

# OPEN SECTION

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## DARWIN CITY COUNCIL

MINUTES OF THE TOWN PLANNING COMMITTEE MEETING HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN, ON WEDNESDAY, 2 SEPTEMBER 2009 COMMENCING AT 12.01 P.M.

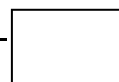
PRESENT: Member H I Galton (Chairman); The Right Worshipful, Lord Mayor, Mr G R Sawyer; Member J D Bailey; Member R T Dee; Member R K Elix; Member R Lesley; Member F P Marrone; Member A R Mitchell, Member K M Moir (from 12.32 p.m.); Member J L Sangster; Member H D Sjoberg.

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.

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## OPEN SECTION

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### OFFICERS REPORTS

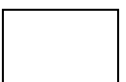
- 10.1 Lot 4938 (49) Namarluk Drive, Ludmilla Planning Scheme Amendment – PA2009/0237 rezone from CP (Community Purposes) to MD (Multiple Dwelling Residential).
- 10.2 Frances Bay PA2009/1007 Proposed Planning Scheme Amendment to introduce an Area Plan and Associated Planning Principles for the Frances Bay Locality.
- 10.3 Revised - Development Application Lots 2383 & 2384 (31 & 33) Woods Street – Town of Darwin 26 x 1 bedroom & 207 x 2 bedroom Multiple Dwellings, Offices, Restaurants and Shops in a 29 Storey Building plus 5 Levels of Parking.
- 10.4 Development Application lot 8739 (33) Progress Drive, Coconut Grove Proposed Development Mixed Use Development Comprising – Office, Restaurant, Shops and Parking at Ground Level 92 x 2 bedroom (2 key) Serviced Apartments in 5 Storey's above, plus 2 Levels of Basement Parking.
- 10.5 Substitution of Licensed Premises – Formerly Pommeroy's Steak and Wine Bar, Gardiner Street, Darwin.

### 11 INFORMATION ITEMS

- 11.1 Minutes of the Development Consent Authority Meeting – 24 July, 2009 & 7 August, 2009.
- 11.2 Various Letters sent to Development Assessment Services under Delegated Authority.

### 12 GENERAL BUSINESS

- 12.1 Valuation of land and Re-Zoning Applications
- 12.2 Use of Sump Oil by the Darwin Turf Club



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## **1 MEETING DECLARED OPEN**

The Chairman declared the meeting open at 12.01 p.m.

## **2 APOLOGIES AND LEAVE OF ABSENCE**

### **2.1 Apologies**

(Sjoberg/Bailey)

THAT the apology from Member G A Lambert be received and a Leave of Absence be granted.

DECISION NO.20\1956 (02/09/09) Carried

### **2.2 Leave of Absence Granted**

(Sjoberg/Bailey)

THAT it be noted that Member G M Jarvis is an apology due to a Leave of Absence being previously granted on 25 August 2009 for the period 31 August – 3 September 2009.

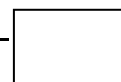
DECISION NO.20\1957 (02/09/09) Carried

## **3 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION**

Nil

## **4 CONFIDENTIAL ITEMS**

Nil



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## **5 WITHDRAWAL OF ITEMS FOR DISCUSSION**

### **5.1 Items Withdrawn by Staff**

Nil

### **5.2 Items Withdrawn by Members**

(Sjoberg/Bailey)

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 September 2009, be received.

DECISION NO.20\1958

(02/09/09)

Carried

## **6 CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING**

(Sjoberg/Bailey)

COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous Town Planning Committee Meeting held on Wednesday, 5 August, 2009, tabled by the Chairman, be confirmed.

DECISION NO.20\1959

(02/09/09)

Carried

## **7 BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING**

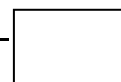
Nil

## **8 DEVELOPMENT APPLICATIONS**

Nil

## **9 GENERAL TOWN PLANNING REPORTS**

Nil



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## 10 OFFICERS REPORTS

### 10.1 Lot 4938 (49) Nemarluk Drive, Ludmilla Planning Scheme Amendment – PA2009/0237 rezone from CP (Community Purposes) to MD (Multiple Dwelling Residential).

