from one to four bedroom units. This is summarised in the table below.

Levels	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms	Total
2	3	6	2	-	11
3	2	6	4	-	12
4	2	6	4	-	12
5	2	6	4	-	12
6	2	6	4	-	12
7	2	6	4	-	12
8	2	6	4	-	12
9	-	-	6	4	10
Total	16	42	32	4	93

The proposed development facilitates a range of dwelling sizes and corresponding prices to facilitate Esplanade living to a vast array of people.

The building will consist of 13 levels in total, inclusive of two basement parking levels and two parking levels above ground. The remaining nine levels are for residential purposes. Please note that the top level units are two storeys in height. The total building height will be approximately 35 metres above ground level.

The residential tower, from level 3 and above, will be setback between 5 metres and 7.2metres from the Esplanade. The setback from the common boundary with Lot 603 will vary between 3.0metres and 7.4metres, whilst the rear set back will vary between 6.5 metres and 15.0metres.

Each dwelling unit within the building is to have a balcony accessible from its living area. The windows of the dwelling units at the sides of the buildings have been arranged to



PLANIT CONSULTING

Application for a Development Permit - Section 46
Lot 6470 - 100 The Esplanade, Darwin

Mahkos Pty Ltd C/- Planit Consulting Pty Ltd

maintain privacy from guest suites at the existing Novotel and the multi storey residential building to be constructed over Lot 663.

A small commercial tenancy of 33m² is proposed as part of the ground floor of the building facing the street frontage.

The proposal includes 284 car parking spaces. A four level car parking has been provided which consists of two basement levels and a ground and first floor level. It is noted that the existing car park for the Novotel will be replaced in this proposed development. One disabled car parking space will be retained at the front of the existing motel.

The site has five crossovers, four being from the Esplanade which give access to the existing car park and porte cochere, and one from Peel Street. These crossovers are to be maintained, however two crossovers from the Esplanade to the parking area will be modified to match the access and egress points of a porte cochere that is to be constructed as part of the proposed building.

A traffic impact study has been prepared. This study concluded that access to and from the development, and the Peel Street/Esplanade intersection are expected to perform within acceptable levels regarding delays, queuing, level of service and degree of saturation. The results indicate that the development will have a minimal impact upon the road network. Please refer to the Traffic Impact Study prepared by i3 Consultants contained within Attachment No.2.

With regards to visual amenity, the level one parking area will be screened by perforated decorative panels and windows of the building will be fitted with sun screens. Airconditioning ducts will be enclosed and screened at the side of the building. Please refer to the architectural plans and drawings prepared by Jackman Gooden Architects, contained in Attachment No.1.

The ground floor car park will contain a waste storage and collection area, which has been designed to allow the waste collection vehicle to enter and leave the building in a forward gear. The movement path of a waste collection vehicle is included in the service plans prepared by Byrne Design and Drafting contained in Attachment No.3.



Section

5

Assessment

The following is an assessment of the development proposal against relevant controls. Section 46 (3) sets out the matters to be addressed in a development application. Section 51 sets out the matters to be considered by the consent authority.

Please note that the format of this assessment component is consistent with Section 51, with consideration given to all matters that must be taken into account and assessed by the consent authority.

5.1 The Planning Scheme as it applies to the land to which the application relates: s46(3)(a) and s51(a)

As previously mentioned, the subject site is zoned Central Business (CB) as per the NT Planning Scheme. An excerpt of the zone purpose is provided as follows.

'The primary purpose of Zone CB is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible activities.'

The proposal is considered to be consistent in this regard.

As per the CB zoning table of the NT Planning Scheme, the multiple dwelling development is a discretionary use, subject to clauses 6.3, 6.5.1, 7.5, 7.6 and 7.8 of the Planning Scheme.

Please note that the proposed 33m² commercial tenancy is considered to be an ancillary use to the residential purpose of the building. This component does not generate any additional requirements other than car parking.

Clause 6.3 – Building Height

The Interim Development Control Order (IDCO) 18 overrides this clause and specifies a maximum building height of 36 metres for this site. As previously mentioned, the proposed height of the building is to be approximately 35 metres above ground level, therefore complying with the applicable height limits.

Clause 6.5.1 – Parking Requirements

Car parking requirements are to incorporate that of the proposed building and that of the existing Novotel building as the existing car park is to be removed as a result of this proposal.



Existing Novotel Building

The existing Novotel building comprises a ground level floor of reception, administrative offices, function rooms, a lounge bar, restaurant and outdoor dining. The building has five additional floors of guest rooms. The principle use of the site is traveller accommodation.

The NT Planning Scheme defines the use as a Motel, that being:

*...premises wholly or principally used for the accommodation of travellers and the vehicles used by them, whether or not the building is also used to provide meals to the travellers or to members of the general public and whether or not the premises are licensed under the Liquor Act, but does not include bed and breakfast accommodation.**

With regards to car parking requirements of the Novotel building, Carl James and Associates conducted a floor area survey, confirming the use of the ground floor and changes to the ground floor area since the original approval. The total floor area of the ground floor survey is 896m², comprising of a reception area and offices with a net floor area of 119m².

As per Clause 6.5.1, the parking requirement for the existing building is calculated as follows:

Guest suites	140 suites @ 0.4 spaces/suite	= 56 spaces
Ground Floor Areas	896m ² @ 3 spaces/100m ²	= 26.9 spaces
Reception & Offices	119m ² @ 3 spaces/100m ²	= 3.6 spaces
Total		= 87.0 spaces

Proposed Building

As previously mentioned, the proposal consists of 98 individual dwelling units. Table to Clause 6.5.1 states that 2 car parking spaces are required for each dwelling unit, this equates to 186 car parking spaces for the residential component. An additional one car parking space is required for the commercial tenancy.

Altogether the proposed building requires 187 car parking spaces.

Existing and Proposed Building

The existing building requires 87 car parking spaces and the proposed building requires 187. In this regard, 274 car parking spaces are required under the NT Planning Scheme.

The proposal facilitates the provision of 264 car parking spaces, 10 short of that required under the Scheme. These car parking spaces are distributed as follows:

• Basement 2	75 spaces
• Basement 1	73 spaces
• Ground Level	73 spaces
• Level 1	43 spaces



Whilst the proposal falls short of the car parking requirements, the shortfall is only minor (10 car parking spaces) and there are circumstances which justify such variations. As per Clause 6.5.2 of the NT Planning Scheme, the consent authority may approve the development with fewer car parking spaces than specified in Clause 6.5.1 if the reduction is appropriate for the use or development with consideration of the following matters:

- (a) *the zoning of the land, the use or development or proposed use or development of the land and the possible future use or development of the land;*
- (b) *the provision of car parking spaces in the vicinity of the land; and*
- (c) *the availability of public transport in the vicinity of the land; or*
- (d) *the use or development relates to a heritage place and the Minister responsible for the administration of the Heritage Conservation Act supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place.*

A reduction to car parking requirements is proposed on the basis of points (b) and (c) of Clause 6.5.2. The location of the development site is with a proximity to car parking spaces in the vicinity of the land, that being parking provided along the Esplanade for Bicentennial Park, and also the Peel Street car park. Furthermore, the development is adequately serviced by public transport as well as pedestrian walkways and bikepaths. The site is within walking distance to services, amenity and employment, thereby residents are likely to walk to these nearby facilities as opposed to dependency on private vehicle usage. This would reduce the need for private vehicles and associated car parking spaces for residents.

As per the figure below, the development is in close proximity to services and bus stops. In this regard, the locality promotes walkability and public transport use. The circle drawn on the figure below is approximately a 500 metre radius, which represents the maximum distance that an adult who was physically unfit, elderly or disabled would be likely to cover in a 10 minute walk (McCormack et al, 2006; Nichols, 2001; Oh and Jeong, 2007). It is noted that numerous bus stops and facilities are included in this radius. Further, fit or able-bodied adults in a 10 minute walk are expected to walk 800 metres, and 10 minutes of cycling would cover approximately 2.5 kilometres. Therefore, the locality of the development can facilitate access to a variety of facilities and services within the general 10 minute timeframe. It is noted that living in more-walkable neighborhoods is known to be associated with a higher frequency of transport related walking among residents (Owen et al, 2007).



CONSULTING

Application for a Development Permit - Section 45
 Lot 6176- 100 The Esplanade, Darwin

Halkos Pty Ltd CA- Planit Consulting Pty Ltd

For further detail on the Parking Layout please refer the architectural plans and drawings prepared by Jackman Gooden Architects contained in Attachment No.1.

Clause 7.5 – Private Open Space

Table to Clause 7.5 specifies a minimum of 12m² of private open space to be provided to each dwelling above ground level. As all of the dwellings are located above ground level, the 12m² private open space requirement applies to all dwelling units.

The proposed development provides private balconies of varying sizes to each dwelling unit compliant in area with the 12m² requirement.

The proposal also adheres to the minimum dimension requirements for balconies within Table to Clause 7.5, that being 2.8metres by 4metres, with all balconies having minimum dimensions of 3metres by 4metres.

Accessibility to private open space also adheres to Clause 7.5 with balconies being directly accessible via the living areas of the dwellings. Please refer to the architectural plans and drawings prepared by Jackman Gooden Architects contained within Attachment No.1.

With regards to landscaping, the podium level will be adequately landscaped and this area is to form an extension to the private open space of dwellings at that level. Please refer to Landscape Concept Plans prepared by Clouston Associates contained within Attachment No.4.

Clause 7.6 – Communal Open Space

Clause 7.6 specifies that a minimum of 15% of the site is to be communal open space, and this space must not be less than 6 metres in width.

As part of the site is already in use by the Novotel, the proposed development has a notional site area of 2550m². Under this clause, the proposal would therefore require 382m² of communal open space area.

The proposal has allowed for 411m² of public open space accessed by all units. Please refer to the Level 2 architectural plans and drawings prepared by Jackman Gooden Architects contained within Attachment No.1. In this regard, the proposal incorporates the adequate amount of communal open space to adhere to Clause 7.6.

Furthermore, the public open space area is adequately landscaped. Please refer to Landscape Concept Plans prepared by Clouston Associates contained in Attachment No 4.



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Clause 7.8 – Building Design for Multiple Dwellings

This clause promotes site-responsive designs specifying a variety of components relating to effects upon the adjacent land and building design specifications. The proposal is considered to be consistent in this regard.

Firstly, the proposal will not unreasonably affect the use and enjoyment of the adjacent land. As previously mentioned, the windows of the dwelling units at the sides of the buildings have been arranged to maintain privacy from guest suites at the existing Novotel and the multi storey residential building to be constructed over Lot 663. Consideration of adjacent land uses has occurred throughout the building design.

With regard to building design, the following points demonstrate compliance with Clause 7.8.

- With regard to solar orientation, the dwellings will have views over Bicentennial Park and the sea, encapsulating sea breezes and natural light penetration;
- Varied setbacks on all exterior walls of the building have been used to minimise expanses of walls;
- Air conditioners and services are readily accessible and screened with perforated metal screens, similar to that described for the parking levels;
- Dwelling windows have been arranged to avoid overlooking habitable areas of adjacent residences;
- Dwellings are located away from noise sources; and
- Reflective surfaces have been used to a minimum.

The proposal has been designed to enhance safety principles such as the provision of casual surveillance of streets and adjoining localities via balconies of the dwelling units. The commercial tenancy is located at the Esplanade street frontage thereby generating activity at the street level. Please note that the existing Novotel building contains an outdoor eating area and ground floor restaurant and bar thereby enhancing an active street frontage.

5.2 Proposed Amendments to the Planning Scheme – s.51(b)

Amendments to the Planning Scheme include PA 2008/0373 which relates to building heights and volumetric controls in the CB zone, resolved in July 2009. Under this provision, maximum building heights would increase to 30 metres above ground level and maximum floor areas and minimum building setbacks would apply to any part of the building above 25m. The part of the building above 25m in height is referred to as 'Tier 2'.

As previously mentioned, the building has a total height of approximately 35 metres. The top two levels of the building inclusive of the roof would be subject to the Tier 2 provisions.

Setbacks

With regard to Planning Scheme Amendment 2008/0373, Tier 2 must be setback 6 metres from all boundaries. The proposal is considered to be generally compliant with this setback requirement, apart from the boundary between the site and Lot



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663 where setbacks vary between approximately 3 and 8 metres. In this regard the frontage and rear setbacks are compliant, however the side setback (North East) does not comply in all parts due to articulation. It is noted that PA 2008/0373 is still a proposed amendment to the Planning Scheme and is not yet enforceable.

Floor Area

The Planning Scheme Amendment would limit the floor area of Tier 2 to 56% of the site area. In this way the building would comply with the maximum floor area for Tier 2.

Building Length

The Planning Scheme Amendment would limit the length of the building to 75% of the adjacent site boundary. Compliance is achieved with regards to the building width (the Esplanade frontage and the rear of the site).

However, the length of the building (the side adjacent to Lot 663) exceeds the length specified by the Planning Scheme Amendment. This is not considered to be relevant as the aforementioned Interim Development Control Order (IDCO) 18 overrides this provision, as it has been enforced and the Planning Scheme Amendment is yet to be decided.

5.3 Interim Development Control Order, if any, in Respect to the Land to Which the Development Relates – s46(2)(b) and s51(c)

As previously mentioned IDCO 18 is in place with respect to this land. As per the IDCO, the building height must not exceed 36 metres. The proposal of 35 metres is compliant in this regard.

5.4 An Environmental Protection Objective within the Meaning of the Waste Management and Pollution Control Act that is Relevant to the Land to which this Application Relates – s51(d)

The land is not subject to any environmental protection objectives.

5.5 Any Submission Made Under Section 49 in Relation to the Development Application – s51(e)

Consultation was undertaken with the Power and Water Corporation (PWC) by the project engineer, agreement was obtained to the design of water and sewer services for the proposal.

The location and access to the substation has been discussed with PWC and resolved.

The stormwater drainage plan and access proposed for the site have been referred to officers of Darwin City Council (DCC) which resolved that there are no obvious issues with such items at present.



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DCC was also engaged by the traffic engineer in relation to compiling the Traffic Report.

The proposal is to be referred to the relevant persons and authorities and the submissions from these parties will become known once the proposal has been notified in accordance with Section 47. Further issues raised during notification, will be dealt with accordingly once made known by service authorities.

5.6 Matters that the Minister has, under Section 85, Directed it to Consider in Relation to Development Applications Generally – s51(f)

Ministerial directions have not been obtained in relation to this proposal.

5.7 If a Public Environmental Report, or an Environmental Impact Statement has been Prepared or is Required Under the Environmental Assessment Act in Relation to the Proposed Development – the Report or Statement and the Results of any Assessment of the Report or Statement under that Act by the Minister Administering that Act – s46(3)(c) and s51(g)

No report or statement has been prepared or is required under the Environmental Assessment Act.

5.8 The Merits of the Proposed Development as Demonstrated in the Application – s46(3)(d) and s51(h)

The proposal is generally compliant with Planning Scheme requirements; furthermore, it retains consistency with the type of development occurring within the locality.

The proposal replaces the open car parking with the building and associated car parking areas. The enclosed car parking area is provided by two basement levels and two above ground levels.

The variation in dwelling sizes from one to four bedrooms creates market variability, making Esplanade Living available to a variety of people.

5.9 The Capability of the Land to which the Proposed Development Relates to Support the Proposed Development and the Effect of the Development on the Land and on other Land, the Physical Characteristics of which may be Affected by the Development – s51(j)

The zoning of the land is suitable for this type of development. Further, the proposal has been made in response to the site and will not affect the physical characteristics of any surrounding lands.

5.10 The Public Facilities or Public Open Space Available in the Area to which the Land is Situated and the Requirement, if any, for the Facilities, or Land



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5.15 Any Potential Impact on Natural, Social, Cultural or Heritage Values – s51(r)

No natural, social, cultural or heritage values are associated with the site and the proposal will not affect any such values.

5.16 Any Beneficial Uses, Quality Standards, Criteria or Objectives, that are Declared Under Section 73 of the Water Act – s51(s)

No beneficial uses, quality standards, criteria or objectives relevant to the land have been declared under the Water Act

5.17 Other Matters it Thinks Fit

All matters have been dealt with within this report, no other matters are relevant.



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Section

5

Conclusion

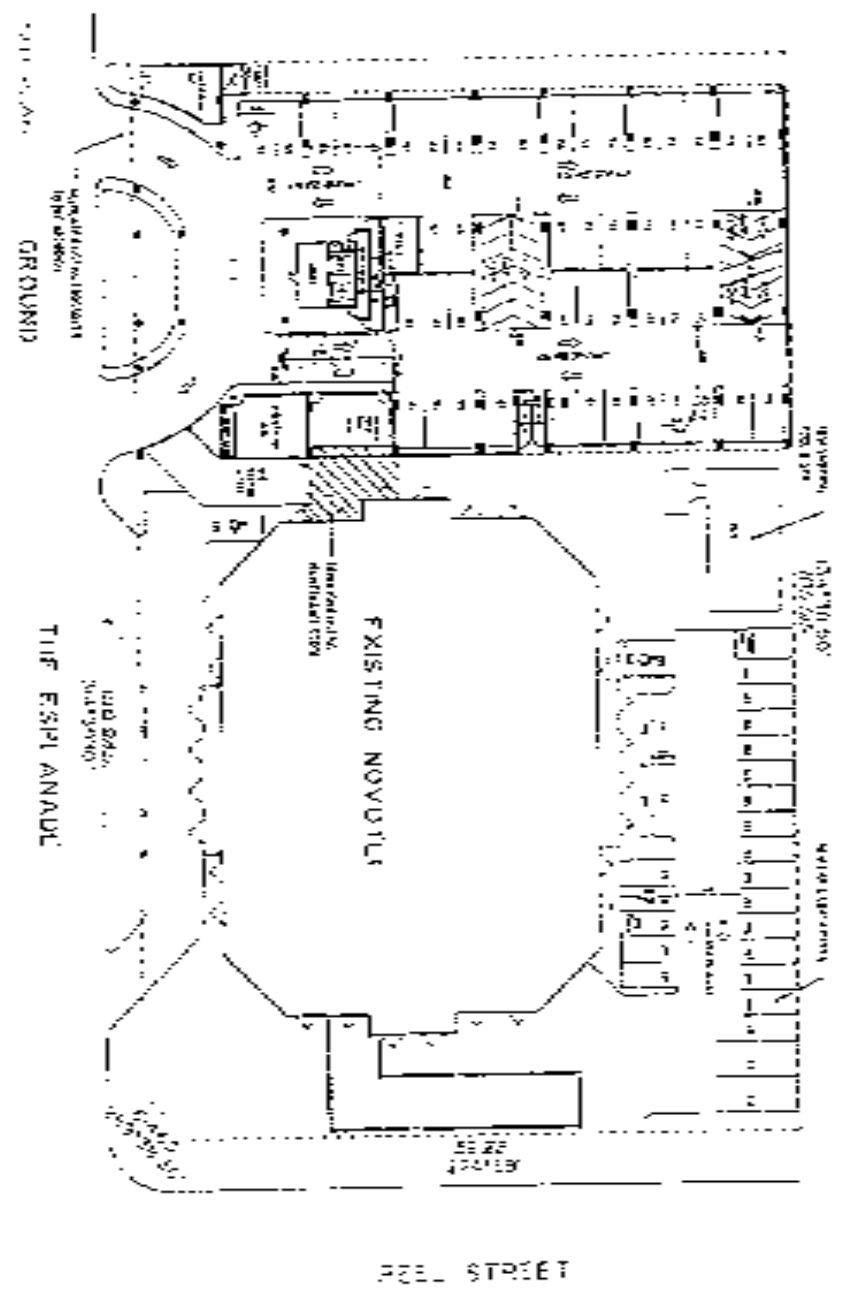
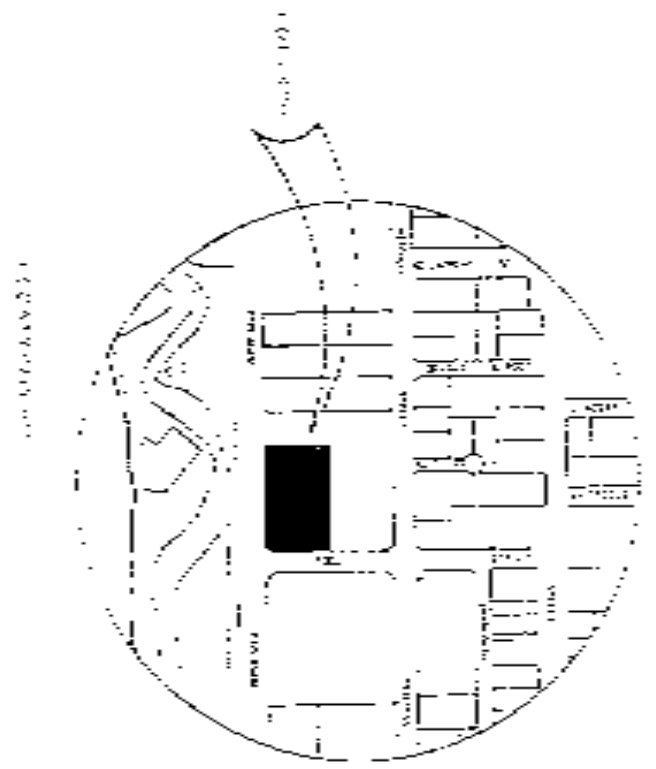
The application seeks a Development Permit for multiple dwellings over land described as Lot 6470 and located at 100 The Esplanade, Darwin

The site is located within the Central Business (CB) zone of the Northern Territory Planning Scheme and is generally compliant with all associated provisions.

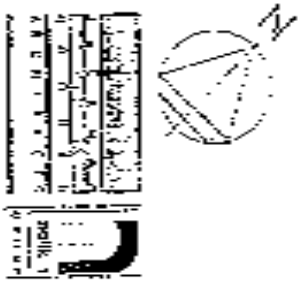
The proposed development incorporates a functional and articulated building design within a highly accessible location in the business district. The commercial tenancy encourages an active street frontage within an aesthetic setting

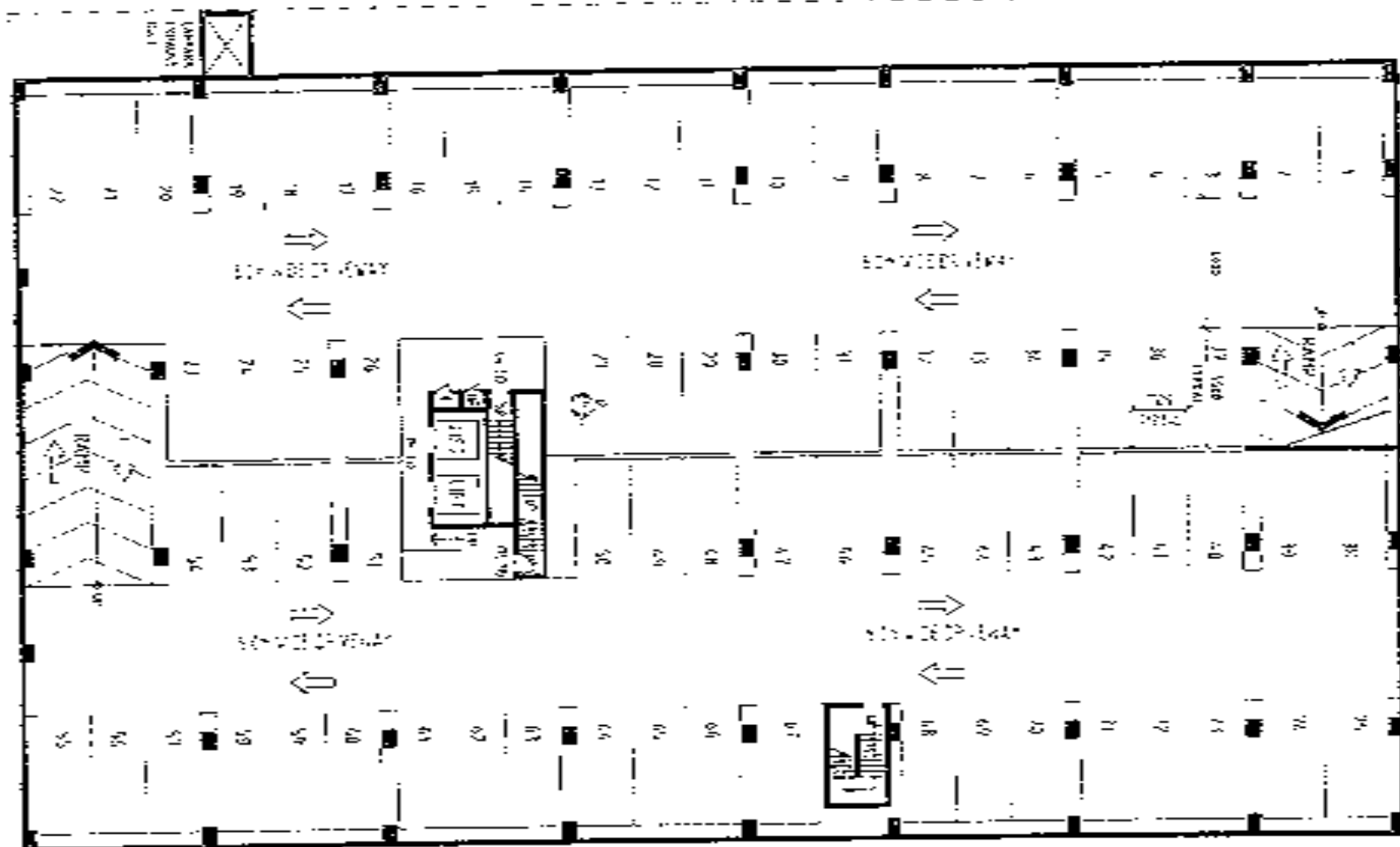
As the proposal is generally compliant with provisions of the Northern Territory Planning Scheme, it is considered that the proposal warrants favourable consideration by the consent authority.

Mr Boyd Sargeant of Planit Consulting is available on telephone number 1800 083 622 should you have any enquiries in relation to the development application.



LOT 604 710 E. SPILANADE, BARRE, VT.





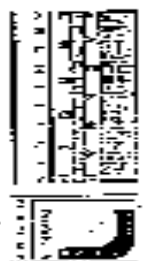
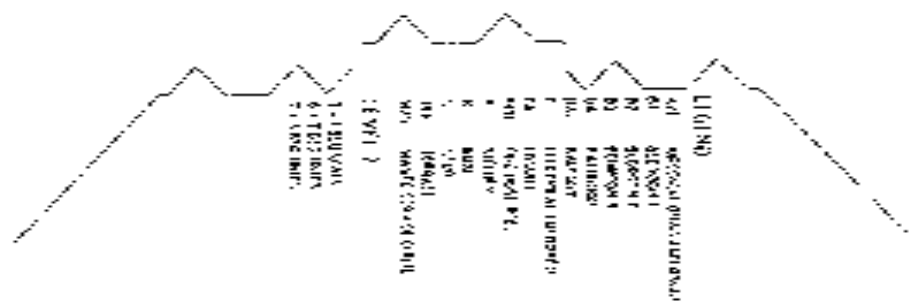
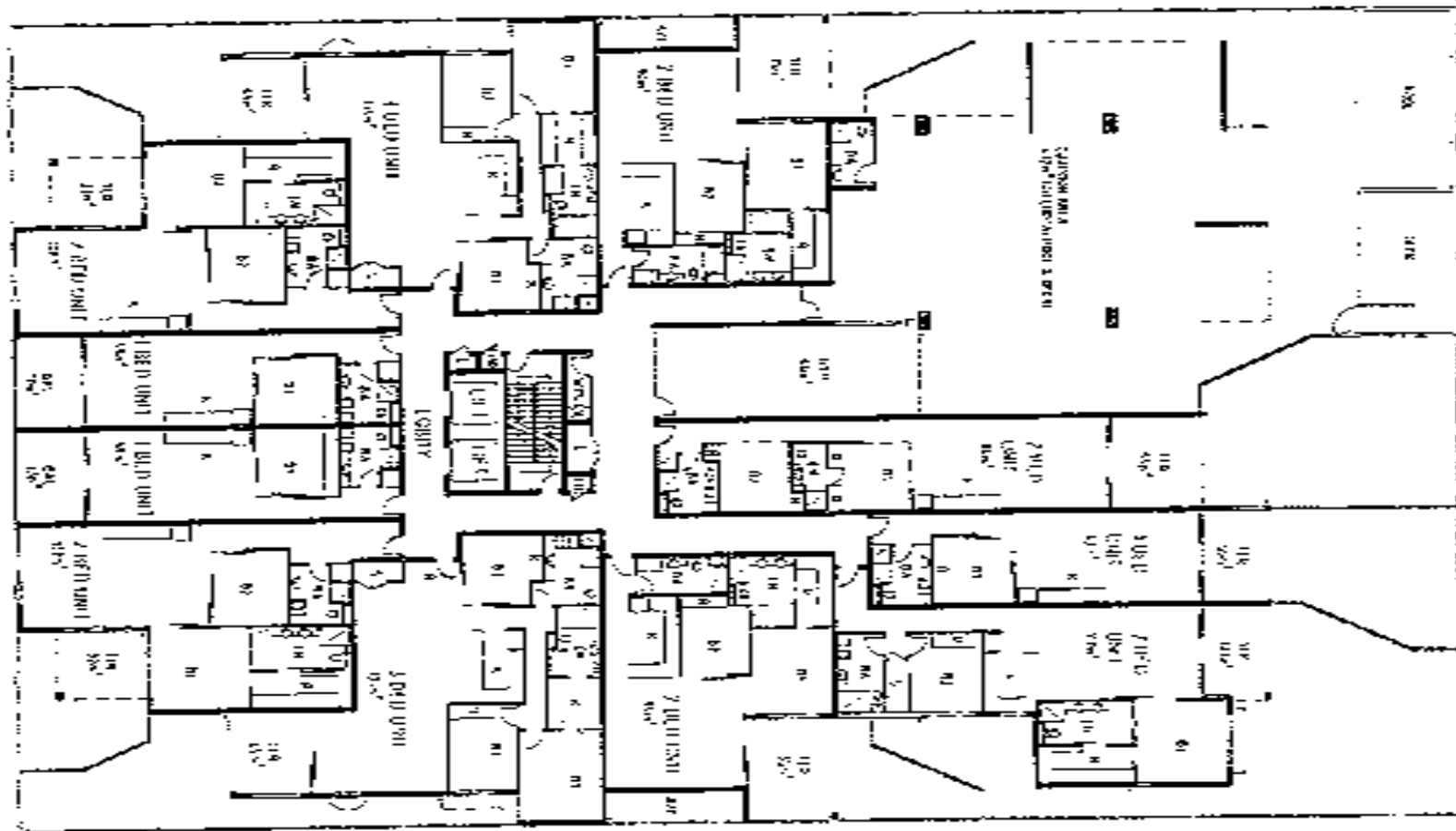
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1. *Introduction*

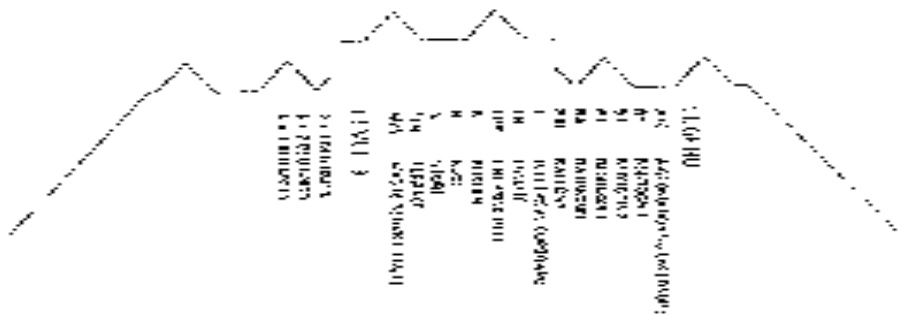
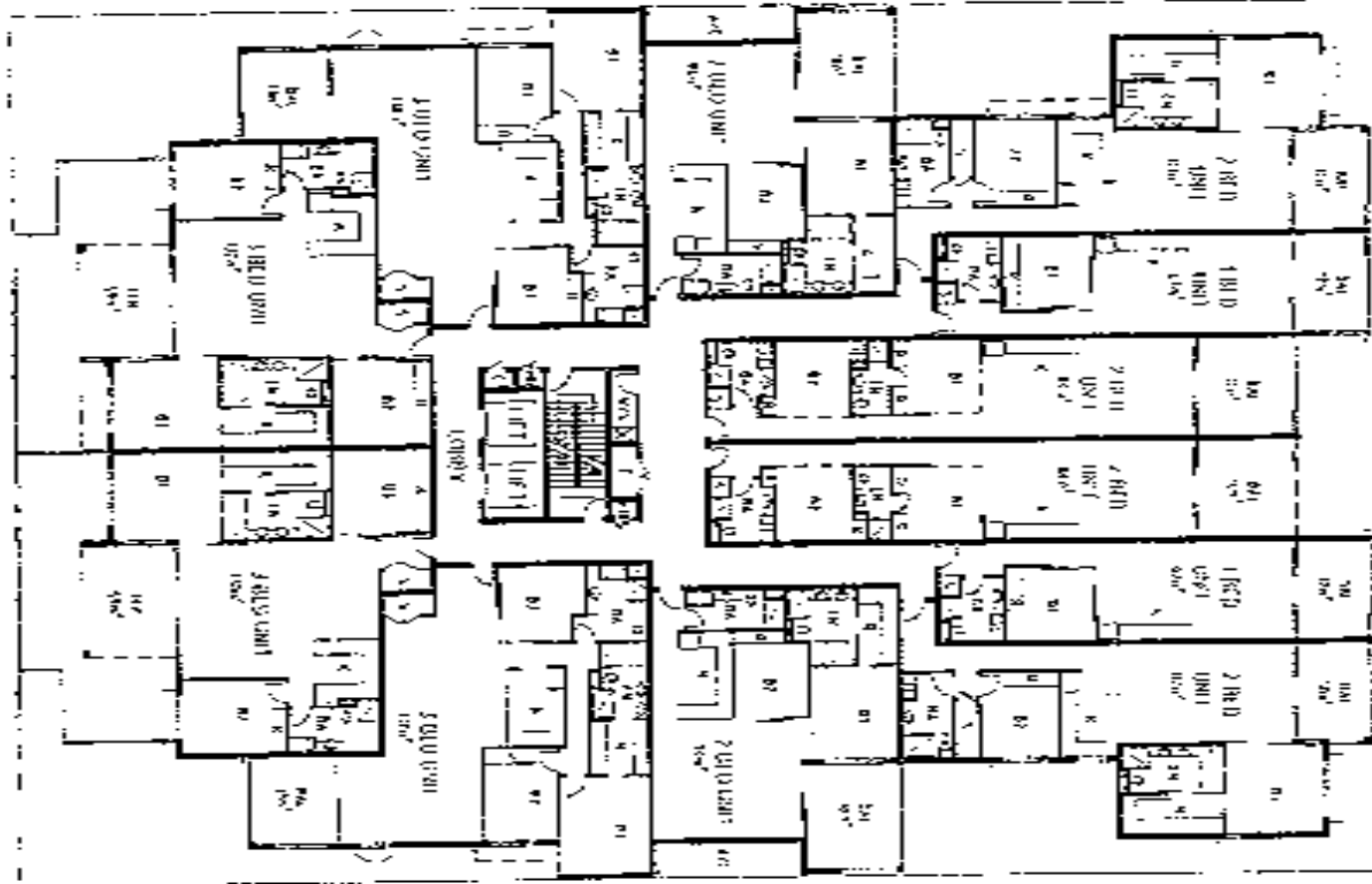


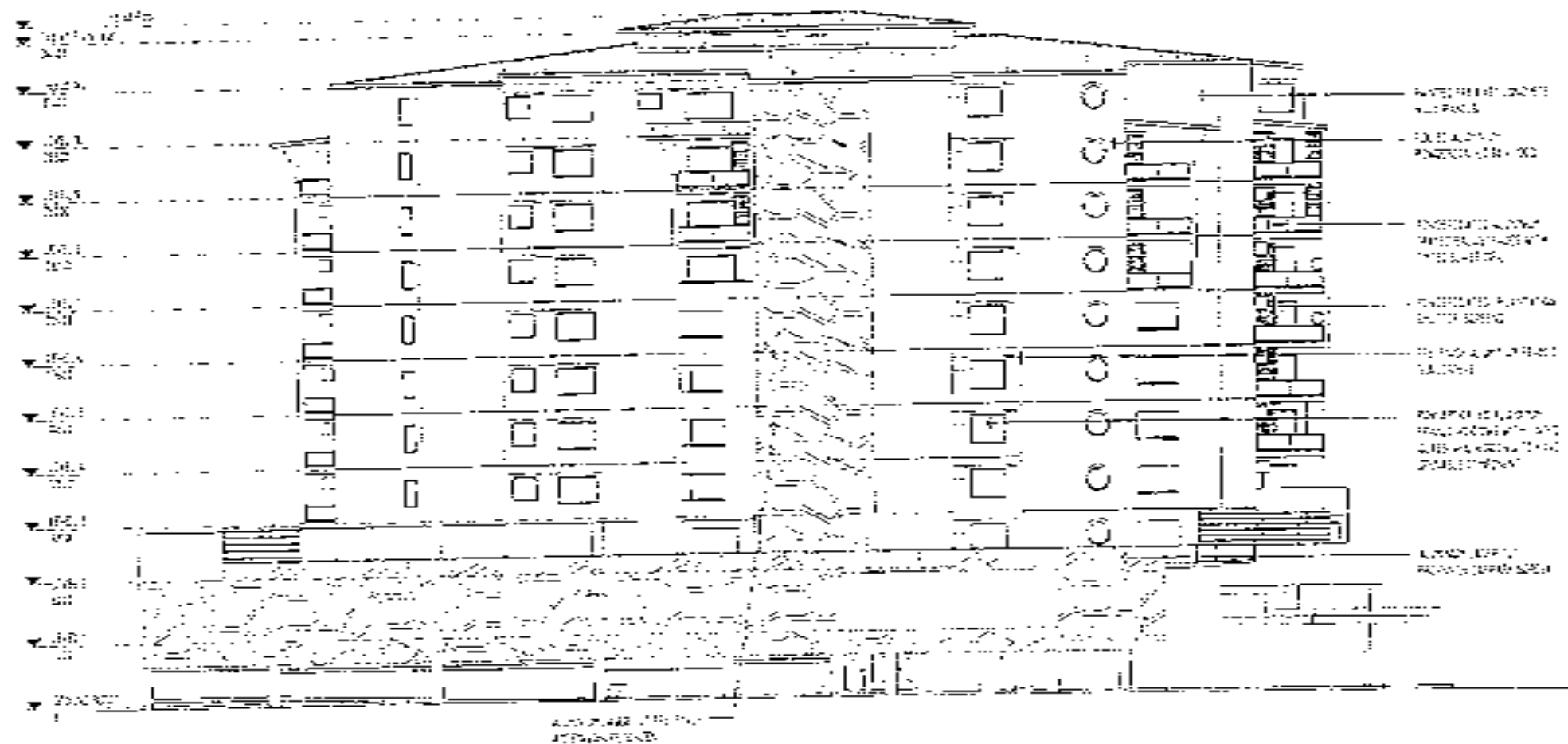
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6th Floor Eastplanade, Darwin





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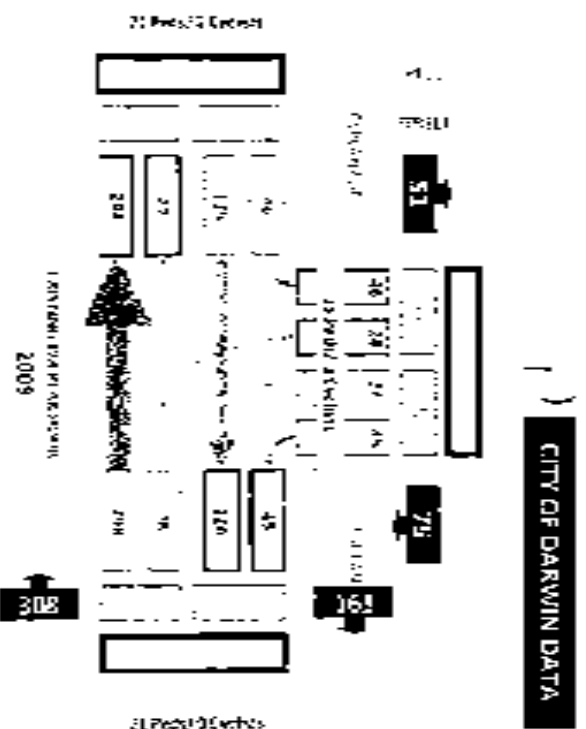
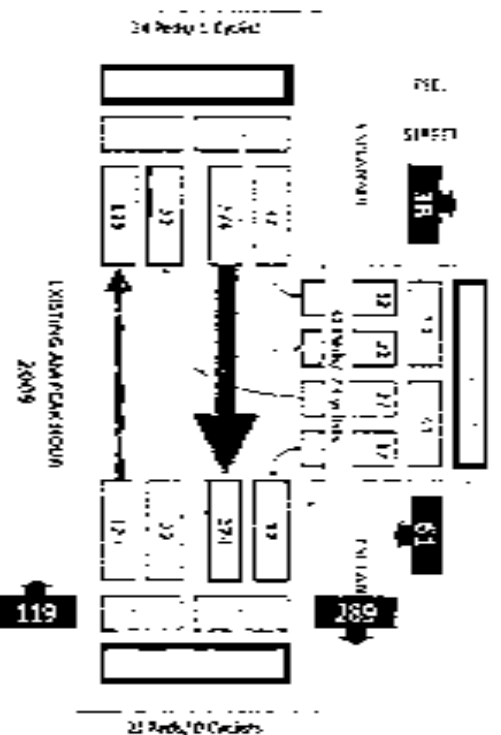


Figure 9: Comparison of observed traffic flow volumes with recorded volumes

An estimate of the speed of traffic on Espinade and Peel Street was obtained by randomly joining the traffic flow and observing the speedometer during free flow conditions. The observed speed on Espinade was approximately 50 km/h. The observed speed on Peel Street was approximately 40 km/h. This is consistent with the traffic data supplied by the City of Darwin.

