

**DEVELOPMENT CONSENT AUTHORITY  
DARWIN DIVISION**

**NORTHERN TERRITORY PLANNING SCHEME 2020**

<b>AGENDA ITEM:</b>	<b>1</b>	<b>MEETING DATE:</b>	21/02/2025	<b>FILE:</b>	PA2018/0436
<b>APPLICATION PURPOSE:</b>	Variation to Condition 13 of Development Permit DP19/0050 to amend the subdivision layout and associated staging approved under DP19/0050				
<b>SUBJECT SITE:</b>	Lot 9370 (544) Lee Point Road, Lee Point, Town of Nightcliff (Bookmark A)				
<b>ZONE:</b>	FD (Future Development)				
<b>SITE AREA:</b>	43.06 ha				
<b>APPLICANT</b>	Cunnington Rosse Town Planning and Consulting Director - Brad Cunnington				
<b>PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE</b>	LANDOWNER				
<b>LANDOWNER</b>	The Northern Territory of Australia Lessee – Defence Housing Australia (National Manager Developments – Peter Gurkin)				
<b>ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND</b>	NONE				

## 1. PROPOSAL

The application seeks a variation to Condition 13 of Development Permit DP19/0050 to amend the subdivision masterplan and associated staging approved under DP19/0050. The application was lodged by Brad Cunnington of Cunnington Rosse Town Planning and Consulting on behalf of Crown Land Lease lessee, Defence Housing Australia (via National Manager Developments – Peter Gurkin).

This application is provided in response to a variation to the project's *Environment Protection and Biodiversity Conservation Act 1999* approval (EPBC2015/7591), which now requires the provision of a 20 m buffer along the north-eastern property boundary.

A copy of the application is provided at **Bookmark B**, with the revised subdivision staging plan at **Bookmark B8**, and staging plan at **Bookmark B9**.

## 2. REASON FOR APPLICATION

Pursuant to Section 57 of the *Planning Act 1999* (the Act), a person authorised by the owner has applied to the consent authority for a variation of condition 13 of permit DP19/0050:

*"The works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit."*

A variation to the originally proposed subdivision is required as the subdivision layout approved under EPBC2015/7591 has been varied in order to provide a 20 m wide conservation buffer along the north-eastern property boundary, to account for the siting of threatened species in the vicinity of the subject lot.

The application proposes the following changes:

- Inclusion of 0.693 and 3.012 hectare conservation areas adjacent the northern and eastern boundaries of lot 9370, immediately adjacent the western and southern boundaries of lot 9461. As a result of the additional conservation areas, the rural residential lots adjacent the 9461 boundary have been reoriented so that the long-sides are parallel to the boundary / road, resulting in a net loss of 7 rural residential lots;
- Amendment to the proposed staging such that the completed stage is recognised as stage 1A, the rural residential lots, 9 urban residential lots, the primary drainage infrastructure and majority of the conservation areas are stage 1B, Central residential lots, school site, community centre site and active recreation reserve are stage 1C, and the remaining residential lots and new conservation area are stage 2; and
- In order to offset the reduction to the residential area as a result of the additional conservation area, lots have been reconfigured to minimise the reduction in lot yields by including a higher proportion of smaller lot typologies.

The original masterplan, and this amended one, are provided below for reference:



- (5) The dimensions, areas, size and location of improvements, flood information (if shown) and number of lots approximate only and may vary.
- (6) Information sourced from third-parties has been utilised in the preparation of this plan. JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for the accuracy of the information sourced from. Furthermore it is noted that the boundaries and extents of the site have not been confirmed by survey and upon until such survey is undertaken.
- (7) This plan may not be photocopied unless this note is included.