Report No. 09TS0114 PL:sv (06/08/09) Common No. 1612323

(Lord Mayor/Lesley)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 09TS0114 entitled, Planning Scheme Amendment – PA2009/0237, Lot 4938 (49) Nemarluk Drive, Ludmilla - Rezone from CP (Community Purposes) to MD (Multiple Dwelling Residential), be received and noted.
- B. THAT Council endorse the letter to the Department of Planning and Infrastructure, Attachment B to Report Number 09TS0114 with the inclusion of a requirement for consideration of rising sea levels resulting from climate change to prevent risk to people and property and the risks associated with storm surge flooding.

DECISION NO.20\1960

(02/09/09)

Carried

ACTION: GM INFRAST

### 10.2 Frances Bay PA2009/1007 Proposed Planning Scheme Amendment to introduce an Area Plan and Associated Planning Principles for the Frances Bay Locality.

Report No. 09TS0093 PL:sv (14/08/09) Common No. 1615631

(Marrone/Bailey)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

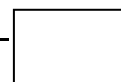
- A. THAT Report Number 09TS0093 entitled, Proposed Planning Scheme Amendment PA2009/1007 to Introduce an Area Plan And Associated Planning Principles for the Frances Bay Locality be Received And Noted; and
- B. THAT Council endorse the REVISED letter to the Department of Planning and Infrastructure, **Attachment B** to Report Number 09TS0093.

DECISION NO.20\1961

(02/09/09)

Carried

ACTION: GM INFRAST



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## 10 OFFICERS REPORTS

### 10.3 Revised - Development Application Lots 2383 & 2384 (31 & 33) Woods Street – Town of Darwin 26 x 1 bedroom & 207 x 2 bedroom Multiple Dwellings, .Offices, Restaurants and Shops in a 29 Storey Building plus 5 Levels of Parking.

Report No. 09TS0143 PL:sv (20/08/09) Common No. 1408269

(Dee/Bailey)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 09TS0093 entitled, Lots 2383 & 2384 (31 & 33) Woods Street – Town of Darwin, 26 x 1 Bedroom & 207 x 2 Bedroom Multiple Dwellings, Offices, Restaurants and Shops in a 29 Storey Building plus Levels of Parking be received and noted.
- B. THAT Council endorse the letter to the Department of Planning and Infrastructure, **Attachment B** to Report Number 09TS0093 with the inclusion of a clause which seeks clarification on the proposed end use of the building with specific reference to serviced apartments and general apartments and the consequences.

DECISION NO.20\1962

(02/09/09)

Carried

ACTION: GM INFRAST

### 10.4 Development Application lot 8739 (33) Progress Drive, Coconut Grove Proposed Development Mixed Use Development Comprising – Office, Restaurant, Shops and Parking at Ground Level 92 x 2 bedroom (2 key) Serviced Apartments in 5 Storeys above, plus 2 Levels of Basement Parking.

Report No. 09TS0120 PL:sv (31/07/09) Common No. 1616304

(Marrone/Mitchell)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

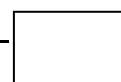
- A. THAT Report Number 09TS0120 entitled, Lot 8739 (33) Progress Drive Coconut Grove Proposed Development Mixed Use Development Comprising – Office, Restaurant, Shops and Parking at Ground Level 92 X 2 Bedroom (2 Key) Serviced Apartments in 5 Storeys above, plus 2 levels of Basement Parking, be received and noted.
- B. THAT Council endorse the letter to the Development Consent Authority, **Attachment B** to Report Number 09TS0120.