Figure 5 shows that the proposed development site (i.e. the Novotel Darwin Atrium Car Park) generated between 24 and 27 trips during the assessed peak hours. The relevance of this to expected traffic generation data (bearing in mind that the proposed development site is required to accommodate the Novotel Darwin Atrium generated traffic as well as its own) is assessed and discussed further in Section 6: Proposed Development.

There was very little heavy vehicle traffic observed during the survey periods. On Espinade there were 4 large buses and 4 trucks during the morning peak hour and 4 large buses and 2 trucks during

the afternoon peak hour, representing less than 2% of total traffic flow. Smaller buses, such as the small airport shuttle bus that can access the Novotel Barwin Atrium porte cochere, were not counted as heavy vehicles. There were 2 of these buses during the morning peak hour and 8 during the afternoon peak hour.

Pedestrian numbers crossing roads and driveway accesses are considered high and reflect the attractiveness of Esplanade angle parking bays and Continuity Park. Pedestrian movements and demand is discussed and assessed further in Section 5.2: Pedestrian Network.

The video survey of the intersection of Esplanade and Peel Street has allowed for an accurate computer model for this intersection to be prepared within *SIGRA Intersection¹*. This was calibrated against recorded queue lengths and delays. *SIGRA Intersection Movement Summary Reports* are provided as Table 3 and Table 4 for the AM and PM peak hours respectively. Turn Movement IDs used in the tables are shown in Figure 10.

Refer to Section 8.1 for more detailed information regarding intersection performance criteria used.

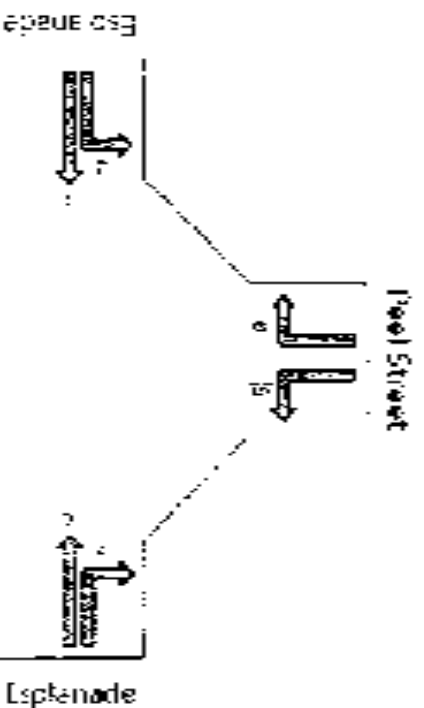


Figure 10 SIGRA Intersection: Esplanade/ Peel St Turn Movement IDs

¹ SIGRA INTERSECTION (v4.0) is an advanced macro analytical traffic evaluation tool that simulates lane-by-lane and vehicle drive cycle model. SIGRA INTERSECTION is a commercial software package used worldwide for intersection capacity, level of service and performance analysis by traffic planners, operations and planning professionals.

ENCL: YES

DARWIN CITY COUNCIL**REPORT****DATE:** 06/11/09**TO:** TOWN PLANNING COMMITTEE MEETING
/OPEN B**APPROVED:** CT**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** PL**REPORT NO:** 09TS0168 PL:lm**APPROVED:** LC**COMMON NO:** 1653718**SUBJECT:** DEVELOPMENT APPLICATION LOT 2291 (70) ESPLANADE DARWIN CITY, TOWN OF DARWIN PROPOSED DEVELOPMENT - 3x3 BEDROOM MULTIPLE DWELLINGS IN A 7 STOREY BUILDING, INCLUDING OFFICES AT GROUND LEVEL AND LEVELS 3 TO 6 AND CAR PARKING AT GROUND FLOOR LEVEL AND LEVELS 1 AND 2**ITEM NO: 10.4****SYNOPSIS:**

A Development Application for Lot 2291 (70) Esplanade, Darwin City - Proposed Development - 3x3 Bedroom Multiple Dwellings in a 7 Storey Building including Offices at Ground Level and Levels 3 to 6 and Car Parking at Ground Floor Level and Levels 1 and 2 has been referred to Council for comment pursuant to Section 48 of the Planning Act. The following report addresses relevant Council issues and recommends that Council endorses comments provided to the Development Consent Authority by staff at **Attachment A**.

GENERAL:**Applicant:** June D'Rozario & Associates Pty Ltd**Zone:** CB (Central Business)**Area:** 1,280m²**Proposal:**

The proposal is for consent to develop a building containing 3 x 3 bedroom multiple dwellings and 2,238 m² of office floor-space in a building of 7 storeys including 3 levels of car parking. A copy of the Development Application is included at **Attachment B**.

The Development Application plans show that the ground floor and levels 1 and 2 will contain car parking. Level 3 will contain 765 m² of office floor-space and the 3 upper levels of the building will each contain 1 x 3-bedroom apartment and 472 m² of office floor-space. There is also a small office of 57m² within the ground floor area of the building.

The residential apartments will face Knuckey Street and have views from the living areas, balcony and main bedroom over Old Admiralty House and Bicentennial Park to Darwin Harbour. The apartments will be set back 3 metres from the common

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boundary with the Le Grande Apartments, with privacy screens fitted to the windows of bedrooms 2 and 3.

Site and Surrounds:

Lot 2291 is located at 70 Esplanade, Darwin City. The site is the balance of the original Lot 2291, remaining after the subdivision from the site of Old Admiralty House and the recently constructed Old Admiralty House Tower (OAHT) (Now Lot 7594).

The site is an L-shaped parcel of land with an area of approximately 1,280 m². It has no boundary to the Esplanade, but a boundary of approximately 15 metres to Knuckey Street. The application site does not include the space below ground which is a separate building parcel and part of the OAHT development on Lot 7594.

There is an electricity supply easement shown on the development application plans.

Part of the north-eastern boundary of the site is located directly adjacent to Le Grande Apartments.

Previous Approvals:

Development Permit DP07/0127, dated 25 January 2007, approved the development of 6 x 3 bedroom units and 6 x 4 bedroom units in a 9 storey building including 3 levels of car parking. Minor variations to the permit (DP07/0127) were approved in February 2008. The building authorised by DP07/0127 has been partly constructed, with the building footprint established.

The applicant has advised that the development approved by DP07/0127 and DP07/0127A has now been reviewed in response to shifts in demand for units at the high end of the market and the main changes are:

- A reduction in the number of units from 12 to 3, and the replacement of the floor-space previously approved for units on 3 of the floors as office space.
- A reduction of the number of building levels from 9 to 7.

The building footprint constructed as part of the approved Development Permit DP07/0127 will remain unaltered.

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Northern Territory Planning Scheme:

Interim Development Control Order No. 18 (IDCO No. 18) applies to this land. The IDCO restricts building heights in Central Darwin. The construction of a building or structure of a height exceeding 36 metres above ground level is prohibited on this site. The proposed building is 23.9 metres in height from ground level to the top of the roof, and complies with the requirements of IDCO No. 18.

Clause	Requirement	Comment
Clause 6.3 Building Heights in Central Darwin	Refer to IDCO No. 18 – as above	See above.
Clause 6.5.1 Parking Requirements	74 spaces for offices and multiple dwellings. There is also a requirement for some additional bays to be provided for OAHT (see car parking assessment below).	63 spaces provided, including 2 small car bays (bays 13 & 38). Shortfall of 11 bays plus requirement for OAHT of either 22 or 36 bays.
Clause 6.5.3 Parking Layout	Car parking area should be appropriately designed, constructed and maintained for its intended purpose.	There are 2 under-sized bays (bays 13 & 38 – of approx. 5m length) adjoining the car park ramp.
Clause 6.6 Loading Bays	An office use requires 1 loading bay for every 2,000m ² of net floor area.	Total floor area of offices is 2,238m ² . No loading bay is provided. Variation requested.
Clause 7.5 Private Open Space	For each dwelling without ground floor access, a 12m ² minimum area, with dimensions of 2.8 metres x 4.0 metres.	Balconies of 29m ² provided with a minimum dimension of 4.7m.
Clause 7.6 Communal Open Space	Minimum of 15% of site, being not less than 6 metres across at any one point.	No communal open space is provided. Variation requested.
Clauses 7.8 and 8.2 Building Design	Purpose of clause is to promote site-responsive building designs.	Elevation plans and building perspectives provided to display design features of the building.

Car Parking Assessment and Provision for Old Admiralty House Tower

Use	Car Parking Rate	Area*	Total Required
Office Floor-Space	3.0 per 100m ²	2,238m ²	67.14
Multiple Dwellings	2 per dwelling	3 dwellings	6.00
Total			73.14 (74)

* Office floor areas provided by applicant

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Previous Development Permits for parent parcel Lot 2291 (now Lot 7594), require that car parking spaces for the Old Admiralty House Tower (OAHT) building should also be provided as part of the development of the subject site (the remnant part of Lot 2291). The applicant has highlighted within the planning report (page 4) for this current development application, that there is a discrepancy amongst previous development permits about how many car parking spaces are to be provided for OAHT, but that it is either 36 spaces or 22 spaces. Therefore if 36 spaces are required, there will be a shortfall on the subject site of 47 spaces, whereas, if only 22 spaces are required, there will be a shortfall on the subject site of 33 spaces.

Disability Discrimination Legislation:

Disability Discrimination Act issues are addressed under the Building Act requirements. Council places a statement of support for equal opportunity on all responses.

Council Issues:

Crossover and Driveway: The development application includes a 6.0 metre vehicle crossover and driveway from Knuckey Street. The applicant should be advised that the proposed landscaping in the landscaping beds adjacent to vehicle driveway should not restrict driver sightlines. It is recommended that the standard driver sightline condition is included on any development permit issued.

Stormwater Drainage: Stormwater drainage plans have not been included with the development application. Council's advice to the Development Consent Authority regarding an earlier development application for the site, letter dated 18 December 2006, stated that Council did not require a schematic drainage plan for the site, as the stormwater could be connected to the existing system on site. The applicant was asked to contact Council at the time of connection.

Easements: There is an electrical easement shown on the applicant's plans, but no Council easements.

Footpath / Verge: No footpath or landscaping works to Knuckey Street are shown on the development application plans. The proposed development should support the objectives of Council's Central Darwin Streetscape Strategy (2006).

Awnings: No awnings to Knuckey Street are shown on the development application plans. There appears to be no building overhangs onto Council's land shown on the development application plans.

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Waste Bins: Additional information is required from the applicant regarding waste collection services for the proposed development. The applicant will be required to provide Council with written advice from the applicant's preferred waste service contractor that they will be able to access and service the waste storage bins, according to Council's requirements. It is recommended that the applicant contacts Council's Manager Climate Change and Environment to discuss waste management servicing arrangements for the proposed development.

FINANCIAL IMPLICATIONS:

Not Assessed.

STRATEGIC PLAN IMPLICATIONS:

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

Goal

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

1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle

Outcome

1.2 Effectively engage with community

Key Strategies

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

LEGAL IMPLICATIONS:

This item is not considered "Confidential".

PUBLIC RELATIONS IMPLICATIONS:

Not Assessed.

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COMMUNITY SAFETY IMPLICATIONS:

Not Assessed.

DELEGATION:

To the Chief Executive Officer to provide standard Development Permit conditions as appropriate.

CONSULTATION:

Through the Development Application statutory process.

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil.

APPROPRIATE SIGNAGE:

Not Applicable.

RECOMMENDATIONS:

- A. THAT Report Number 09TS0168 PL:lm entitled Development Application Lot 2291 (70) Esplanade Darwin City, Town Of Darwin Proposed Development - 3x3 Bedroom Multiple Dwellings In A 7 Storey Building, Including Offices At Ground Level And Levels 3 To 6 And Car Parking At Ground Floor Level And Levels 1 And 2, be received and noted.
- B. THAT Council endorse the letter to the Development Consent Authority in **Attachment A** to Report Number 09TS0168 PL:lm.

PETER LINDWALL
STRATEGIC TOWN PLANNER

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

Any queries on this report can be directed to Peter Lindwall on 8930 0528 or email p.lindwall@darwin.nt.gov.au

Please quote: 1677311 CT:fm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 2291 (70) Esplanade, Darwin City, Town of Darwin
Proposed Development – 3x3 Bedroom Multiple Dwellings in a 7 Storey
Building Including Offices at Ground Level and Levels 3 to 6 and Car Parking
at Ground Floor Level and Levels 1 and 2**

Thank you for the Development Application referred to this office on 23 October 2009, 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 cannot support the granting of a Development Permit for the following reasons:**
 - a). **The significant shortfall in car parking spaces provided for the proposed building.**
 - 1. The proposed 7 storey residential and office building will require provision of 74 car parking spaces. This is based upon a requirement of 68 car parking spaces for the 2,238 m² of office floor space and 6 car parking spaces for the 3 multiple dwellings. There is a total of 63 car parking spaces shown on the development application plans (including 2 small car bays – bay 13 and bay 38), leaving a shortfall of 11 car parking spaces.

2. In addition, previous Development Permits for parent parcel Lot 2291 (now Lot 7594), require that car parking spaces for the Old Admiralty House Tower (OAHT) building should also be provided as part of the development of the subject site (the remnant part of Lot 2291). The applicant has highlighted within the planning report (page 4) for this current development application, that there is a discrepancy amongst previous development permits about how many car parking spaces are to be provided for OAHT, but that it is either 36 spaces or 22 spaces. Therefore if 36 spaces are required, there will be a shortfall on the subject site of 47 spaces, whereas, if only 22 spaces are required, there will be a shortfall on the subject site of 33 spaces.
 3. Should the Authority be minded to approve the Development Application with the car parking shortfall, Council requests that a monetary contribution is paid to Council, in accordance with Council's Car Parking Contribution Plan, in lieu of the on-site car parking shortfall. Section 70 of the Planning Act, as set out under Clause 6.5.2 of the Northern Territory Planning Scheme, enables the Authority to require a monetary contribution for a car parking shortfall determined by the Authority. The car parking shortfall for the proposed development of Lot 2291, will result from the failure to include car parking provision for both the new development and for the users of OAHT, as required by previous development permits relating to the development of parent parcel Lot 2291.
- b). **There is no loading bay shown on the Development Application plans.** Clause 6.6 (Loading Bays) of the Planning Scheme requires that 1 loading bay of minimum dimensions 7.5m (length) by 3.5m (width), with a minimum height clearance of 4m is provided for every 2,000m² of net office floor area. The proposal includes a total net floor area for offices of 2,238m², but no loading bay is provided.
- ii). **Should the above issues be adequately addressed, Council offers the following comments:**
- a). **Council requests that the Authority requires additional information from the applicant regarding the servicing arrangements for the commercial and residential waste bins located adjacent to the Knuckey Street vehicle driveway.**
 1. The proposed commercial bin and residential waste bin enclosures adjacent to the vehicle entrance appear to meet Council's requirements in regard to their size and location. The commercial bin enclosure would potentially store 2 x 0.75m³ bulk bins that would be serviced by a private waste contractor. The residential bin enclosure could store up to 4 x 240 litre waste and recycling bins that can be serviced by Council's waste bin contractor.

2. The applicant should be advised that Council will not permit the servicing of the commercial bins from the Knuckey Street road reserve and the following condition should be included on any development permit issued:

"In no circumstances will Council permit the temporary storage of commercial waste bins on the Knuckey Street road reserve for servicing purposes. The bins must always be serviced from the designated waste storage area within the property, with collection vehicles only permitted to enter and exit the property in a forward gear."

3. It is recommended that the applicant contacts Council's Manager Climate Change and Environment to discuss waste management servicing arrangements for the proposed development. The applicant will be required to provide Council with written advice from the applicant's preferred waste service contractor that they will be able to access and service the waste storage bins, according to Council's requirements.
- b) **The proposed 6 metre wide vehicle crossover and driveway from Knuckey Street appears to meet Council's requirements.** However, the applicant should be advised that driver sightlines from the driveway must be kept clear to ensure driver and pedestrian safety. The proposed landscaping in the landscaping beds adjacent to the vehicle driveway may restrict driver sightlines. Council requests that the Authority places a condition on any development permit issued that no landscaping, able to grow to a height above 0.6 metres, will be planted in front of the sightline. Knuckey Street is a busy street for both vehicles and pedestrians and it is one of the main streets linking the city centre to the Esplanade.
 - c). The applicant has not included a stormwater drainage plan as part of the development application plans. Council has previously advised the Authority (letter dated 18/12/06) that it does not require a schematic stormwater drainage plan to be submitted at the development application stage as the site stormwater drainage infrastructure can be connected to the existing system on site. The applicant is required to contact Council at the time of stormwater connection.

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 of Infrastructure, Darwin City Council, 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 of Infrastructure, Darwin City Council 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 of Infrastructure, Darwin City Council and at no cost to Council.
- Sight lines shall be provided at crossovers to public streets to the satisfaction of the General Manager of Infrastructure, Darwin City Council. No wall, fence or tree exceeding 0.6 metres in height shall be constructed or planted in front of the sight line.
- 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.
- Pursuant to clause 6.5.2 of the Northern Territory Planning Scheme and s.70 (5) of the Planning Act a monetary contribution shall be paid to Darwin City Council for any determined parking shortfall.
- 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 of Infrastructure, Darwin City Council.
- Waste bin storage and pick up shall be provided in accordance with Council's Waste Bin Policy.

In considering this application, the 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 contact me on 8930 0528.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: June D'Rozario & Associates Pty Ltd



DARWIN CITY COUNCIL

**APPLICATION FOR DEVELOPMENT CONSENT
APARTMENTS AND OFFICES AT LOT 2291 TOWN OF DARWIN**

1. NATURE OF THE APPLICATION

The application is made under section 46(1) of the Planning Act 1999.

The application is for consent to develop a building containing 3 dwellings and approximately 2240 m² of office space in a 7-level building, which will include three levels of parking.

The proposal is shown on Drawing Numbers 2336 SK01 to SK10, prepared by Vin Keneally Architects.

2. LAND DESCRIPTION

Lot 2291 is located at 70 The Esplanade, Darwin, as shown in the locality plan at Drawing No 2336 SK01.

The lot is an L-shaped parcel with an area of approximately 1280 m². It has a boundary to Knuckey Street of about 15 m. The lot is the balance of the original parcel remaining after subdivision of building parcels and building lots from the site of Old Admiralty House. The original parcel was assigned the lot number 2291.

The land is held under a Crown Lease Term (CLT 1938). The lease purpose was to construct a combined hotel, residential and office development. In December 2005, the lease purpose was varied to enable the construction of a "residential and/or office development".

Retention of Old Admiralty House necessitated a complex configuration of building development parcels, together with various easements, to support development of the original Lot 2291 as a whole. A copy of the building development parcels and building lots is at Annexure 1.

Conservation and development of Old Admiralty House was completed in 2006, and the site of the house is now identified as Part Building Lot 7595.

A 14-storey building, known as Old Admiralty House Tower (OAHT), comprising Part Building Lots 7595, 7596 and 7597, adjoins the application site on its southern boundary.

The application site does not include the space below ground, where there is a basement, structural columns, footings and lift shaft. This space is in a separate building development parcel, BDP 7594, as shown on the plans at Annexure 1. The items below

ground level of the application site were constructed as part of the development of OAHF on another part of the original parcel.

There is an electricity supply easement below the application site, and the application site is the beneficiary of light, airspace and access easements on Building Parcels 7592 and 7594, as well as rights of support through the basement and over the columns, footings and lift shaft within the basement.

The site is zoned CB under the NT Planning Scheme.

In 2006, the owner applied for consent to construct 12 residential units in a 9-storey building, with three levels of parking. A development permit was issued and the owner commenced construction in accordance with the permit. There is a partly constructed building on the site.

The immediate locality of the site is characterised by heritage buildings (Old Admiralty House and Lyons Cottage), multi-storey office and residential buildings, retailing and tourist accommodation, entertainment venues, and Bicentennial Park.

3. PREVIOUS APPROVALS

Development Permit DP07/0127, dated 25 January 2007, approved the development of 6 x 3-bedroom units and 6 x 4-bedroom units in a 9-storey building with 3 podium parking levels.

Minor variations to the permit were approved in February 2008.

The development approved by the development permit has been reviewed in response to shifts in demand for units at the high end of the market, and this has resulted in the current application.

The main changes are –

- reduction of the number of units from 12 to 3, and the replacement of the floor space previously approved for units on three of the floors as office space; and
- reduction of the number of levels in the building from 9 to 7.

The building footprint shown in the development approved by DP 07/0127 will remain unaltered.

4. THE PROPOSAL

The proposal is to construct an office and residential development, in a 6-storey building as follows –

	Office space (square metres)	Residential units (number)	Parking spaces (number)
Ground floor	57		21
First floor			22
Second floor			20
Third floor	765		
Fourth floor	472	1	
Fifth floor	472	1	
Sixth floor	472	1	
	2238	3	63

As noted earlier in this statement, the building authorised by DP 07/0127 has been partly constructed. Consequently, the building footprint has been established.

Vehicular access will remain from Knuckey Street, as this is now the only street boundary for the site.

The building will be set back about 9 m from Knuckey Street. The setback from the common boundary with the OAJIT site will be 3 m for the floors up to the third floor, and 6 m for the upper three floors.

Habitable parts of the building will be set back 3 m from the common boundary with Lot 640 (Le Grande).

The edges of the parking levels facing Old Admiralty House will be fitted with metal grilles to lighten the external appearance of the building when viewed from this side.

Each of the upper three levels will contain one apartment and 472 m² of office space. The apartments will face Knuckey Street, and each will have expansive views over Old Admiralty House to Bicentennial Park and the sea from the living area and balcony, and the main bedroom.

Each apartment will have a large balcony directly accessible from the living area. Privacy screening will be fitted to bedroom windows facing Le Grande.

Sun screens will be fitted to apartment windows looking over the Esplanade, and to the glazed walls of office floors.

Separate airconditioning plant for the apartments and office wings will be incorporated in the floor plan of each floor, and will be screened from view of adjoining properties.

The total height of the building will be 23.9 m above ground level, including roof form and lift shaft, compared to 28.6 m for the building approved by DP 07/0127.

5. MATTERS TO BE TAKEN INTO ACCOUNT

Section 46 (3) sets out the matters to be addressed in a development application. Section 51 sets out the matters to be considered by the consent authority.

(a) the Planning Scheme as it applies to the land to which the application relates – s. 46(3)(a) and s. 51(a);

The land is zoned CB - Central Business under the NT Planning Scheme. The proposal is consistent with the zone purpose to provide for a diversity of activities including offices, entertainment, cultural, retailing, business activities and residential development.

The components of the proposed development are discretionary uses in the CB zone, subject to clauses 6.3, 6.5.1, 6.6, 7.5, 7.6, 7.8, and 8.2.

Clause 6.3 - Building height

IDCO 18 suspends the operation of this clause and imposes a maximum height of 36 m above ground level on the application site. The building will have a height of 23.9 m above ground level, and consequently, the proposal complies with the applicable height limits.

Clause 6.5.1 - Parking

This clause would require parking as follows –

	Floor space or number	Ratio	Parking spaces required
Offices, sq m	2,238	3/100 sq m	67.14
3-br residential units	3	2/unit	6.00
Total			73.14

The proposal provides 63 parking spaces, giving a shortfall of 10 spaces.

In addition, in order to comply with Development Permits DP 05/0299 and DP 02/0075, relating to development on the parent parcel Lot 2291 and including the development of OAHT, the proposal is required to provide 22 parking spaces for users of OAHT.

It is noted that DP 07/0127 specified 36 parking spaces to be made available to OAHT. However, the disclosure statement relating to the development authorised by DPs 05/0299 and 02/0075 referred to 22 spaces being made available to OAHT. The source of the discrepancy is believed to be the fact that, at the time of applying for the development that resulted in the issue of DP 07/0127, there were 36 parking spaces in the at-grade car park then occupying the site. It was an error to assign all these spaces to OAHT, as the disclosure statement makes clear that only 22 spaces were required to be made available.

A copy of the disclosure statement is at Annexure 2. The building development plan to which it refers is at Annexure 1.

It is proposed to allocate the car parking in the 3 parking levels as follows –

Residential units	6 spaces
QAHT	22 spaces
Offices in new building	35 spaces
Total	63

On this basis, there would be a shortfall of 32 parking spaces.

Clause 6.5.2 allows the Authority to reduce the calculated parking requirement, having regard to criteria specified in the clause. Of these matters, it is submitted that paragraph (b), the provision of car parking spaces in the vicinity of the land, is relevant to the proposal.

The Authority is requested to vary the parking requirement, taking into account that there are public carparks in near proximity to the site, at the Herbert Street end of the Esplanade, and at West Lane.

It is submitted that 35 parking spaces is a reasonable allocation for the offices in the proposed building, and that this number, together with payment of the developer contribution levy, will meet the requirements of clause 6.5.1.

It is also submitted that payment of the developer contribution levy in lieu of parking on the site and the use of public car parks for office workers will promote land use efficiency.

Clause 6.5.3 - Parking layout

The layout of the parking levels is generally compliant with clause 6.5.3, except that 2 bays have been designated as small car bays. These bays adjoin the ramp (No 13 at ground floor and 38 at first floor).

The layout of the parking area is similar to that in the development approved by DP 07/0127. In approving that proposal, the Authority varied the parking layout clause, citing the irregular linear configuration of the property, the significant design limitations presented by the narrow frontage, and that the proposal demonstrated a workable solution.

It is submitted that these factors are still applicable and that they amount to special circumstances, justifying variation to the layout described in clause 6.5.3.

Clause 6.6 - Loading bays

This clause asks for a loading bay for every 2,000 m² of floor space used as shops. The proposal does not include a loading bay.

The application requests waiver of this provision, on the basis that :

- The office development is relatively small at 2240 m², and is unlikely to attract large delivery vehicles to the site;

- The building is under construction and the slab for the second parking level has already been laid.

In these circumstances, it is submitted that most unloading activities can conveniently be undertaken in the parking area allocated to the offices.

Clause 7.5 – Private open space

This clause requires a minimum of 12 m² of private open space for each dwelling. The proposal satisfies this clause by including balconies of 29 m², with a minimum dimension of 4.7 m.

The balconies are directly accessible from the living areas of the dwellings, and expansive views will be available from them.

Clause 7.6 – Communal open space

This clause asks for 15% of the site area to be communal open space, with a minimum width of 6 m. Under this clause, the proposal would require 192 m² of ground level open space.

The proposal does not meet this requirement. However, it is submitted that there are special circumstances in this case, which justify varying or waiving the provisions. These are :

- The building footprint has been established through commencement of construction of the building approved by DP 07/0127. As noted earlier in this statement, construction up to the first level floor slab has been completed.
- The proposal has reduced the number of dwellings approved by DP 07/0127, such that there are now only 3 dwellings compared to 12 dwellings approved by DP 07/0127.
- DP 07/0127 acknowledged that the proposal is part of a larger development plan for the original Old Admiralty House site, and that it is located in direct proximity to substantial public open space in Bicentennial Park. These facts have not changed.

Clauses 7.8 and 8.2 – Building design for residential and commercial buildings

The proposal is generally consistent with the objectives of these clauses, of promoting site-responsive designs that will be pleasant for the occupants, and will not unreasonably affect the use and enjoyment of adjacent land, and which are attractive and contribute to a safe environment.

The proposal has considered community safety principles, specifically that –

- there will be casual surveillance of adjoining streets and places from the balconies of apartments.
- The building will adjoin a restaurant in Old Admiralty House, which promotes night time activity in the precinct.
- the building is located opposite the Mitchell Street police station.

(b) any proposed amendments to the Planning Scheme - s. 51(b)

PA 2008/0373 is a proposed amendment to the Planning Scheme, relating to building heights and volumetric controls in the CB zone, and was exhibited in July 2009. Under this amendment, the maximum permissible height of the building would increase to 90 above ground level, and maximum floor areas and minimum setbacks would apply to any part of the building above 25 m.

The proposed building will have a height of 23.9 m above ground level, so the "Tier 2" provisions are not applicable, and the proposal would comply with the amendment.

(c) an interim development control order, if any, in respect of the land to which this application relates - s. 46(3)(b) and s. 51(c)

IDCO 18 applies to the land. Under this instrument, the maximum permissible height of the building is 36 m above ground level. The proposed building complies with the IDCO.

(d) an environmental protection objective within the meaning of the *Waste Management and Pollution Control Act* that is relevant to the land to which this application relates - s. 51(d)

There are no environmental protection objectives that are relevant to this land.

(e) any submission made under section 49 in relation to the development application - s. 51(e)

It is expected that the proposal will be referred to the relevant persons and authorities and that submissions from these parties will become known after the proposal has been notified in accordance with Section 47.

Issues raised by service authorities during assessment of the proposal approved by DP 07/0127, and subsequent documentation for services to the approved development, have been taken into account in the current drawings. This includes an agreement with the Power and Water Corporation regarding supply of electricity to the building.

It is expected that the servicing requirements of the new building will be similar to those approved for the building subject of DP 07/0127.

Any other issues raised from the notification of the proposal will be dealt with when they are made known by service authorities.

(f) a matter that the Minister has, under section 85, directed it to consider in relation to development applications generally - s. 51(f)

The applicant is unaware of any ministerial directions relevant to this application.

(g) if a public environmental report, or an environmental impact statement has been prepared or is required under the *Environmental Assessment Act* in relation to the proposed development - the report or statement and the results of any assessment of the report or statement under that Act by the Minister administering that Act - s. 46(3)(e) and s. 51(g)

No report or statement under the Environmental Assessment Act has been sought and none is expected.

(h) the merits of the proposed development as demonstrated in the application - s. 46(3)(d) and s. 51(h)

The proposal complies with the overall development plan for Lot 2291 as it was originally constituted.

The proposal requests variations or waivers from some of the provisions of the Planning Scheme. A variation of the number of parking spaces is sought, but reasonable provision is made for parking for the offices in the proposal, and the requirements of clause 6.5.1 can be met through payment of the shortfall levy.

The waiver of a loading bay is sought on the basis of the relatively small scale of the offices, and the likelihood that their delivery needs can be satisfied from the parking spaces provided in the building, and that the building is partly constructed, thus establishing the height of the ground floor parking level.

Waiver of the communal open space provision is sought on the same basis as previously granted in DP 07/0127, and that the number of residential units has been radically reduced.

The proposal will replace a previously approved building of greater height, and will improve the interface with Le Grande.

The proposed development is consistent with the type of development that has occurred in the locality.

(j) the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development - s. 51(j)

The land is zoned for and is suitable for the proposed development.

The development responds to the shape of the site, which was determined as part of a development plan for the site as a whole, taking into account the heritage imperatives of the original parcel.

The proposed development will not affect the physical characteristics of any other land.

(k) the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer - s. 46(3)(f) and s. 51(k)

There is no requirement for additional public facilities or public open space to be provided by the developer. The site is very near a major public open space at Bicentennial Park, and is highly accessible to all facilities in the central business district.

A heritage area has been declared over part of the original Lot 2291, and covers Old Admiralty House.

(m) the public utilities or infrastructure provided in the area in which the land is situated, the requirement for public facilities and services to be connected to the land and the requirement, if any, for those facilities, infrastructure or land to be provided by the developer for that purpose - s. 46(3)(g) and s. 51(m)

The site is serviced by all necessary urban infrastructure, or is capable of being serviced by necessary infrastructure.

The proponent expects to provide required services to the development as a condition of the development consent.

(n) the potential impact on the existing and future amenity of the area in which the land is situated- s. 46(3)(h) and s. 51(n)

Most of the amenity issues were resolved during consideration of the proposal which resulted in DP 07/0127.

Two storeys have been removed from the building approved by DP 07/0127, resulting in a building of considerably reduced mass and a better interface for residents of Le Grande.

The setback from Knuckey Street, to minimise loss of views to residents in Le Grande, has been maintained, as have the measures to afford privacy between the proposed building and Le Grande.

The proposal is unlikely to present any adverse effect on the amenity of the area in which it is situated.

(p) the public interest - s. 46(3)(j) and s. 51(p)

The proposal is in accordance with the lease purpose of CLT 1938, and with the overall development plan put forward for the original Lot 2291.

The building incorporates CPTED principles by affording passive surveillance of the adjoining streets and public places from the balconies of the residential units.

Water safety is not relevant in this proposal, as there are no water features in the development.

The building will be fully accessible to people with disabilities as all floors are accessible by lifts, and parking is provided for disabled drivers, and pedestrian access is directly at ground level.

(q) in the case of a proposed subdivision of land on which a building is situated - whether the building will cease to comply with the *Building Act* if the proposed development were to proceed - s. 46(3)(k) and s. 51(q)

The proposal does not require the land to be subdivided. Building development lots, one of which covers the basement under the application site, have already been registered.

(r) any potential impact on natural, social, cultural or heritage values - s. 51(r)

The heritage values of Old Admiralty House are recorded in the NT Heritage Register, and have been recognised by declaration of a heritage area.

The proposed building does not affect the heritage values of the house.

(s) any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the *Water Act* - s. 51(s)

No beneficial uses, quality standards, criteria or objectives relevant to the land have been declared under the *Water Act*.

(t) other matters it thinks fit;

There are no other matters that have not been dealt with under other headings.

JUNE D'ROZARIO

Part B - Details of Building

1. The Developer

The Developer of the Building Development that is the subject of this Disclosure Statement is Jalouse Pty Ltd (ACN 060 559 328) of c/- Level 2, 9 + 11 Cavenagh Street, Darwin in the Northern Territory of Australia.

2. Description of the Building Development

2.1 Building Development

The Building Development comprises:

- (a) 3 Building Lots which are described in sub-clauses 2.2 to 2.4; and
- (b) the Common Property.

2.2 Building Lot 7595

- (a) Building Lot 7595 comprises the cubic space on the basement and ground levels and on levels 1 to 8 of the Building Development as indicated on the Plans, and where that space is within the office tower building forming part of the Building Development:
 - (i) the horizontal boundaries of that cubic space are the upper surface of the floor slab and the under surface of the ceiling; and
 - (ii) the vertical boundaries of that cubic space are the inner surface of any exterior walls of that building.
- (b) It is proposed that Building Lot 7595 will be further subdivided into 2 or more units, one of which will include Old Admiralty House and these units are intended for use for either office, retail, restaurant and/or café purposes and common property.

2.3 Building Lot 7596

- (a) Building Lot 7596 comprises the cubic space on the basement and ground levels and on levels 1 to 13 of the Building Development as indicated on the Plans, and where that space is within the office tower building forming part of the Building Development:
 - (i) the horizontal boundaries of that cubic space are the upper surface of the floor slab and the under surface of the ceiling; and
 - (ii) the vertical boundaries of that cubic space are the inner surface of any exterior walls of that building.
- (b) It is proposed that Building Lot 7596 will be further subdivided into 10 residential units and common property.