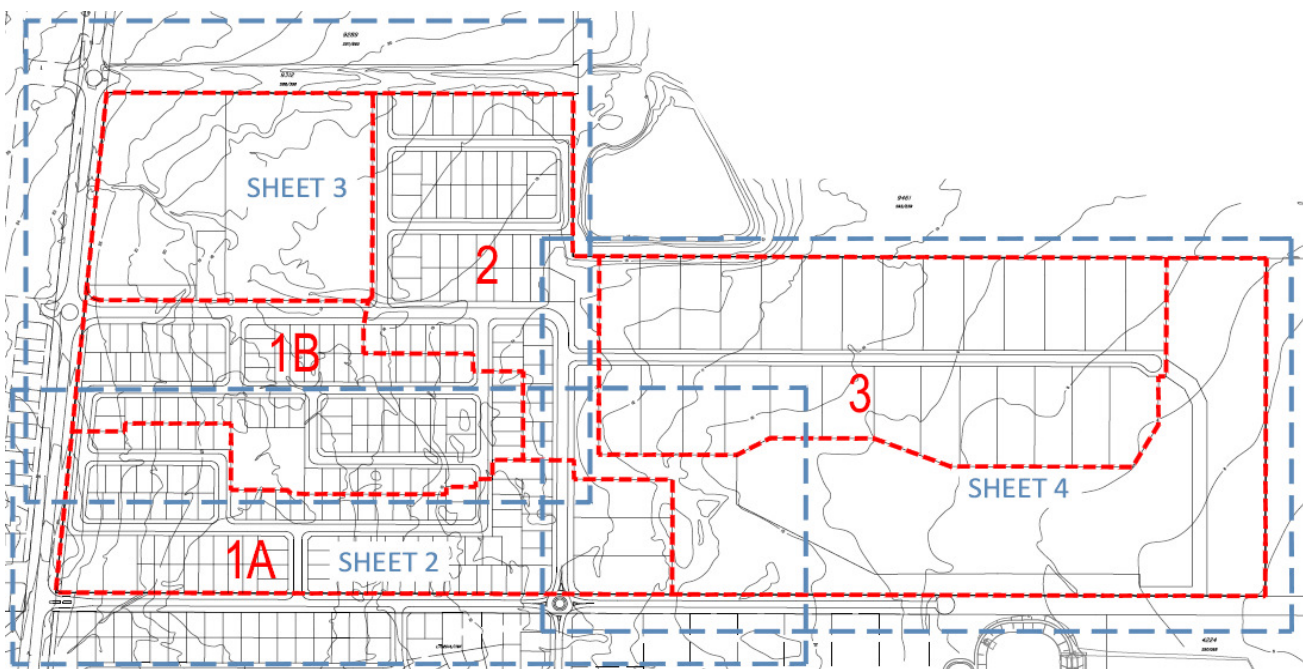
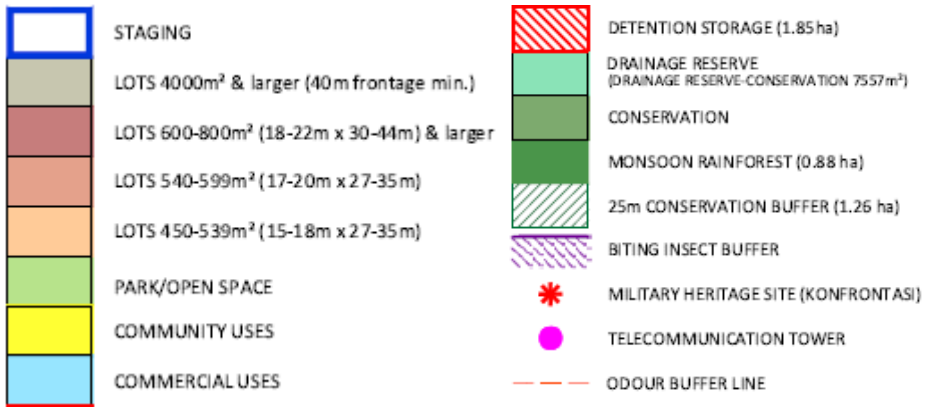
Originally proposed masterplan/subdivision plan

