

1 - Introduction

1.1 BRIEF

Planit Consulting has been engaged by Dragon Lady PTY & Polet PTY LTD to prepare and submit a development application for the subdivision of the land into three (3) Lots at No. 213 & 95 Dick Ward Drive, Darwin NT.

The purpose of this subdivision is to create a manageable leasehold area for further development as allowed by the zoning approval for Specific Use Zone No. 44 (SD 44). The proposed new allotment will separate land in the Conservation Zone from the Specific Use Zone No. 44 (SD 440).

1.2 PROJECT BACKGROUND

This site was the subject of a rezoning approval in March 2014. The purpose of the rezoning was to provide for light industrial development provided that it addresses the effects of the primary storm surge and preserves the safety and maintains the curfew free operation of the Darwin International Airport. It was a requirement that prior to the subdivision and the commencement of works, the issue of storm surge be addressed.

A Development Permit was granted in December 2014 for the filling of the land (PA2014/0410) **Appendix F - Copy of Approval PA2014 - Filling of the Site** which addresses the concerns of storm surge. A hydrological assessment was provided and the effects of storm surge were addressed with the filling of the land and appropriate drainage.

A similar report was previously lodged under PA2014/0410 and was advertised. A Deferral Letter from the Development Consent Authority dated 13 February 2015 was received and requested further information. The request required that the following information be submitted:

1. Amended plans that:
 - a. show the area and boundaries of existing parcels;
 - b. show current land zoning;
 - c. clarify the location and status of the existing drain at the western end of the proposed allotment; and
 - d. show the areas (if any) that are required to be cleared as a result of the subdivision;
2. A revised Aboriginal Areas Protection Authority Certificate that correctly references the 'subject site' that is the subject of this application;
3. A copy of a hydrological assessment approved by the Department of Land Resource Management as required by the Schedule to Zone SD44 (Specific Use - Darwin);
4. Details of how stormwater drainage is to be managed as part of the subdivision. If it is proposed to discharge stormwater into adjacent land (including Lots 5182 and 8630), written confirmation from the registered owners of the affected land is required that confirms ongoing acceptance of stormwater; and
5. If further clearing of native vegetation is required, information that responds to the requirements of *Clauses 10.2 (Clearing of Native Vegetation in Zone...CN...)* and 10.3 (Clearing of Native Vegetation - Performance Criteria) of the NT Planning Scheme.

This amended application intends on responding to the concerns expressed in the information request letter. An amended subdivision plan is submitted which now proposes to have the Conservation Zone completely separated from the Specific Use Zone No. 44. In regards to point two (2) above, no new Aboriginal Areas Protection Authority Certificate was produced as the referenced area now corresponds to the "subject site". Additional details about stormwater drainage are provided in **Appendices C, D and F**. The western drain is no longer included within the proposed new lot boundaries of the excised SD44 area as all Conservation zoned land is excluded from the new proposed Lot. It is confirmed that no additional clearing will occur in the Conservation Zone.