DECISION NO.20\1963

(02/09/09)

Carried

GM INFRAST



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## 10 OFFICERS REPORTS

### 10.5 Substitution of Licensed Premises – Formerly Pommeroy's Steak and Wine Bar Gardiner Street, Darwin.

Report No. 09TS0137BS:sv (17/08/09) Common No. 1627986

(Moir/Marrone)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

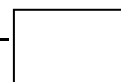
- A. THAT Report Number 09TS0137 entitled, Liquor Licence Substitution of Licensed Premises formerly Pommeroy's Steak and Wine Bar, Gardiner Street, Darwin, be received and noted.
- B. THAT Council endorse the following comments to be forwarded to the Director of Licensing, Racing, Gaming and Licensing:
  - 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.

DECISION NO.20\1964

(02/09/09)

Carried

ACTION: GM INFRAST



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## 11 INFORMATION ITEMS

### 11.1 Minutes of the Development Consent Authority Meeting – 17 July, 2009 and 7 August 2009

Document No. 1638678 (07/08/09) Common No. 1638678

Document No. 1638948 (17/07/09) Common No. 1638948

(Lesley/Marrone)

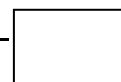
## COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that the Minutes of the Development Consent Authority Meeting held on 17 July, 2009 and 7 August 2009, be received and noted.

DECISION NO.20\1965

(02/09/09)

Carried



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## 11 INFORMATION ITEMS

### 11.2 Various Letters sent to Development Assessment Services under Delegated Authority

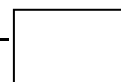
(Lesley/Dee)

#### 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 5184 (71) Benison Road, Winnellie Warehouse, Office and Showroom Sales (with **Attachment**) – Common Number 1619409 PL:sv dated 7 August 2009.
- ii) Lot 5789 (2) Earhart Court, Marrara PROPOSED DEVELOPMENT Place of Worship (Community Hall) (with **Attachment**) – Common Number 1616312 PL:sv dated 31 July 2009.
- iii) Section 6009 & Portion 1874 (68 – 70) Pruen Road, Berrimah Amalgamation to Create 1 Lot (with **Attachment**) – Common Number 1612512 PL:sv dated 29 July 2009.
- iv) Lot 7731 (14) Duke Street, Stuart Park PROPOSED DEVELOPMENT 3 Storey Single Dwelling Exceeding 8.5 Meters in Height with a reduced Side Setback (with **Attachment**) – Common Number 1624315 PL:sv dated 14 August 2009.
- v) Lot 9738 (47) Freshwater Road, Jingili PROPOSED DEVELOPMENT Subdivision to Create 2 Lots (with **Attachment**) – Common Number 1624310 PL:sv dated 14 August 2009.
- vi) Lot 10368 Lee Point Road, Lyons 95 Single Dwellings with Reduced Front Setbacks (Lyons Stages 11A, 11B, 12A, 12B & 12C) (with **Attachment**) – Common number 162314 PL sv dated 14 August 2009.
- vii) Lot 9889 (30) Demda Circuit, Lyons PROPOSED DEVELOPMENT 3 x Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1617201 PL sv dated 31 July 2009.
- viii) Lot 9891 (22) Demda Circuit, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616874 PL sv dated 31 July 2009.
- ix) Lot 9894 (16) Demda Circuit, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1616890 PL sv dated 31 July 2009.
- x) Lot 9899 (4) Demda Circuit, Lyons PROPOSED DEVELOPMENT 3 x Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1616875 PL sv dated 31 July 2009.
- xi) Lot 9980 and Lot 10368 Lee Point Road, Lyons PROPOSED DEVELOPMENT Subdivision to Create 5 Lots – Common number 1619277 PL sv dated 7 August 2009.

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Town Planning Committee Meeting – Wednesday, 2 September, 2009