2.4 Building Lot 7597

- (a) Building Lot 7597 comprises the cubic space on the basement and on levels 8 to 14 of the Building Development as indicated on the Plans, and where that space is within the office tower building forming part of the Building Development:

- (i) the horizontal boundaries of that cubic space are the upper surface of the floor slab and the under surface of the ceiling; and
 - (ii) the vertical boundaries of that cubic space are the inner surface of any exterior walls of that building.
- (b) It is proposed that Building Lot 2597 will comprise of one or more units for use as offices with surrounding balcony and common property.

3. Description of Common Property

The Common Property for the Building Development comprises all parts of the Land specified as common property in DVP 2005/023A and all improvements, fixtures and fittings on those parts of the Land that are not contained within or form part of a Building Lot, which is proposed to include but will not necessarily be limited to the following:

- (a) the exterior walls and all other structural walls and columns of the office tower building in the Building Development;
- (b) the roof and floor slabs of the office tower building in the Building Development;
- (c) the area between the ceiling of each floor and the floor slab of the floor above of the office tower building in the Building Development;
- (d) the access easement on the ground level adjacent to the proposed unit which comprises Old Admiralty House;
- (e) the driveway that is used to access the car parks which form part of each of the Building Lots;
- (f) the external entries from the street into the basement;
- (g) the emergency stairs; and
- (h) the area for bins and services and the fencing around that area,

and specifically excludes the structure and structural cubic space of Old Admiralty House.

4. Schedule of Commencement and Completion Dates of the Building Development

The Building Development commenced in May 2004 and it is proposed that the Building Development including the restoration of Old Admiralty House will be completed on or before the end of December 2005.

5. Special rights or privileges in relation to the Common Property

- (a) The proprietors of units within the Building Development will be entitled to:
 - (i) the rights and privileges specified in the *Unit Titles Act*, subject to any restrictions contained in the By-laws; and
 - (ii) any additional rights and privileges which may be specified in the By-laws from time to time.

- (b) Subject to clause 5(a), it is intended that any special rights or privileges in relation to the Common Property will be granted to all of the units within the Building Development and not one or some of those units.

Part C - Statements

6. Prohibition on unjust or oppressive obligations

A provision of this Disclosure Statement that imposes an obligation that is unjust or oppressive on a prospective owner of a Building Lot or unit is not binding on, and cannot be enforced against, the prospective owner

7. Statutory requirements for variations to this Disclosure Statement

- (a) This Disclosure Statement contains a procedure setting out how this Disclosure Statement may be varied (see clause 12). That procedure operates subject to a provision (if any) in the *Unit Titles Regulations* setting out the procedure by which a disclosure statement may be varied. If clause 12 does not comply with the requirements of Regulation 18(2) of the *Unit Titles Regulations*, it is taken to contain the model procedure for variation set out in Schedule 6 to those Regulations.
- (b) This Disclosure Statement may also be varied pursuant to section 262M of the *Unit Titles Act*. That section permits variation in one of 2 ways:
- (i) A variation may be agreed to by all of the lot owners, persons who have contracted to buy a lot and persons with registered interests in the land.
 - (ii) If the persons referred to in clause 7(b)(i) cannot agree, the Minister administering the *Unit Titles Act* may (on the application of the Developer, the proprietor of a Building Lot or a person who has contracted with the Developer to purchase a proposed Building Lot) consent to a variation. The Minister may only consent to a variation if:
 - A. the Developer has failed, or expects or is expected to be unable, to complete the Building Development in accordance with this Disclosure Statement; and
 - B. the Minister has complied with section 262M(3) of the *Unit Titles Act*.
- (c) A variation of this Disclosure Statement is of no effect unless it is lodged with, and registered by, the Registrar-General.
- (d) Where a variation of this Disclosure Statement affects Old Admiralty House, the Building Management Corporation must notify the Development Consent Authority of that variation in writing.

8. Right to damages for failure to complete Building Development

- (a) If the Developer fails to comply with this Disclosure Statement or to complete the Building Development in accordance with this Disclosure Statement, the proprietor of a Building Lot, a person who has contracted with the Developer to purchase a proposed Building Lot or the proprietor of a unit within the Building Lot may, in

addition to any other right that he or she may have at law or in equity, sue for and recover damages from the developer in the Local Court.

- (b) Without limiting clause 8(a), the proprietor of a Building Lot, a person who has contracted with the Developer to purchase a proposed Building Lot or the proprietor of a unit within the Building Lot is entitled to recover any expected loss of capital appreciation of his or her Building Lot, proposed Building Lot or unit arising out of the failure (calculated to the date on which the Building Development was to be completed in accordance with this Disclosure Statement).

9. Contractual status of this Disclosure Statement

- (a) Each contract entered into by the Developer for the sale of a Building Lot, proposed Building Lot or other interest in the Building Development is, in addition to any other condition to which it is expressed to be subject, taken to be subject to the condition that the Developer will construct and complete the Building Development in accordance with this Disclosure Statement.
- (b) For the purposes of clause 9(a), a person who is a successor in title to a Building Lot, unit or other interest is taken to be the original purchaser from or contractor with the Developer and may enforce the contract accordingly.

10. Mechanism for obtaining agreement on contentious issues

- (a) This clause sets out the mechanism for obtaining agreement on contentious issues before a dispute arises.
- (b) This clause is subject to all of the following:
 - (i) clause 6, which prohibits unjust or oppressive obligations;
 - (ii) clause 7 and 12, which are about varying this Disclosure Statement;
 - (iii) clause 8, which is about damages for failing to complete the Building Development in accordance with this Disclosure Statement;
 - (iv) clause 11 which is about resolving disputes between the Developer and the proprietor of a Building Lot or the proprietor of a unit; and
 - (v) the By-laws.
- (c) In an attempt to reach agreement on any contentious issues before a dispute arises, the Developer and a proprietor of a Building Lot must comply with the following provisions:
 - (i) if a proprietor of a Building Lot considers that a contentious issue has arisen in relation to this Disclosure Statement, that proprietor must give notice in writing to the Developer and, any other persons who have a registered interest which might be affected by the issue, setting out:
 - A. the nature of the contentious issue;
 - B. adequate details of the contentious issue; and
 - C. proposed solutions or a desired outcome.

- (ii) the Developer must consider the notice provided in accordance with subclause 10(c)(i) and must:
 - A. respond in writing to the proprietor who sent the notice; or
 - B. meet with the proprietor who sent the notice to discuss the contentious issue.

11. Mechanisms for resolving disputes

- (a) This clause 11 sets out the mechanism for resolving disputes between the Developer and the proprietor of a Building Lot or the proprietor of a unit.
- (b) This clause 11 is subject to all of the following:
 - (i) clause 6, which prohibits unjust or oppressive obligations;
 - (ii) clause 7 and 12, which are about varying this disclosure statement;
 - (iii) clause 8, which is about damages for failing to complete the building development in accordance with this disclosure statement;
 - (iv) clause 10, which is about agreeing on contentious issues; and
 - (v) the By-laws.
- (c) This Disclosure Statement contains the model dispute resolution procedure set out in Schedule 5 to the *Unit Titles Regulations*.

12. Mechanisms for variation of this Disclosure Statement

- (a) This clause sets out a mechanism for varying this Disclosure Statement.
- (b) If this clause does not comply with regulation 18(2) of the *Unit Titles Regulations*, it is taken to contain the model procedure for variation set out in Schedule 6 to the *Unit Titles Regulations*.
- (c) The following persons may apply to vary this Disclosure Statement:
 - (i) the Developer; or
 - (ii) the Building Management Corporation, with the written consent of the Developer,
 ("the Proponent").
- (d) The Proponent of a variation must give written notice of the proposed variation to all persons having a registered estate or interest in the Building Development and whose estate or interest is affected by the proposed variation ("the Interest Holders").
- (e) The notice under clause 12(d) must:
 - (i) provide adequate details of the nature and extent of the proposed variation, including whether there will be any changes to the schedule of building lot or unit entitlements;

- (ii) be served on each of the Interest Holders by being delivered or posted to that person's last known address, or by facsimile transmission or electronic mail to the person's last known facsimile transmission number or email address; and
 - (iii) request that the Interest Holders notify the proponent in writing within 21 days from the date of the notice whether he or she consents to the proposed variation, or if his or her consent is not given, the reasons why his or her consent is not given.
- (f) Any Interest Holders who do not respond to the notice within the timeframe specified in clause 12(c)(iii), are taken to have approved the resolution to vary this Disclosure Statement in accordance with the notice.
- (g) Subject to clause 12(i), if approval of 50% of the Interest Holders is obtained to the proposed variation of this Disclosure Statement, the proposed variation may be lodged with the Registrar-General for registration.
- (h) The variation of this Disclosure Statement must be lodged with the Registrar-General accompanied by a statement setting out the percentage of the Interest Holders who approved the variation.
- (i) This Disclosure Statement cannot be varied in a manner that would have the effect of overriding the Development Permit issued under section 53 of the *Planning Act* in respect of the Building Development.

13. Other matters

13.1 Registered Heritage Place

- (a) Part of Building Lot 7595 is a registered heritage place under the terms of the *Heritage Conservation Act (NT)* and is of special significance to the Northern Territory community ("Old Admiralty House").
- (b) The owner of the unit which comprises the majority of the registered heritage place ("the Owner") must ensure that they take all reasonable steps to ensure that Old Admiralty House has an active and viable use and that the building and its garden setting are maintained to a high standard in accordance with the obligations under the *Unit Titles Act* and in accordance with both sound conservation practice and the requirements of the *Heritage Conservation Act (NT)*.
- (c) If the Owner does not comply with its obligations specified in clause 13.1(b), Building Lot 7595 must comply with those obligations.

13.2 Lifts

It is intended that licence agreements or some other arrangements will be entered into between the 3 Building Lots in relation to joint use of the lifts forming part of those Building Lots where the lifts are out of service or under maintenance or repair.

13.3 Lift Shaft

Building Lot 7597 comprises a lift shaft and may comprise a stairwell in the basement of the Building Development which is intended to provide lift and/or stair access to and from the basement by the owners and occupiers of Lot 2291 Town of Darwin.

13.4 Easements

- (a) It is intended that a number of easements will be granted over the Land and/or the Building Lots in favour of Lot 2291 Town of Darwin and Lot 649 Town of Darwin including easements for the purposes of services, access, light and airspace and support.
- (b) It is intended that a number of easements will be granted over Lot 2291 Town of Darwin in favour of the Land and/or the Building Lots including easements for the purposes of services, access, light and airspace and support.

13.5 Car Parking under planning permit

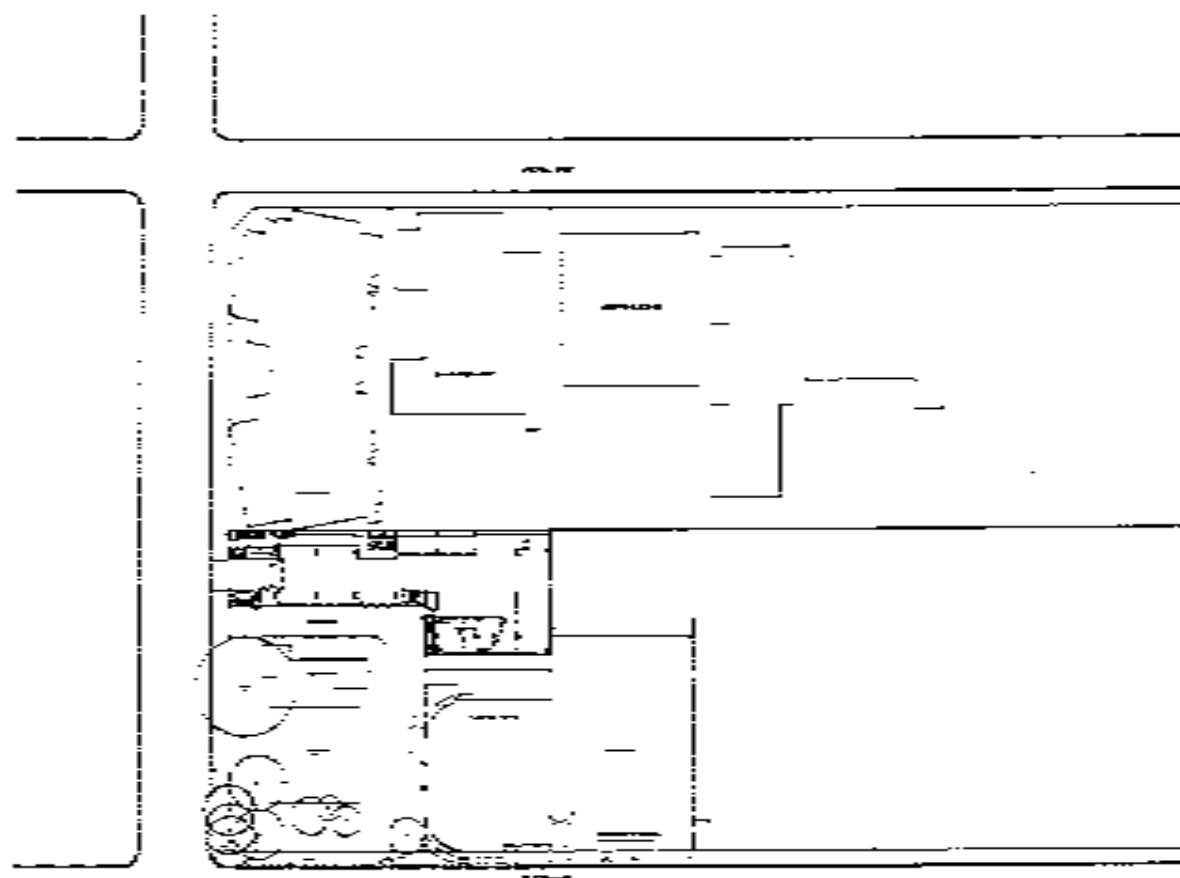
- (a) On completion of the Building Development, Building Lot 7595 will have use of 22 car parking bays on Lot 2291 Town of Darwin in order to comply with Planning Permits DP05/0299 and DP02/0075A to D ("the Planning Permits") issued in respect of the Land.
- (b) In the future, the Developer may, at its own cost and on behalf of the registered proprietors of the Land, apply to amend the Planning Permits in order to:
 - (i) vary the requirement for car parking bays to be made available to the Land or Building Lot 7595 on Lot 2291 Town of Darwin; and/or
 - (ii) vary the number and position of car parking bays required to be made available generally to the Land or Building Lot 7595.
- (c) Any amendment made to the Planning Permits will not affect the car parking entitlements of Building Lot 7596.

14. Definitions

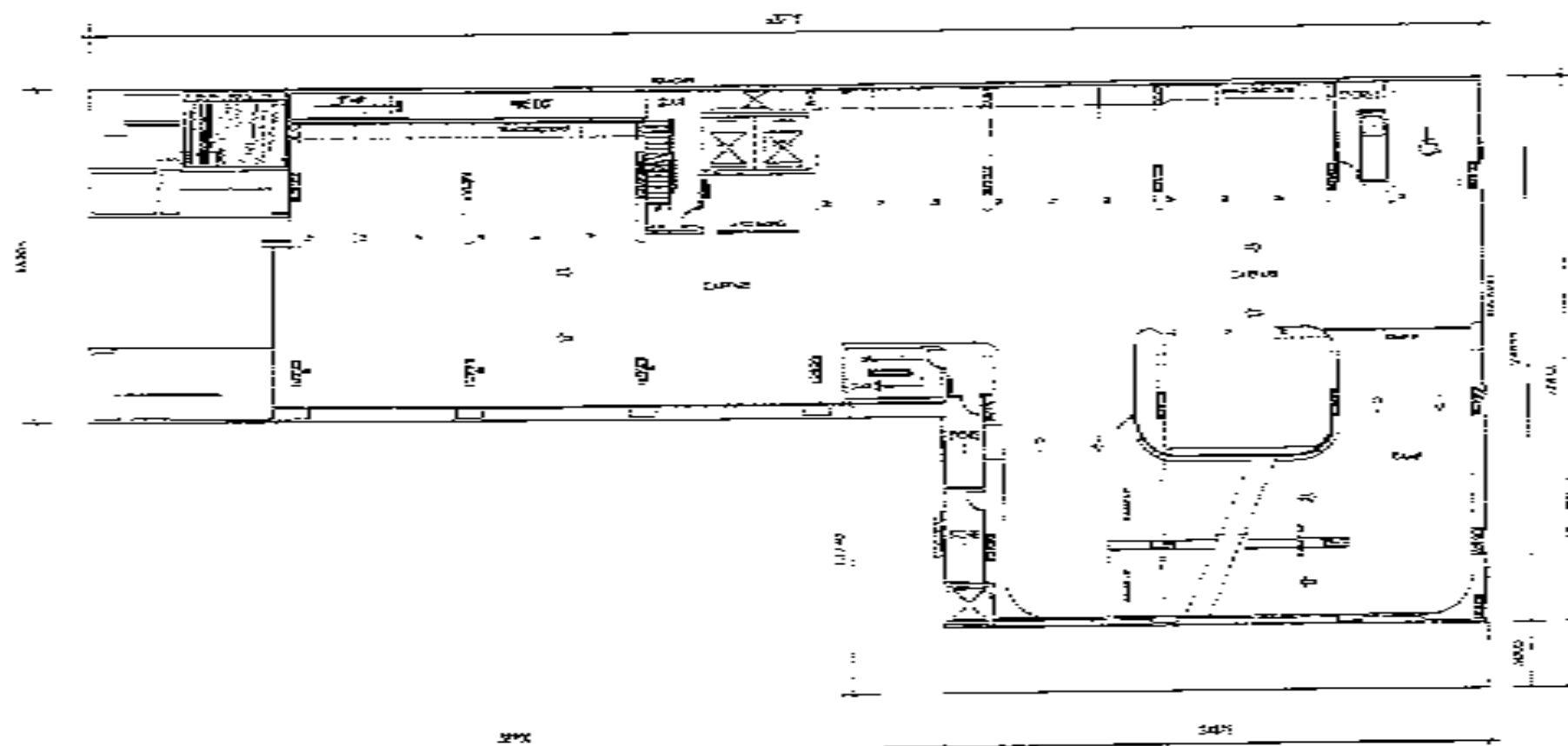
In this Disclosure Statement:

- (a) "Building Development" means the building development situated on the Land in accordance with Part IV C of the *Unit Titles Act*;
- (b) "Building Lot" means a part of the Building Development that may be further subdivided into common property and 2 or more units in accordance with Part III or IVA of the *Unit Titles Act*;
- (c) "Building Management Corporation" means the corporation constituted under section 28 of the *Unit Titles Act* in respect of the Building Development;
- (d) "By-laws" means the by-laws applying from time to time made by the corporation under section 26ZZA of the *Unit Titles Act* or the Minister under section 26ZZB of the *Unit Titles Act*;
- (e) "Common Property" means the common property of the Building Development as described in clause 3;
- (f) "Developer" means the person referred to in clause 1 and includes a reference to all successors and assigns;
- (g) "Disclosure Statement" means this disclosure statement and includes all schedules and plans attached, and information incorporated by reference in this disclosure statement;

- (j) **"includes"** in any form is not a word of limitation;
- (i) **"Plans"** means the plans and specifications of the Building Development attached to this Disclosure Statement as Annexure A;
- (j) **"Land"** means Lot 7592 Town of Darwin; and
- (k) **"unit"** or **"units"** has the same meaning as it has in the *Unit Titles Act*.



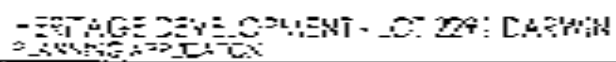
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APARTMENTS	22 NO. 200
BALCONY	22 NO. 200
OFFICE (GROUND FLOOR)	22 NO. 200
OFFICE (GROUND FLOOR)	22 NO. 200
CARPARK	22 NO. 200

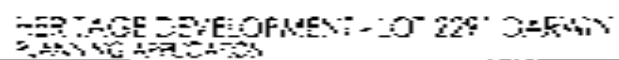


HERITAGE DEVELOPMENT - LOT 2291 DARWIN
PLANNING APPLICATION

FIRST FLOOR PLAN
Scale 1:200 @ A3

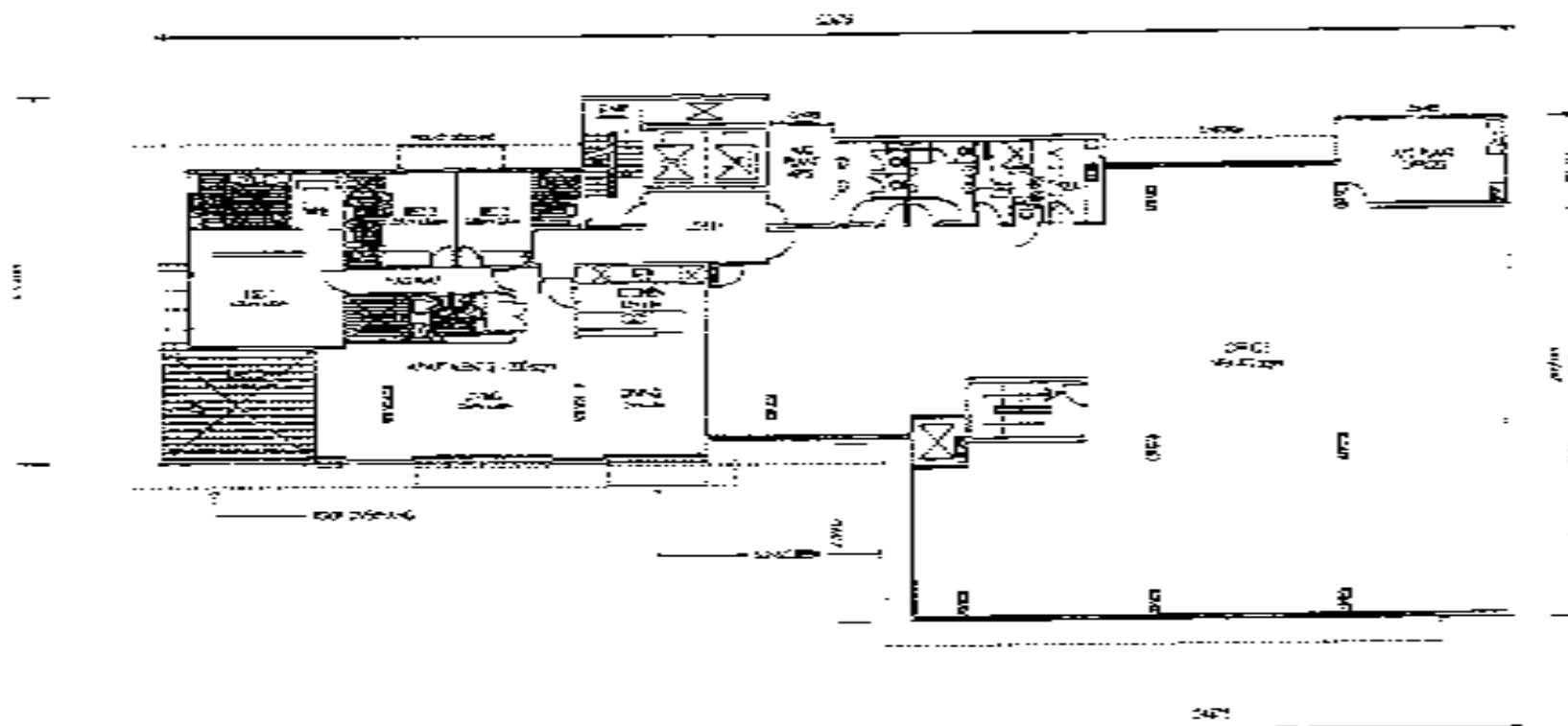
Architect
Client
Date
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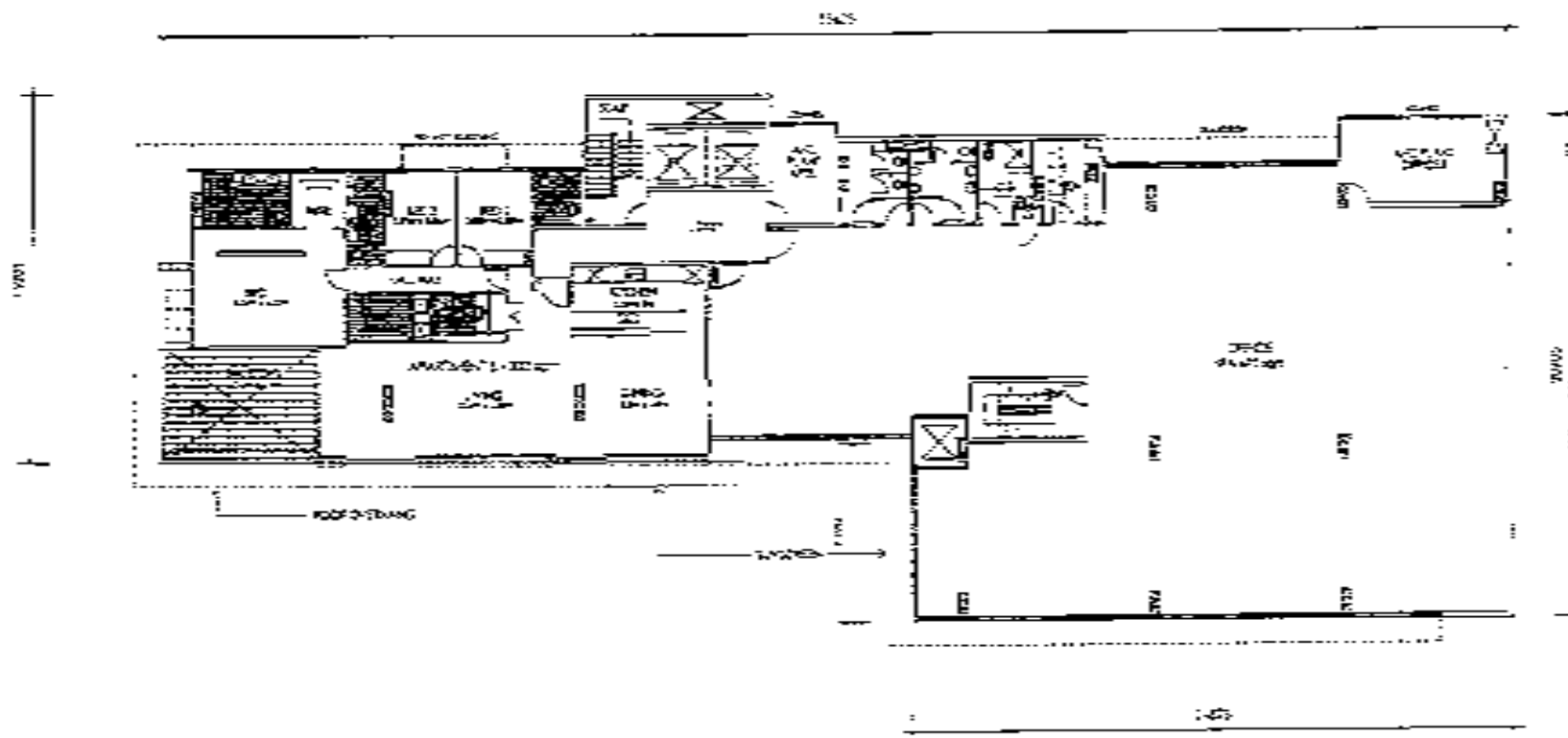
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HERITAGE DEVELOPMENT - LOT 2271 DARWIN
PLANNING APPLICATION

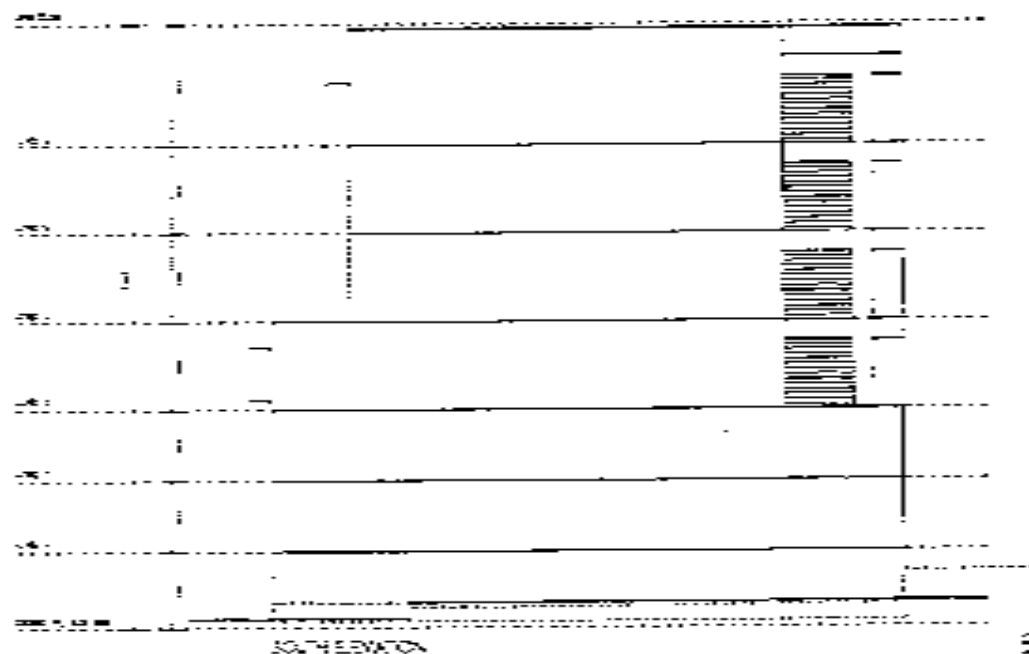
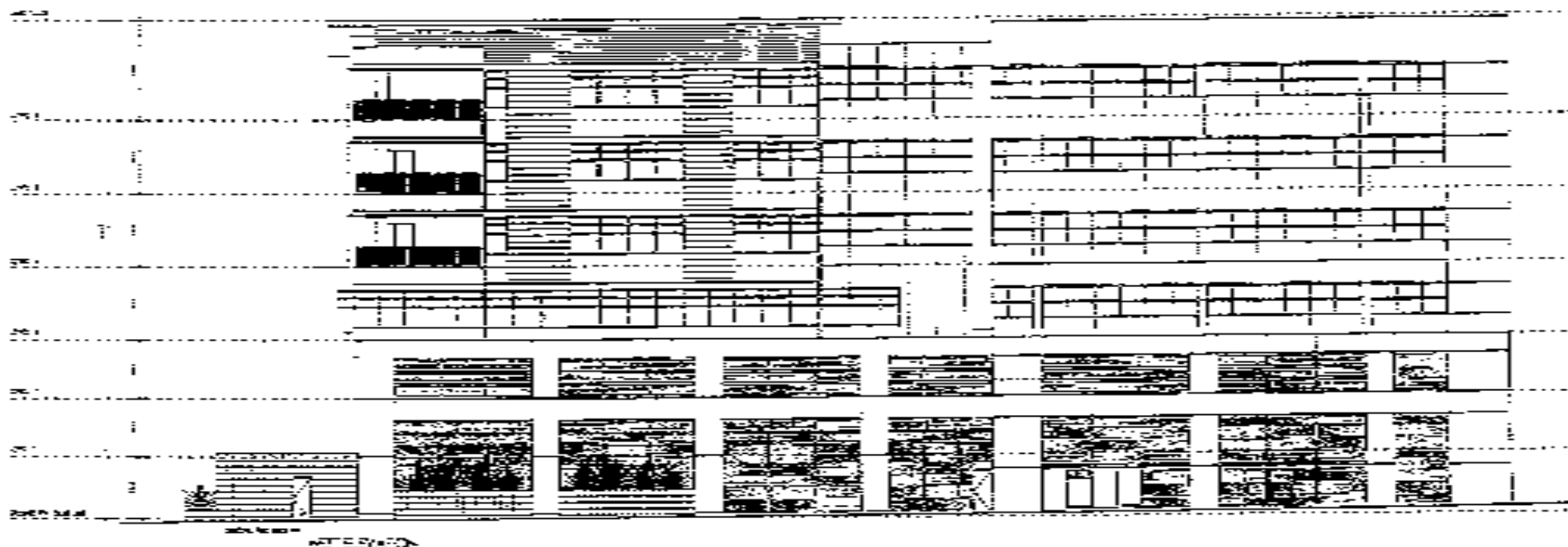
5TH FLOOR PLAN
K24 11/01/20



HERITAGE DEVELOPMENT - LOT 2291 DARWIN
PLANNING APPLICATION

SIXTH FLOOR PLAN
SCALE 1:50

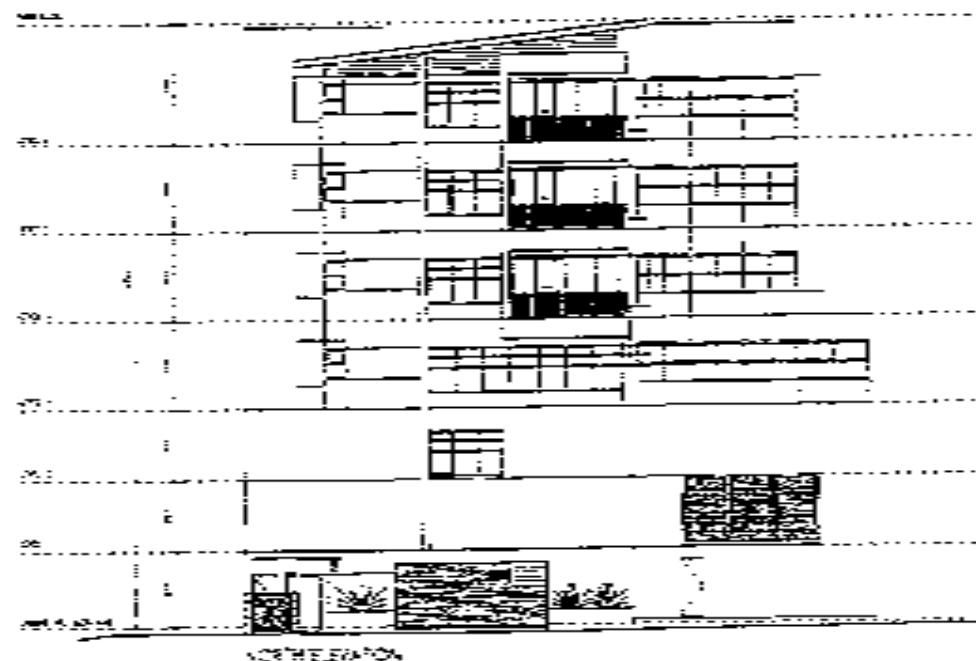
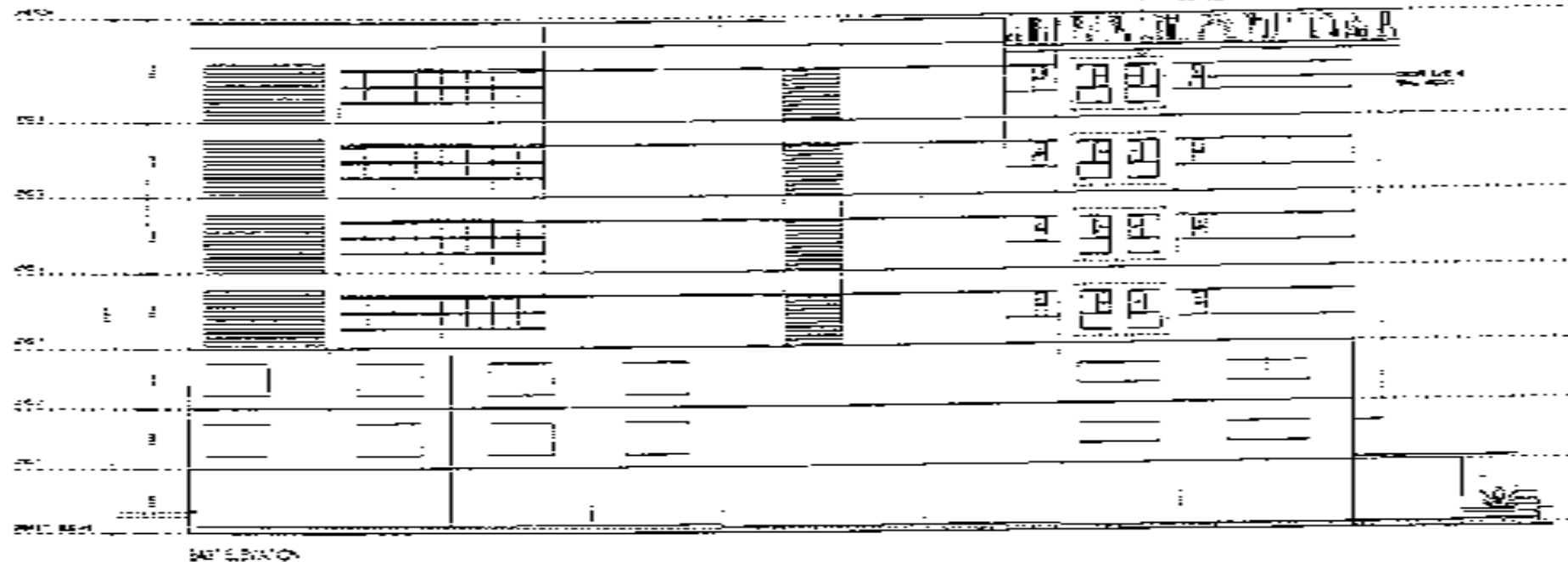
DATE: 10/10/11
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]



HERITAGE DEVELOPMENT - LOT 2291 DARWIN
PLANNING APPLICATION

ELEVATIONS
Scale 1:200 @ A3

Architect
ANDREW
10/10/2011
10/10/2011
10/10/2011



HERITAGE DEVELOPMENT - LOT 229' DARWIN
PLANNING APPLICATION

ELEVATIONS
SCALE 1/2" = 1'-0"

DATE: 10/10/2010
DRAWN BY: J. B. B.
CHECKED BY: J. B. B.
APPROVED BY: J. B. B.