1.3 THE SITE AND SURROUNDS

1.3.1 General Summary

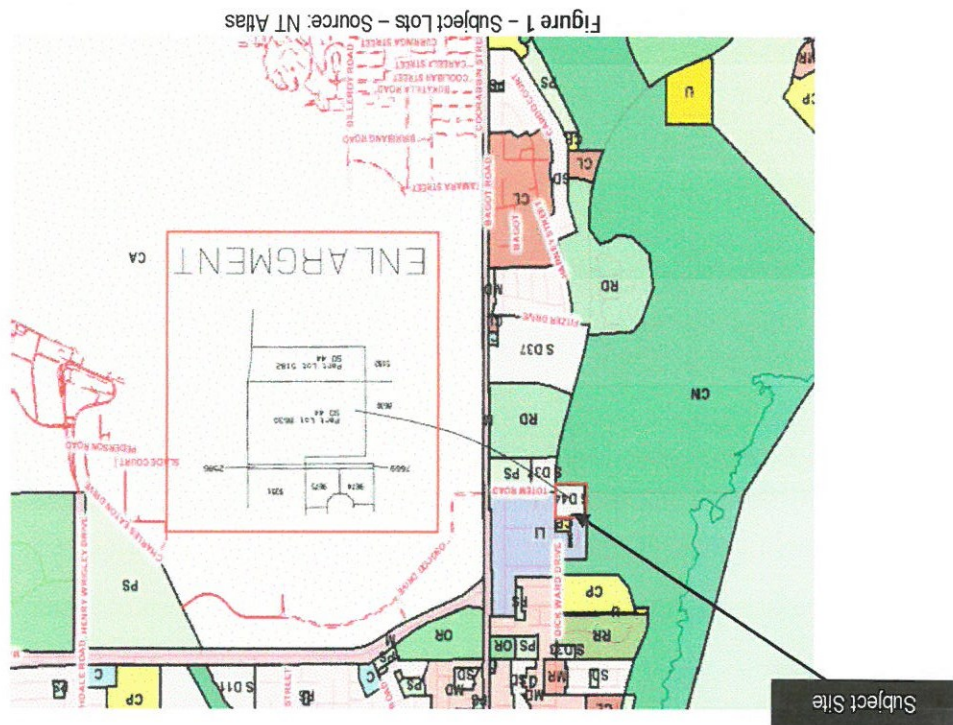


Figure 1 - Subject Lots - Source: NT Atlas

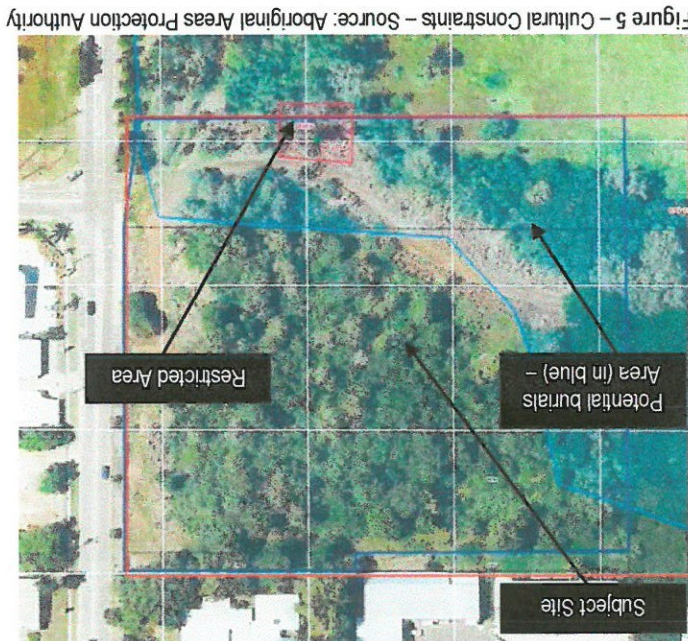


Figure 2 - Subject Site in context to Dick Ward Drive and Totem Road - Source: Google Earth

The subject site incorporates Part of Lot 5182 (213), Dick Ward Drive, Town of Darwin, and Part of Lot 8630 Dick Ward Drive, Town of Nightcliff, has direct street frontage to Dick Ward Drive to the east, and to the southern end of Totem Road. The site is located partly within a suburb known as Coconut Grove and partly in Ludmilla. It covers the area that was previously rezoned to SD 44. The total area is 2.5 hectares, and is situated approximately 8km north of the Darwin CBD.

Areas of Cultural Significance

A portion of the development site falls within the Primary and Secondary Darwin Storm Surge area. However, further to the approval granted on 15 December 2014 (PA2014/0410), the site is to be filled to a level of 6.1 RL which addresses storm surge risks. The site will also be graded to the proposed drains to ensure adequate drainage. See Appendix F – Copy of Approval PA2014 – Filling of the Site.



It is noted that the site boundaries of the Aboriginal Areas Protection Authority Certificate now correctly reference the "subject Site". Two (2) areas of cultural significance have been noted as part of the Aboriginal Areas Protection Authority Certificate. A Restricted Works Area has also been nominated by the AAPA in the southern portion of the site (see above). The Restricted Works Area corresponds to the presence of a sacred site.

The Aboriginal Areas Protection Authority Certificate indicates an area potentially containing human burials. An Archaeological Excavation Report prepared by a suitably qualified professional was provided as part of the previous filling application and it was determined that the presence of human burials are unlikely to be found on the site. The findings of the reports were accepted as part the previously approved filling application.

In the unlikely event that any skeletal remains are uncovered, all works are to cease immediately and the AAPA is to be notified. The area of cultural significance located on the southern end of the site, being a sacred site, is to be maintained in its current state. No additional works other than allowed through the Filling of the Land Approval (PA2014/0410) are proposed at this stage. See Appendix F – Copy of approval PA2014 – Filling of the Site.

1.4 APPROVALS SOUGHT

This application seeks Development Consent pursuant to Part 5 of the NT Planning Act 2009. Subdivision is allowable with consent within SD 44 and the Conservation Area.

1.5 ADVERTISING / NOTIFICATION

The proposed subdivision will require public notification and advertising as per Department of Lands, Planning and Environment policy.

2 – Proposed Development

2.1 Subdivision – Two (2) Lots into Three (3) Lots

The proposed development seeks to subdivide Lot 5182 and Lot 8630 into three (3) Lots which are subject to leasehold in perpetuity. (See **Appendix A – Proposed Subdivision Plans**). The intent behind the subdivision is to create a manageable leasehold area for further development a master Lot.

The proposal is effectively for the subdivision of a leased in perpetuity from the Crown in favour of the Gwalwa Daraniki Association. A commercial sub-lease exceeding 12 years has been registered but has yet to be formally acknowledged by the Lands Titles Office.

To that effect the Planning Act defines a subdivision as the following:

"5 Meaning of subdivision

(1) Subject to subsections (2), (3) and (4), in this Act, subdivision means the division of land into parts available for separate occupation or use, by means of:
 (a) sale, transfer or partition; or
 (b) lease, agreement, dealing or instrument purporting to render different parts of the land available for separate disposition or separate occupation."

The proposal is not subject to subsections (2), (3) and (4). It is considered that the Act allows for the subdivision of the leased area. It is not anticipated at this stage to convert the leasehold area into freehold land.

The site encompasses the area which was re-zoned into SD 44. No further development is to be expected within the Conservation Area.

2.2 Access

The site has access to Dick Ward Drive and no changes to the current access are proposed at this point.

2.3 Services

Adequate services are available in the area and no further demand on public infrastructure is expected at this stage.

E-Statement from Adjoining Land Owners

Proposed Three (3) Lot Subdivision
Lot 5182 and Lot 8630
No. 213 and 95 Dick Ward Drive,
Darwin NT
February 2015



☐ GPO Box 800, NT, 0801
☐ Phone: 08 8981 5870
☐ Fax: 08 8942 1968
☐ info@planitconsulting.com.au

Your Reference: PA2014/1037

16th February 2015

Ms. Sally Cunningham
Department of Lands and Planning
GPO Box 1680
Darwin NT 0801

Re: Subdivision of the land 2 into 3 at 213 Dick Ward Drive and 95 Dick Ward Drive.