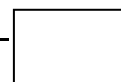
## 11 INFORMATION ITEMS

### 11.2 Various Letters sent to Development Assessment Services under Delegated Authority

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- xii) Lot 9980 and Part Lot 10368 Lee Point Road, Lyons PROPOSED DEVELOPMENT 4 Single Dwellings with Reduced Front Setbacks (with **Attachment**) – Common number 1624313 PL sv dated 14 August 2009.
- xiii) Lot 10011 (7) Mirrakma Crescent, Lyons – Town of Nightcliff PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1616878 PL sv dated 31 July 2009.
- xiv) Lot 10019 (5) Dulinda Terrace, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1617195 PL sv dated 31 July 2009.
- xv) Lot 10040 (1) Gakkingga Street, Lyons – Town of Nightcliff 2 x 3 Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1616891 PL sv dated 29 July 2009.
- xvi) Lot 10067 (19) Gakkingga Street, Lyons – Town of Nightcliff 2 x 3 Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1616879 PL sv dated 31 July 2009.
- xvii) Lot 10076 (54) Matla Crescent, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1616876 PL sv dated 31 July 2009.
- xviii) Lot 10121 (17) Gumimba Crescent, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a 2 Storey Building (with **Attachment**) – Common number 1616877 PL sv dated 31 July 2009.
- xix) Lot 10147 (5) Dunyila Street, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1617198 PL sv dated 31 July 2009.
- xx) Lot 10151 (15) Dunyila Street, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1617197 PL sv dated 31 July 2009.
- xxi) Lot 10186 (54) Daldawa Terrace, Lyons PROPOSED DEVELOPMENT 2 x 4 Bedroom Multiple Dwellings in a Single Storey Building with Reduced Front and side Setbacks (with **Attachment**) – Common number 1267122 PL sv dated 21 August 2009.
- xxii) Lot 10250 (6) Dawarra Crescent, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616883 PL sv dated 31 July 2009.

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Town Planning Committee Meeting – Wednesday, 2 September, 2009

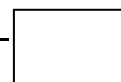
## 11 INFORMATION ITEMS

### 11.2 Various Letters sent to Development Assessment Services under Delegated Authority

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- xxiii) Lot 10239 (1) Datlawa Street, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1617194 PL sv dated 31 July 2009.
- xxiv) Lot 10277 (1) Damirrinda Street, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616308 PL sv dated 31 July 2009.
- xxv) Lot 10307 (24) Demda Circuit, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616310 PL sv dated 31 July 2009.
- xxvi) Lot 10308 (26) Demda Circuit, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616311 PL sv dated 31 July 2009.
- xxvii) Lot 10312 (77) Malta Crescent, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616309 PL sv dated 31 July 2009.
- xxviii) Lot 10315 (83) Damabila Drive, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616808 PL sv dated 29 July 2009.
- xxix) Lot 10317 (87) Damabila Drive, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1617200 PL sv dated 31 July 2009.
- xxx) Lot 10321 (86) Damabila Drive, Lyons PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1617196 PL sv dated 31 July 2009.
- xxxi) Lot 10328 (49) Dawarra Crescent, Lyons – Town of Nightcliff 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1616882 PL sv dated 31 July 2009.
- xxxii) Lot 10340 (96) Damabila Drive, Lyons, PROPOSED DEVELOPMENT 2 x 3 Bedroom Multiple Dwellings in a Single Storey Building (with **Attachment**) – Common number 1617199 PL sv dated 31 July 2009.
- xxxiii) Lot 2173 (30) Tivendale Road, Berrimah, PROPOSED DEVELOPMENT – Addition of Demountable for use as an Office (with **Attachment**) – Common number 1627121 PL sv dated 21 August 2009.

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Town Planning Committee Meeting – Wednesday, 2 September, 2009