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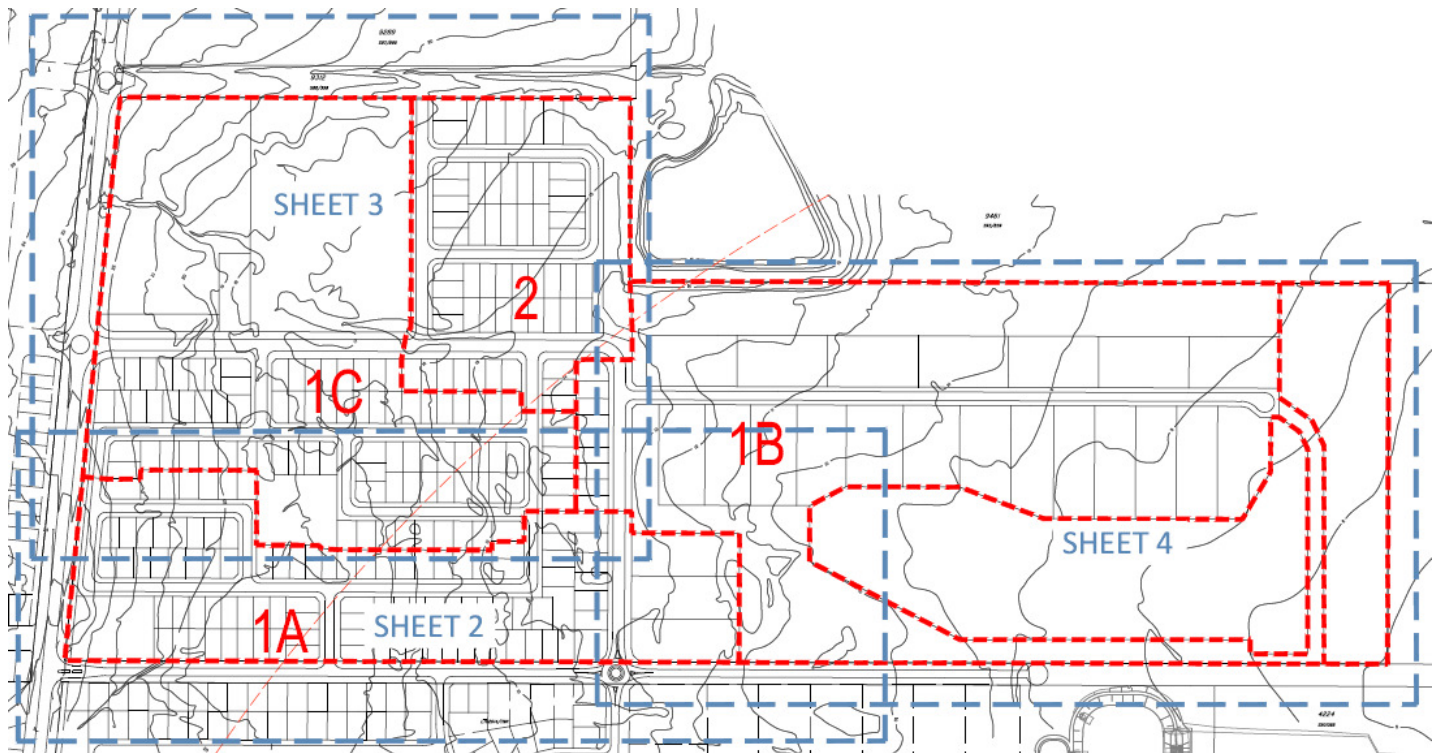
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- (7) This plan may not be photocopied unless this note is included.

Amended masterplan/subdivision Plan



Originally proposed staging plan





Amended staging plan

### 3. ASSESSMENT SYNOPSIS

This report concludes that the Authority considers the application based on the material provided by the applicant, and, pursuant to section 57(3) of the Act, grant a variation to DP19/0050.