Dear Ms. Cunningham,

This letter is in relation to the subdivision of Specific Use Zone SD44 (Part Lot 5182 (213), Dick Ward Drive, Town of Darwin, and Part Lot 8630 (95) Dick Ward Drive, Town of Nightcliff. We, the Gwalwa Daraniki Association understand that an Application for the subdivision of the land was lodged to subdivide the land into 3 allotments in accordance with plan Ref.4073-12 dated 14/02/2015 from AUSURV Pty. Ltd.

We also understand that, as a result of this application, stormwater from the Specific Use Zone (SD44) subdivided land will be discharged onto the adjoining Lots which are in our ownership. This letter is to confirm that we, the Gwalwa Daraniki Association, as legal owners of the adjoining land have no objection to stormwater being discharged onto land at Part 5182 (213) Dick ward Drive, Town of Darwin and Part Lot 8630 (95) Dick Ward Drive, Town of Nightcliff.

Helen Secretary (Director)
Gwalwa Daraniki Association



16/2/15

Development Consent Authority

Northern Territory



GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6044
Facsimile No: (08) 8999 6055

In reply please quote:

PA2015/0112
PA2014/1037

Planit Consulting Pty Ltd
GPO Box 800
DARWIN NT 0801

Dear Sir / Madam

LOT 5182 (213) DICK WARD DRIVE, TOWN OF DARWIN & LOT 8630 (95) DICK WARD DRIVE,
TOWN OF NIGHTCLIFF

You are hereby advised that the Development Consent Authority, at its meeting on 20 March 2015 resolved, pursuant to section 46(4)(b) of the *Planning Act*, to defer consideration of the application to develop the above land for the purpose of a subdivision to create three (3) lots, to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

1. Additional information (or amended plans) that better address the purpose of Zone CN (Conservation) and demonstrate that the subdivision (including stormwater drainage) will not result in any additional adverse impacts on adjacent land;

2. Confirmation that the hydrological assessment provided with the application is the correct version, or provision of the most up-to-date version for consideration and circulation to service authorities;

3. Confirmation of the location of the sacred site recorded within the proposed lot. All plans provided with the application are to be amended to accurately show this location including but not limited to filling plans, stormwater plans and hydrological assessment plans.

4. Submission of a stormwater drainage plan that accords with the hydrological assessment and previously approved plans (for the filling of the site) showing existing formal/informal drainage arrangements/infrastructure;

5. Further information that demonstrates resolution of concerns raised by the City of Darwin in relation to vehicle access arrangements. Resolution of Council's concerns may require the preparation of and submission of a Traffic Impact Assessment to Council to better inform its position;

6. Any other additional information considered relevant or any plan amendments required as a result of the above.

1/2

7/4/2015

Re: Chin and burials

070

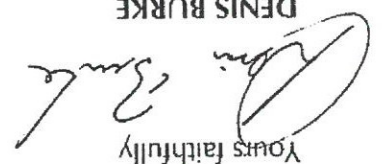
REASON FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *NT Planning Act*, the consent authority may defer consideration of an application to enable to applicant to provide additional information that the consent authority considers necessary.

2. Pursuant to section 51(a) of the *NT Planning Act*, the consent authority must give consideration to any planning scheme that applies to the land to which the application relates. The consent authority considers that additional information is necessary to determine whether the proposal complies with the applicable requirements of the NT Planning Scheme.
3. Additional information is requested to address the requirements of service authorities including the City of Darwin.

Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority may defer consideration of a proposal to allow the applicant to provide additional information it considers necessary to enable the proper consideration of the proposal and its impact on the site and surrounding area.

Should you require any further information on this matter, please telephone Sally Cunningham on: 8999 6118.

Yours faithfully


DENIS BURKE

Delegate

7 / 4 / 2015

Attachment

Cc City of Darwin
 Ann Maree Grant
 David Percival
 Graham Kirby
 Jack Phillips
 Nicole Kaye
 Sab Lord
 Vanessa C Kaye
 Plan: The Planning Action Network
 Annie Lord
 Donna Jackson
 Heidi Jatis
 Kelly Hunter
 Pamela Trotman
 Suzanne Paech
 William B Day
 Ron & Gail Haydon
 Lyn Drury
 Cai Wright
 Justin
 Maria Grujicic
 Rob Inder Smith

Development Consent Authority

Northern Territory

GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6044
Facsimile No: (08) 8980 0707

In reply please quote: PA2015/0221
MM: AC

Submitter

Dear Submitter

LOTS 5182 (213) & 8630 (95) DICK WARD DRIVE, TOWN OF DARWIN

Thank you for your submission. I advise that the application on the above land for the purpose of Subdivision to create three (3) lots has been listed for a meeting of the Development Consent Authority (DCA).

The Development Assessment Services report to the DCA on the application for which you made a submission is available on the web from 9am on Wednesday 20 May 2015 for approximately one month after the meeting date at <http://www.lands.nt.gov.au/planning/dca/meeting/dca-agendas>.

PLEASE NOTE:- If you have no internet access please contact the DCA Secretary on 8999 6044.

Your submission will be fully taken into account by the Authority members in their consideration of the matter. However, should you wish to add anything further to your submission at the meeting, you are welcome to do so.

The application will be heard in the Broilga Conference Room, Novotel Darwin Atrium, 100 The Esplanade, Darwin, on **Friday 22 May 2015 at 11.00 AM.**

Your presence at the meeting is recommended and it would be appreciated if you would call the Secretary in 8999 6044 at least 24 hours prior to the meeting to advise whether or not you will be attending. Information on meeting procedures is provided overleaf.