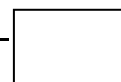
## 11 INFORMATION ITEMS

### 11.2 Various Letters sent to Development Assessment Services under Delegated Authority

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- xxxiv) Lot 466 (11) Phoenix Street, Nightcliff PROPOSED DEVELOPMENT – Carport Addition to an Existing single Dwelling with a Reduced Front Setback(with **Attachment**) – Common number 1627120 PL sv dated 21 August 2009.
- xxxv) Lot 565 (76) Nightcliff Road, Rapid Creek PROPOSED DEVELOPMENT – Verandah Addition to an Existing 2 Storey Single Dwelling with a Reduced Front Setback (with **Attachment**) – Common number 1624312 PL sv dated 14 August 2009.
- xxxvi) Lot 2041 (15) Henry Street, Stuart Park PROPOSED DEVELOPMENT – Upgrade Catherine Booth House 12 x 1 Bedroom Supported Accommodation Salvation Army (NT) (with **Attachment**) – Common number 1625195 PL sv dated 14 August 2009.
- xxxvii) Lot 2828 (78) Jingili Terrace, Jingili PROPOSED DEVELOPMENT Additions to Existing Single Dwelling with A Reduced Front Setback (with **Attachment**) – Common number 1619276 PL sv dated 7 August 2009.
- xxxviii) Section 3121 (51) Pruen Road, Berrimah PROPOSED DEVELOPMENT Shade Structure Addition with a Reduced Front Setback (with **Attachment**) – Common number 1616313 PL sv dated 31 July 2009.
- xxxix) Lot 3237 (14) Douglas Street, Fannie Bay PROPOSED DEVELOPMENT Additions to Existing Single Dwelling Including construction of a Second Floor with a Reduced Side Setback to the ground Level of the Dwelling NOT EXHIBITED (with **Attachment**) – Common number 1613838 PL sv dated 28 July 2009.
- xl) Lot 5433 (24) Dulverton Court, Karama PROPOSED DEVELOPMENT Construction of a Patio with Reduced Side Setback NOT EXHIBITED (with **Attachment**) – Common number 1614322 PL sv dated 29 July 2009.
- xli) Lot 5672 (24) Koolinda Crescent, Karama PROPOSED DEVELOPMENT Shade Structure Addition to an Existing single Dwelling with a Reduced Front Setback (with **Attachment**) – Common number 1630142 PL:sv dated 28 August 2009.
- xl ii) Lot 6943 (6) Glyde Court, Leanyer PROPOSED DEVELOPMENT Additions To Existing Multiple Dwelling Including Enclosing Carport (Unit 1) (with Attachment) – Common number 1619408 PL:sv dated 7 August 2009.

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Town Planning Committee Meeting – Wednesday, 2 September, 2009

## 11 INFORMATION ITEMS

### 11.2 Various Letters sent to Development Assessment Services under Delegated Authority

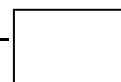
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xliii) Water Front Development Part Lot 7769 (2) Stokes Hill Road, Darwin City PROPOSED DEVELOPMENT – changes to the Development Approved Under DP09/0326 for a Mixed Use Development (Including Mezzanine Level) comprising 6 storey commercial building with 12 x 3 bedroom multiple dwellings 6 storey building with 24 x 1 Bedroom Multiple Dwellings, 9 Storey Building with 26 x 1, 33 x 2 and 6 x 3 Bedroom Multiple Dwellings and Ground Level Commercial plus Basement Car Parking and Associated Roads and Open Space – Tonga Darwin No.1 – Common number 1490891PL:sv dated 21 August 2009.

DECISION NO.20\1966

(02/09/09)

Carried



Town Planning Committee Meeting – Wednesday, 2 September, 2009

## 12 GENERAL BUSINESS

### 12.1 Valuation of land and Re-Zoning Applications

(Bailey/Lord Mayor)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that:-

THAT a Report be prepared on the options for possible Pre and Post Valuation of Land which is the subject of a Re-Zoning Application.

DECISION NO.20\1967

(02/09/09)

Carried

ACTION: GM INFRAST

### 12.2 Use of Sump Oil by the Darwin Turf Club

(Elix/Sjoberg)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that:-

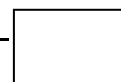
THAT a Report be prepared regarding the use of Sump Oil by the Darwin Turf Club at Fannie Bay Race Course.

DECISION NO.20\1968

(02/09/09)

Carried

ACTION: GM INFRAST



Town Planning Committee Meeting – Wednesday, 2 September, 2009

The meeting closed at 1.19 p.m.

MEMBER H I GALTON  
(CHAIRMAN) - TOWN PLANNING  
COMMITTEE MEETING -  
WEDNESDAY, 2 SEPTEMBER  
2009

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***Confirmed on: Wednesday, 7 October 2009***

***Chairman:*** \_\_\_\_\_