ENCL: YES

DARWIN CITY COUNCIL**REPORT****DATE:** 20/11/2009**TO:** TOWN PLANNING COMMITTEE MEETING/
OPEN B**APPROVED:** RB**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** PL**REPORT NO:** 09TS0217 RB:sv**APPROVED:** LC**COMMON NO:** 1686674**SUBJECT:** PROPOSAL TO AMEND NT PLANNING SCHEME PA2009/1407 –
INTRODUCTION OF AN AREA PLAN FOR THE BERRIMAH NORTH
AREA**ITEM NO: 10.5****SYNOPSIS:**

A Planning Scheme Amendment for the area known as 'Berrimah North' has been referred to Council for comment pursuant to Section 48 of the Planning Act. The following report addresses relevant Council issues and recommends that Council endorse comments provided to the Development Consent Authority by staff.

GENERAL:**Applicant:** The Minister for Planning and Lands, Delia Phoebe Lawrie**Zone:** CP (Community Purposes)**Area:** 0.64ha Approximately**Proposal:** To introduce within the Northern Territory Planning Scheme an Area Plan for the Berrimah North Area.**Site**

The site consists of 12 allotments, bound by Amy Johnson Avenue to the west, McMillans Road to the north, Vanderlin Drive to the east and Boulter Road to the south. The site is currently occupied by the Marrara Christian School, the CSIRO and a number of residential properties – some with home businesses. Not all existing uses conform to the prescribed uses of the CP (Community Purposes) Zone as described within the Northern Territory Planning Scheme.

Land height contours of the site indicate that the highest point of the site is at the corner of Vanderlin Drive and Boulter Road, falling towards Amy Johnson Avenue.

Locality

The area identified as 'Berrimah North' is bound to the west, north and east by arterial roads, and to the south by a secondary collector road. Beyond the constraints of the site to the north is the suburb of Karama where predominantly residential uses exist. Vanderlin Drive is identified as the boundary of the Darwin Municipality, however large scale commercial and residential uses exist beyond Vanderlin Drive within the Shire of Litchfield. South of the site includes a number of community based services including on-site accommodation. To the west of the site is Commonwealth land occupied by the Darwin International Airport, as well as residential and community uses within the suburb of Marrara. The ANEF (Australian Noise Exposure Forecast) identifies the 20 exposure contour, the lowest impact level in the ANEF scale, being some 450m from the nearest point of the site.

Northern Territory Planning Scheme:

The proposed Planning Scheme amendment does not propose any work to be done to the site nor any amendments to the current zoning. The inclusion of an Area Plan provides the policy framework and strategic direction for future development of the site.

The proposal foresees the community purposes zoning remaining applicable to the majority of the land occupied by the Marrara Christian school with a portion to the rear of the Marrara Christian School allotment to become suitable for Single Dwelling Residential. The CSIRO site will also retain a portion of land for community purposes with the majority of the allotment to be rezoned suitable for Single Dwelling Residential. The majority of allotments facing Boulter Road are proposed to be suitable for Multiple Dwelling Residential purposes with areas identified for Conservation, Public Open Space, Commercial and Community Purpose. The proposed area plan allows for the existing uses to continue to operate as they are currently with options to develop unused land.

Surrounding the site are three arterial roads owned by the Northern Territory Government. The volume of traffic anticipated to access to these roads, including via Boulter Road, will need to be considered by the government to ensure that the intersections are capable of accommodating the anticipated traffic.

The proposed Area Plan should be proven to be able to accommodate residential development at an increased density, particularly the ability of the soil to absorb and dispose of stormwater.

The proposal includes Principles applicable specifically to the area identified as 'Berrimah North'. The principles speak generally for design of developments to include design suitable to climate, to integrate with the existing uses and to connect to transport linkages including pedestrian and cycle ways. The proximity to the airport is indicated on the proposed area plan with consideration given to the impact that aircraft may have to the site and for new developments to include measures to mitigate noise produced by aircraft.

The principles proposed of the Area Plan are general and non specific, providing strategic direction of how one would approach the identified design constraints of the site.

Disability Discrimination Legislation:

Disability Discrimination Act issues are addressed under the Building Act requirements. Council places a statement of support for equal opportunity on all responses.

Council Issues:

There are no proposed works as part of this amendment to the Northern Territory Planning Scheme, however future developments may have impact to the provision of infrastructure and services provided by the Darwin City Council.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC PLAN IMPLICATIONS:

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

Goal 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
- 1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle
- 1.2 Effectively engage with Community
- 1.2.1 Increase involvement of the Business Community for developing solutions to local issues

Goal 2: Enhance Darwin's Active, Positive and Flexible Lifestyle

Outcome

2.1 Improve urban enhancement around Darwin

Key Strategies

- 2.1.1 Manage and maintain the municipal landscaping and infrastructure to a standard that meets community needs
- 2.1.4 Provide a clean and liveable municipality

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

Outcome

3.1 Promote the use of public spaces

Key Strategies

3.1.1 Enhance public spaces and encourage greater use by the community

3.2 Enhance transport

3.2.1 Review transport and parking needs systems

3.2.4 Provide parking facilities and management systems which meet the needs of the community.

Goal 4: Create and Maintain an Environmentally Sustainable City

Outcome

4.2 Improve water conservation

Key Strategies

4.2.2 Manage and maintain Council's storm water management system.

LEGAL IMPLICATIONS:

This item is not considered "Confidential".

PUBLIC RELATIONS IMPLICATIONS:

Not Assessed.

COMMUNITY SAFETY IMPLICATIONS:

Nil.

DELEGATION:

To the Chief Executive Officer to provide standard Development Permit conditions as appropriate.

CONSULTATION:

Through the Development Application statutory process.

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE:

Not Applicable.

PAGE: 5
REPORT NO: 09TS0217 RB:sv
SUBJECT: PLANNING SCHEME AMENDMENT PA2009/1407 – INTRODUCTION OF
AN AREA PLAN FOR THE BERRIMAH NORTH AREA

RECOMMENDATIONS:

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 09TS0217 RB:sv entitled Proposal To Amend NT Planning Scheme PA2009/1407, be received and noted.
- B. THAT the letter to the Development Consent Authority in Attachment A to Report Number 09TS0217 RB:sv be endorsed.

PETER LINDWALL
STRATEGIC TOWN PLANNER

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

Any queries on this report can be directed to Rick Burgess on 8930 0412 or email r.burgess@darwin.nt.gov.au



Darwin City Council

Website: www.darwin.nt.gov.au

Please quote: 1686674 RB:sv

11 December 2009

Mr Gerhard Visser
Principle Strategic Planner
Strategic Lands Planning
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Visser

**Planning Scheme Amendment PA2009/1407
Introduction Of An Area Plan For The Berrimah North Area**

Thank you for the Planning Scheme Amendment application referred to this office 27 October 2009, 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.

Council raises no objection to the introduction of an Area Plan for the Berrimah North Area within the Northern Territory Planning Scheme.

However, development of the area must consider the existing uses to ensure that more sensitive uses are not impacted upon. Regard must be had to the capabilities of existing infrastructure and services to accommodate any anticipated development. Development of the site should not restrict the capabilities of the airport to undertake existing or proposed operations. The proposed Area Plan should be proven to be able to accommodate residential development at an increased density, particularly the ability of the soil to absorb and dispose of stormwater.

In considering this application, the 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 Rick Burgess on 08 89300 412.

Yours faithfully

**PETER LINDWALL
STRATEGIC TOWN PLANNER**



DARWIN NT

NORTHERN TERRITORY OF AUSTRALIA

PROPOSAL TO AMEND NT PLANNING SCHEME
PA2009/1407

The Minister for Planning and Lands has initiated a proposal to amend the NT Planning Scheme to include Planning Principles and an Area Plan for Berrimah North.

Attached are:

- the Notice of Exhibition under section 17 of the *Planning Act* and
- proposed Planning Principles and an Area Plan for Berrimah North.

The exhibition period is from Friday 13 November 2009 to Friday 11 December 2009.

Written submissions about the proposed planning scheme amendment are to be received by 4.00pm on Friday, 11 December 2009 and made to:

Gerhard Visser
Principal Strategic Planner
Strategic Lands Planning
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801; or

Email: planning@nt.gov.au

Fax: (08) 8999 7189 or

Hand delivered to Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin.

For more information please telephone 8999 8963.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF EXHIBITION OF PROPOSAL
TO AMEND NT PLANNING SCHEME
PA2009/1407**

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, with reference to section 17 of the *Planning Act*, give notice of the following:

- (a) a proposal to amend the NT Planning Scheme, numbered PA2009/1407 as referred to in (e), is to be exhibited under Division 3 of Part 2 of the Act;
- (b) the amendment is to be exhibited at the following location:

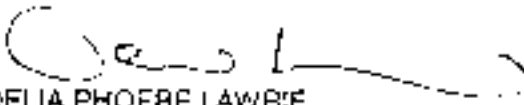
Offices of the Department of Planning and Infrastructure
Ground Floor, Cavenagh House, 38 Cavenagh Street, Darwin;
- (c) the period of exhibition is for 28 days, commencing upon first newspaper publication of the notice required by section 17(1);
- (d) written submissions in respect of this exhibition should be made to:

Gerhard Visser
Principal Strategic Planner
Strategic Lands Planning
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801 or

Fax: (08) 8999 7189 or
Email: planning@nt.gov.au
- (e) the proposed amendment is to the NT Planning Scheme, to introduce an Area Plan for the Berrimah North Area.

Dated 27 October

2009.


DELIA PHOEBE LAWRIE
Minister for Planning and Lands

PART 8

14.0 AREA PLANS

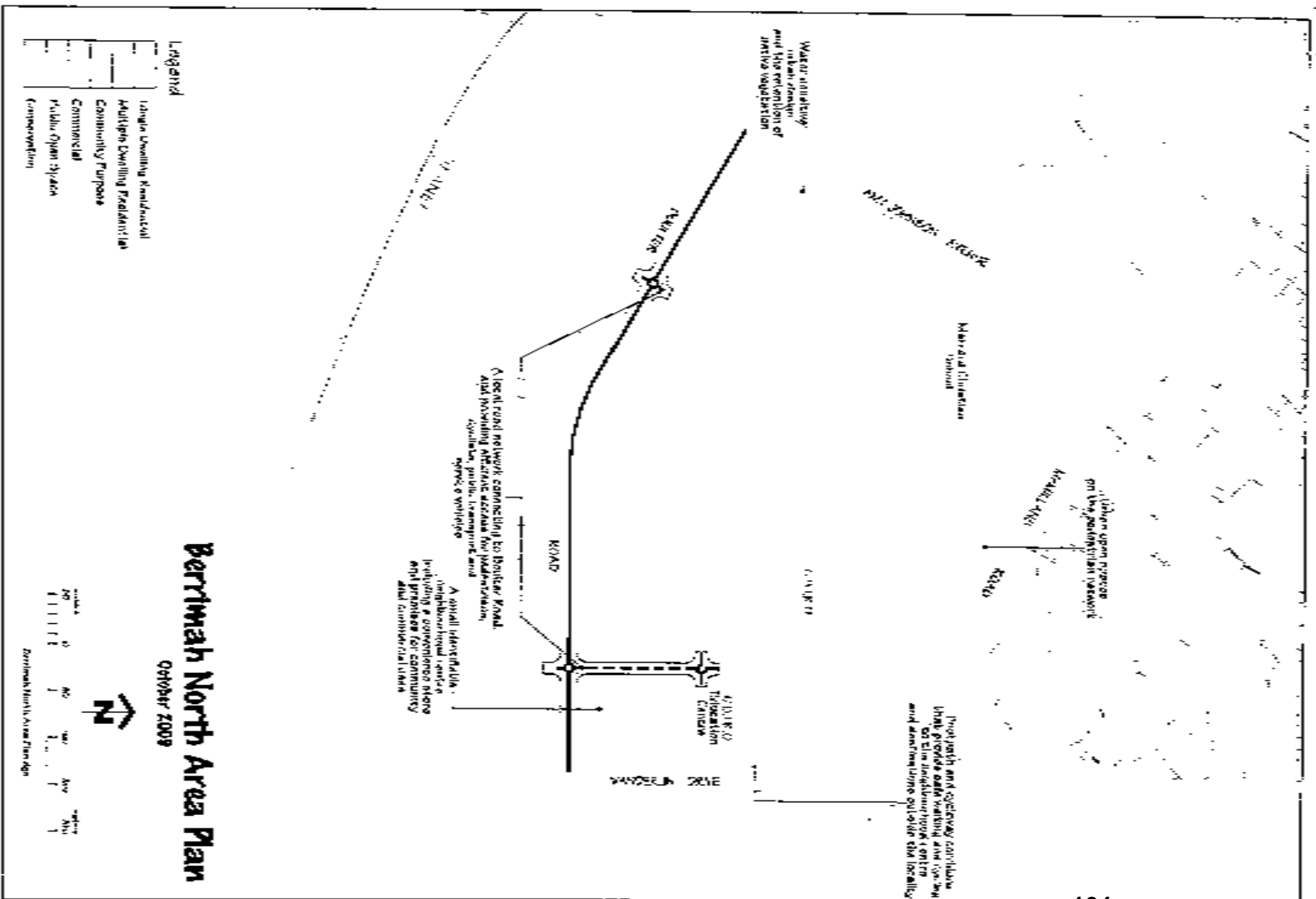
The interpretation of this Scheme and the determinations of a consent authority are to be consistent with any Area Plan and associated planning principles in this Part applicable in the circumstances.

14.1.2 PROPOSED BERRIMAH NORTH PLANNING PRINCIPLES

Development within the Berrimah North locality is to be consistent with the following principles.

1. Provide a diversity of uses that reinforce the area's focus on urban land uses for example:
 - (a) **residential building;**
 - (b) commercial use;
 - (c) plant nursery;
 - (d) **community centre;**
 - (e) public open space; and
 - (f) **education establishment.**
2. Promote development that integrates compatible land uses and:
 - (a) is consistent with the operational requirements of the airport operations in the locality;
 - (b) considers the impact of lighting installations on aircraft operations;
 - (c) protects noise sensitive uses by separation from co-located noise tolerant uses, and employs appropriate noise attenuation measures;
 - (d) considers the proximity of the airport operations in determining material of structures; and
 - (e) positions structures to ensure no adverse impacts on the operation of the airport operations.
3. Provide a safe, accessible, equitable and interesting built environment and public domain that includes:
 - (a) a robust and legible shared use street grid which connects with the adjacent street network, pedestrian and cycle routes;
 - (b) pedestrian and cycle paths which are clearly defined, attractively landscaped to provide shade and interest, well connected to existing adjacent routes;
 - (c) consistent provision of high quality street furniture, paving, way-fare signage and pathway lighting;
 - (d) thoughtful integration of public art;
 - (e) a series of connected, landscaped public open spaces and corridors designed to facilitate comfortable and safe use during the day and night;
 - (f) impounded water bodies with appropriate water quality for their intended use;

	<ul style="list-style-type: none"> (g) positive relationships between buildings and streets to promote passive surveillance; and (h) active frontages and visually interesting ground level uses.
4.	<p>Promote climatically responsive, energy efficient urban design and architecture that contributes to the character of the precinct by:</p> <ul style="list-style-type: none"> (a) implementing sensitive water use practices across the site; (b) implementing a whole-of-site water management system which addresses both stormwater and groundwater; (c) incorporating strong landscape treatments to provide shade and which are largely comprised of native vegetation; (d) identifying areas of pedestrian priority over vehicle traffic; (e) providing seating, shade and weather protection to adjacent pedestrian footpaths; (f) facilitating natural cross ventilation; (g) integrating generous balconies for outdoor living; (h) minimising direct solar penetration to all buildings through orientation and use of screens, awnings, eaves and the like; and (i) using construction materials appropriate to a tropical marine environment.
5.	<p>Relate the scale of development to both the surroundings and to reflect the desired future character by:</p> <ul style="list-style-type: none"> (a) considering the visual and acoustic privacy of adjoining residential development; (b) recognising the requirements of existing users of the existing adjacent facilities and land uses; and (c) incorporating a range of building heights within identified building areas.



ENCL: YES

DARWIN CITY COUNCIL**REPORT****DATE:** 16/11/09**TO:** TOWN PLANNING COMMITTEE MEETING/
OPEN B**APPROVED:** RB**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** PL**REPORT NO:** 09TS0211 RB:lm**APPROVED:** LC**COMMON NO:** 1684461**SUBJECT:** PLANNING SCHEME AMENDMENT
LOT 2900 (31) CONIGRAVE STREET, FANNIE BAY, TOWN OF DARWIN
PROPOSED REZONING FROM SD (SINGLE DWELLING RESIDENTIAL)
TO MD (MULTIPLE DWELLING RESIDENTIAL)**ITEM NO: 10.6****SYNOPSIS:**

A Planning Scheme Amendment for Lot No 2900 (31) Conigrave Street, Fannie Bay has been referred to Council for comment pursuant to Section 48 of the Planning Act. The following report addresses relevant Council issues and recommends that Council endorse comments provided to the Development Consent Authority by staff.

GENERAL:**Applicant:** Mr Jamie Fava**Zone:** SD **Area:** 1100m²**Proposal:** To rezone allotment 2900 from SD to MD**History:** The site is currently zoned SD and has a residential uses that conforms to the permitted uses specified in the Northern Territory Planning Scheme SD Zone.**Site and Surrounds:**

The subject site is identified as allotment 2900 Town of Darwin, commonly known as 31 Conigrave Street, Fannie Bay. The site is regular in shape with a total area of 1100m². The site has a primary frontage to Ross Smith Avenue of approximately 32m and a secondary frontage to Conigrave Street of 25.90m, from where vehicle access is gained.

PAGE: 2
 REPORT NO: 09TS0211 RB:LM
 SUBJECT: PLANNING SCHEME AMENDMENT
 LOT 2900 (31) CONIGRAVE STREET, FANNIE BAY, TOWN OF DARWIN
 PROPOSED REZONING FROM SD (SINGLE DWELLING RESIDENTIAL) TO
 MD (MULTIPLE DWELLING RESIDENTIAL)

The site is currently zoned SD and has a use that conforms to the permitted uses specified in the Northern Territory Planning Scheme SD zone. The locality consists of sites zoned SD with residential uses, a service station on land zoned C and sites used for community type uses beyond the immediate vicinity. As identified by the applicant, allotment 2958 Town of Darwin, 95 Ross Smith Avenue, Fannie Bay is zoned SD, however has a use that could be described by the Northern Territory Planning Scheme as being suitable to be zoned MD. The existing use rights of allotment 2958 Town of Darwin, allow the multiple dwelling use to exist on a site that has been zoned SD.

There are no previous applications applicable to the site.

Northern Territory Planning Scheme:

Without strategic direction nor criteria in which to assess the rezoning of a parcel of land, the basis for a decision would take into consideration the pattern of development in the locality, the services and facilities that are provided or are capable of being provided as well as accessibility to and from the site given the likely future nature of development for the site.

To date there has been a continuous pattern of development within the locality. The current land pattern of the locality shows there is predominantly single dwellings with the only notable site not conforming to the general pattern being allotment 1958 at 95 Ross Smith Avenue, Fannie Bay.

There are a number of sites reserved for community and public open space purposes, including schools, within convenient walking distances of the subject site. Within 400m of the site are two bus stops allowing for convenient access to public transport. Within 400m of the site is a local centre that currently provides many day to day services including a supermarket, bakery, commercial offices and café. It is not anticipated that development of the subject site to its existing maximum capacity as an SD (Single Dwelling) zone will place undue pressure or demand on Council services or public infrastructure. However any increase in intensity of use to the MD zone (Medium Density) is considered to be unacceptable.

Decision:

Given the nature of the locality, the pattern of development and the direction provided by the Northern Territory Planning Scheme, the attached letter does not support the proposed amendment.

Disability Discrimination Legislation:

Disability Discrimination Act issues are addressed under the Building Act requirements. Council places a statement of support for equal opportunity on all responses.

PAGE: 3
 REPORT NO: 09TS0211 RB:LM
 SUBJECT: PLANNING SCHEME AMENDMENT
 LOT 2900 (31) CONIGRAVE STREET, FANNIE BAY, TOWN OF DARWIN
 PROPOSED REZONING FROM SD (SINGLE DWELLING RESIDENTIAL) TO
 MD (MULTIPLE DWELLING RESIDENTIAL)

Council Issues:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC PLAN IMPLICATIONS:

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

Goal

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 Strategies

1.1.5 Influence Government and developers to develop sustainable projects which reflect Darwin's lifestyle

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

LEGAL IMPLICATIONS:

This item is not considered "Confidential".

PUBLIC RELATIONS IMPLICATIONS:

Not Assessed.

COMMUNITY SAFETY IMPLICATIONS:

Nil.

PAGE: 4
REPORT NO: 09TS0211 RB:LM
SUBJECT: PLANNING SCHEME AMENDMENT
LOT 2900 (31) CONIGRAVE STREET, FANNIE BAY, TOWN OF DARWIN
PROPOSED REZONING FROM SD (SINGLE DWELLING RESIDENTIAL) TO
MD (MULTIPLE DWELLING RESIDENTIAL)

DELEGATION:

To the Chief Executive Officer to provide standard Development Permit conditions as appropriate.

CONSULTATION:

Through the Development Application statutory process.

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil

APPROPRIATE SIGNAGE:

Not Applicable.

RECOMMENDATIONS:

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 09TS0211 RB:lm entitled Planning Scheme Amendment Lot 2900 (31) Conigrave Street, Fannie Bay, Town Of Darwin Proposed Rezoning From SD (Single Dwelling Residential) To MD (Multiple Dwelling Residential), be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment A** to Report Number 09TS0211 RB:lm be endorsed.

PETER LINDWALL
STRATEGIC TOWN PLANNER

Any queries on this report can be directed to Rick Burgess on 8930 0412.

Maleys

*"Protecting your interests"***Barristers & Solicitors**BPO Box 2066, Darwin NT 0801
maleys.barristers@bigpond.com

Our Ref: PJM

Your Ref:

28 October 2009

The Director of Licensing
Enterprise House
30 Krukey Street
Darwin NT 0800Attention: Mr Peter Boyle
Licensing Inspector

Dear Peter

RE: 15 - 17 CAVENAGH STREET DARWIN
T & C INVESTMENTS PTY LTD & PETER JOHN MALEY

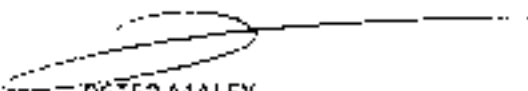
We act for the abovenamed developers Mr Chris Voulouris and Peter Maley who by agreement have set about the process of developing a hotel on the site located at 15 - 17 Cavenagh Street Darwin.

We are pleased to enclose further details for the In Principle Liquor Licence at 15 - 17 Cavenagh Street Darwin.

We advise that for the purpose of obtaining the In Principle liquor licence, Peter Maley is authorised on behalf of the developers to submit the application.

If you have any queries or wish to discuss this matter further then please do not hesitate to contact Peter Maley from this office.

Yours faithfully


PETER MALEY
PARTNER

Email: peter.maley@maleyslegal.com

Enc.

Darwin office:
Tel: (08) 8931 2266
Fax: (08) 8931 2033
17 Cavenagh St, DarwinPrincipal: Peter Maley LL.B. (Hons)
ADM 58 114 632 759 / ACN:114 632 759Coalinga office:
Tel: (08) 8932 3830
Fax: (08) 8932 3927
8/17 Coalinga Sleeping Village

LIQUOR ACT

2nd NOTICE OF APPLICATION FOR A LICENCE TO SELL LIQUOR

15 – 17 CAVENAGH STREET DARWIN MOTEL

T & C Investments Pty Ltd and Maley Pty Ltd, HEREBY GIVE NOTICE that as the Developer of the building, it has applied to the Northern Territory Licensing Commission for a "Conditional" "PRIVATE HOTEL" Liquor Licence to sell liquor from the motel premises, yet to be constructed, to be located at 15 – 17 Cavenagh Street, Darwin City.

The building will consist of 22 levels containing a Restaurant with bar facilities, office space, four level car parking, motel rooms, function rooms with breakout areas and pool facilities.

The concept of the premises is to provide Restaurant and Bar facilities, Mini Bar and Room Service, Licence three Function Rooms with breakout areas and provide for consumption of liquor in the Pool Area.

PROPOSED TRADING DETAILS for the sale of liquor are as follows:

- Supply of liquor in the Restaurant ancillary to consuming a meal during the following hours:
 Sunday to Thursday 11:00 hours to 23:00 hours
 Friday to Saturday 11:00 hours to 01:00 hours (the following day)
 Christmas Day and Good Friday 11:00 hours to 23:00 hours
- Supply of liquor to lodgers and bona fide guests in the presence of lodgers by way of Mini Bar and Room Service.
- Liquor may be consumed by lodgers and bona fide guests in the presence of lodgers in the Pool Area.
- Liquor may be consumed by bona fide attendees at the three function rooms and function breakout area identified on the sixth floor of the premises from 10:00 hours to 02:00 hours (the following day).

This is the second notice of application.

The objection period is deemed to commence from Friday, 6 November 2009 (date of publication of second notice).

Pursuant to Section 47F(2) of the *Liquor Act* an objection may only be made on the ground 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.

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, Licensing, Regulation and Alcohol Strategy, GPO Box 1154, Darwin, within thirty (30) days of the commencement date of the objection period.

Dated this 6 Day of November 2009.

APPLICATION FOR IN PRINCIPLE LIQUOR LICENCE

T & C INVESTMENTS PTY LTD & PETER JOHN MALEY

6 Description of Business to be conducted

(H) The business to be conducted will be that of hotel/motel style accommodation offering a licensed Restaurant with Bar facilities for in-house guests, conference attendees, visitors and local residents.

The Bar area is contained within the Restaurant. It is expected that the Restaurant and Bar area would be run by the hotel operators

Rooms will be equipped with mini bars.

Room service will be available for meals and drink service.

Service of snacks and drinks to the Pool area will be limited to in-house guests only.

Service of meals, snacks and drinks to Conference/Function Rooms and the Deck area will be limited to in-house guests and conference/ function attendees only.

Hours of trade for Restaurant and Bar

Monday to Thursday	1100 to 2300
Friday	1100 to 0100
Saturday	1100 to 0100
Sunday	1100 to 2300

Christmas Day	1100 to 2300
Good Friday	1100 to 2300

Overall theme/concept will be that of a private hotel primarily for in-house guests, conference attendees, visitors and local residents.

Liquor to be sold to bona fide in-house guests and their visitors at any time for consumption on the premises in the licensed areas.

There will be no takeaway from the licensed premises at any time.

APPLICATION FOR IN PRINCIPLE LIQUOR LICENCE

T & C INVESTMENTS PTY LTD & PETER JOHN MALEY

6 (1) Public Interest criteria in respect of licence or licensed premises.

2) For subsection (1), the criteria are the following:

(a) Harm or ill-health caused to people, or a group of people, by the consumption of liquor is to be minimized.

Harm or ill-health caused to people will be minimized by the fact that primarily the service of alcohol will be limited to in-house guests and their visitors, diners in the restaurant and conference attendees. This will impact on the amount of alcohol served through the absolute limitation of number of guests permitted in the hotel at any one time. The bar will not be open to the general public and drinks will only be served to in-house guests and their visitors. Restaurant patrons will have drinks served ancillary to a meal.

(b) liquor is to be sold, or sold and consumed, on licensed premises in a responsible manner:

Liquor will only be sold on premises at the Restaurant Bar area ancillary to a meal, to in-house guests in their room and to attendees of the conference and function rooms within the allowed hours of trade. There will be no public bar facility at the venue.

(c) public order and safety must not be jeopardized, particularly where circumstances or events are expected to attract large numbers of persons to licensed premises or an area adjacent to those premises:

It is expected that the amenities of the hotel (ie: conference/function rooms etc) will be utilized by in-house guests and others for business meetings, conferences, weddings and similar events. It is not usually expected that these events would attract large groups of people.

(d) the safety, health & welfare of persons who use licensed premises must not be put at risk.

There are no obviously dangerous areas identified in the building. The Pool area will be subject to Local Government by-laws applicable to swimming pools under the relevant legislation.

(c) noise emanations from licensed premises must not be excessive;

It is not envisaged in the future that the venue would ever be used as a nightclub/entertainment facility at any time, therefore reducing the risk of having excessive noise.

(f) business conducted at licensed premises must not cause undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the neighborhood of the premises or who are making their way to or from, using the services of, a place of public worship, hospital or school.

The building is to be situated in the Central Business District of Darwin, in an area where no places of worship, hospitals or schools etc in the near vicinity. Residents in nearby units will not be inconvenienced by noise or disturbances any more than they are at present by other residential buildings adjacent or closely situated.

(g) a licensee must comply with provisions of this Act and any other law in force in the Territory which regulate the sale or consumption of liquor or the location, construction or facilities of licensed premises, including -
 (i) by-laws under the Local Government Act; and
 (ii) provisions of or under the Planning Act.

We currently have DCA approval for the building and we are fully aware of our obligations in relation to the Planning Act.

(h) each person involved in the business conducted at licensed premises must receive suitable training relevant to the person's role in the conduct of the business;

It will be expected that all staff employed will complete the RSA course on commencement of their employment and be made aware of their obligations and rules of the Liquor Act and other relevant Acts pertaining to the granting of a Liquor Licence.

(i) the use of credit in the sale of liquor must be controlled;
 The sale of liquor will not be subject to credit, except in the normal use of Credit Card transactions.

- (j) practices which encourage irresponsible drinking must be prohibited,

Liquor will not be sold to intoxicated persons or minors. This will be monitored with all sales, in particular room service.

- (k) it may be necessary or desirable to limit any of the following:
 - (i) the kinds of liquor that may be sold;

It is expected that the Restaurant Bar will sell various types of liquor as per what is normally available in other Hotel Restaurant Bars, including but not limited to; beer, wines, spirits, soft drinks and mixers.

- (ii) the manner in which liquor may be sold;

Liquor will be sold under controlled circumstances by fully trained RSA qualified staff members at all times. There is no provision for any take away liquor sales.

- (iii) the containers, or number or types of containers, in which liquor may be sold

It is expected that the Restaurant Bar will be fully equipped with the normally accepted standard of liquor glasses and standard measuring equipment required in this type of service industry.

- (iv) the days on which and the times at which liquor may be sold;

The expected hours of trade are as follows:

Hours of trade for Restaurant and Bar:

Monday to Thursday	1100 to 2300
Friday	1100 to 0100
Saturday	1100 to 0100
Sunday	1100 to 2300

Christmas Day	1100 to 2300
Good Friday	1100 to 2300

- (l) it may be necessary or desirable to prohibit persons or limit the number of persons who may be on licensed premises, on any particular part of licensed premises or in an adjacent area subject to the control of the licensee;

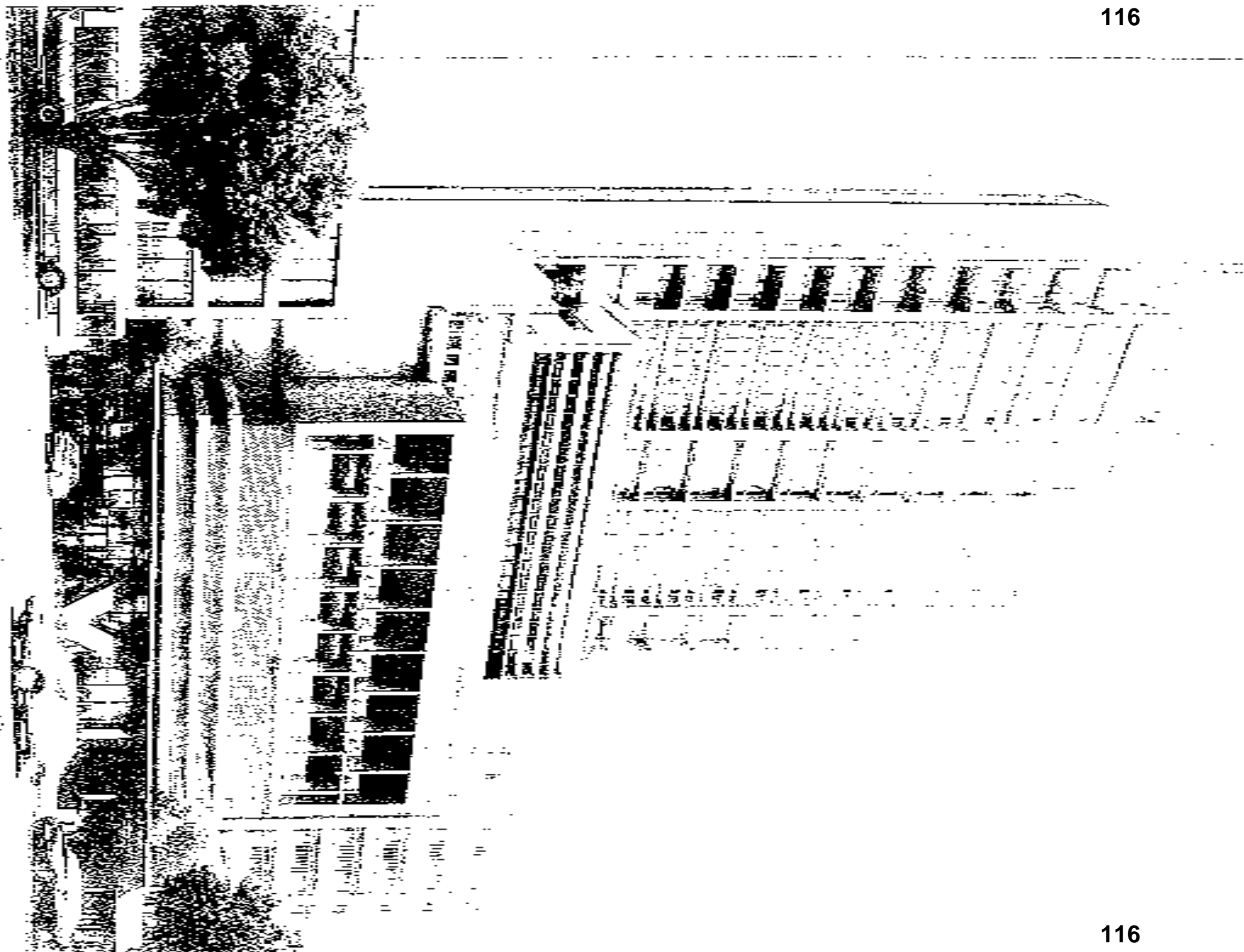
The number of persons permitted in the building at any one time will be governed by the relevant by-laws and approvals under Local Government, Fire safety and the Planning Act.

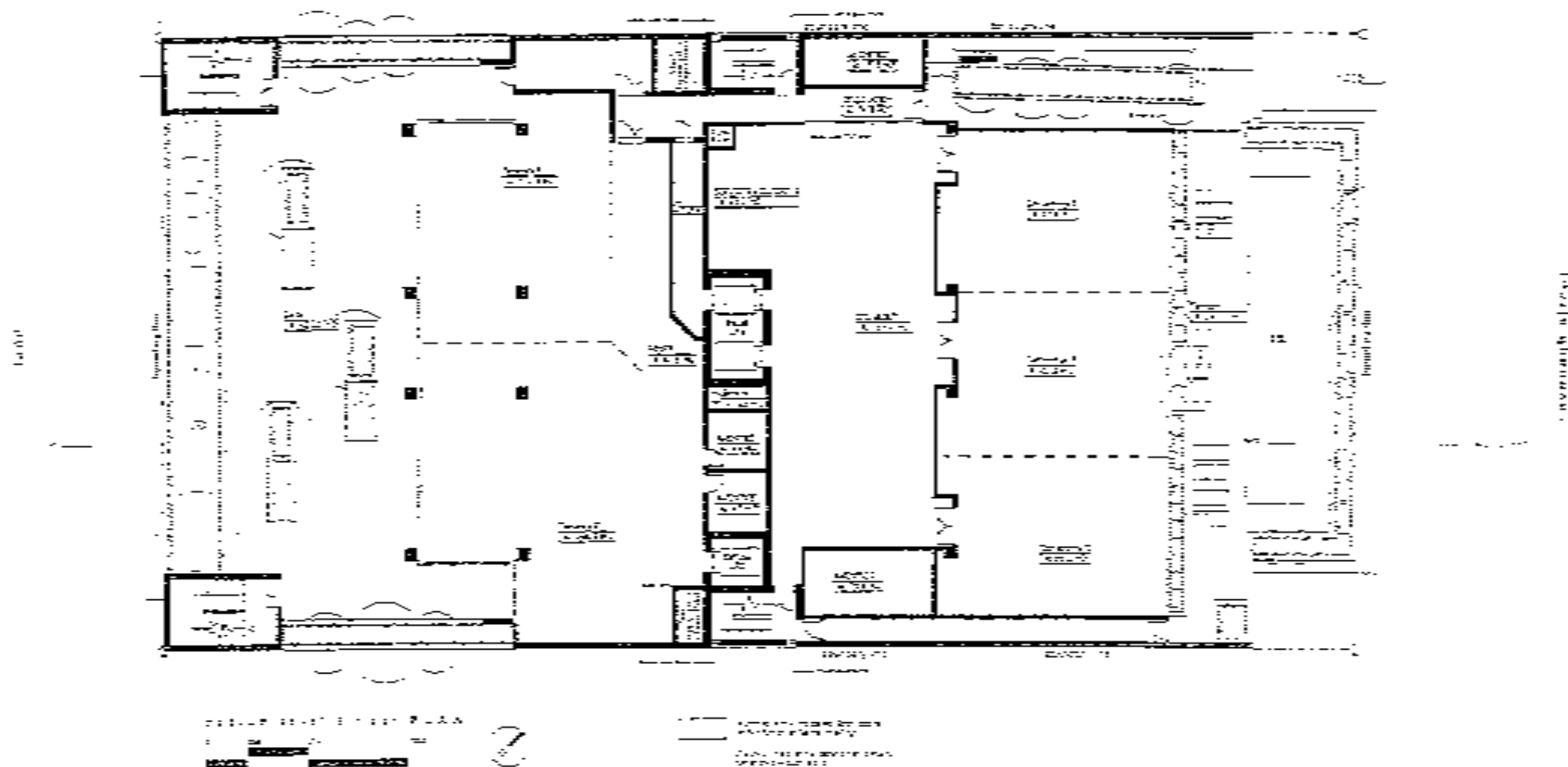
- (m) it may be necessary or desirable to prohibit or limit the entertainment, or the kind of entertainment, which may be provided on licensed premises or in an adjacent area under the control of the licensee:

Loud music, unsavory entertainment or excessive noise is not conducive to the type of business to be carried out on the premises. It is envisaged that the premises will be acknowledged primarily as hotel/motel accommodation. The emphasis being on the Central Darwin location attracting business and corporate groups and also catering to holidaying families.