Minutes of DCA meetings are available and will be uploaded by close of business one week after the meeting date at <http://www.lands.nt.gov.au/planning/dca/meeting/minutes>.

Yours faithfully

Luciana Carnesi

for MARGARET MACINTYRE
Secretary

12 May 2015

Overleaf





Development Consent Authority

Northern Territory

GPO BOX 1680

DARWIN NT 0801

Re: Chin and burials

Telephone No: (08) 8999 6044
Facsimile No: (08) 8999 6055
Telephone No: (08) 8999 6044
Facsimile No: (08) 8999 6055
PA2014/0410
AD LC

15/12/2015

Plantit Consulting Pty Ltd
74 Marina Boulevard
CULLEN BAY NT 0820

Dear Sir / Madam

NOTICE OF DETERMINATION (SECTION 53A OF THE PLANNING ACT)

LOT 5182 (213) DICK WARD DRIVE, TOWN OF DARWIN & LOT 8630 (95) DICK WARD DRIVE,
TOWN OF NIGHTCLIFF

The Development Consent Authority, in accordance with Section 53(a) of the *Planning Act*, has determined to grant consent to use and develop the abovementioned land for filling of land (SD44) for future development subject to the conditions specified below.

NOTE: This is not a Development Permit. No use of the land or development works in accordance with this Notice of Determination may be carried out until such time as a Development Permit has been issued.

Conditions Precedent

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental Construction Management Plan (ECMP), to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address how the development will be managed on the site, and is to include details of the haulage of excavated and new materials, traffic management, stormwater management, use of City of Darwin land and how this land will be managed during the development phase.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning, and in accordance with the IECA Best Practice Erosion and Sediment Control Guidelines 2008. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during both the construction and operational phases. Erosion and sediment control information can also be sourced from the DLRM website at <http://irm.nt.gov.au/soil/management>.

General Conditions

3. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

5. Appropriate protection shall be provided to contain potential spills of waste and protect contaminants from entering adjacent properties, roadways, and the stormwater drainage system.

6. The proponent must ensure that only clean fill (virgin excavated natural material) or inert fill is accepted and that the inert fill has been adequately assessed as being suitable for its intended use or uses.

7. The loads of all trucks entering and leaving the site of works are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. Where tracked/dropped material on the road pavement becomes a potential safety issue, the developer will be obliged to clean material off the road in an environmentally responsible manner.

8. The developer is to ensure that all development work is undertaken in a manner that prevents the creation of a public health nuisance from dust or other particulate matter.

9. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

10. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.

11. Should any marine sediments be excavated and exposed an Acid Sulphate Soils Management Plan (ASSMP), including details of the volumes and depths of proposed excavations and potential length of time acid sulphate soil material may be exposed, is to be submitted to and approved by the consent authority on the advice of a suitably qualified professional, and an endorsed copy of the Plan will form part of this permit.

Notes:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. Any proposed stormwater connections to the City of Darwin stormwater system or proposed works on/over City of Darwin property shall be subject to separate application to the City of Darwin and shall be carried out to the requirements and satisfaction of the General Manager Infrastructure, City of Darwin.

Reasons for the Determination

3. works within the drainage easements will require approval from the Department, and the applicant must ensure compliance with the *Crown Lands Act* and the *Associations Act* in relation to any works on the land.
4. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.

1. The filling of land is consistent with the purpose of zone SD44 which is to provide for light industrial development that addresses the effects of primary storm surge and preserves the safety and maintains the curfew free operation of the Darwin International Airport.
2. Pursuant to section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates. The proposal is generally in accordance with the requirements of the SD44 Specific Use Zoning subject to the preparation of a revised Erosion Sediment Control Plan (ESCP) which is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management.
3. Pursuant to section 51(e) of the *Planning Act*, in considering a development application the consent authority is required to take into account any submissions made under section 49. Seven submissions were received raising concerns with the proposal. Appropriate responses to the matters raised, as reflected by the conditions and notes given on the development permit, should ensure that all issues are addressed appropriately within the context of the approved zoning of the land.

4. Pursuant to section 51(m) of the *Planning Act*, the consent authority must take into account 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. In addition, pursuant to section 51(j) of the *Planning Act*, the consent authority must also take into account 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. Precedent and general conditions on the development permit require an environmental construction management plan and an erosion and sediment control plan, as well the requirement for dust control and the use of clean or inert fill only. It is anticipated that these measures, combined with standard conditions relating to the treatment of easements, are expected to ensure that the land is developed in accordance with its physical capabilities; address concerns raised by service authorities; and, ensure utility and infrastructure requirements are appropriately addressed.

5. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the future and existing amenity of the area in which the land is situated. The existing and future amenity of the area largely been addressed through the SD44 Zoning which has been created to provide for a light industrial development. Consideration has been given to surrounding land uses, and provided all works are undertaken in accordance with the precedent and general conditions, it is not anticipated the development would impact on amenity.

Rights of Appeal

Applicants are advised that a right of appeal to the Appeals Tribunal exists under Part 9 of the *Planning Act*. An appeal under section 114 against a determination of development application must be made within 28 days of the service of this notice.

Persons or a local authority who made submissions in accordance with section 49 of the Act, in relation to the development application are advised that a right of appeal to the Appeals Tribunal exists under Part 9 of the Act. An appeal under section 117 by a third party in respect of a development application must be made within 14 days of the service of this notice.