### 4. BACKGROUND

Lot 9370 is a large, irregular shaped site of 43.06 ha all located in Zone FD (Future Development). This application is over the entirety of the subject lot. Surrounding land uses include Lee Point Village Resort, Club Tropical Resort Darwin to the north; mangrove and mudflats associated with Buffalo Creek to the east; low-medium and rural residential land associated with the suburb of Muirhead to the south; and remnant vegetation to the west (associated with the 2CRU residential subdivision).

The site has limited town planning history, including Planning Scheme Amendment (PSA) and subdivision applications. An overview of the planning history relevant to the site is shown below and also discussed further below:

#### Planning Scheme Amendments

A PSA relevant to this application amendment 65, which was approved in October 2022, and rezoned part of Lot 9370 (the subject lot) from Zone FD to zones LR (Low-Density Residential), LMR (Low-Medium Density Residential), RR (Rural Residential), PS (Public Open Space), and Zone SD (Specific Use Darwin). In addition, this amendment introduced a building setback plan to schedule 9 of the NTPS 2020. This amendment reflected the subdivision approved under Stage 1A of DP19/0050.



## Subdivision approval – DP19/0050 and 1 x extension of time permit

On 27 February 2019, DP19/0050 was issued for the purpose of subdivision to create 282 lots in five stages. A copy of the permit, including the subdivision plan, is provided at bookmarks **B3** through **B5**.

The base period of DP19/0050 has been extended on one occasion – DP19/0050A (**Bookmark B6**). This permit was issued on 22 January 2021 and extended the permit base period to 27 February 2023.

The conditions precedent of DP19/0050 relate to the approving staging. To date, the endorsement of drawings, works completed, and a Part 5 certificate of compliance issued, has only occurred for Stage 1A, which is located in the south-west of the subject area, adjacent the suburb of Muirhead.

As DP19/0050 is due to expire on 27 February 2025, the application is accompanied by an extension of period application. This is included as agenda item 2.

## **5. PUBLIC EXHIBITION**

Variation applications do not require public exhibition as per the requirements of the *Planning Act 1999*.

It is noted that the original application was advertised in the NT News on 26 October 2018 and placed on public exhibition for a period of two weeks. A total of 12 public submissions were received under section 49(1) of the *Planning Act 1999* during the exhibition period, with a further 8 individuals provided late submissions.

Despite the number of submissions received for the original application, it is not considered necessary to publicly exhibit this variation application, nor circulate to the original submitters, as the permit is still substantially of a similar scope and scale that originally approved.

## **6. THIRD PARTY APPEAL RIGHTS**

No third-party appeal rights apply to variation applications lodged under Section 57 of the Act.

## **7. MATTERS TO BE TAKEN INTO ACCOUNT**

*Under section 57(3) of the Act, the consent authority may, in writing, vary a condition of a development permit if:*

- (a) the proposed variation will not alter a measurable aspect of the development by a margin greater than 5% and, in the opinion of the consent authority, will not materially affect the amenity of adjoining or nearby land or premises; or*
- (b) in the opinion of the consent authority, the alteration resulting from the proposed variation is not conveniently measurable, and the proposed variation will not materially affect the amenity of adjoining or nearby land or premises.*

The power to vary granted by Section 57(3) is discretionary, provided that either of the conditions (a) or (b) are met. The only restriction placed upon the exercise of that discretion is a requirement in subsection (4) that states *Despite subsection (3)(a), a permit must not be varied if it will allow an increase in the number of dwellings capable of separate occupancy*. In the context of an subdivision, this has been interpreted as meaning no net increase in the number of lots to be used for residential purposes.

The test to a measurable aspect of the development, as a result of the variation, is to determine whether the changes proposed result in a change of 5% or more of a planning requirement under the planning scheme. Although the application was originally assessed under the NT Planning Scheme 2007 (NTPS 2007), this review has considered the provisions of the NT Planning Scheme 2020, where relevant.