- (n) it may be necessary or desirable to prohibit or limit promotional activities in which drinks are offered free or at reduced prices.

It is not conducive to the perceived future running of the business that any "happy hour" type sessions or free drink enticement would ever be offered to encourage patrons to the premises.





ENCL: YES

DARWIN CITY COUNCIL

DATE: 17/11/2009

REPORT

TO: TOWN PLANNING COMMITTEE MEETING/
OPEN B **APPROVED:** BS

FROM: GENERAL MANAGER INFRASTRUCTURE **APPROVED:** PL

REPORT NO: 09TS0214 BS:lm **APPROVED** LC

COMMON NO: 1592460

SUBJECT: PERMANENT PROMOTION PROJECTING & BUSINESS /PROMOTION
FASCIA SIGNS APPLICATION - LOT 6964 (16) MALAK CRES, MALAK
MALAK SUPERMARKET

ITEM NO: 10.7**SYNOPSIS:**

Approval is sought for a new permanent under-awning promotion projecting sign, and the replacement of an existing business fascia sign which contains promotion advertising. The proposed signs are to be located on private property in the Commercial (C) Zone, for the Malak Supermarket, **Attachment A**.

This report recommends Council approve this application.

GENERAL:

Applicant	Sign Manager	
Type of Advertising (inc. temp/perm/illuminated)	Permanent	✓
Type of Sign (Business/Election/Promotion etc.)	Promotion	✗
	Business	✓
Type of Structure (Pole/Free Standing/Fascia/High etc.)	Fascia	✓
	Projecting	✓
Measurement of Sign (inc.height)	10m x 0.7m	✓
	2.44m x 0.305m	✓
Location of Sign	On Private Property	✓
Existing Signage	Refer Attachment B	✗

Complies - ✓ Not Comply - ✗

PAGE: 2
REPORT NO: 09TS0214 BS:lm
SUBJECT: PERMANENT PROMOTION PROJECTING & BUSINESS /PROMOTION
FASCIA SIGNS APPLICATION - LOT 6964 (16) MALAK CRES, MALAK
MALAK SUPERMARKET

Supermarkets in general throughout the Darwin Municipality have not applied to Council for sign permits to place advertising signs on private property. This has been due to the majority of premises boarding up their windows to reduce the amount of break-ins and vandalism, and then using this area to place the advertising signs on. Prior to the Outdoor Advertising Signs Code being changed in 2004, this type of advertising on windows was considered exempt signage.

It appears that the majority of supermarkets in the Darwin Municipality still use the entire window for advertising. This type of advertising for supermarkets is generally common practice, and Council has not received any complaints from the community for this type or amount of advertising.

The Outdoor Advertising Signs Code allows 4 square metres of business advertising and 2 square metres of promotion advertising for businesses in a Commercial (C) Zone.

Business/Promotion Fascia Sign

The business/promotion fascia sign is 10 metres long and 0.7 metres high. This sign is replacing the existing sign which is the same size.

Both the existing and proposed fascia signs contain the business name as well as promotion advertising. The proposed fascia sign contains approximately 25–35% promotion advertising.

Promotion Projecting Sign

The promotion projecting sign will be positioned under the awning completely on private property.

The sign is 2.44 metres long and 0.305 metres high.

Conclusion

The inclusion of a new projecting sign and the replacement of the existing business sign which includes promotion advertising is not expected to effect the amenity of the surrounding area.

FINANCIAL IMPLICATIONS:

Nil.

PAGE: 3
REPORT NO: 09TS0214 BS:lm
SUBJECT: PERMANENT PROMOTION PROJECTING & BUSINESS /PROMOTION
FASCIA SIGNS APPLICATION - LOT 6964 (16) MALAK CRES, MALAK
MALAK SUPERMARKET

STRATEGIC PLAN IMPLICATIONS:

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

Goal

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

LEGAL IMPLICATIONS:

This issue is not considered confidential.

ENVIRONMENTAL IMPLICATIONS:

Nil.

PUBLIC RELATIONS IMPLICATIONS:

Nil.

COMMUNITY SAFETY IMPLICATIONS:

Nil.

DELEGATION:

Nil.

CONSULTATION:

Executive Officer Community Services

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil.

APPROPRIATE SIGNAGE:

Not Applicable.

PAGE: 4
REPORT NO: 09TS0214 BS:lm
SUBJECT: PERMANENT PROMOTION PROJECTING & BUSINESS /PROMOTION
FASCIA SIGNS APPLICATION - LOT 6964 (16) MALAK CRES, MALAK
MALAK SUPERMARKET

RECOMMENDATIONS:

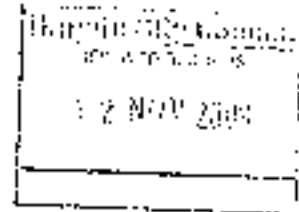
- A. THAT Report Number 09TS0214 BS:lm entitled, Permanent Promotion Projecting & Business/Promotion Fascia Signs Application, Lot 6964 (16) Malak Cres, Malak, Malak Supermarket, be received and noted.
- B. THAT a Permit for the proposed Signs be issued in accordance with the requirements of the Outdoor Signs Code for the following reasons:
- i). The inclusion of the new projecting sign and the replacement of the existing business sign which includes promotion advertising, is not expected to effect the amenity of the surrounding area.
 - ii). The proposed signs are keeping in context with existing advertising signs on supermarkets within the Darwin Municipality.

PETER LINDWALL
STRATEGIC TOWN PLANNER

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

Any queries on this report may be directed to Brian Sellers, Planning Officer on 89300 683 or email b.sellers@darwin.nt.gov.au.

10 November 2009



Attention: Brian Sellers
 Darwin City Council
 GPO Box 84
 Darwin NT 0801

Dear Sir/Madam,

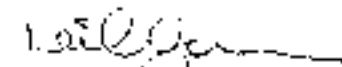
**Re: Planning Application for Fosters Signage
 At Malak Supermarket, Chambers Crescent, Malak**

Please find attached an application form and supporting documentation for a planning application for signs at the above Fosters facility. The new image forms part of a national re-branding strategy. The implementation of this re-brand is to achieve the following:

1. Achieve a consistent corporate Fosters image across Australia.
2. Clearly identify the property as a Fosters site to the general public via this consistent image.
3. The overall appearance of the site will improve greatly with the addition of the new signage.
4. The impact of the re-image will improve the surrounding area while adding value to our client's business.

We hope you will view this application favorably and will be pleased to provide any other supporting documentation required. Please forward receipt for application fees for our records.

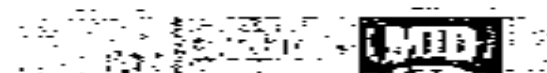
Yours sincerely


 Nicole Garman

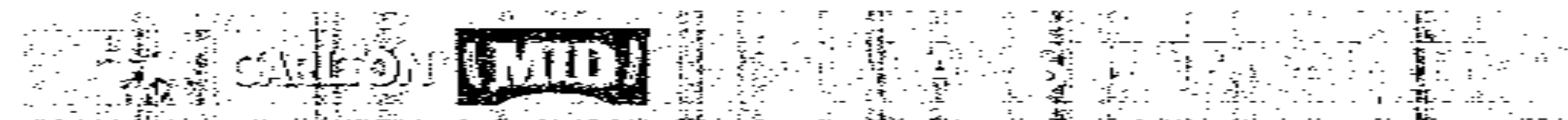
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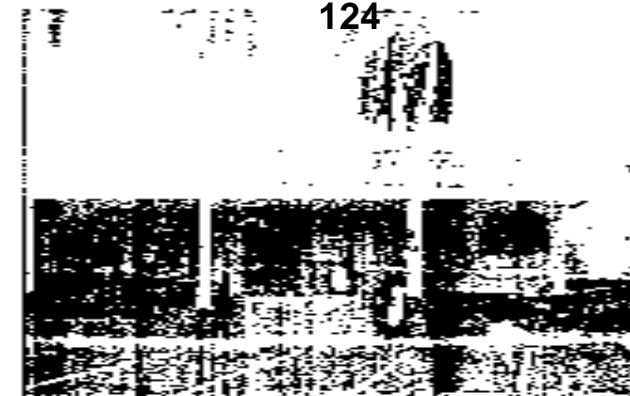
PROPOSED



Sign 2



Sign 1 OPT A



EXISTING

Sign 1 - CND Repalack Store

Size - 10 000mm x 750

Details - Rectangular sign with white background and black lettering. Sign to be mounted on a metal frame. Sign to be illuminated with LED lights.

Sign 2 - Under Awning Sign

Type - 2000mm x 1000mm

Details - Rectangular sign with white background and black lettering. Sign to be mounted on a metal frame. Sign to be illuminated with LED lights. Sign to be mounted under the awning of the building.

1. Sign to be illuminated with LED lights.

2. Sign to be illuminated with LED lights.

	CLIENT: Foster's	SITE NAME: Motor Food Pk	CUSTO 5704
	DESCRIPTION: Proposed Signage	ADDRESS: Motor Food Pk, 1000 Rte 101	DATE: 10/1/2011

ATTACHMENT B



ENCL: YES

DARWIN CITY COUNCIL**DATE:** 12/11/09**REPORT**

TO:	TOWN PLANNING COMMITTEE MEETING/ OPEN B	APPROVED:	BS
FROM:	GENERAL MANAGER INFRASTRUCTURE	APPROVED:	PL
REPORT NO:	09TS0212 BS:lm	APPROVED:	LC
COMMON NO:	1686711		
SUBJECT:	IN PRINCIPLE - PRIVATE HOTEL - LIQUOR LICENCE APPLICATION UNNAMED HOTEL – LOTS 2339 & 2338 (15-17) CAVENAGH STREET, DARWIN CITY		

ITEM NO: 10.8**SYNOPSIS:**

The developers of lots 2339 & 2338 (15-17) Cavenagh Street, Darwin City, have applied to the Northern Territory Licensing Commission for an In Principle - Private Hotel Liquor Licence for their new development at the above address, **Attachment A**.

This report recommends that Council has no objections or comments regarding this application.

GENERAL:

Development permit DP09/0759 was issued by the Development Consent Authority on the 9 October 2009 for the proposed development. The developers are now seeking an in principle approval for their liquor licence. Currently the site remains unchanged and the proposed hotel development has not been named. The "In Principle" liquor licence will come into effect when construction of the building is completed in accordance with the conditions of the Development Permit.

The Northern Territory Licensing Commission has confirmed that the applicant can not change any part of this application once approved for any reason without re-applying for a variation to a liquor licence.

Applicant: T & C Investments and Maley Pty Ltd

Name of Premises: Not Named

PAGE: 2
 REPORT NO: 09TS0212 BS:lm
 SUBJECT: IN PRINCIPLE - PRIVATE HOTEL - LIQUOR LICENCE APPLICATION
 UNNAMED HOTEL – LOTS 2339 & 2338 (15-17) CAVENAGH STREET,
 DARWIN CITY

Current and/or Proposed Conditions:

Proposed conditions are as follows:

- Supply of liquor in the restaurant ancillary to consuming a meal.
- Supply of liquor to lodgers and bona fide guests in the presence of lodgers by way of mini bar and room service.
- Liquor may be consumed by lodgers and bona fide guests in the presence of lodgers in pool area.
- Liquor may be consumed by bona fide attendees at the three function rooms and function breakout area identified on the sixth floor of the premises.

Trading Hours:

The proposed Trading Hours are as follows:

Restaurant

Monday to Thursday	1100 to 2300
Friday	1100 to 0100
Saturday	1100 to 0100
Sunday	1100 to 2300
Christmas Day	1100 to 2300
Good Friday	1100 to 2300

Function Rooms

Monday to Sunday	1000 to 0200
------------------	--------------

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.

Conclusion

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

PAGE: 2
 REPORT NO: 09TS0212 BS:lm
 SUBJECT: IN PRINCIPLE - PRIVATE HOTEL - LIQUOR LICENCE APPLICATION
 UNNAMED HOTEL – LOTS 2339 & 2338 (15-17) CAVENAGH STREET,
 DARWIN CITY

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

The hotel has been described as a hotel/motel type development offering a restaurant with bar facilities for in house guests, conference attendees, visitors and local residents. There is no public bar, and no take away sales.

The rooms will be equipped with mini bars and room service and service to the pool area will be limited to in-house guests only.

Notwithstanding that the development will not be completed for some time, the in principle liquor licence application can not be changed without applying to the Liquor Commission for a variation to a liquor licence. The variation would have to be advertised and will be reported as per Council policy.

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.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC PLAN IMPLICATIONS:

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

Goal

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

LEGAL IMPLICATIONS:

This matter is not considered confidential.

ENVIRONMENTAL IMPLICATIONS:

Nil.

PAGE: 2
REPORT NO: 09TS0212 BS:lm
SUBJECT: IN PRINCIPLE - PRIVATE HOTEL - LIQUOR LICENCE APPLICATION
UNNAMED HOTEL – LOTS 2339 & 2338 (15-17) CAVENAGH STREET,
DARWIN CITY

PUBLIC RELATIONS IMPLICATIONS:

Nil.

COMMUNITY SAFETY IMPLICATIONS:

Nil.

DELEGATION:

Not applicable as delegation not utilised.

CONSULTATION:

Nil.

PROPOSED PUBLIC CONSULTATION PROCESS:

Nil.

APPROPRIATE SIGNAGE

Nil.

RECOMMENDATIONS:

- A. THAT Report Number 09TS0212 BS:lm entitled In Principle - Private Hotel - Liquor Licence Application Unnamed Hotel – Lots 2339 & 2338 (15-17) Cavenagh Street, Darwin City, be received and noted.
- B. THAT Council endorse the following comments to be forwarded to the Director of Licensing, Racing, Gaming and Licensing:
 - 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.

PETER LINDWALL
STRATEGIC TOWN PLANNER

LUCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE

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

Maleys

*"Protecting your interests"***Barristers & Solicitors**BPO Box 2066, Darwin NT 0801
maleys.barristers@bigpond.com

Our Ref: PJM

Your Ref:

28 October 2009

The Director of Licensing
Enterprise House
30 Krukey Street
Darwin NT 0800Attention: Mr Peter Boyle
Licensing Inspector

Dear Peter

RE: 15 - 17 CAVENAGH STREET DARWIN
T & C INVESTMENTS PTY LTD & PETER JOHN MALEY

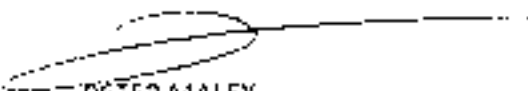
We act for the abovenamed developers Mr Chris Voulouris and Peter Maley who by agreement have set about the process of developing a hotel on the site located at 15 - 17 Cavenagh Street Darwin.

We are pleased to enclose further details for the In Principle Liquor Licence at 15 - 17 Cavenagh Street Darwin.

We advise that for the purpose of obtaining the In Principle liquor licence, Peter Maley is authorised on behalf of the developers to submit the application.

If you have any queries or wish to discuss this matter further then please do not hesitate to contact Peter Maley from this office.

Yours faithfully


PETER MALEY
PARTNER

Email: peter.maley@maleyslegal.com

Enc.

Darwin office:
Tel: (08) 8931 2266
Fax: (08) 8931 2033
17 Cavenagh St, DarwinPrincipal: Peter Maley LL.B. (Hons)
ADM 58 114 632 759 / ACN:114 632 759Coalinga office:
Tel: (08) 8932 3830
Fax: (08) 8932 3927
8/17 Coalinga Sleeping Village

LIQUOR ACT

2nd NOTICE OF APPLICATION FOR A LICENCE TO SELL LIQUOR

15 – 17 CAVENAGH STREET DARWIN MOTEL

T & C Investments Pty Ltd and Maley Pty Ltd, HEREBY GIVE NOTICE that as the Developer of the building, it has applied to the Northern Territory Licensing Commission for a "Conditional" "PRIVATE HOTEL" Liquor Licence to sell liquor from the motel premises, yet to be constructed, to be located at 15 – 17 Cavenagh Street, Darwin City.

The building will consist of 22 levels containing a Restaurant with bar facilities, office space, four level car parking, motel rooms, function rooms with breakout areas and pool facilities.

The concept of the premises is to provide Restaurant and Bar facilities, Mini Bar and Room Service, Licence three Function Rooms with breakout areas and provide for consumption of liquor in the Pool Area.

PROPOSED TRADING DETAILS for the sale of liquor are as follows:

- Supply of liquor in the Restaurant ancillary to consuming a meal during the following hours:

Sunday to Thursday	11:00 hours to 23:00 hours
Friday to Saturday	11:00 hours to 01:00 hours (the following day)
Christmas Day and Good Friday	11:00 hours to 23:00 hours
- Supply of liquor to lodgers and bona fide guests in the presence of lodgers by way of Mini Bar and Room Service.
- Liquor may be consumed by lodgers and bona fide guests in the presence of lodgers in the Pool Area.
- Liquor may be consumed by bona fide attendees at the three function rooms and function breakout area identified on the sixth floor of the premises from 10:00 hours to 02:00 hours (the following day).

This is the second notice of application.

The objection period is deemed to commence from Friday, 6 November 2009 (date of publication of second notice).

Pursuant to Section 47F(2) of the *Liquor Act* an objection may only be made on the ground 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.

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, Licensing, Regulation and Alcohol Strategy, GPO Box 1154, Darwin, within thirty (30) days of the commencement date of the objection period.

Dated this 6 Day of November 2009.

APPLICATION FOR IN PRINCIPLE LIQUOR LICENCE

T & C INVESTMENTS PTY LTD & PETER JOHN MALEY

6 Description of Business to be conducted

(H) The business to be conducted will be that of hotel/motel style accommodation offering a licensed Restaurant with Bar facilities for in-house guests, conference attendees, visitors and local residents.

The Bar area is contained within the Restaurant. It is expected that the Restaurant and Bar area would be run by the hotel operators

Rooms will be equipped with mini bars.

Room service will be available for meals and drink service.

Service of snacks and drinks to the Pool area will be limited to in-house guests only.

Service of meals, snacks and drinks to Conference/Function Rooms and the Deck area will be limited to in-house guests and conference/ function attendees only.

Hours of trade for Restaurant and Bar

Monday to Thursday	1100 to 2300
Friday	1100 to 0100
Saturday	1100 to 0100
Sunday	1100 to 2300

Christmas Day	1100 to 2300
Good Friday	1100 to 2300

Overall theme/concept will be that of a private hotel primarily for in-house guests, conference attendees, visitors and local residents.

Liquor to be sold to bona fide in-house guests and their visitors at any time for consumption on the premises in the licensed areas.

There will be no takeaway from the licensed premises at any time.

APPLICATION FOR IN PRINCIPLE LIQUOR LICENCE

T & C INVESTMENTS PTY LTD & PETER JOHN MALEY

6 (1) Public Interest criteria in respect of licence or licensed premises.

2) For subsection (1), the criteria are the following:

(a) Harm or ill-health caused to people, or a group of people, by the consumption of liquor is to be minimized.

Harm or ill-health caused to people will be minimized by the fact that primarily the service of alcohol will be limited to in-house guests and their visitors, diners in the restaurant and conference attendees. This will impact on the amount of alcohol served through the absolute limitation of number of guests permitted in the hotel at any one time. The bar will not be open to the general public and drinks will only be served to in-house guests and their visitors. Restaurant patrons will have drinks served ancillary to a meal.

(b) liquor is to be sold, or sold and consumed, on licensed premises in a responsible manner:

Liquor will only be sold on premises at the Restaurant Bar area ancillary to a meal, to in-house guests in their room and to attendees of the conference and function rooms within the allowed hours of trade. There will be no public bar facility at the venue.

(c) public order and safety must not be jeopardized, particularly where circumstances or events are expected to attract large numbers of persons to licensed premises or an area adjacent to those premises:

It is expected that the amenities of the hotel (ie: conference/function rooms etc) will be utilized by in-house guests and others for business meetings, conferences, weddings and similar events. It is not usually expected that these events would attract large groups of people.

(d) the safety, health & welfare of persons who use licensed premises must not be put at risk.

There are no obviously dangerous areas identified in the building. The Pool area will be subject to Local Government by-laws applicable to swimming pools under the relevant legislation.

(c) noise emanations from licensed premises must not be excessive;

It is not envisaged in the future that the venue would ever be used as a nightclub/entertainment facility at any time, therefore reducing the risk of having excessive noise.

(f) business conducted at licensed premises must not cause undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the neighborhood of the premises or who are making their way to or from, using the services of, a place of public worship, hospital or school.

The building is to be situated in the Central Business District of Darwin, in an area where no places of worship, hospitals or schools etc in the near vicinity. Residents in nearby units will not be inconvenienced by noise or disturbances any more than they are at present by other residential buildings adjacent or closely situated.

(g) a licensee must comply with provisions of this Act and any other law in force in the Territory which regulate the sale or consumption of liquor or the location, construction or facilities of licensed premises, including -
 (i) by-laws under the Local Government Act; and
 (ii) provisions of or under the Planning Act.

We currently have DCA approval for the building and we are fully aware of our obligations in relation to the Planning Act.

(h) each person involved in the business conducted at licensed premises must receive suitable training relevant to the person's role in the conduct of the business;

It will be expected that all staff employed will complete the RSA course on commencement of their employment and be made aware of their obligations and rules of the Liquor Act and other relevant Acts pertaining to the granting of a Liquor Licence.

(i) the use of credit in the sale of liquor must be controlled;
 The sale of liquor will not be subject to credit, except in the normal use of Credit Card transactions.

- (j) practices which encourage irresponsible drinking must be prohibited,

Liquor will not be sold to intoxicated persons or minors. This will be monitored with all sales, in particular room service.

- (k) it may be necessary or desirable to limit any of the following:
 (i) the kinds of liquor that may be sold;

It is expected that the Restaurant Bar will sell various types of liquor as per what is normally available in other Hotel Restaurant Bars, including but not limited to; beer, wines, spirits, soft drinks and mixers.

- (ii) the manner in which liquor may be sold;

Liquor will be sold under controlled circumstances by fully trained RSA qualified staff members at all times. There is no provision for any take away liquor sales.

- (iii) the containers, or number or types of containers, in which liquor may be sold

It is expected that the Restaurant Bar will be fully equipped with the normally accepted standard of liquor glasses and standard measuring equipment required in this type of service industry.

- (iv) the days on which and the times at which liquor may be sold;

The expected hours of trade are as follows:

Hours of trade for Restaurant and Bar:

Monday to Thursday	1100 to 2300
Friday	1100 to 0100
Saturday	1100 to 0100
Sunday	1100 to 2300

Christmas Day	1100 to 2300
Good Friday	1100 to 2300

- (l) it may be necessary or desirable to prohibit persons or limit the number of persons who may be on licensed premises, on any particular part of licensed premises or in an adjacent area subject to the control of the licensee;

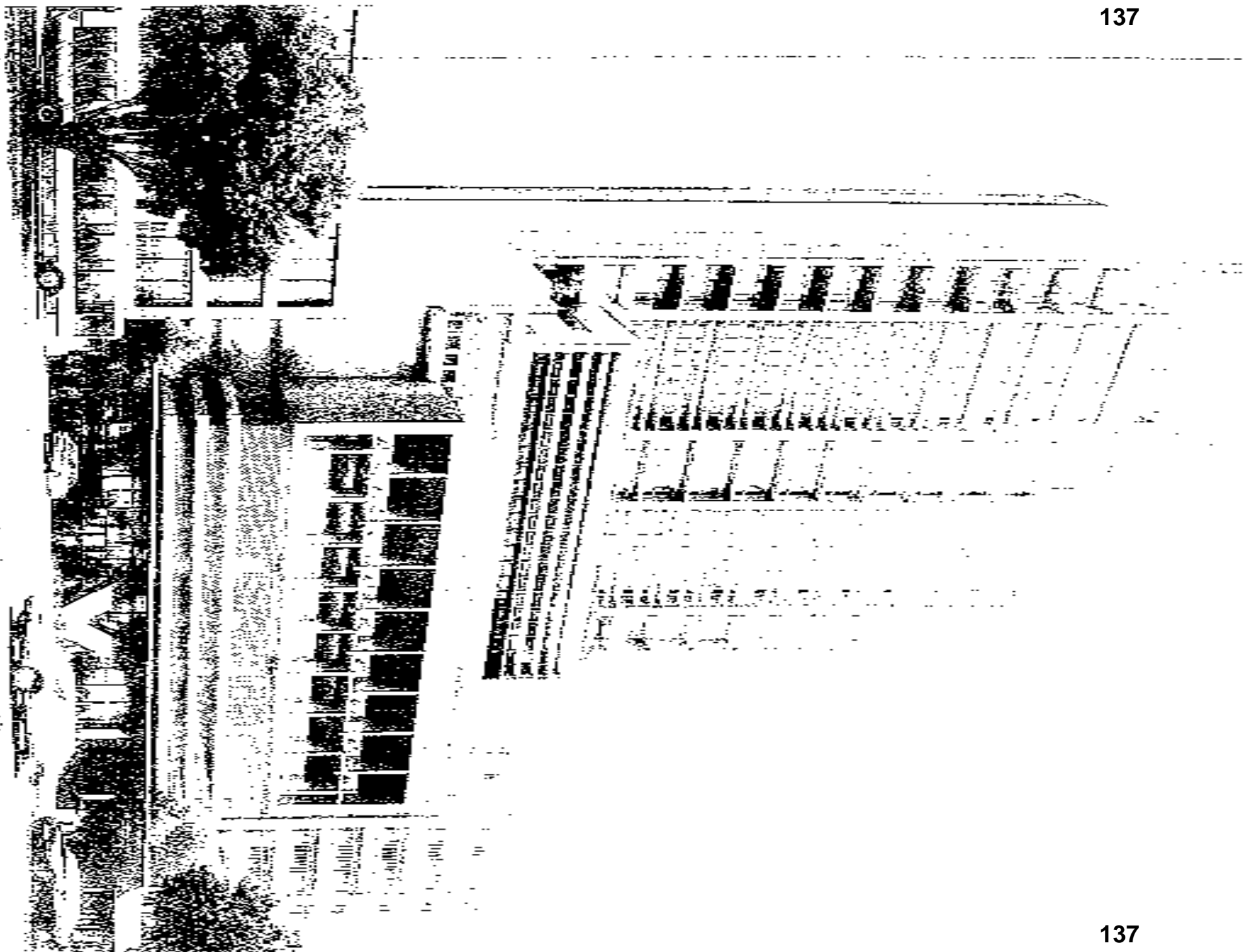
The number of persons permitted in the building at any one time will be governed by the relevant by-laws and approvals under Local Government, Fire safety and the Planning Act.

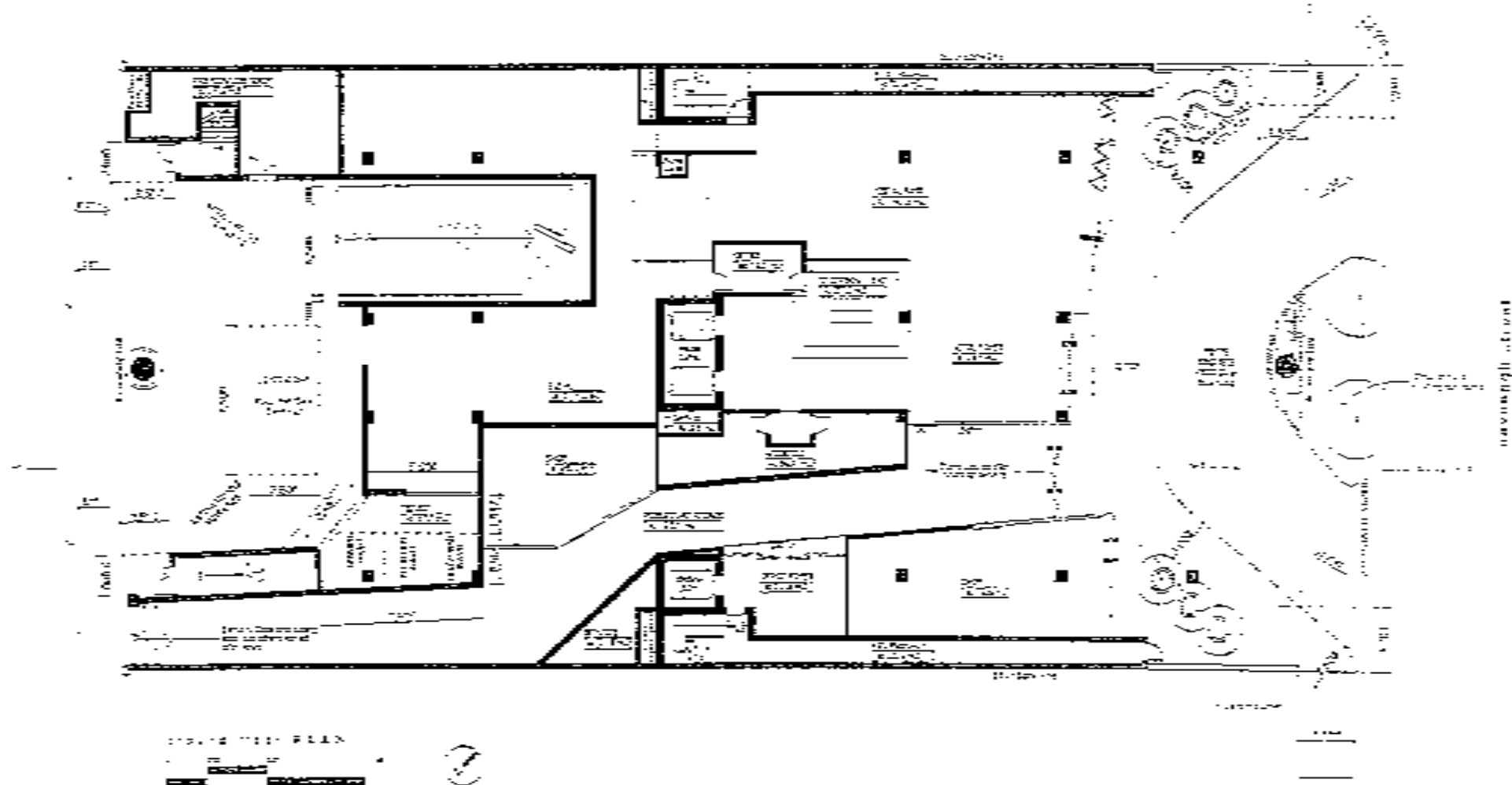
- (m) it may be necessary or desirable to prohibit or limit the entertainment, or the kind of entertainment, which may be provided on licensed premises or in an adjacent area under the control of the licensee:

Loud music, unsavory entertainment or excessive noise is not conducive to the type of business to be carried out on the premises. It is envisaged that the premises will be acknowledged primarily as hotel/motel accommodation. The emphasis being on the Central Darwin location attracting business and corporate groups and also catering to holidaying families.

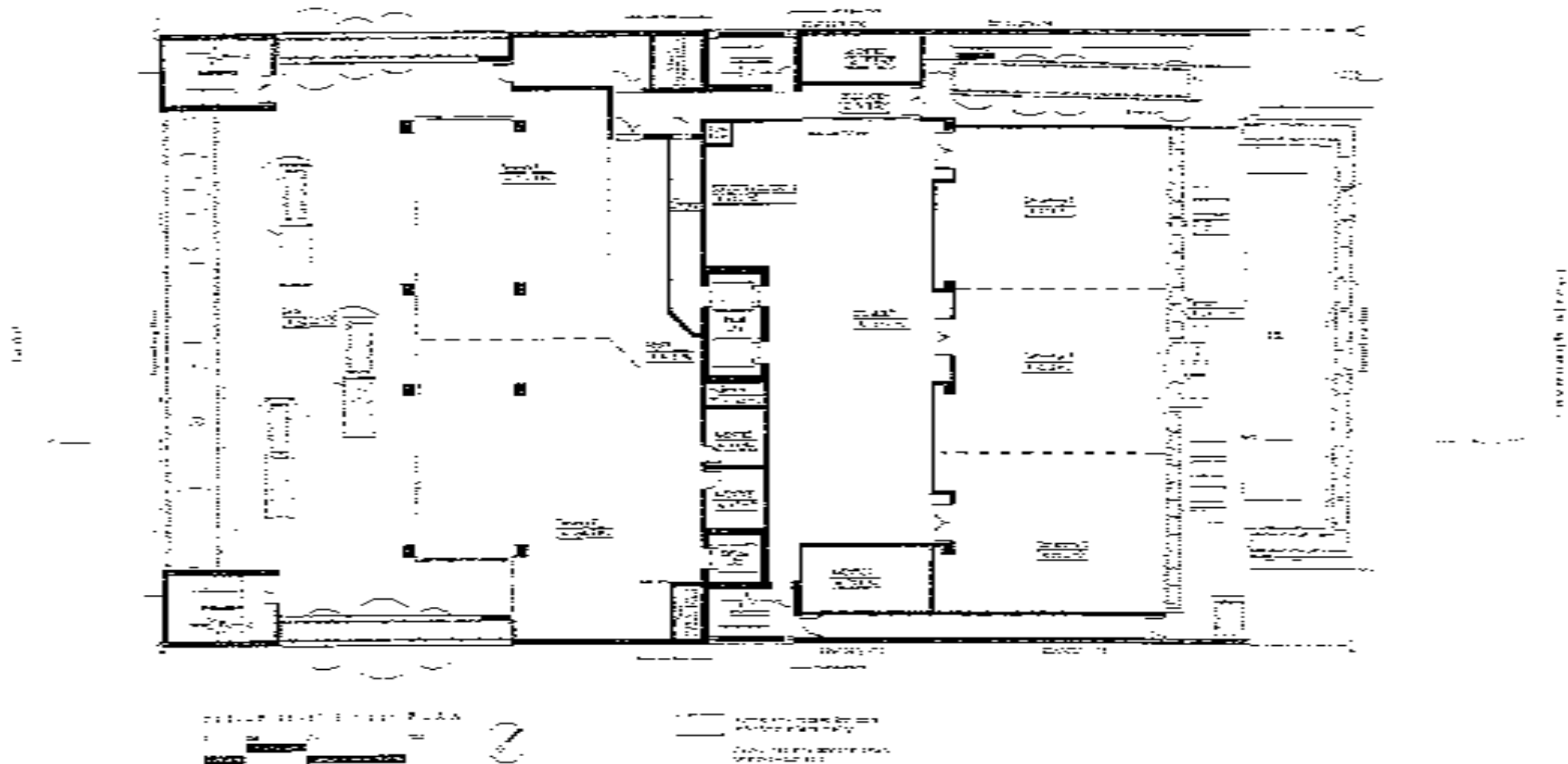
- (n) it may be necessary or desirable to prohibit or limit promotional activities in which drinks are offered free or at reduced prices.

It is not conducive to the perceived future running of the business that any "happy hour" type sessions or free drink enticement would ever be offered to encourage patrons to the premises.





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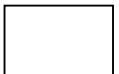
Town Planning Committee Meeting – Wednesday, 2 December, 2009**11 INFORMATION ITEMS****11.1 Minutes of the Development Consent Authority Meeting - Friday 23 October, 2009**

Document No. 1697283 (23/11/09) Common No. 1697283

*The Minutes of the Development Consent Authority Meeting held on Friday, 23 October 2009, are distributed as a separate attachment.***COMMITTEE'S DECISION**

THAT the Committee resolve under delegated authority that the Minutes of the Development Consent Authority Meeting held on Friday 23 October, 2009, Document number 1697283 be received and noted.

DECISION NO.20\() (02/12/09)



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Town Planning Committee Meeting – Wednesday, 2 December, 2009**11 INFORMATION ITEMS****11.2 Various Letters sent to Development Assessment Services under Delegated Authority****COMMITTEE'S DECISION**

THAT the Committee resolve under delegated authority that the following letters sent to Development Assessment Services, be received and noted:-

- i) Lot 6240 (6) Bayview Boulevard, Bayview, Town of Darwin PROPOSED DEVELOPMENT 2 X 3 Bedroom Multiple Dwellings in a 2 Storey Building – Common Number 1687774 RB:lm dated 27 November 2009.
- ii) Lot 5443 (9) Cavenagh Street, Darwin City, Town of Darwin, PROPOSED DEVELOPMENT: External Changes to Existing Building including the Addition of Louvers, Sunscreen Panels to the Façade and a Cooling Tower at the Rear of the Site – Common Number 1683928 PL:lm dated 20 November 2009.
- iii) Lot 7537 & 7538 (140) Dick Ward Drive, Town of Nightcliff PROPOSED DEVELOPMENT Subdivision and Consolidation to Create One Lot – Common Number 1678733 PL:lm dated 11 November 2009.
- iv) Lot 9103 (11) Parer Drive, Moil, Town of Nightcliff - PROPOSED DEVELOPMENT 35m High Telecommunications Monopole plus Antennas and Equipment Shed – Common Number 1667852 PL:lm dated 5 November 2009.
- v) Lot 2235 (651) Stuart Highway, Berrimah Hundred of Bagot PROPOSED DEVELOPMENT Subdivision to Create 39 Lots – Common Number 1677228 RB:lm dated 6 November 2009.
- vi) Lot 2235 (651) Stuart Highway, Berrimah Hundred of Bagot PROPOSED DEVELOPMENT – Vehicle Sales and Hire – Common number 1677314 RB:LM dated 6 November 2009.
- vii) Lots 7649 & 5940 (78) McMinn Street & (30) Harvey Street, Town of Darwin PROPOSED DEVELOPMENT – Subdivision and consolidation to Create one Lot– Common number 1676985 CT:lm dated 6 November 2009.
- viii) Lot 4871 (6) Foster court, Parap Town of Darwin PROPOSED DEVELOPMENT – 6 x 2 Bedroom Multiple Dwellings in a 4 Storey Building with Ground Level Car Parking – Common number 1676988 RB lm dated 6 November 2009.
- ix) Lot 2247 (12) Hinkler Crescent, Fannie Bay, Town of Darwin PROPOSED DEVELOPMENT 3 x 3 Bedroom Multiple Dwellings in a 1 x 2 Storey Building – Common number 1676983 RB lm dated 6 November 2009.
- x) Lot 10083 (16) Gakkingga Street, Lyons Town of Nightcliff PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building – Common number 1676990 RB lm dated 6 November 2009.