The Registrar of the Appeals Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: The Registrar, Appeals Tribunal, GPO Box 1281, DARWIN NT 0801 or Department of Justice, Level 3 Office of the Coroner, Nichols Place, Corner of Bennett and Cavenagh Street DARWIN NT 0801 (Telephone: 08 8999 5001 or Facsimile 08 8999 5005).

If within fourteen (14) days of this notice, no appeal is lodged with the Registrar, Appeals Tribunal, a Development Permit will be issued in accordance with the conditions shown on the attached schedule.

If you have any queries in relation to this Notice of Determination, please contact Anthony Brennan on telephone (08) 8999 7416.

Yours faithfully



Hanna Stevenson
Delegate

15/12/2014

Cc City of Darwin
Lands and Mining Tribunal
Plan: The Planning Action Network
William B Day
Tibby Quall
Gail Warman
Donna Jackson
Diana Rickard & Greg Chapman
Christine Power

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

Section 29

NT PLANNING SCHEME AMENDMENT PA2008/0267

Reasons for Decision

A rezoning is an amendment to Government policy and merits careful consideration to assure it is consistent with land capability; desired land use planning outcomes and community expectations. Part Lot 8630 Town of Nightcliff and part Lot 5182 Town of Darwin are located in a primary storm surge zone and which forms a buffer between adjacent development and sensitive mangroves.

The main issues with this application are that:

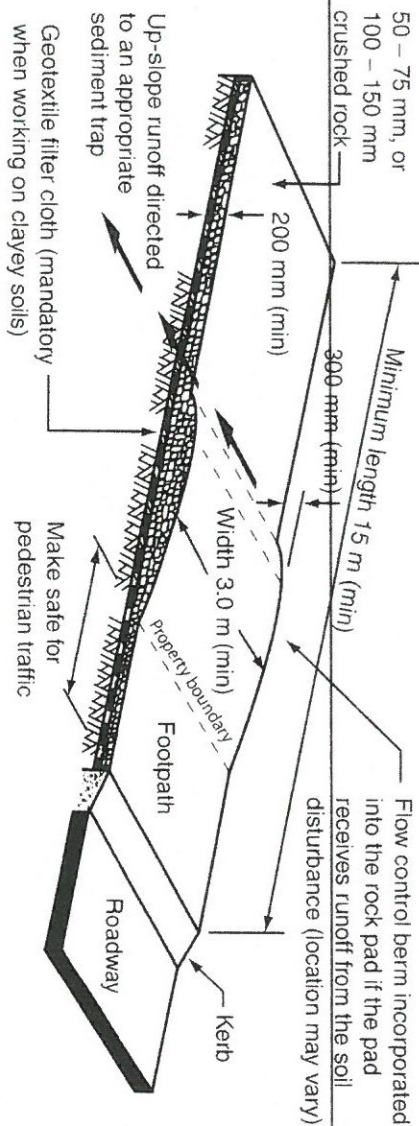
1. the Northern Territory Planning Scheme states that industrial development should not occur within a primary storm surge zone;
2. there is no demonstrated need for additional light industrial land in this locality;
3. the requirement for a 200 metre native vegetation buffer to the mangroves;
4. when developing the land there will be a negative impact on the native vegetation; and
5. there is no demonstrated benefit to the community or improved land use planning outcomes by the proposal

The application does not demonstrate any particular merit that would warrant the rezoning to Zone LI (Light Industry), and on this basis I refuse to amend the NT Planning Scheme.