The subject lot is located within Zone FD (Future development), and as such, must take into consideration the strategic framework (Darwin Regional Land Use Plan and the Lee Point Planning Principles and Area Plan), the purpose and zone outcomes of clause 4.27 (Zone FD), and clause 6.5.1 (Subdivision in Zone FD), need to be considered.

## Darwin Regional Land Use Plan (DRLUP)

There have not been any changes to the DRLUP that would affect this application

## Lee Point Planning Principles and Area Plan (LPPPAP)

The LPPPAP sets down the principles upon which the future development that occur with particular reference to:

- (2) Provide compact interconnected neighbours as an extension to the existing northern suburbs ....*
- (4) Provide a range of housing options and lot sizes to cater for diverse household types ....*
- (6) Provide adequate land for education and community facilities ....*

In response to clause (2), the only changes proposed to an aspect that would affect the 'interconnected neighbourhoods' of the development application concern the shortening of a circuit road in the Stage 2 area, to provide a conservation buffer. No changes are proposed to the connectivity of this subdivision with other suburbs in the area. This change is not considered to impact on a measurable aspect of the development in and of itself.

In response to clause (4), the proposal will result in a reduction in the number, and total area of land to be provided as large lots but will result in an increase of lots in the lower band of land size (as show in the above figures). As the proposal will continue to provide a range of land sizes, it is considered to meet this planning principle.

In response to clause (6), it is noted that no changes are proposed to land proposed for future community purposes, including education and/or community facilities.

## Clause 4.27 Zone FD (Future Development)

The purpose of Zone FD is to *Identify an area that is intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes.* As part of this, there are 2 zone outcomes that are considered to be relevant this proposal.

- (1) Subdivision and development responds to the Strategic Framework, and does not compromise existing or planned or future development or infrastructure through its location and operation.*
- (2) Subdivision and development demonstrates that it does not prejudice the intended ultimate subdivision and future development.*

In response to sub-clause (1), as discussed above, the proposal is not considered to introduce any inconsistencies with the strategic framework.

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In response to sub-clause (2), the proposal will result in the reduction of areas to be used for residential land uses, and will increase area used for conservation purposes, in response to the identification of natural values in this area. These changes are not considered to be inconsistent with the strategic framework.

## Clause 6.5.1 (Subdivision in Zone FD)

The purpose of this clause is to *Provide for the subdivision of land in Zone FD in a manner that will not prejudice the intended ultimate subdivision and future development of the land envisaged in the strategic framework.* As discussed previously, this proposal is considered to still comply with the DRLUP and LPPPAP.

### Impact on the amenity of adjoining or nearby land premises

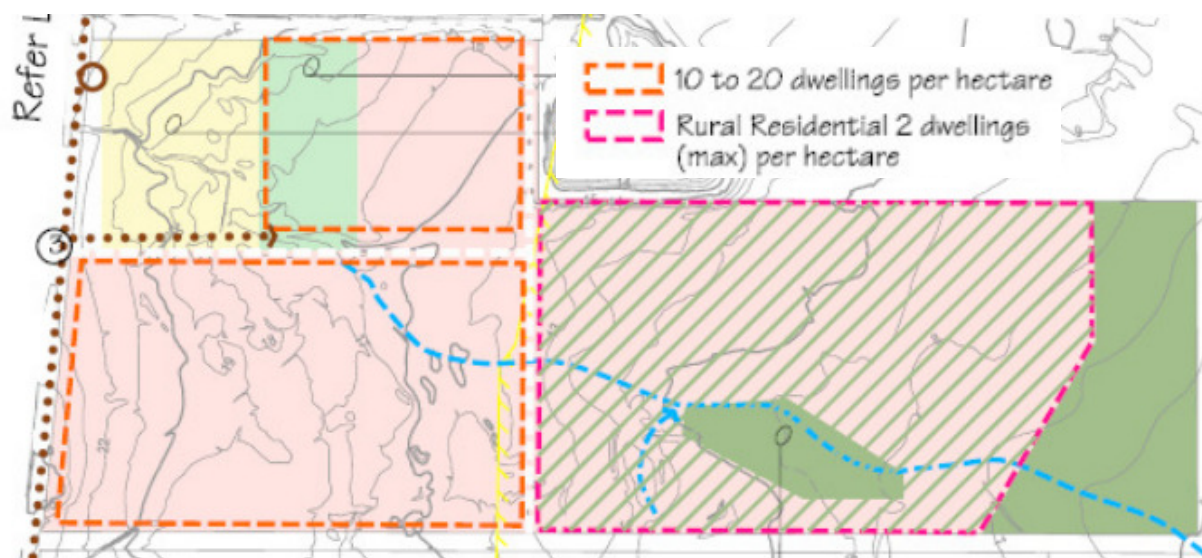
The second threshold requirement provided by Section 57(3)(a), is that the Consent Authority must consider that the proposed variation *will not materially affect the amenity of adjoining or nearby land or premises.*