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Town Planning Committee Meeting – Wednesday, 2 December, 2009**11 INFORMATION ITEMS****11.2 Various Letters sent to Development Assessment Services under Delegated Authority***(...Continued from previous page)*

- xi) Lot 9260 (77) Lakeside Drive, Brinkin, Town of Nightcliff PROPOSED DEVELOPMENT – 45m High Telecommunications Tower Plus Antennas and Equipment Shelter – Common number 1677234 CT Im dated 6 November 2009.
- xii) Application Lot 5554 (2) Ross Smith Avenue Parap Installation of Demountable Structure as a Portable Classroom – Common number 1677226 PL Im dated 6 November 2009.
- xiii) Lot 1908 (70) Boulter Road, Berrimah, Hundred of Bagot PROPOSED DEVELOPMENT Extension to an Existing Demountable Structure (Mobile Phone Base Station) – Common number 1687776 PL Im dated 27 November 2009.
- xiv) Lot 1302 (2) Manoora Street, Larrakeyah Town of Darwin PROPOSED DEVELOPMENT Verandah Addition to an Existing Multiple Dwelling (Unit 3) – Common number 1676989 RB:Im dated 6 November 2009.
- xv) Lot 2645 (7) Malak Crescent, Malak Town of Sanderson PROPOSED DEVELOPMENT – Elevated Verandah Addition To Existing Single Dwelling with a Reduced Front Setback – Common number 1677230 RB:Im dated 6 November 2009.
- xvi) Lot 6867 (1) Hands Court, Malak Town of Sanderson PROPOSED DEVELOPMENT – Verandah and Carport Additions to an Existing Multiple Dwelling (Unit 4) – Common number 1677233 RB:Im dated 6 November 2009.
- xvii) Lot 4696 (3) Baines Street, Leanyer Town of Sanderson PROPOSED DEVELOPMENT – Carport Addition to Existing Single Dwelling with a Reduced Front Setback – Common number 1686986 RB:Im dated 6 November 2009.
- xviii) Lot 2927 (4) Giles Street, Fannie Bay Town of Darwin PROPOSED DEVELOPMENT – Garage Addition to an Existing Single Dwelling with a Reduced Front Setback – Common number 1676984 RB:Im dated 6 November 2009.
- xix) Lot 7741 (41) Ruddick circuit, Stuart Park Town of Darwin - PROPOSED DEVELOPMENT – Single Dwelling with Reduced Front Setback – Common number 1677229 RB:Im dated 6 November 2009.
- xx) Lot 4108 (71) Abala Road, Marrara Hundred of Bagot PROPOSED DEVELOPMENT – Upgrade of 4 Existing Floodlights to a Height of 35m – Common number 1676987 dated 6 November 2009.

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Town Planning Committee Meeting – Wednesday, 2 December, 2009**11 INFORMATION ITEMS****11.2 Various Letters sent to Development Assessment Services under Delegated Authority***(...Continued from previous page)*

- xxi) Lot 2836 (3) Nylander Street, Parap Town of Darwin PROPOSED DEVELOPMENT – Change of use from Office to Medical Clinic – Common number 1677225 RB:lm dated 6 November 2009.
- xxii) Lot 4059 (29) Van Diemen Street, Wagaman, Town of Nightcliff PROPOSED DEVELOPMENT – Verandah Additions to an Existing Single Dwelling with Reduced Front and Side Setback. – Common number 1679572 PL:lm dated 13 November 2009.
- xxiii) Lot 8959 (9) Airlie circuit, Brinkin, Town of Nightcliff – PROPOSED DEVELOPMENT – Verandah Addition to Existing Multiple Dwelling (Unit 1) with a Reduced Side Setback – Common number 1681201 PL:lm dated 13 November 2009.
- xxiv) Lot 4028 (3) Nankeen Court, Leanyer, Town of Sanderson – PROPOSED DEVELOPMENT – Addition to a Carport/Verandah to the Existing Single Dwelling – Common number 1684145 RB:lm dated 18 November 2009.
- xxv) Lot 9130 (140) Casuarina Drive, Nightcliff, Town of Nightcliff – PROPOSED DEVELOPMENT – Verandah Addition to an Existing Multiple Dwelling with a Reduced Rear Setback (Unit 2) – Common number 1687771 PL:lm dated 27 November 2009.
- xxvi) Lot 4338 (18) Parkside Crescent, Leanyer, Town of Sanderson PROPOSED DEVELOPMENT – Additions to an Existing Single Dwelling including a Carport with a Reduced Front Setback and Shed with Reduced Side Setback – Common number 1687773 PL:lm dated 27 November 2009.
- xxvii) Lot 5483 (7) Bayview Street, Fannie bay, Town of Darwin PROPOSED DEVELOPMENT – Verandah Addition to an Existing Multiple Dwelling with a Reduced Side Setback – Common number 1683926 PL:lm dated 20 November 2009.
- xxviii) Lot 2924 (3) Giles Street, Fannie Bay, Town of Darwin PROPOSED DEVELOPMENT – Carport Addition to an Existing Single Dwelling with a Reduced Side Setback – Common number 1686242 PL:lm dated 24 November 2009.
- Lot 3009 (6) Mary Street, Stuart Park – PROPOSED DEVELOPMENT – Garage with a Reduced Front Setback – Common number 1683927 PL:lm dated 20 November 2009.

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Town Planning Committee Meeting – Wednesday, 2 December, 2009**11 INFORMATION ITEMS****11.2 Various Letters sent to Development Assessment Services under Delegated Authority***(...Continued from previous page)*

xxix) Lot 5489 (19) Bayview Street, Fannie Bay, Town of Darwin –PROPOSED DEVELOPMENT –Shed Structure Addition to an Existing Multiple Dwelling with a Reduced Rear Setback – Common number 1687775 PL:lm dated 27 November 2009.

xxx) Lot 6209 (21) Ostermann Street, coconut Grove, Town of Nightcliff PROPOSED DEVELOPMENT – Garage Addition to an Existing Single Dwelling with a Reduced Side Setback – Common number 1686185 PL:lm dated 24 November 2009.

DECISION NO.20\()

(02/12/09)



Please quote: 1687774 RB:lm

27 November 2009

Mr Doug Lush
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lush

**Lot 6240 (6) Rayview Boulevard, Bayview, Town of Darwin
Proposed Development – 2x3 Bedroom Multiple Dwellings in a 2 Storey Building**

Thank you for the Development Application referred to this office 12 November 2009, 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 the granting of a Development Permit.**

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

- a). **The crossover and driveway appear to meet Council requirements.**
- b). **Council requests the Authority requires a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to Council's drainage network.**
1. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.
 2. Council requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into Council's stormwater drainage system. It is also necessary to ensure that no stormwater

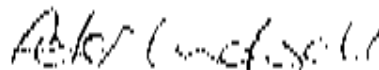
Should this application be approved, the following conditions pursuant to the Planning Act and Council's responsibilities under the Local Government Act are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- 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 Director of Technical Services, Darwin City Council and at no cost to Council.
- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.
- Waste bin storage and pick up shall be provided in accordance with Council's Waste Bin Policy.

In considering this application, the 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.

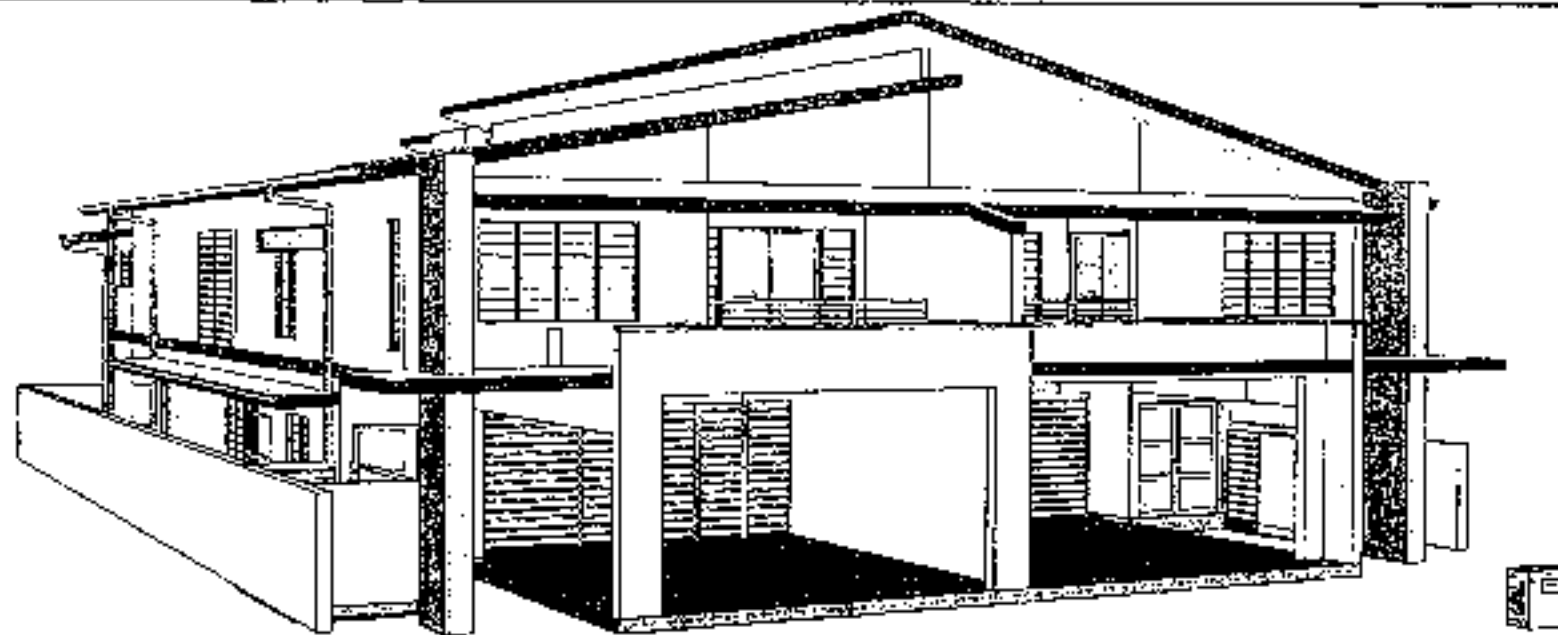
If you require any further discussion in relation to this application please feel free to contact Rick Burgeon on 88300 412.

Yours faithfully

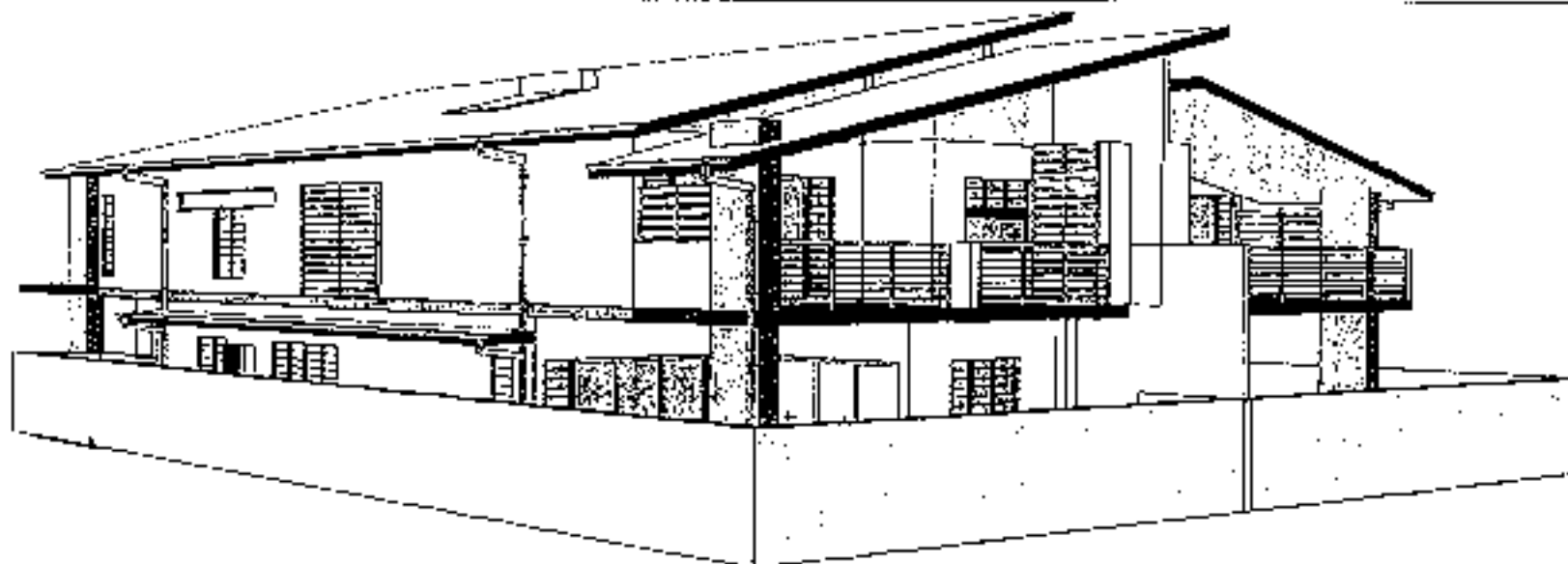


PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: The Red Shed

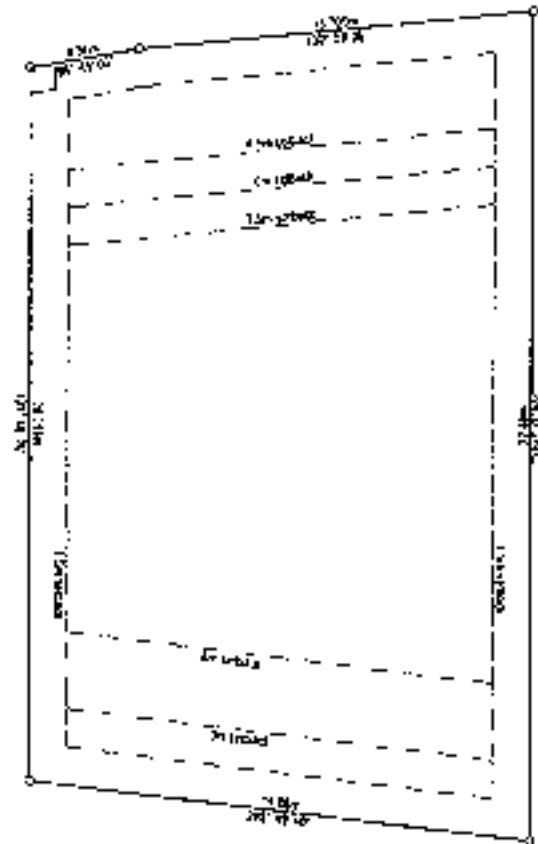


FRONT VIEW UNIT 1



BACK VIEW UNIT 1

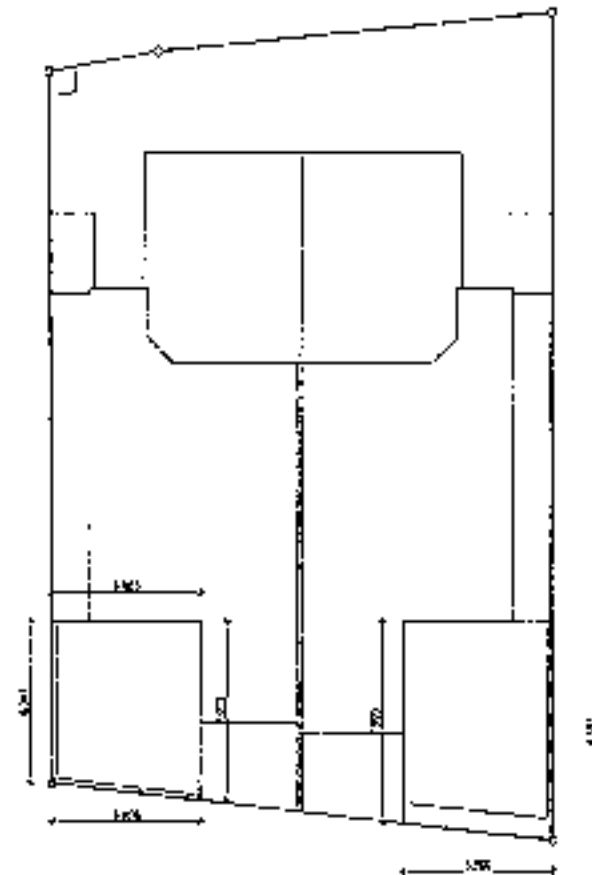
6240 (6) BAYVIEW BLVD



BLANK SITE

1:200

6240 (6) BAYVIEW BLVD



OPEN SPACE

1:200

Please quote: 1683028 P1.tif

20 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 5443 (9) Cavenagh Street, Darwin City, Town of Darwin
Proposed Development – External Changes to Existing Building including the
Addition of Louvres, Sunscreen Panels to the Facade and a Cooling Tower at the Rear
of the Site**

Thank you for the Development Application referred to this office on 9 November 2009 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.

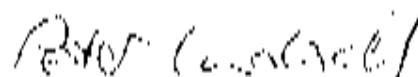
Council's comments on issues for which it is the sole responsible authority, under the Local Government Act and associated By Laws:

- 3). There do not appear to be any Council issues in relation to this development application, as the building will retain existing arrangements for vehicle access to the site, stormwater drainage and waste bin storage. In addition, the proposed external changes to the building appear to be contained within the site boundary and do not require any use or landscaping of Council owned land.

In considering this application, the 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.

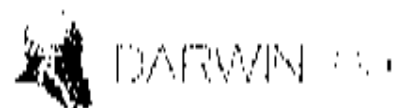
If you require any further discussion in relation to this application please contact me on 89300 528

Yours faithfully



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Randazzo Properties Pty Ltd



PROPOSED
RENOVATIONS
CLADDING

PROPOSED
RENOVATIONS
CLADDING

NORTH EAST ELEVATION
SCALE 1:100

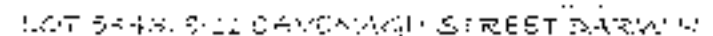
Level 9	▽
60450	
Level 8	▽
58950	
Level 7	▽
56450	
Level 6	▽
48950	
Level 5	▽
46450	
Level 4	▽
42950	
Level 3	▽
39450	
Level 2	▽
35950	
Level 1	▽
32450	
Ground Floor	▽
28050	
Podium Level	▽
28350	
Landing	▽
27950	
Street Level	▽
27050	

PROPOSED
RENOVATIONS
CLADDING

PROPOSED RENOVATIONS

2/15/2014

LOT 5-13, 11 CAVENAGH STREET DARYN



Please quote: 1678733 PL:lm

11 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 7537 & 7538 (140) Dick Ward Drive Town of Nightcliff
Proposed Development – Subdivision and Consolidation to Create One Lot**

Thank you for the Development Application referred to this office on 28 October 2009, 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.

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

- Any easements or reserves required for the purposes stormwater drainage, roads, access or for any other purpose shall be made available free of cost to the Darwin City Council or neighbouring property owners.

In considering this application, the 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 contact me on 89300 0528.

Yours faithfully

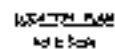


**PETER LINDWALL
STRATEGIC TOWN PLANNER**

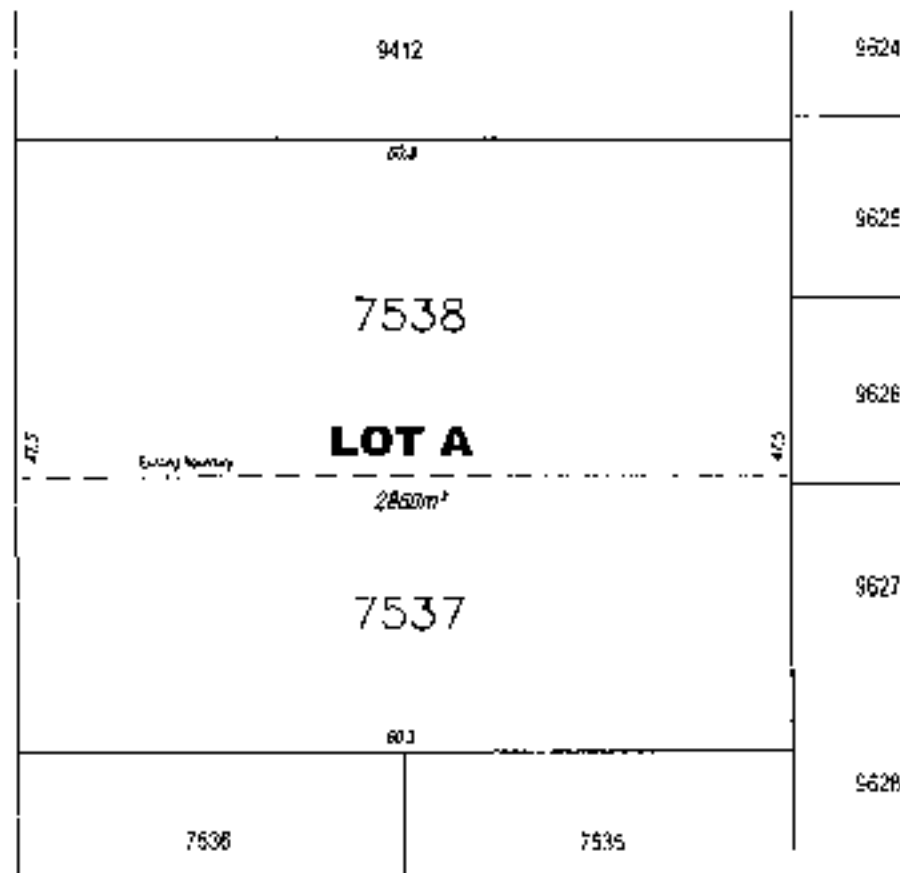
cc: Paul James & Associates



DARWINCITY



DICK WARD DRIVE



h0°E
All listed numbers are subject to survey

**LOTS 7537 & 7538
TOWN OF NIGHTCLIFF**

DEVELOPMENT APPLICATION

(245) 190 ΑΓΓΕΛΟΦΙΛΟΥ

Exchange Surveyor Comp. _____	Sum. 142 (N)
Drawn by J.	Notes
Date: 1-1-1964	Drawing no.
Cap File	C973-564

Please quote: 1667652 PL:dm

5 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

Lot 9103 (11) Parer Drive, Moll, Town Of Nightcliff
Proposed Development – 35m High Telecommunications Monopole plus Antennae
and Equipment Shed

Thank you for the Development Application referred to this office on 8 October 2009, concerning the above.

In response to its letter of 22 October, Council has received a response from Aurecon, the applicant for this proposal. The letter advises that Optus is proposing to access the subject site via Parer Road along the eastern property boundary between the subject site Lot 9103 and Council owned land which is Lot 8907. The applicant has advised that the existing fence between Lots 9103 and 8907 is incorrectly located over a part of the applicant's site Lot 9103.

The following issues are raised for consideration by the Authority:

- i). **Council supports the granting of a Development Permit for this proposal provided access to the subject site is adequately addressed.**

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

Vehicle access to the proposed telecommunications compound would be essential both for the construction and on-going maintenance of the infrastructure.

The applicant has advised that it is possible for vehicle access to the proposed telecommunications compound could be taken from Parer Drive around the south-western side of the ground level water storage tank. The applicant claims that the clearance between the south-western side of the tank and the boundary fence to Lot 9102 is approximately 3.5 metres. Access from Parer Road will require further discussion with Darwin City Council to resolve issues concerning the removal of any vegetation and the possible relocation of the fence along Council's Lot 8907 to reflect the true property boundary.

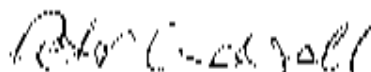
Should this application be approved, the following conditions pursuant to the Planning Act and Council's responsibilities under the Local Government Act are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- The location, design and specifications for proposed and affected crossovers shall be provided to the satisfaction of the General Manager of Infrastructure, Darwin City Council and at no cost to Council.
- 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 of Infrastructure, Darwin City Council and at no cost to Council.
- 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 of Infrastructure, Darwin City Council.
- Waste bin storage and pick up shall be provided in accordance with Council's Waste Bin Policy.

In considering this application, the 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 contact me on 8930 0528.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: American Australia Pty Ltd

Aurecon Australia Pty Ltd
 AUSTRALIAN 130 873
 Level 1, 62 Cavenagh Street
 (PO Box 910)
 Darwin Northern Territory 0800
 Australia

T +61 8 8910 8777
 F +61 8 8910 8700
 E darwin@ap.aurecongroup.com
 W aurecongroup.com

02/10/2008 11:11

30 October 2008

Peter Lindwall
 Strategic Town Planner
 Darwin City Council
 PO Box 84
 Darwin NT 0801

Your Reference: 1887852 RB/jm

Dear Peter

Lot 9103 Parer Dr, Moll – Proposed Telecommunications Facility

This letter is in response to your letter dated 22 October 2008 in regards to the development application for the proposed telecommunication facility at Lot 9103 (11) Parer Dr, Moll.

Darwin City Council has expressed concerns in regards to vehicle access. Optus is proposing access to the facility be via the existing access on Parer Drive and along the eastern lot boundary. There is 3.5 m between the wall of the existing water tank and the property boundary between Lot 9103, the subject lot, and Lot 8907, the council owned land. This is sufficient width for a vehicle to access the proposed compound. No alternative access is deemed necessary.

However, it cannot be guaranteed that Optus vehicles and personnel accessing Lot 9103 will not traverse through the portion of Lot 8907 inside the fence line. This issue could be rectified if the existing fence was realigned to reflect the true property boundary to prevent persons within Lot 9103 accidentally traversing in Lot 8907.

A copy of this letter has been forwarded to Development Assessment Services for their information.

If you wish to discuss this further, please do not hesitate to contact Kate Alathorpe, consultant Town Planner at Aurecon Pty (OU) 8919 9705 or email alathorp@ap.aurecongroup.com

Yours sincerely



Kate Alathorpe
 Town Planner
 Aurecon

cc: Development Assessment Services

Please quote: 1877228 RB/m

6 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

**Lot 2235 (651) Stuart Highway, Berrimah Hundred of Bagot
Proposed Development – Subdivision to Create 39 Lots**

Thank you for the Development Application referred to this office 28 October 2009, 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). Access to and from the Stuart Highway via the four-way intersection is not ideal and should be reconsidered,
 - b). All design and construction shall conform to Council's Subdivision and Development Guidelines, including road pavement widths,
 - c). Parking along the service road could become an issue and sufficient pavement width is required to allow for parallel parking
 - d). The roundabout should be included as a component of the landscaping design with irrigation infrastructure provisions provided to the centre of the roundabout.

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

- i). **Council is concerned that the provided reserves do not contribute to the amenity of the proposed subdivision and do not provide public open space in locations which encourage them to be used.** It would be preferable that reserves are provided in more prominent central locations so as to improve the overall amenity of the subdivision and facilitate better use of the reserves.

Should the provision of reserves not be able to be accommodated in more appropriate locations. It is the preference of Council that a higher level of amenity is provided in the general streetscape.

b). **Council has concerns about the stormwater detention basins.**

Open pools of water in unsupervised locations may become a safety hazard.

Council has found in past experience that the maintenance of storm water basins of this type can be costly and require constant attention. It has been found that open stormwater basins if not managed properly can facilitate the germination and spreading of weeds, and also provide a breeding ground for insects. It is for these reasons that the Darwin City Council Subdivision and Development Guidelines stipulate that, "The stormwater drainage system is to be based on a system of sealed roads, kerb and gutter, entry pits and underground drainage supplemented where applicable by a system of flood ways preferably located in open spaces or drainage reserves."

c). **Council will not accept responsibility for rear of lot drainage systems.**

d). **Council requires subsoll drainage to surround all roads.**

e). **Council requests the Authority requires a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to an appropriate stormwater drainage system.** The applicant's plans fail to demonstrate how on-site stormwater will be discharged from the retention basins. Council requires,

- 1). A stormwater drainage plan and calculations to confirm that it is technically feasible to collect stormwater on the site. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.
- 2). Confirmation that all stormwater can be discharged into NT Government Department of Planning and Infrastructure stormwater drainage system.
- 3). Confirmation that all stormwater can be discharged through Lot 2237.
- 4). An environmental management plan for the retention basins

f). **A sediment erosion control plan is required to be submitted at the time that construction plans are submitted to the requirements and satisfaction of The General Manager of Infrastructure, Darwin City Council.**

g). **Council requires plans to illustrate proposed:**

- Pathways,
- Landscaping,
- Road hierarchy, and
- Speed Zones


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.

- Engineering design and specifications for the proposed and affected roads, including street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, street scaping and landscaping of nature strips shall be submitted for approval by the General Manager Infrastructure, Darwin City Council and all approved works constructed to Council requirements at the applicant's expense.
- Any easements or reserves required for the purposes stormwater drainage, roads, access or for any other purpose shall be made available free of cost to the Darwin City Council or neighbouring property owners.

In considering this application, the 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 Rick Burgess on 8930 0412.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Masterplan NT Pty Ltd



6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 2235 (651) Stuart Highway, Berrimah Hundred Of Bagot
Proposed Development - Vehicle Sales And Hire**

Thank you for the Development Application to the Planning Scheme referred to this office 23 October 2009, 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:

- 1). **Council supports in principle the granting of a Development Permit.**

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

- a). **The crossover and driveway appear to meet Council requirements.**
- b). **Council requests the Authority requires a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to Council's drainage network.**
 - 1). **The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.**
 - 2). **Council requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into Council's stormwater drainage system. It is**

also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

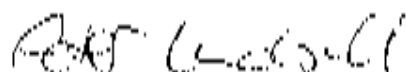
Should this application be approved, the following conditions pursuant to the Planning Act and Council's responsibilities under the Local Government Act are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- 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, Darwin City Council and at no cost to Council.
- Sight lines shall be provided at crossovers to public streets to the satisfaction of the General Manager Infrastructure, Darwin City Council. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- Car parking spaces and internal driveways shall meet the requirements of the relevant Australian Standard and be linemarked and sealed with an impervious material.
- The total number of required disabled car parking bays shall be met on site.
- Waste bin storage and pick up shall be provided in accordance with Council's Waste Bin Policy.
- The applicant is encouraged to consider the Darwin City Council Outdoor Advertising Signs Code to determine whether a permit is required. An application for a sign permit shall be submitted directly to the Darwin City Council. For further information please contact Brian Sellers on 08 8930 0683.

In considering this application, the 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.

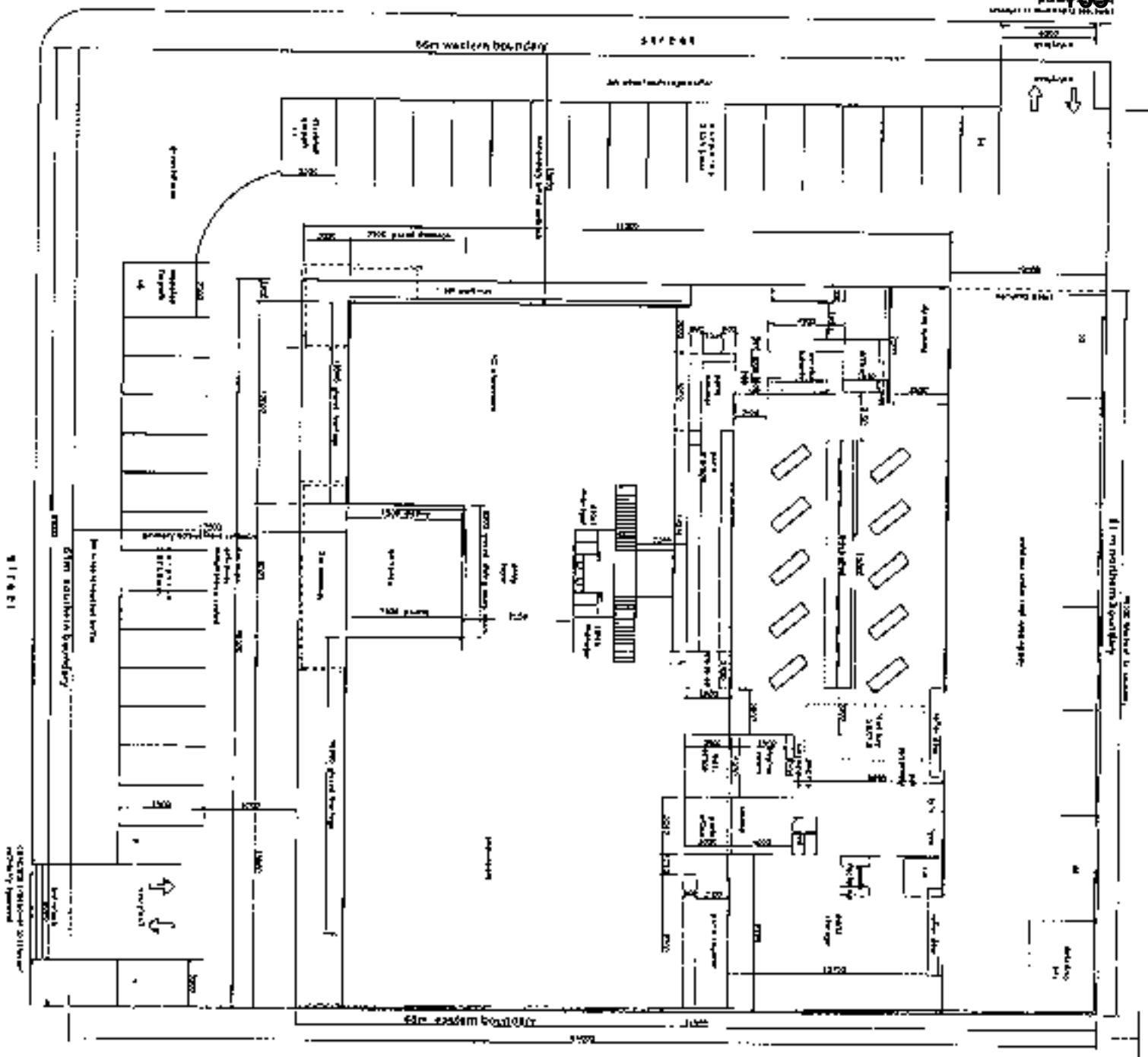
If you require any further discussion in relation to this application please feel free to contact Rick Burgess on 08 8930 0412.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: George Savvas



6 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

**Lots 7649 & 5940 (78) McMin Street & (30) Harvey Street, Town of Darwin
Proposed Development – Subdivision and Consolidation to Create One Lot**

Thank you for the Development Application referred to this office on 23 October 2009, 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.

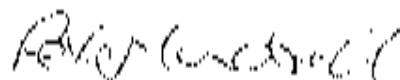
Should this application be approved, the following condition pursuant to the Planning Act and Council's responsibilities under the Local Government Act is recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- Any easements or reserves required for the purposes stormwater drainage, roads, access or for any other purpose shall be made available free of cost to the Darwin City Council or neighbouring property owners.

In considering this application, the 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 contact me on 8930 0528.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Carl James & Associates



DARWIN NT



LOCATION PLAN

Not to Scale

STAGE 1

Creation of Lot 7670

STAGE 2Consolidation of Lot 7670 with Lot 7649
to create Lot A (total area 3640m²)

All areas and dimensions are subject to survey

DALY STREET

LOT 7650

LOT 7649
(2850m²)

McMINER STREET

PROPOSED
LOT 7670
792m²

1658

**LOTS 7649 AND 7670
TOWN OF DARWIN****DEVELOPMENT APPLICATION**

Date: JJA DEVELOPMENT PTY LTD

Drawn by: JJA	Date: 14/11/18
Check: JJA	Drawn by: JJA
Scale: 1:500	Date: 14/11/18
Drawn by: JJA	Date: 14/11/18
Check: JJA	Date: 14/11/18
Scale: 1:500	Date: 14/11/18
Drawn by: JJA	Date: 14/11/18
Check: JJA	Date: 14/11/18
Scale: 1:500	Date: 14/11/18
Drawn by: JJA	Date: 14/11/18
Check: JJA	Date: 14/11/18
Scale: 1:500	Date: 14/11/18

Please quote: 1676988 RB:lm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 4971 (6) Foster Court, Parap Town Of Darwin
Proposed Development -- 6x2 Bedroom Multiple Dwellings In A 4 Storey
Building With Ground Level Car Parking**

Thank you for the Development Application referred to this office 23 October 2009, 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.**

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

- a). **The waste disposal areas shall provide a tap and sewer connection to allow for cleaning of bins in accordance with Darwin City Council Waste Disposal Policy.**
- b). **The waste disposal area shall not have any steps or obstructions preventing the access to and removal of bins in accordance with Darwin City Council Waste Disposal Policy.**
- c). **Council requests the Authority requires a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to Council's drainage network.**

- 1). The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.
- 2). Council requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into Council's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

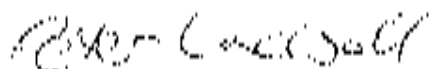
Should this application be approved, the following conditions pursuant to the Planning Act and Council's responsibilities under the Local Government Act are also recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager of Infrastructure, Darwin City Council, and all approved works constructed to Council's requirements at the applicant's expense.
- 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 of Infrastructure, Darwin City Council 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.
- Waste bin storage and pick up shall be provided in accordance with Council's Waste Bin Policy.

In considering this application, the 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 Rick Burgess on 8930 0412.