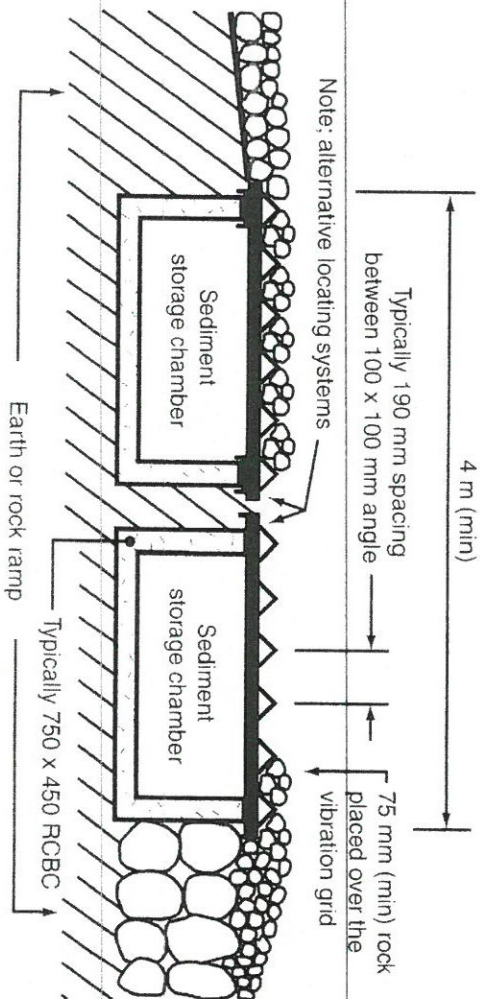


GERALD FRANCIS MCCARTHY
Minister for Lands and Planning

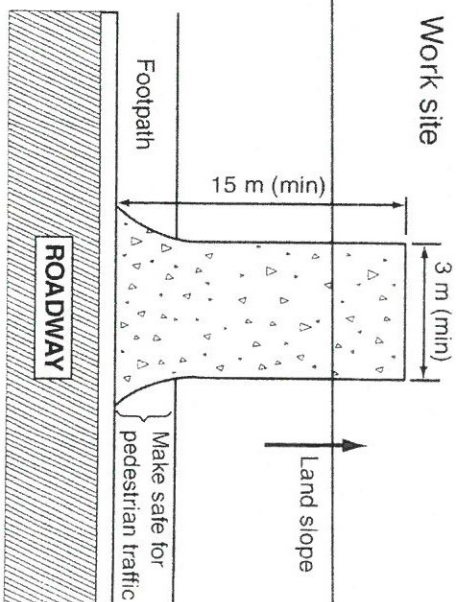
30/11/2010



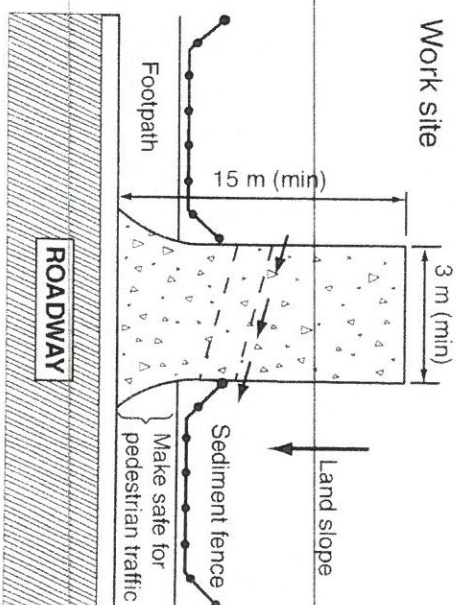
(a) Rock entry/exit pad for construction sites
(refer to Standard Drawing Exit-03 for building sites)



(c) Alternative low maintenance arrangement
(still under development)

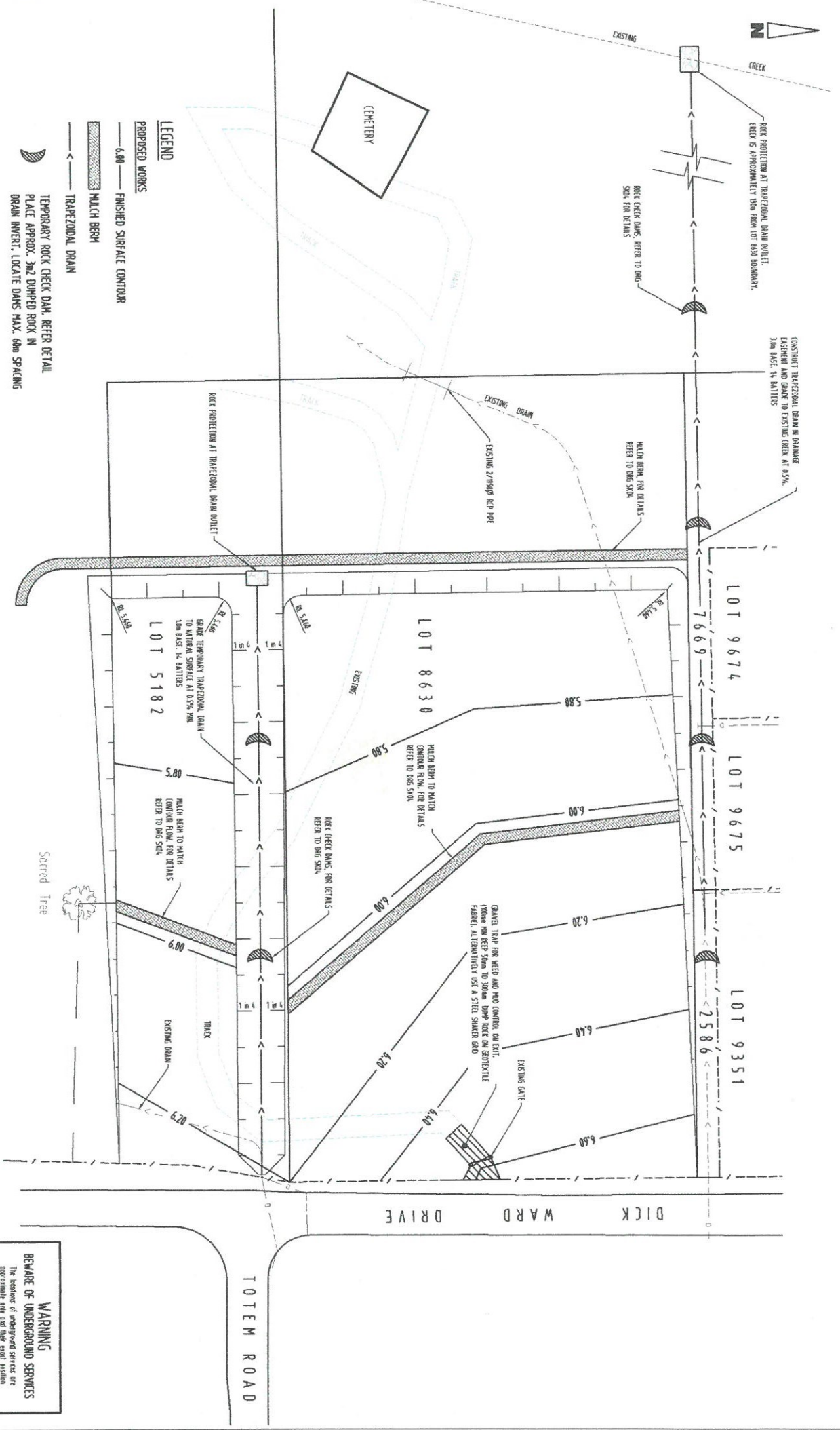


(b) Rock pad sloping away from road



(d) Rock pad sloping towards the road

Drawn:	Date:	Construction Exit - Rock Pad	Exit-01
GMW	Apr-10	(construction sites only)	



PRELIMINARY

GWALWA DARANIKI ASSOCIATION PTY LTD



MAN 19 DEC 2017
KARLIE KAYE CONSULTING PTY LTD
7/10 BATHURST TERR, 2014

REVISIONS		APPROVED		DATE	
1	13/07/2017	MS	DESIGN APPROVAL		
2	13/07/2017	MS	FIELD APPROVAL		
3	13/07/2017	MS	FINAL APPROVAL		
4	13/07/2017	MS	FINAL APPROVAL		
5	13/07/2017	MS	FINAL APPROVAL		
6	13/07/2017	MS	FINAL APPROVAL		
7	13/07/2017	MS	FINAL APPROVAL		
8	13/07/2017	MS	FINAL APPROVAL		
9	13/07/2017	MS	FINAL APPROVAL		
10	13/07/2017	MS	FINAL APPROVAL		
11	13/07/2017	MS	FINAL APPROVAL		
12	13/07/2017	MS	FINAL APPROVAL		
13	13/07/2017	MS	FINAL APPROVAL		
14	13/07/2017	MS	FINAL APPROVAL		
15	13/07/2017	MS	FINAL APPROVAL		
16	13/07/2017	MS	FINAL APPROVAL		
17	13/07/2017	MS	FINAL APPROVAL		
18	13/07/2017	MS	FINAL APPROVAL		
19	13/07/2017	MS	FINAL APPROVAL		
20	13/07/2017	MS	FINAL APPROVAL		
21	13/07/2017	MS	FINAL APPROVAL		
22	13/07/2017	MS	FINAL APPROVAL		
23	13/07/2017	MS	FINAL APPROVAL		
24	13/07/2017	MS	FINAL APPROVAL		
25	13/07/2017	MS	FINAL APPROVAL		
26	13/07/2017	MS	FINAL APPROVAL		
27	13/07/2017	MS	FINAL APPROVAL		
28	13/07/2017	MS	FINAL APPROVAL		
29	13/07/2017	MS	FINAL APPROVAL		
30	13/07/2017	MS	FINAL APPROVAL		
31	13/07/2017	MS	FINAL APPROVAL		
32	13/07/2017	MS	FINAL APPROVAL		
33	13/07/2017	MS	FINAL APPROVAL		
34	13/07/2017	MS	FINAL APPROVAL		
35	13/07/2017	MS	FINAL APPROVAL		
36	13/07/2017	MS	FINAL APPROVAL		
37	13/07/2017	MS	FINAL APPROVAL		
38	13/07/2017	MS	FINAL APPROVAL		
39	13/07/2017	MS	FINAL APPROVAL		
40	13/07/2017	MS	FINAL APPROVAL		
41	13/07/2017	MS	FINAL APPROVAL		
42	13/07/2017	MS	FINAL APPROVAL		
43	13/07/2017	MS	FINAL APPROVAL		
44	13/07/2017	MS	FINAL APPROVAL		
45	13/07/2017	MS	FINAL APPROVAL		
46	13/07/2017	MS	FINAL APPROVAL		
47	13/07/2017	MS	FINAL APPROVAL		
48	13/07/2017	MS	FINAL APPROVAL		
49	13/07/2017	MS	FINAL APPROVAL		
50	13/07/2017	MS	FINAL APPROVAL		
51	13/07/2017	MS	FINAL APPROVAL		
52	13/07/2017	MS	FINAL APPROVAL		
53	13/07/2017	MS	FINAL APPROVAL		
54	13/07/2017	MS	FINAL APPROVAL		
55	13/07/2017	MS	FINAL APPROVAL		
56	13/07/2017	MS	FINAL APPROVAL		
57	13/07/2017	MS	FINAL APPROVAL		
58	13/07/2017	MS	FINAL APPROVAL		
59	13/07/2017	MS	FINAL APPROVAL		
60	13/07/2017	MS	FINAL APPROVAL		
61	13/07/2017	MS	FINAL APPROVAL		
62	13/07/2017	MS	FINAL APPROVAL		
63	13/07/2017	MS	FINAL APPROVAL		
64	13/07/2017	MS	FINAL APPROVAL		
65	13/07/2017	MS	FINAL APPROVAL		
66	13/07/2017	MS	FINAL APPROVAL		
67	13/07/2017	MS	FINAL APPROVAL		
68	13/07/2017	MS	FINAL APPROVAL		
69	13/07/2017	MS	FINAL APPROVAL		
70	13/07/2017	MS	FINAL APPROVAL		
71	13/07/2017	MS	FINAL APPROVAL		
72	13/07/2017	MS	FINAL APPROVAL		
73	13/07/2017	MS	FINAL APPROVAL		
74	13/07/2017	MS	FINAL APPROVAL		
75	13/07/2017	MS	FINAL APPROVAL		
76	13/07/2017	MS	FINAL APPROVAL		
77	13/07/2017	MS	FINAL APPROVAL		
78	13/07/2017	MS	FINAL APPROVAL		
79	13/07/2017	MS	FINAL APPROVAL		
80	13/07/2017	MS	FINAL APPROVAL		
81	13/07/2017	MS	FINAL APPROVAL		
82	13/07/2017	MS	FINAL APPROVAL		
83	13/07/2017	MS	FINAL APPROVAL		
84	13/07/2017	MS	FINAL APPROVAL		
85	13/07/2017	MS	FINAL APPROVAL		
86	13/07/2017	MS	FINAL APPROVAL		
87	13/07/2017	MS	FINAL APPROVAL		
88	13/07/2017	MS	FINAL APPROVAL		
89	13/07/2017	MS	FINAL APPROVAL		
90	13/07/2017	MS	FINAL APPROVAL		
91	13/07/2017	MS	FINAL APPROVAL		
92	13/07/2017	MS	FINAL APPROVAL		
93	13/07/2017	MS	FINAL APPROVAL		
94	13/07/2017	MS	FINAL APPROVAL		
95	13/07/2017	MS	FINAL APPROVAL		
96	13/07/2017	MS	FINAL APPROVAL		
97	13/07/2017	MS	FINAL APPROVAL		
98	13/07/2017	MS	FINAL APPROVAL		
99	13/07/2017	MS	FINAL APPROVAL		
100	13/07/2017	MS	FINAL APPROVAL		