Yours faithfully

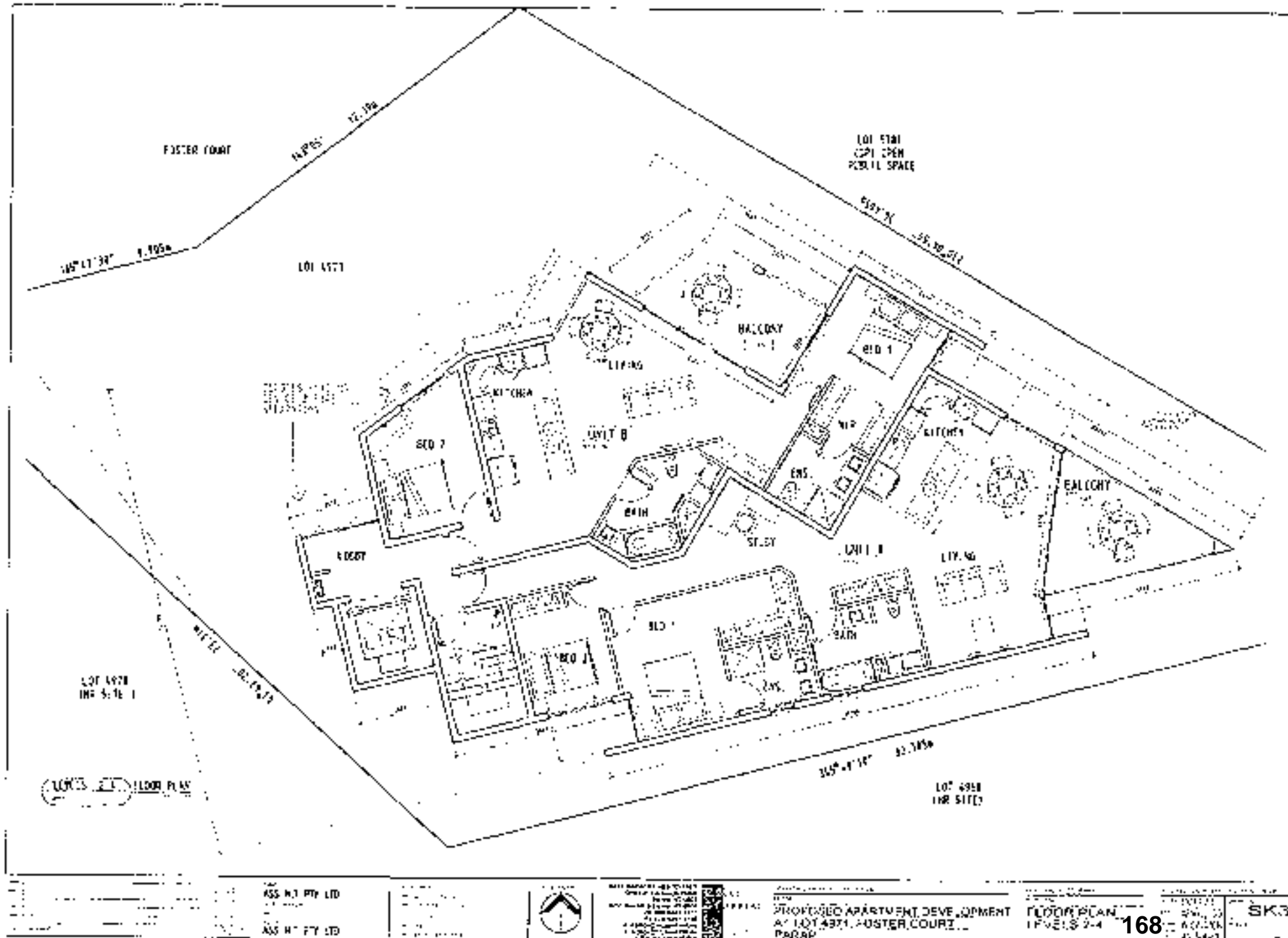


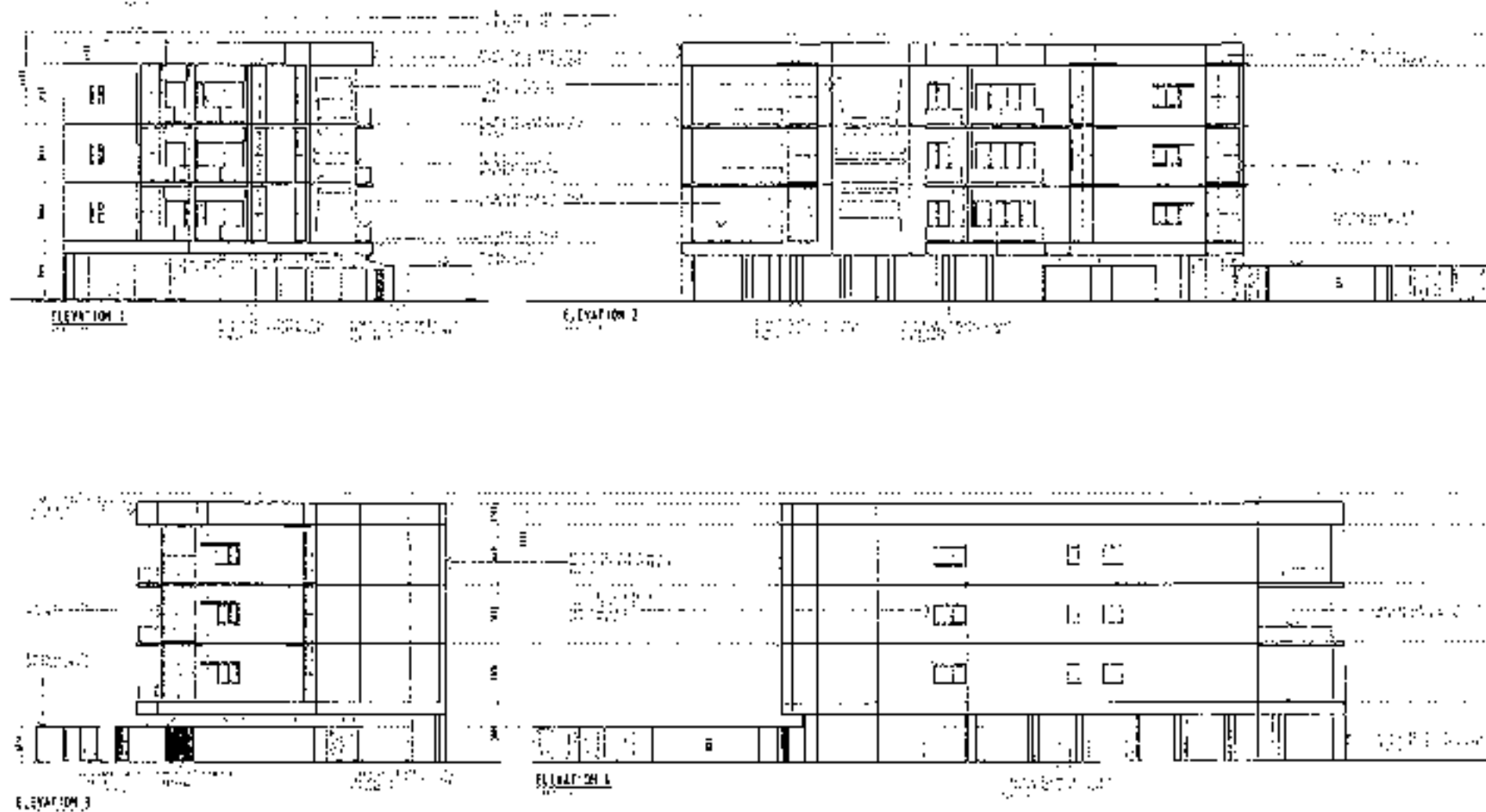
PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Bill Gabbert Associates



DARWIN CITY COUNCIL





ATY HT PTY LTD
 1/1/2020
 ATY HT PTY LTD



PROPOSED APARTMENT DEVELOPMENT
 AT LOT 4911, FOSTER COURT
 1/1/2020

PROPOSED APARTMENT DEVELOPMENT
 AT LOT 4911, FOSTER COURT
 1/1/2020

EXTERNAL
 ELEVATIONS

169

SK4

Please quote: 1676983 RB:lm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 2247 (12) Hinkler Crescent, Fannie Bay, Town Of Darwin
Proposed Development – 3x3 Bedroom Multiple Dwellings In 1x2 Storey
Building**

Thank you for the Development Application referred to this office 23 October 2009, 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). Access to and from the site be in a forward direction. It has not been demonstrated that vehicles parked in the garage of unit 3 will be able to enter and exit the site in a forward direction. Given the limited visibility for on coming traffic, this is considered a point of high priority.

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

- a). The crossover and driveway appear to meet Council requirements.
- b). The waste disposal areas shall provide a tap and sewer connection to allow for cleaning of bins in accordance with Darwin City Council Waste Disposal Policy.

- c). The waste disposal area shall not have any steps or obstructions preventing the access to and removal of bins in accordance with Darwin City Council Waste Disposal Policy.
- d). Council requests the Authority requires a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to Council's drainage network.
 - 1). The plan shall include details of site levels and Council's stormwater drain connection points. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.
 - 2). Council requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into Council's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

Other Comments:

- a) 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 Darwin City Council and at no cost to Council.
- b) Sight lines shall be provided at crossovers to public streets to the satisfaction of the Darwin City Council. No fence or tree exceeding 0.6 metres in height shall be planted in front of the sight line.
- c) Waste bin storage and pick up shall be provided in accordance with Council's Waste Bin Policy.

In considering this application, the 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.

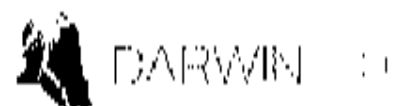
If you require any further discussion in relation to this application please feel free to contact Rick Burgess on 8930 0412.

Yours faithfully

Peter Lindwall

PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Raw Designs



6 November 2009

Mr Doug Leeb
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Leeb

**Lot 10083 (16) Gakkingga Street, Lyons Town Of Nightcliff
Proposed Development – 2x3 Bedroom Multiple Dwellings In A Single Storey Building**

Thank you for the Development Application referred to this office 23 October 2009, 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:

Council supports in principle the granting of a Development Permit

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.

Development

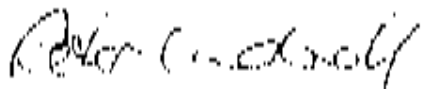
- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by the General Manager of Infrastructure, Darwin City Council, and all approved works constructed to Council's requirements at the applicant's expense.
- Kerb crossovers and driveways 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 of Infrastructure, Darwin City Council and at no cost to Council.

- Any gate over an access to a public road shall be placed on the subject site at least 4.5m from the face of the kerb line of the adjoining public road.

In considering this application, the Authority is requested to take into account any implications of the Disability Discrimination Act (DDA) 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 Rick Burgess on 08 8930 0412.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: T.D.G.M Pty Ltd

Please quote: 1677234 CTDm

6 November 2009

Mr Doug Lash
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lash

**Lot 9280 (77) Lakeside Drive, Brinkin, Town of Nightcliff
Proposed Development – 45m High Telecommunications Tower Plus Antennas and
Equipment Shelter**

Thank you for the Development Application referred to this office on 23 October 2009, 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.

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

- All developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the General Manager of Infrastructure, Darwin City Council.

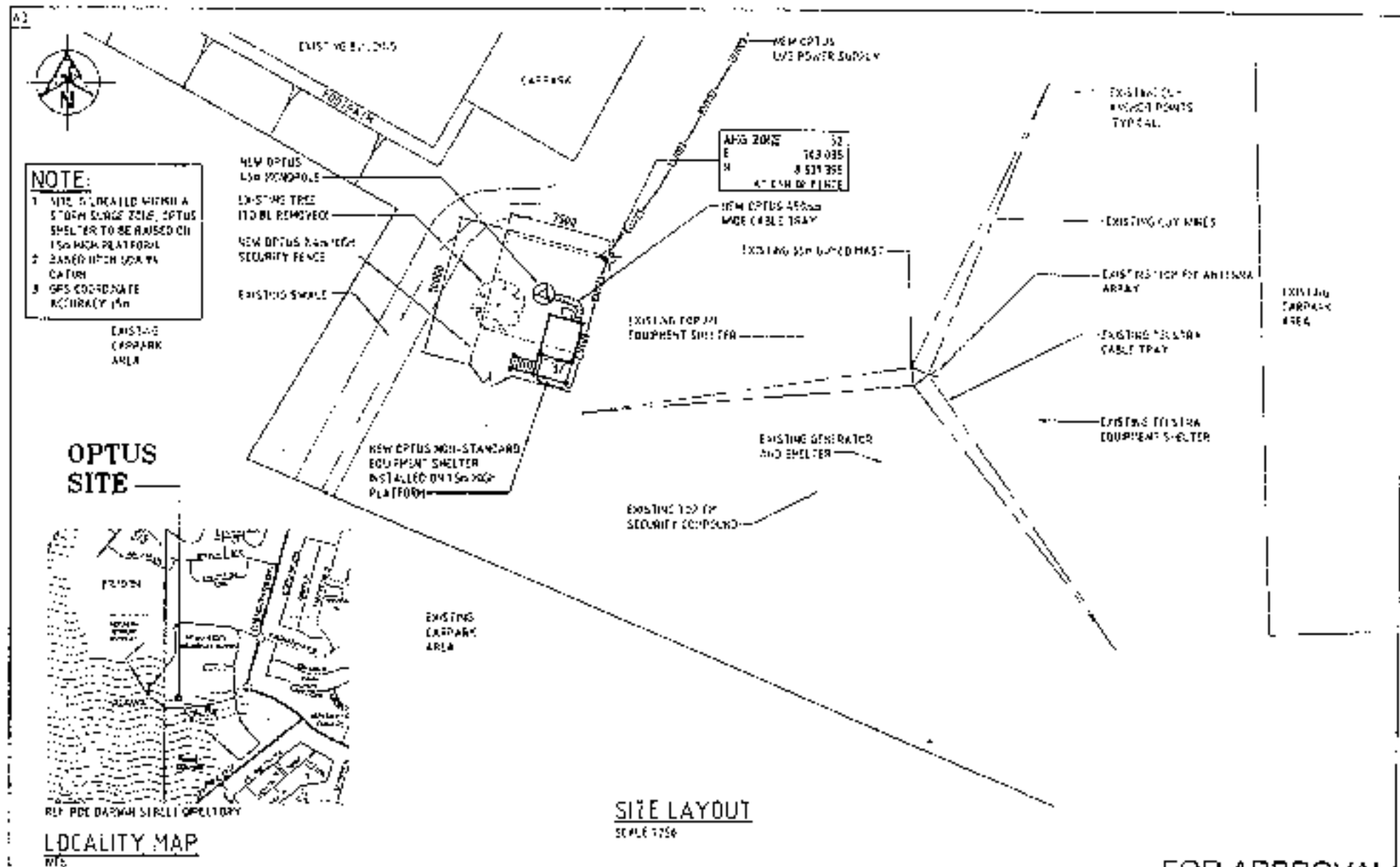
In considering this application, the Authority is requested to take into account any implications of the Disability Discrimination Act (Cth) or the Anti Discrimination Act (NT) with regard to access for the disabled.

If you require any further discussion in relation to this application please contact me on 89300 528.

Yours faithfully


PETER LINDWALL
STRATEGIC TOWN PLANNER

cc. Aurecon Australia Pty Ltd



Please quote: 1677226 PL:lm

6 November 2009

Mr Doug Lush
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lush

**Application Lot 5554 (2) Ross Smith Avenue Parap
Installation of Demountable Structure as a Portable Classroom**

Thank you for the Development Application referred to this office 23 October 2009, 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, you will be advised accordingly.

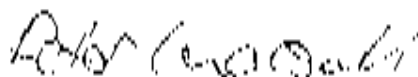
The following issues are raised for consideration by the Authority:

1. The proposal for the demountable building or sea container meets the requirements of the Northern Territory Planning Scheme and should not impinge on any boundary setbacks required by the Planning Scheme.
2. The demountable building or sea container complies with the Northern Territory Building Act.

In considering this application, the 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



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Darwin Baptist Church



DARWIN

Please quote: 1687776 PL:lm

27 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh:

**Lot 1908 (70) Boulter Road, Berrimah, Hundred of Bagot
Proposed Development – Extension to an Existing Demountable Structure
(Mobile Phone Base Station)**

Thank you for the Development Application referred to this office 12 November 2009, 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.

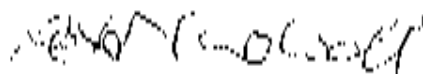
Should this application be approved, the following condition pursuant to the Planning Act and Council's responsibilities under the Local Government Act is recommended for inclusion in the Development Permit issued by the Development Consent Authority.

- The proposal for the demountable building or sea container meets the requirements of the Northern Territory Planning Scheme and should not impinge on any boundary setbacks required by the Planning Scheme.

In considering this application, the 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 89300 528.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Tokana



DARWIN

Please quote: 1876989 RB:lm

6 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

**Lot 1302 (2) Manoora Street, Larrakeyah Town Of Darwin
Proposed Development - Verandah Addition To An Existing Multiple Dwelling
(Unit 3)**

Thank you for the Development Application referred to this office 23 October 2009, 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.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully

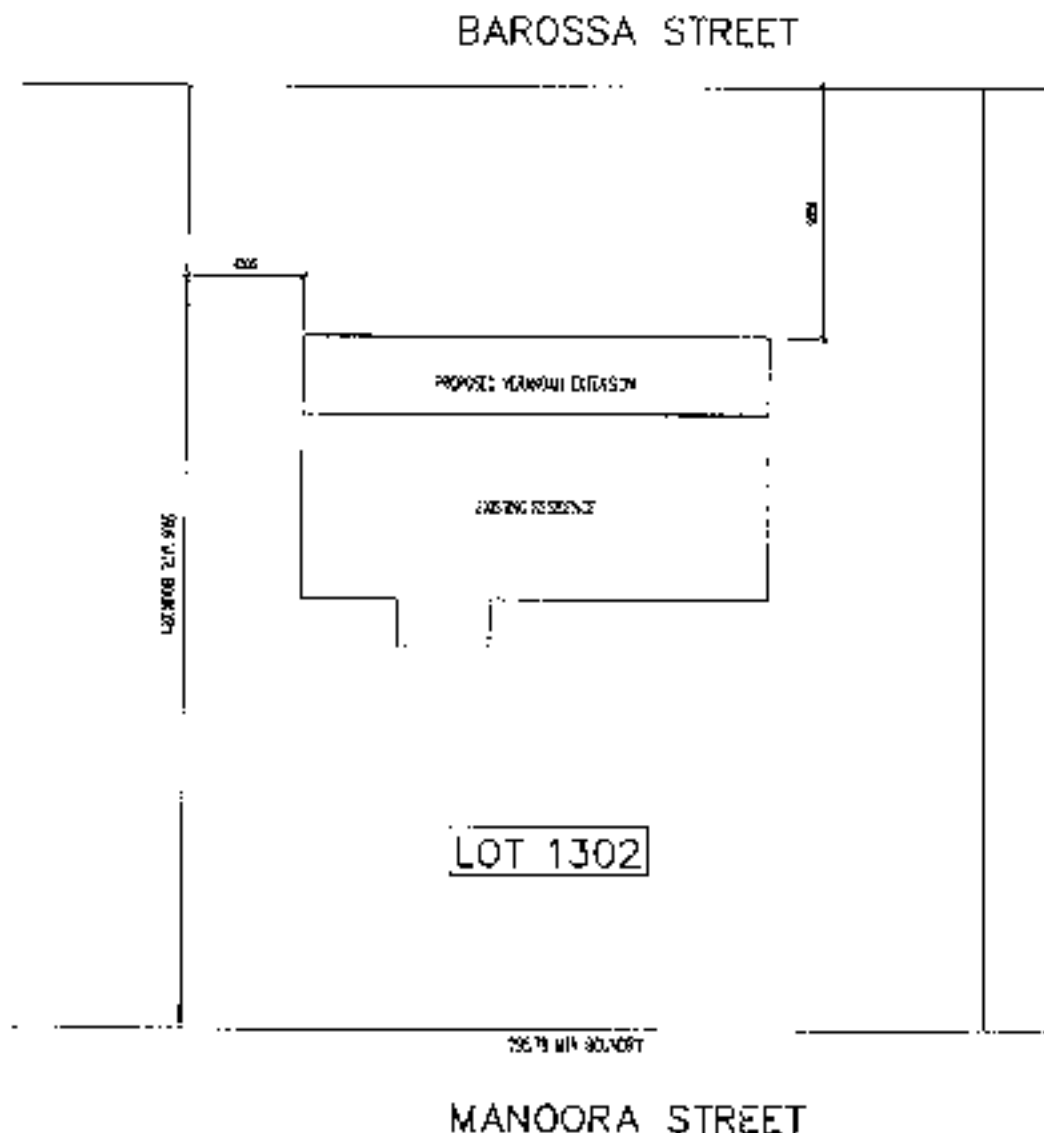


PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: ABB Permits Pty Ltd



DARWIN NT



SITE PLAN
SCALE 1:200



PROPOSED EXTENSION LOT 1302 MANOORA STREET DARWIN

NOTES

GENERAL

1. DESIGN CATEGORY: 10 AS 1170, 2002
2. GROUND CATEGORY: 2.5 REGION C
3. DESIGN WIND VELOCITY: 40m/sec
4. INTERNAL PRESSURE COEFFICIENT: +0.2, -0.3
5. EXTERNAL PRESSURE COEFFICIENT: IN ACCORDANCE WITH AS 1170
6. THE AREA FLOORS & WALLS TO HAVE A FINISH SUPERIOR TO MOISTURE (SUCH SPILLAGE, STAIN, ETC. FROM IT SURFACES)
7. WATERPROOFING AS PER 3.0.4.1.1
8. FLOOR SLAB LEVELS TO BE NOT LESS THAN 450mm LEVEL AT GROUND
9. VERIFY ALL DIMENSIONS AT THE SITE BEFORE COMMENCING ANY WORKS
10. ALL WORKMANSHIP TO BE IN ACCORDANCE WITH ANY RELEVANT AUSTRALIAN STANDARDS PREPARED BY THE S.A.A. & THE S.C.A.

FILL MATERIAL AND COMPACTION

1. SUFFICIENT FILL SHALL BE APPROVED NATURAL MATERIAL, GRAVEL, DECOMPOSED OR BROWN SOIL, FREE FROM CLAY LAMPS AND ORGANIC MATTER
2. THE AREA OF THE WORKS SHALL BE STOPPED OR OF ALL TOPSOIL AND FILL TO 150mm COMPACTED LAYERS TO FOR MOIST SAND BAKING LAYER DIRECTLY BELOW CONCRETE SLAB SHALL BE COMPACTED BY VIBRATION PLATE OR FLOODING TO 200mm

EARTHWORKS

1. EXCAVATION CONSTRUCTION SHALL COMPLY WITH GUIDELINES SET OUT IN AS 3600 & AS 2870
2. EXCAVATION & SERVICE TRENCHES SHALL COMPLY WITH THE FOLLOWING GUIDELINES UNLESS OTHERWISE APPROVED BY AN ENGINEER

CONCRETE

1. ALL CONCRETE FOR SLABS SHALL BE CLASS 40/50 & FOOTINGS SHALL BE CLASS 40/50, SUPPLIED AND PLACED IN ACCORDANCE WITH AS 3600
2. PROVIDE CURING TREATMENT TO AS 3600
3. PROVIDE CARBON FIBRE TO 1/5 OF SLABS IN ACCORDANCE WITH AS 3600

BLOCKWORK

1. MORTAR SHALL BE USED IN PROPORTIONS 1:1:6 BY VOLUME
2. AT 90° CORNERS INTERSECTING WALLS, REFER TO DETAIL
3. ALL EXTERNAL CORNERS TO BE FULLY BORED
4. PROVIDE CLEANOUT HOLES AT BASE OF REINFORCED CORES
5. ALL REINFORCEMENT TO BE CONCRETE WITH LAPS
6. CORE & BONDING FILL TO BE CLASS 40/50, SUPPLIED AND PLACED IN ACCORDANCE WITH AS 3600
7. EXTERNAL BLOCKWORK TO BE SEALED AND FINISHED WITH A WATER PROOF COATING IN ACCORDANCE WITH AS 3600

STEELWORK

1. ALL STEEL JOINTS TO BE 6mm FULL WELDED FOR FULL PERIMETER OF CONTACT WITH JOINTS IN ACCORDANCE WITH AS 4100
2. UNLESS SPECIFIED, STEELWORK IS TO BE GALVANNEAL, WITH REINFORCING BARS AND FIBRE WITH 200mm SLABS OR OTHER APPROVED POWER

TIMBER

1. STRUCTURAL TIMBER TO COMPLY WITH AS 1721
2. MINIMUM STRESS GRADE III

ROOF

1. ROOF TRUSSES INCLUDING ROOF BRACING AND CONNECTIONS TO BE DESIGNED, CALCULATED AND CERTIFIED BY AN APPROVED MANUFACTURER
2. ROOF TRUSS DESIGN TO BE CONFIRMED BY TRUSS MANUFACTURER BEFORE COMMENCING ANY SITE WORKS

GLAZING

1. ALL GLASS TO BE CLEAR CLASS 4/5
2. ALL WINDOW & SLIDING DOOR FRAMES, GLAZING, FINISHES & INSTALLATION TO BE DESIGNED AND CERTIFIED BY THE MANUFACTURER AS COMPLETED WITH AS 1288 & AS 2047
3. PROVIDE SAFETY GLASS WHERE REQUIRED AS PER 3.0.4.1.1
4. DESIGN AND PRESSURES FOR GLAZING - ULTIMATE DESIGN PRESSURE TO BE NO. 27 kPa
5. WATER PENETRATION TEST PRESENCE 200 Pa

Please quote: 1677230 RB:lm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 2645 (7) Malak Crescent, Malak Town Of Sanderson
Proposed Development - Elevated Verandah Addition To Existing Single
Dwelling With A Reduced Front Setback**

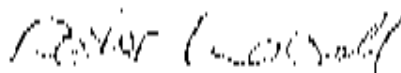
Thank you for the Development Application referred to this office 23 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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.

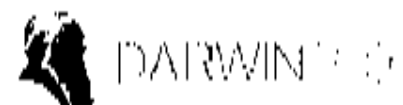
If you require any further discussion in relation to this application please feel free to contact me on 89300 528.

Yours faithfully



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Michael Skeneblauko



Please quote: 1677233 RB:lm

6 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

**Lot 6867 (1) Hands Court, Malak Town Of Sanderson
Proposed Development – Verandah And Carport Additions To An Existing
Multiple Dwelling (Unit 4)**

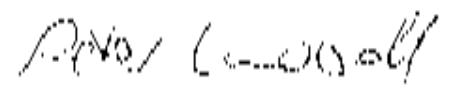
Thank you for the Development Application referred to this office 23 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully


PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Karl Fisher



DARWIN CITY COUNCIL

Please quote: 1676986 RP:lm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 4696 (3) Baines Street, Leanyer Town Of Sanderson
Proposed Development – Carport Addition To Existing Single Dwelling With A
Reduced Front Setback**

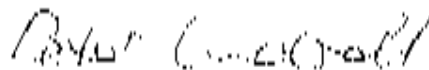
Thank you for the Development Application referred to this office 23 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Peter Wield NT



DARWIN

Please quote: 1876984 RB:lm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 2927 (4) Giles Street, Fannie Bay Town Of Darwin
Proposed Development – Garage Addition To An Existing Single Dwelling With
A Reduced Front Setback**

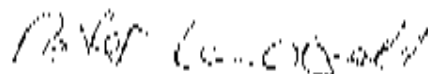
Thank you for the Development Application referred to this office 23 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528

Yours faithfully

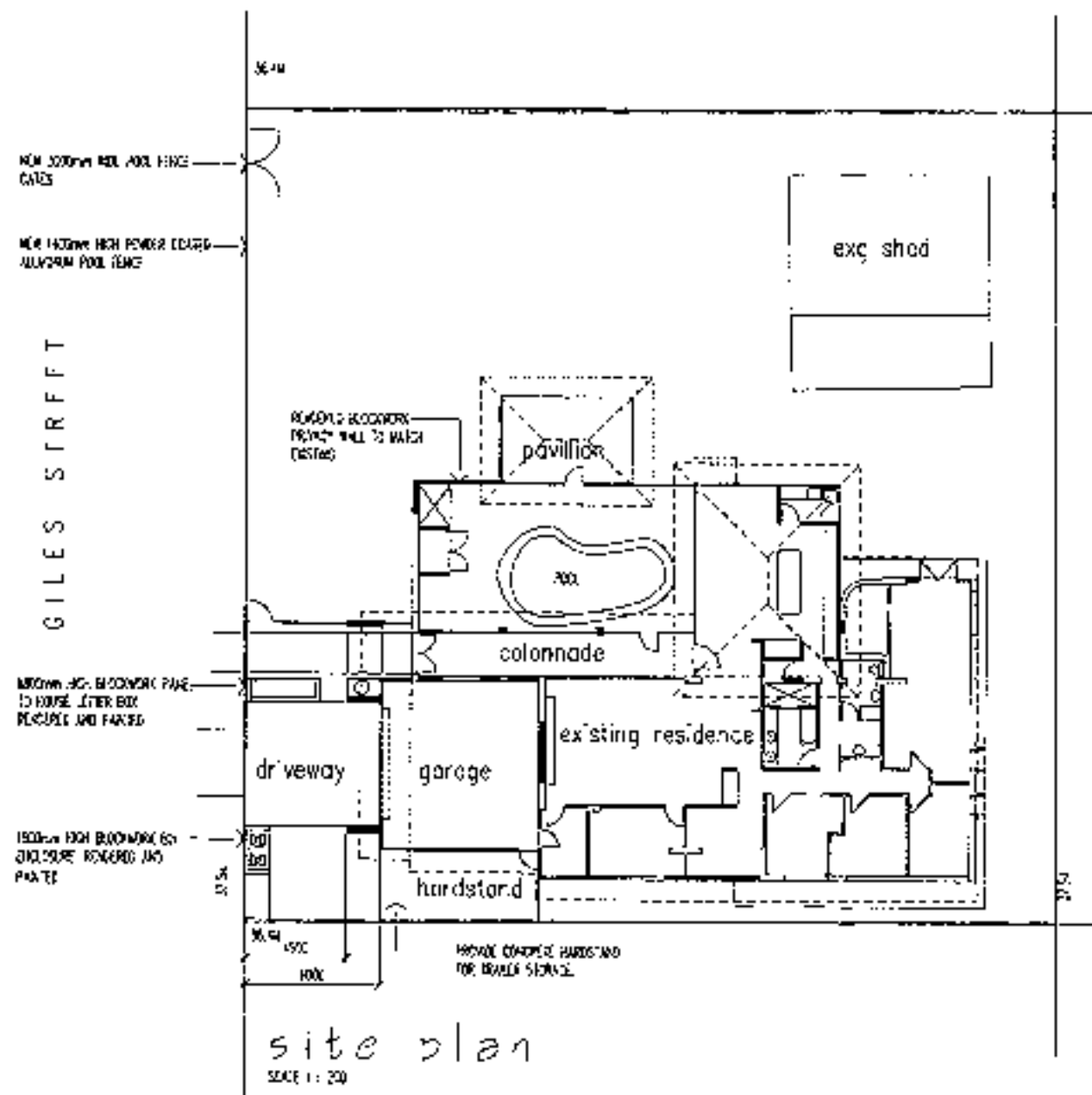


**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: New Designs



DARWIN CITY COUNCIL



10/10/2009 10:10:10 AM
 10/10/2009 10:10:10 AM

7/10/2009 10:10:10 AM 10/10/2009 10:10:10 AM
 10/10/2009 10:10:10 AM 10/10/2009 10:10:10 AM

LOT 2927 GILES STREET
 FARMER BAY
 VIC 3207

DATE 10/10/2009 10/10/2009
 \$91 6835-581

10/10/2009 10:10:10 AM 10/10/2009 10:10:10 AM

Please quote: 1577220 RB:lm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 7741 (41) Ruddick Circuit, Stuart Park Town Of Darwin
Proposed Development – Single Dwelling With Reduced Front Setback**

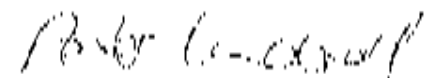
Thank you for the Development Application referred to this office 23 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Mark Salmon



DARWIN

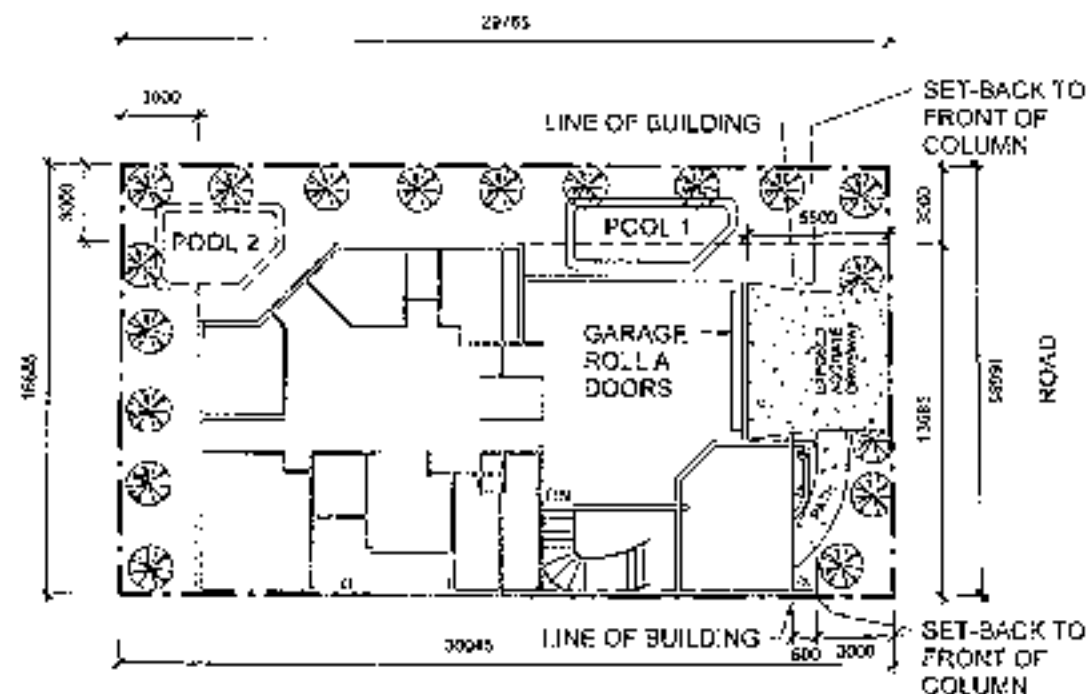
SELECTED APPROVED PLANTS WILL BE USED TO SCREEN THE PROPERTY AS MUCH AS HUMANLY POSSIBLE FROM ADJOINING PROPERTIES.