WARNING
BEWARE OF UNDERGROUND SERVICES
The location of underground services are approximately only and their exact position should be proven on site. No guarantee is given that all existing services are shown.



TOTEM RD DEVELOPMENT - PART LOT 8630 & PART LOT 5182

EROSION & SEDIMENT CONTROL PLAN
PROJECT NO: 1344
DRAWING NO: 1344-03
DATE: 13/07/2017

6 March 2015

Please quote: 3028776 NS:dj
Your reference: PA2015/0112

Hanna Stevenson
Manager Urban Planning
Department of Lands, Planning and the Environment
GPO Box 1680
DARWIN NT 0801

Dear Ms Stevenson

Parcel Description:

Lot 8630 – Town of Nightcliff
Lot 5182 – Town of Darwin
95 Dick Ward Drive, Coconut Grove
213 Dick Ward Drive, Ludmilla

Proposed Development: Subdivision to create three (3) lots

Thank you for the Development Application referred to this office 20 February 2015, concerning the above. This letter may be placed before the City of Darwin's, Ordinary Council 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). **The City of Darwin objects and requests a deferral subject to the following issues being resolved:**

a). The proposed subdivision should not occur until the fill approved by Development Permit DP15/0078 has been undertaken and an independent certificate of compliance has been issued to the satisfaction of the Northern Territory Government.

b). The proposed subdivision fails to identify the location of a future legal access point from Dick Ward Drive to service the proposed subdivision and future development.

The City of Darwin requests that an amended subdivision plan be provided, to the satisfaction of the General Manager Infrastructure, City of Darwin, which includes detail of the proposed legal access point.

Council has concern with providing an access point from Dick Ward Drive to service the proposed lot, given the location of the existing Totem Road intersection, surrounding development and bicycle and pedestrian links parallel to Dick Ward Drive, which provides open space links between East Point and Nightcliff Foreshore and beyond.

To address this, the City of Darwin requests that a comprehensive Traffic Impact Assessment report, to be prepared by a suitably qualified traffic engineer in accordance with the *Austrorads Document Guide to Traffic Management Part 12: Traffic Impacts of Developments*, in the report structure provided as Appendix C of that document, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities. The traffic study shall reflect current standards, requirements and conditions that relate to the proposed subdivision.

The Traffic Impact Assessment report should investigate and provide solutions to potential traffic generation impacts on the existing and proposed road network. The Traffic Impact Assessment report should determine the anticipated traffic generation created by the industrial development. The Traffic Impact Assessment report is subject to the satisfaction of the General Manager Infrastructure, City of Darwin.

The City of Darwin has previously raised such concerns with the Development Assessment Services, as per Council's response dated 3 July 2013, responding to PA2013/0220. Such concerns remain relevant to this application.

The City of Darwin requests that the applicant engage with Council to resolve such access issues prior to a decision being issued to ensure compliance with Council's Subdivision and Development Guidelines. Access from Dick Ward Drive is subject to prior approval from the City of Darwin. Council will not provide approval for a legal access point that is in contravention with its Policies and Guidelines.

c). The application is not supported by the complete Aboriginal Areas Protection Authority Certificate, certificate number C2014/011. The application is supported by a map only which is an attachment to the certificate.

The map identifies a 'checked by' date of the 30/01/14. Council queries the validity of the map (and potentially the certificate) given that the subdivision has been reconfigured to address prior concerns made after the 30/01/14.

iii). The City of Darwin requests that should a development permit be issued, that the following issues be addressed:

- a). The application fails to indicate how the proposed lot (lease area for Part Lot 8630 and 5182) interacts with the remaining parts of lot 8630 and 5182. It is requested that an amended subdivision plan be provided to indicate all three proposed lots.
- b). The supporting Archaeological Excavation Report and subsequent conclusion and recommendations made are noted and it is requested that these be a condition of any permit that may be issued.

iiii). The City of Darwin requests that should a development permit be issued, that the following be provided as a condition precedent:

- a). The City of Darwin requests that the Authority require a schematic plan demonstrating all stormwater to be collected on the site and discharged underground to the City of Darwin's stormwater drainage system. The applicant's plans fail to demonstrate how on-site stormwater will be collected and discharged underground to the City of Darwin's drainage network.

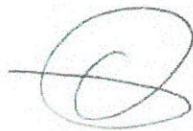
- 1). The plan shall include details of site levels and the City of Darwin's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to the City of Darwin's system.

- 2). The City of Darwin requires a stormwater drainage plan to confirm that it is technically feasible to collect stormwater on the site and dispose of it into the City of Darwin's stormwater drainage system. It is also necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

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

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

Yours faithfully



CINDY ROBSON
STRATEGIC TOWN PLANNER