IT IS ENVISAGED AT THIS STAGE THE DRIVEWAY WILL BE EXPOSED AGGRATE CONCRETE

IT IS FURTHER ENVISAGED THAT A SWIMMING POOL WILL BE INSTALLED IN THE POSITION INDICATED

SOLID LINES (POOL 1) DENOTE PREFERRED LOCATION OF THE POOL

DASHED LINES (POOL 2) DENOTE ALTERNATIVE POSITION OF THE POOL



1 Site
1 : 200

Note:

1. Building is shown as a construction & layout on the plan by connecting any work
2. Figure dimensions are shown in feet and inches
3. All dimensions are shown in feet and inches
4. All work is shown in feet and inches
5. All work is shown in feet and inches
6. All work is shown in feet and inches
7. All work is shown in feet and inches
8. All work is shown in feet and inches
9. All work is shown in feet and inches
10. All work is shown in feet and inches

Integro Drafting Services

Ph/Fax 89451030
11 Yanyula Dr Asula OB12
Email: staff@integro-drafting.com.au
ABN 156 750 652 52

PROJECT ADDRESS:

LOT 7741 RUDDOCK
CIRC FRANCIS PARK
ESTATE

DRAWING

FLOOR PLANS

CLIENT

M SALMON

JOB No:

#085-2009

193G No:

3 of

DATE 13/10/09

SCALE: AS SHOWN

DWN BY: C BURKE

Please quote: 1676987 PL:dm

6 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

**Lot 4108 (71) Abala Road, Marrara Hundred Of Bagot
Proposed Development - Upgrade Of 4 Existing Floodlights To A Height Of 35m**

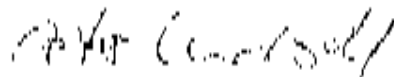
Thank you for the *Development Application/amendment to the Planning Scheme* referred to this office 23 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully

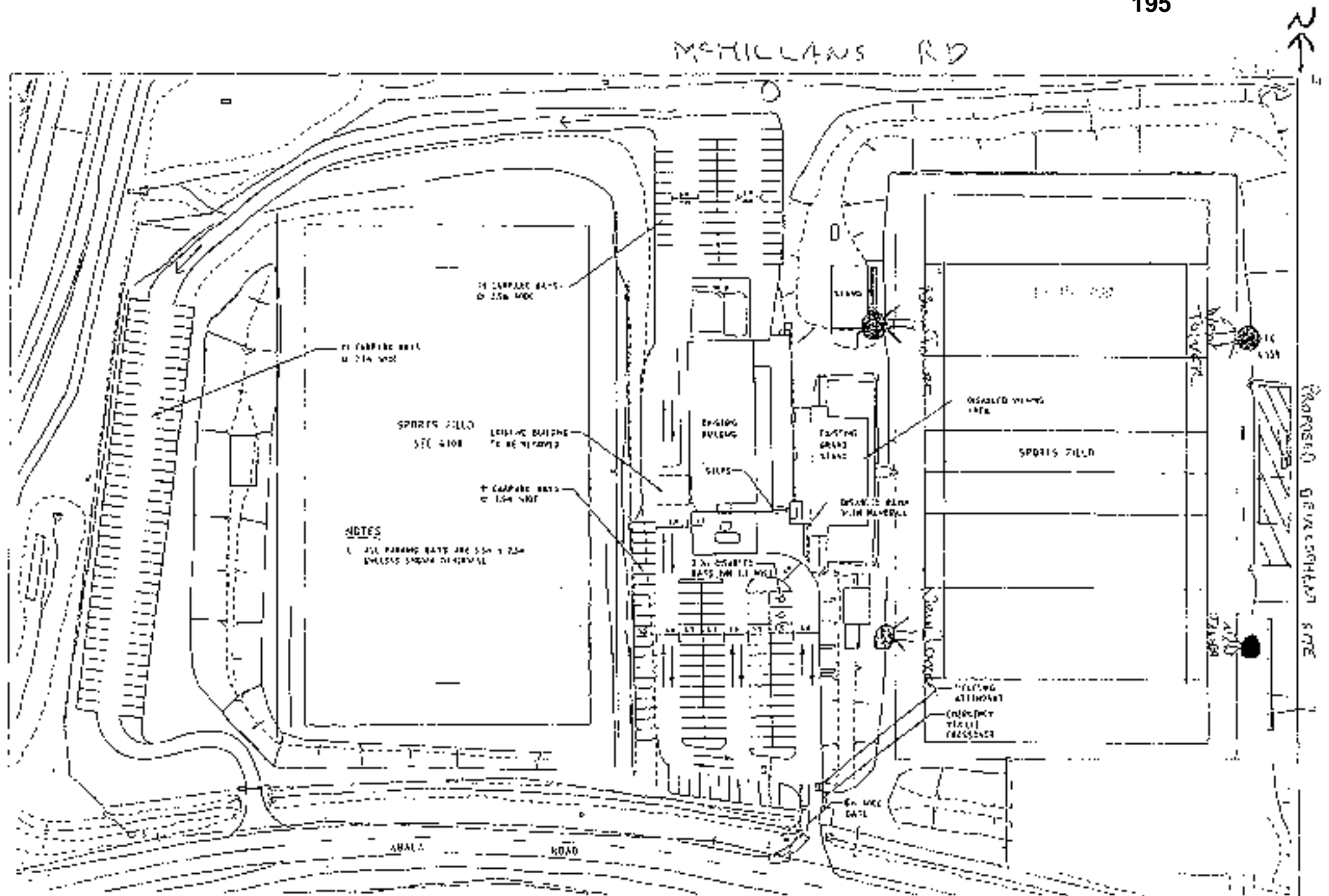


**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Northern Territory Rugby Union



DARWIN CITY COUNCIL



Please quote: 1677225 RB:lm

6 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 2836 (3) Nylander Street, Parap Town Of Darwin
Proposed Development – Change Of Use From Office To Medical Clinic**

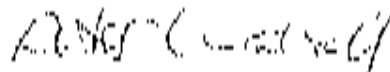
Thank you for the Development Application referred to this office 23 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Tim O'Neill



DARWIN 2011

Please quote: 1679572 PL:m

13 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 4059 (29) Van Diemen Street, Wagaman, Town of Nightcliff
Proposed Development – Verandah Additions to an Existing Single Dwelling
with Reduced Front and Side Setback**

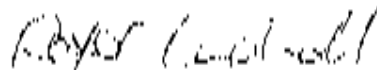
I thank you for the Development Application referred to this office 29 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully

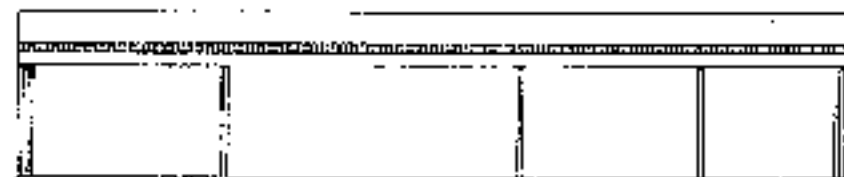


**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Paulo Jose Ma Sarmiento



DARWIN



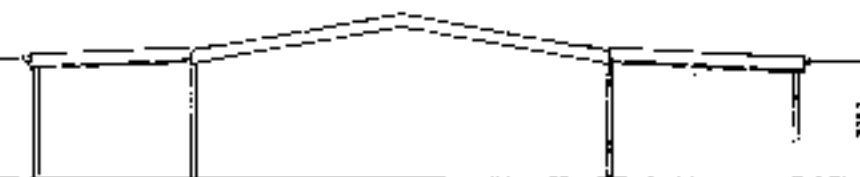
ELEVATION A
SCALE 1:100

STRUCTURAL COMPONENTS CONCEALED WITH BY
PROJECT BUILDING CERTIFICATES P/L LTD
ACN 078462 511

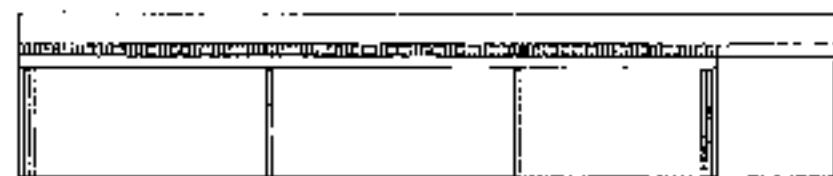
SIGNED
DATE 15.1.2009

FINISHED
CEILING LEVEL

FINISHED
FLOOR LEVEL

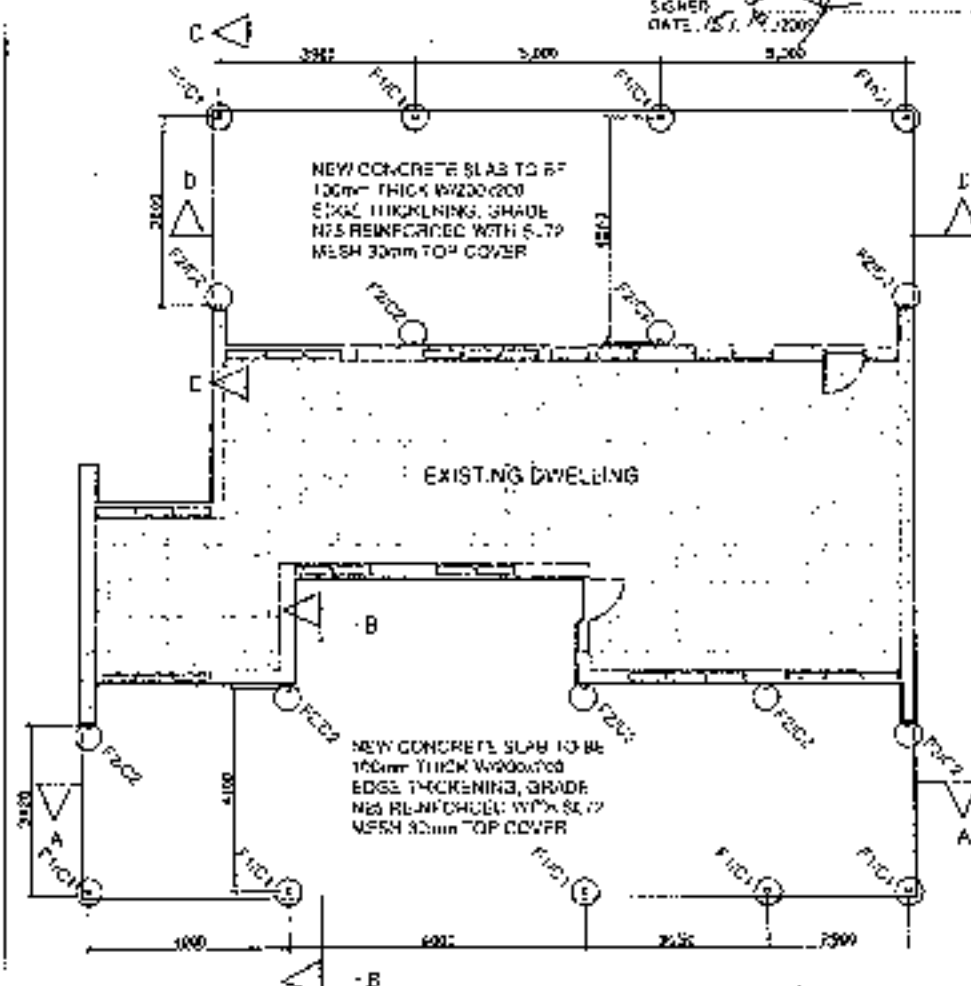


ELEVATION B
SCALE 1:100

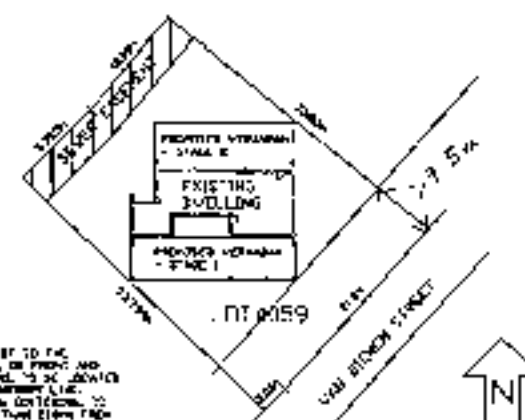


ELEVATION C
SCALE 1:100

MEMBER SCHEDULE



SLAB AND FOOTING PLAN
SCALE 1:100



SITE PLAN
SCALE 1:500

COLUINS EXISTING TO THE
EXISTING LINE, ON FRONT AND
REAR VERANDAS. TO BE LOCATED
200mm FROM EXISTING LINE.
100mm FROM EXISTING LINE.
TO BE NO LOWER THAN EXISTING
BOUNDARY LINE.

PROPOSED VERANDAH FOR
29 VAN DILMEN ST.
WAGAMAN - LOT 4059

DRAWN BY: PAUL SARMENTO

SHEET 1 OF 4

SITE PLAN, FLOOR PLAN & ELEVATIONS

Please quote: 1681201 PL:lm

13 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 8959 (9) Airile Circuit, Brinkin, Town Of Nightcliff
Proposed Development – Verandah Addition to Existing Multiple Dwelling (Unit
1) With a Reduced Side Setback**

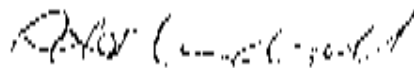
I thank you for the Development Application referred to this office 29 October 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully

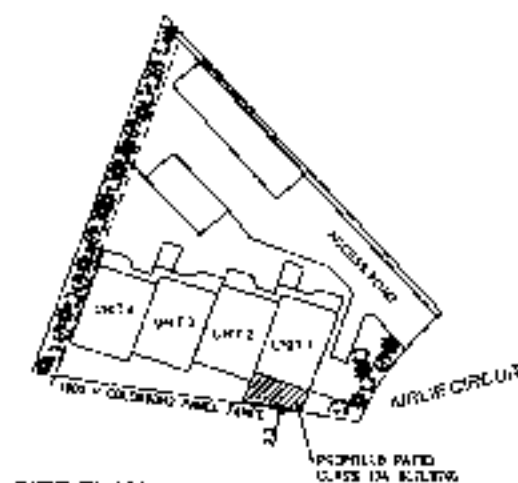


**PETER LINDWALL
STRATEGIC TOWN PLANNER**


cc: Data World



DARWIN



SITE PLAN
1:500

PATIO WORLD INC. 25 CALVIN ST. DALLAS, TX 75219		PR (21) 4531168		AT 2614. 2615 1300 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 2818 2819 2820 2821 2822 2823 2824 2825 2826 2827 2828 2829 2830 2831 2832 2833 2834 2835 2836 2837 2838 2839 2840 2841 2842 2843 2844 2845 2846 2847 2848 2849 2850 2851 2852 2853 2854 2855 2856 2857 2858 2859 2860 2861 2862 2863 2864 2865 2866 2867 2868 2869 2870 2871 2872 2873 2874 2875 2876 2877 2878 2879 2880 2881 2882 2883 2884 2885 2886 2887 2888 2889 2890 2891 2892 2893 2894 2895 2896 2897 2898 2899 2900 2901 2902 2903 2904 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917 2918 2919 2920 2921 2922 2923 2924 2925 2926 2927 2928 2929 2930 2931 2932 2933 2934 2935 2936 2937 2938 2939 2940 2941 2942 2943 2944 2945 2946 2947 2948 2949 2950 2951 2952 2953 2954 2955 2956 2957 2958 2959 2960 2961 2962 2963 2964 2965 2966 2967 2968 2969 2970 2971 2972 2973 2974 2975 2976 2977 2978 2979 2980 2981 2982 2983 2984 2985 2986 2987 2988 2989 2990 2991 2992 2993 2994 2995 2996 2997 2998 2999 3000	
		SCALE	1:100	PROPOSED PATIO FOR REFINISH & WENDY SCHWEPERIN 1/2 AIRLINE BEACH BR NOKIA NT 0810	
REF NO 2271 SCR E CONSTRUCTION 2004-2005		DATE	12-10-2009		
		DRAWN BY	DA	LOT NO.	8138
				WORK CLASS	1
				SHEET	1 OF 3
				DATE	02-13
				BY	-

Please quote: 1684145 RB/jm

18 November

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 4028 (3) NanKoon Court, Leanyer, Town Of Sanderson
Proposed Development – Addition Of A Carport/ Verandah To The Existing
Single Dwelling**

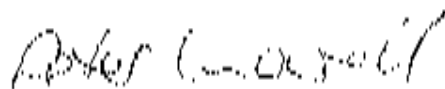
Thank you for the Development Application referred to this office 6 November 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Peter Widdel NT



DARWIN

Please quote: 1687771 PL:lm

27 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 9130 (140) Casuarina Drive, Nightcliff, Town of Nightcliff
Proposed Development – Verandah Addition to an Existing Multiple Dwelling
with a Reduced Rear Setback (Unit 2)**

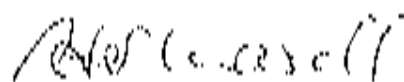
Thank you for the Development Application referred to this office 12 November 2009, concerning the above. This matter may be placed before Council's Town Planning Committee at its next meeting. Should this matter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully

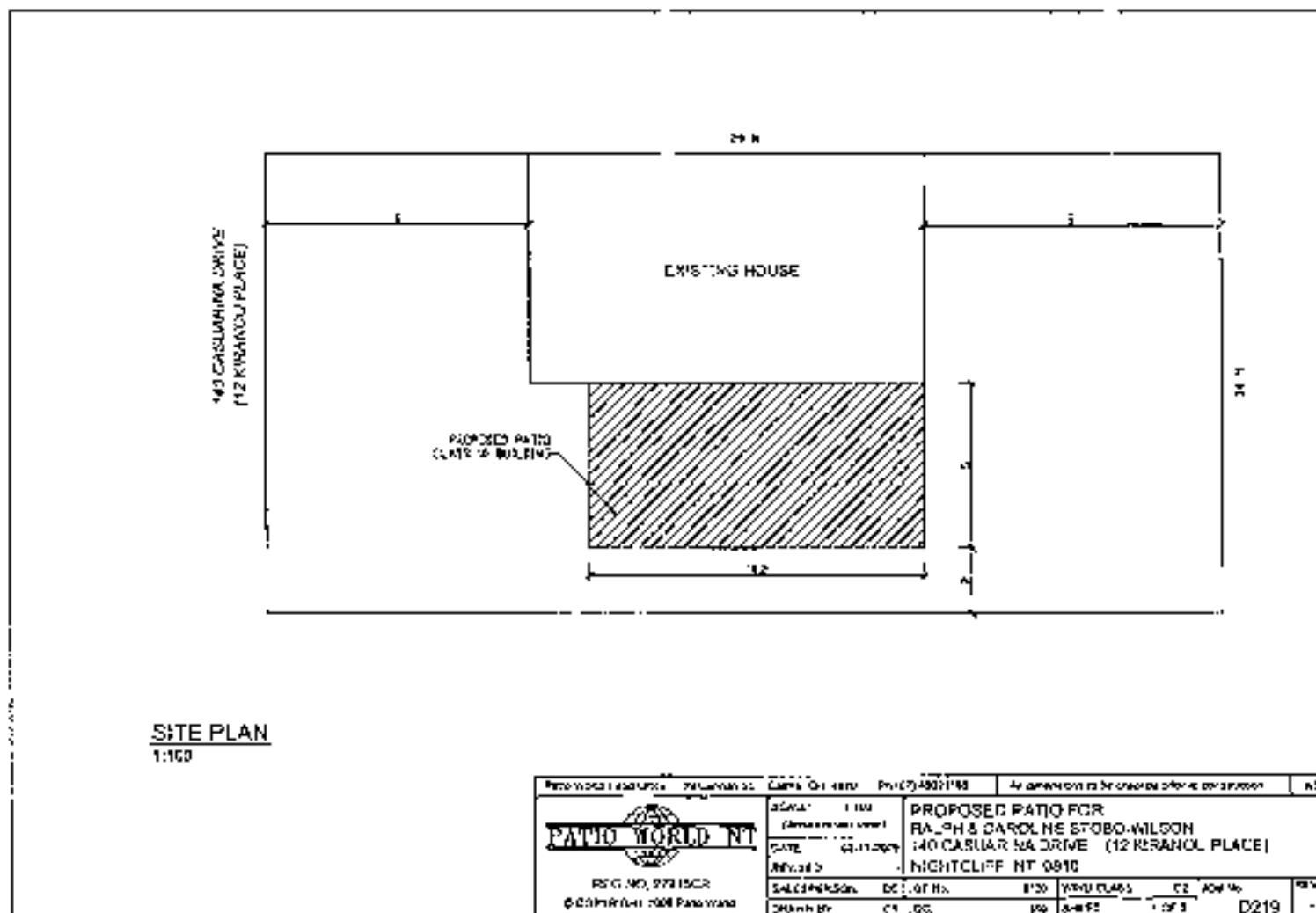


**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Pato World NT



DARWIN200



Please quote: 168773 PL:lm

27 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

**Lot 4338 (18) Parkside Crescent, Leanyar, Town of Sanderson
Proposed Development – Additions to an Existing Single Dwelling including a
Carport with a Reduced Front Setback and Shed with Reduced Side Setback**

Thank you for the Development Application referred to this office 12 November 2009, 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.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 528.

Yours faithfully


PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: The Practice



DARWIN300

EXISTING AREAS CALCULATIONS

BLOCK 92E

600' x 50'

RESIDENCE OUTER WALL 547'

158' x 50'

RESIDENCE VERANDAH AREA

15' x 50'

NEW CARPORT FLOOR AREA

15' x 50'

NEW GARDEN SHED FLOOR AREA

0.12' x 30'

NEW R. CONCRETE DRIVEWAY AREA

14' x 50'

SWIMMING POOL AND LANDSCAPED AREAS

293' x 50'

TOTAL FOR ABOVE AREAS 694' x 50'

NOTE:
 PARKING & DRIVEWAY AREAS
 ARE ON THE 10' BUFFER
 REQUIRED FROM FRONT
 SETBACK OF THE DRIVEWAY
 AND SWIMMING POOL



SECTION 10' x 50' x 10'

SITE PLAN SCALE 1:200
 CARPORT SECTION PLAN

THE PEAK FICE
 PATRICK FLYNN



building design
 building consultant
 interior architect
 100%

100% completed
 100% completed
 100% completed

STRUCTURAL ENGINEER
 MAURICE KELLY AND
 ASSOCIATES P/L
 CONSULTING ENGINEERS

BUILDING CERTIFIER
 PROJECT BUILDING
 CERTIFIERS P/L

PROJECT CLIENT ADDRESS
 18 PARKSIDE CRESCENT
 LOT NUMBER 4338
 GARDEN, SOUTHERN TERRITORY

PROJECT ADDRESS
 18 PARKSIDE CRESCENT
 LOT NUMBER 4338
 GARDEN, SOUTHERN TERRITORY

PROJECT DESCRIPTION
 PARKING & DRIVEWAY
 10' BUFFER TO FRONT OF EXISTING DRIVEWAY
 10' BUFFER TO NEW DRIVEWAY

DRAINAGE DESCRIPTION
 PARKING & DRIVEWAY
 10' BUFFER TO FRONT OF EXISTING DRIVEWAY

DATE: 10/08/2009

SCALE: 1:200

DATE: 10/08/2009

DATE: 10/08/2009

DATE: 10/08/2009

DATE: 10/08/2009

DATE: 10/08/2009

Please quote: 1683926 PL:lm

20 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 5483 (7) Bayview Street, Fannie Bay, Town Of Darwin
Proposed Development – Verandah Addition To An Existing Multiple Dwelling
With A Reduced Side Setback**

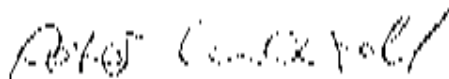
Thank you for the Development Application referred to this office 5 November 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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.

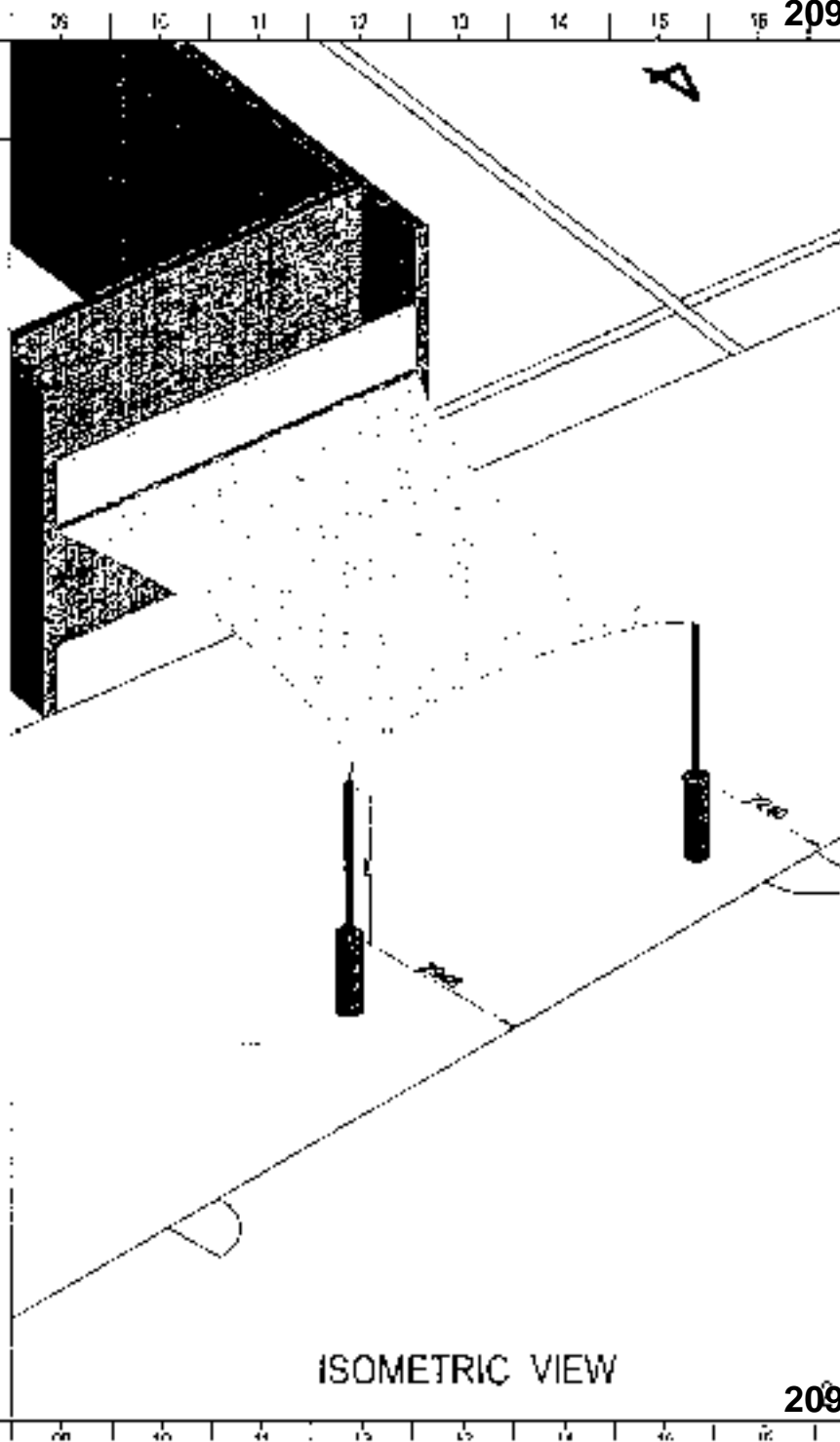
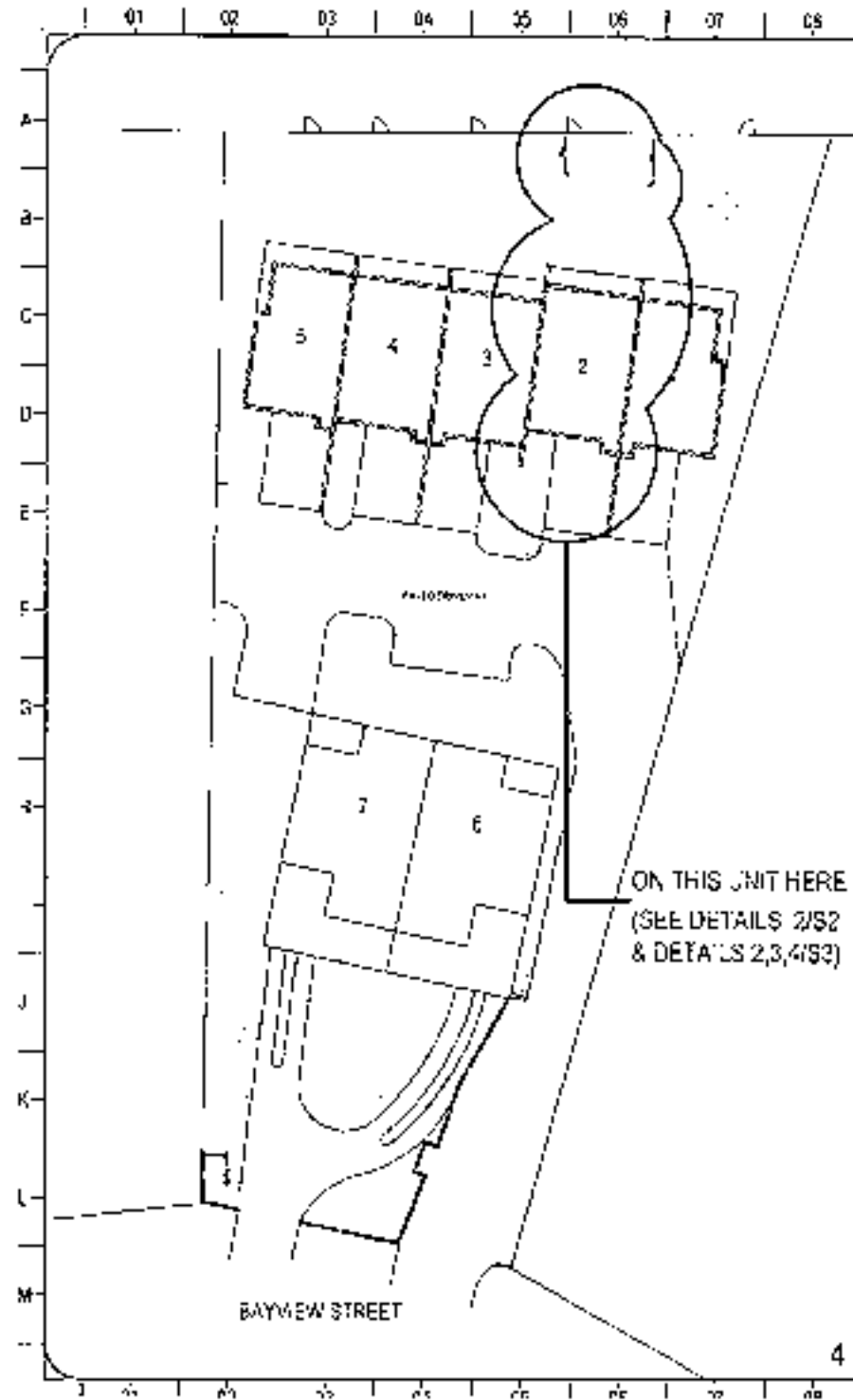
If you require any further discussion in relation to this application please feel free to contact me on 89300 528.

Yours faithfully



PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: The Port Shop



GENERAL NOTES

[illegible]

ALL OUR FLAVOR CONCENTRATES ARE MADE BY THE
— FINEST BLEND OF SPICES AND FRUITS IN THE WORLD.
They are produced under strictest supervision and
are guaranteed to give your product the flavor

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Journal compilation © 2007 Blackwell Publishing Ltd

11.2
The following are the results of the analysis of variance for the data in Table 11.1. The results are summarized in Table 11.2. The results of the analysis of variance are summarized in Table 11.2. The results of the analysis of variance are summarized in Table 11.2.

Below are the addresses of all the P.O. Box 1000
addresses in the last number of the Bulletin of the
Census Bureau and the number of the U.S.
Census Bureau and the number of the U.S.
Census Bureau and the number of the U.S.

I added
that if you do a "PUSH" you will be able to
add "subprograms" (I guess) meaning that
you can run a "PUSH" and push the "PUSH" down
the line and it will push the "PUSH" down.
I will add the "PUSH" subprogram to the
"PUSH" of the "PUSH" subprogram. I will
add a "PUSH" subprogram to the "PUSH" subprogram.
I will add a "PUSH" subprogram to the "PUSH" subprogram.

1.2	2017年12月31日	1
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1. The system is designed to be used by a single user at a time.

[illegible]

5. TYPICAL DISINTEGRATION
EXPERIMENTAL CONDITIONS

$$2 = \ln 2, \ln 3, \ln 4, \ln 5, \ln 6, \ln 7, \ln 8, \ln 9, \ln 10$$
E. Ca^{2+} Dye-23

$\Gamma_{\text{eff}} = \Gamma_{\text{eff}}^{\text{eff}} + \Gamma_{\text{eff}}^{\text{eff}}$

Page 1	of 2
--------	------

NAME	
ORGANIZATION	
ADDRESS	

Calc.			
sh-Möve E. P.			
1.1.11			

1990	1991	1992
1993	1994	1995

7.233 PM of 10/10/11	
----------------------	--

razd(1) u,apad

REF ID: A62047

Please quote: 1686242 PL:lm

24 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

Lot 2824 (3) Giles Street, Fannie Bay, Town of Darwin
Proposed Development Carport Addition to an Existing Single Dwelling with
a Reduced Side Setback

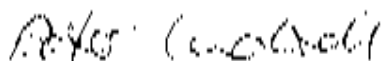
Thank you for the Development Application referred to this office 10 November 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

There do not appear to be any Council related issues in regard to this application.

In considering this application, the 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 89300 520.

Yours faithfully

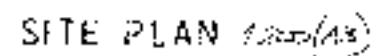


PETER LINDWALL
STRATEGIC TOWN PLANNER

cc: Moonbeam Design



DARWIN2009

[illegible]

moonbeam
MOONBEAM DESIGN

Please quote: 1683927 PL:fm

20 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Losh

**Lot 3009 (6) Mary Street, Stuart Park
Proposed Development - Garage With A Reduced Front Setback**

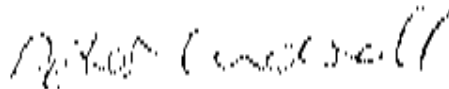
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In considering this application, the Authority is requested to take into account any implications of the Disability Discrimination Act (Cth) or the Anti Discrimination Act (NT) with regard to access for the disabled.

If you require any further discussion in relation to this application please feel free to contact me on 89300 528.

Yours faithfully



**PÉTER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Andrew Martin



DARWIN NT

Please quote: 1687775 PL:lm

27 November 2009

Mr Doug Lesh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1680
DARWIN NT 0801

Dear Mr Lesh

**Lot 5489 (19) Bayview Street, Fannie Bay, Town of Darwin
Proposed Development – Shed Structure Addition to an Existing Multiple
Dwelling with a reduced rear setback**

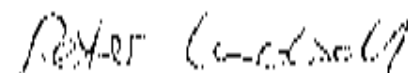
Thank you for the Development Application referred to this office 12 November 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

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If you require any further discussion in relation to this application please feel free to contact me on 89300 528.

Yours faithfully



**PETER LINDWALL
STRATEGIC TOWN PLANNER**

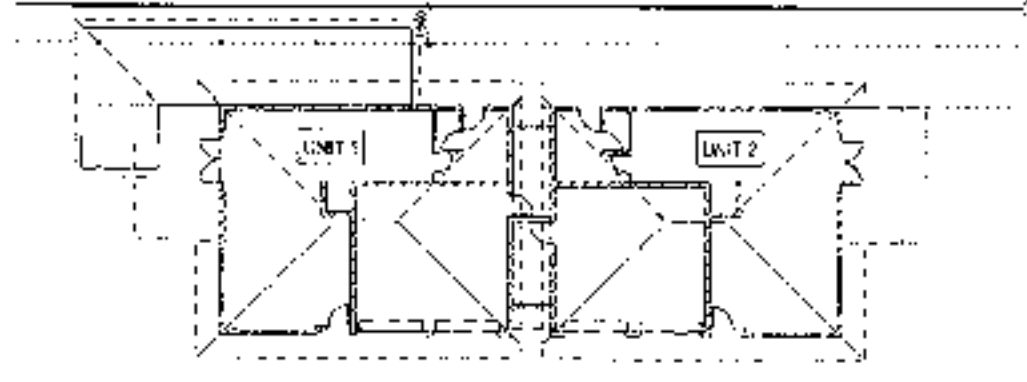
cc: Terrence McCafferty



DARWIN200

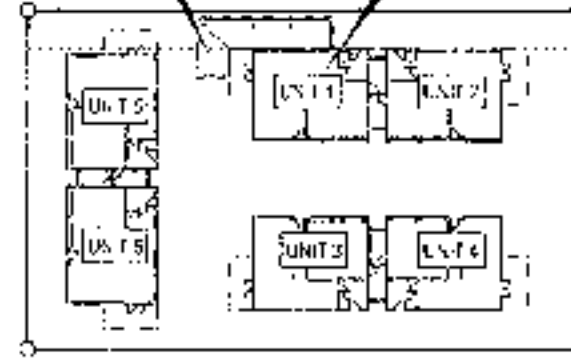
SITE PLAN

1:200



proposed outdoor living

existing residence



SITE PLAN

1:500

LOT 5483 (UNIT 1/7); PRICE



RED SHED
RESIDENTIAL DEVELOPMENT
10000 100th Ave SE
Bellevue, WA 98006
206.468.1234
www.redshed.com



ALTERNATIONS / DIMENSIONS
LOT 5483 (UNIT 1/7) PRICE
ROAD, PAVIF BAY
(see PAUL JUNE)

Scale: 1/4" = 1'-0"

Drawn: 2X
USA
Sheet: 30' x 17'

THIS DRAWING IS THE PROPERTY OF RED SHED RESIDENTIAL DEVELOPMENT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF RED SHED RESIDENTIAL DEVELOPMENT.

Please quote: 1686185 PL:lm

24 November 2009

Mr Doug Losh
Manager Urban Planning
Development Assessment Services
Department of Planning and Infrastructure
GPO Box 1880
DARWIN NT 0801

Dear Mr Losh

**Lot 6209 (21) Ostermann Street, Coconut Grove, Town of Nightcliff
Proposed Development – Garage Addition to an Existing Single Dwelling with
a Reduced Side Setback**

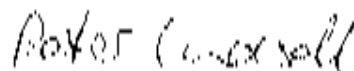
Thank you for the Development Application referred to this office 10 November 2009, concerning the above. This letter may be placed before Council's Town Planning Committee at its next meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

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If you require any further discussion in relation to this application please feel free to contact me on 89300 528.

Yours faithfully

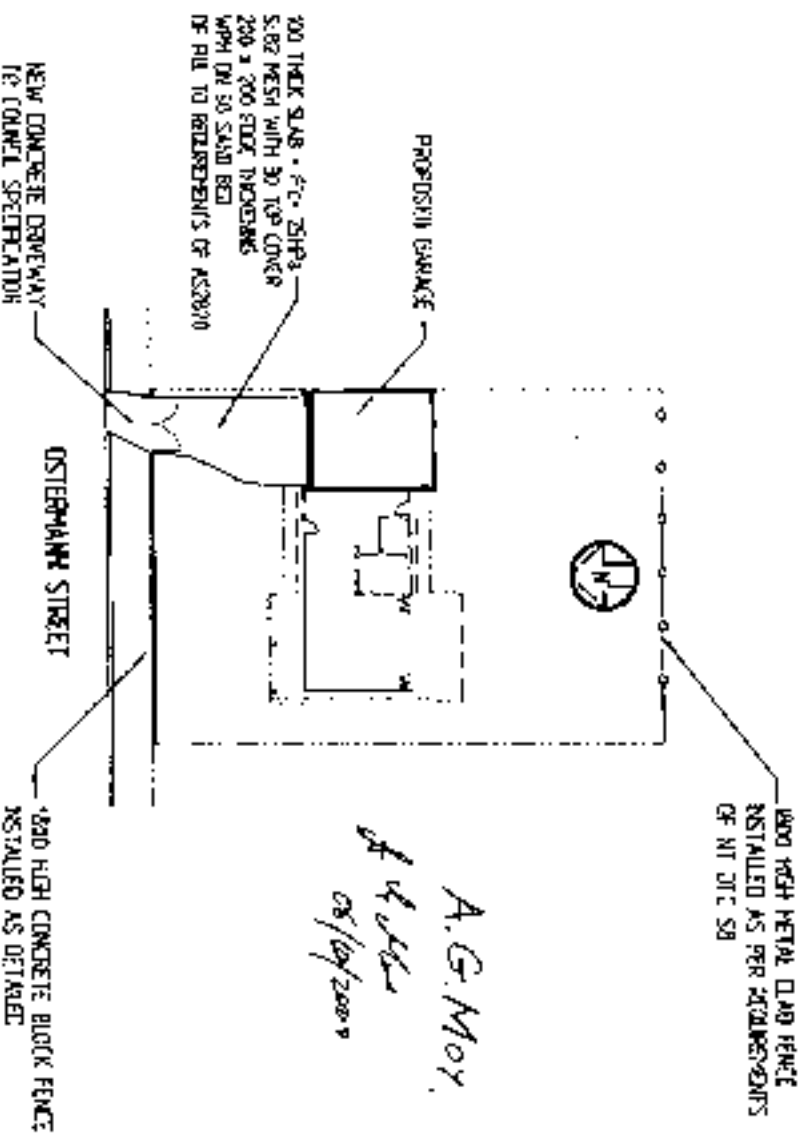


**PETER LINDWALL
STRATEGIC TOWN PLANNER**

cc: Mr Doug Losh

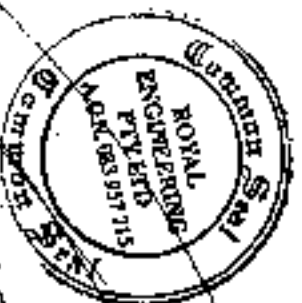


DARWIN200



SITE PLAN

5000 HWF Ref
CAPMAN
36 45



52010ES

Subject to Building Approval

STRUCTURALLY CONCURRED

Section 49 Design Certificate

No. 6201-2009-10-1

2/09/2009

Jaya Kulkarni - MBE, MSc, CIVIL
M.Sc. Civil / Structural Engineer

DRAWING INDEX

S1	NOTES, DRAWING INDEX & SITE PLAN
S2	FLOOR PLAN
S3	ELEVATIONS 1 & 2
S4	ELEVATIONS 3 & 4
S5	SLAB & FOOTING PLAN
S6	ROOF FRAMING PLAN
S7	SECTION A
S8	SECTION B & C
S9	FRONT FENCE DETAILS
S10	WALL FINISHING DETAILS

Designed by

Title

NOTES & DRAWING INDEX

Scale

1:500

Drawn by

CH

Job No.

C112

Checked by

Drawing No.

Rev.

Date

05/08/09

C112-S1

OPEN SECTION

PAGE

TP12/12

Town Planning Committee Meeting – Wednesday, 2 December, 2009

12 GENERAL BUSINESS