One way of measuring this is by considering the number of proposed lots. The original approval consented to the development of 272 residential lots, where 269 residential lots are now proposed. In order to account for the increase in area dedicated for conservation purposes, the proposal will increase the number of small sized lots. This will result in the following -

Lot size category	DP19/0050	Proposed*
4000m <sup>2</sup> and larger	30	23
600 m <sup>2</sup> to 800 m <sup>2</sup>	43	11
540 m <sup>2</sup> to 599 m <sup>2</sup>	36	25
450 m <sup>2</sup> to 539 m <sup>2</sup>	163	210
<b>Total</b>	<b>272</b>	<b>269</b>

\*It is noted that this figure includes the lots that have been created through Stage 1A

The application indicates that this amendment will result in an increase in dwelling density within the area west of the orange band area, as part of the LPPPAP. The original subdivision layout resulted in a density of 11.86 dwellings per hectare (240 residential lots across 20.41 ha), however, this amendment will now result in 12.05 dwellings per hectare (246 residential lots across 20.41 ha).



LPPPAP dwelling density requirements



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As this proposal results in a net loss of 3 lots (269 proposed, where 272 were originally approved), it is reasonably considered to be of similar scale to that previously approved, and unlikely to introduce any further adverse impacts on the locality.

Although the original permit was issued in 2017, it is considered likely that many residents surrounding the subject area are aware of the planning history associated with the Muirhead North development, due to ongoing subdivision works in the locality associated with Lee Point.

If the Authority considers the amenity of the adjoining property is not materially affected, the Authority retains discretion to determine the variation application under section 57(3) based on a number of other concerns as discussed above.

Separately, an additional matter was identified in regards to the permit conditions originally applied to DP19/0050. Condition precedent (1) states *Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended plans are to be submitted showing: (a) A full set of amended detailed subdivision plans and other supporting reports and plans, reflecting the design changes made during assessment of the application, including the demonstration of compliant building envelopes where a variation to Clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) has not been granted. The above is to be completed to the satisfaction of the consent authority.*

This condition related to building envelopes which were included as part of the original application. In-line with current practice, it is recommended that this condition precedent be removed, and a permit note stating the following be included on any future permit – *The applicant will be required to make a separate application for a planning scheme amendment to include a building setback plan in Schedule 9 of the Northern Territory Planning Scheme 2020. Please contact Lands Planning on 8999 8963 for more information.*

## 8. SERVICE AUTHORITY COMMENTS

Variations to permit applications are not ordinarily recirculated to service authorities for comment. As this application was not considered to substantially alter the approved development, it was not circulated in this case either.

## 9. RECOMMENDATION

That, the Authority considers the application taking into consideration the discussion provided in Section 7 of this report.

If the Authority considers, pursuant to section 57(3) of the *Planning Act 1999*, to grant consent to variation to Condition 13 of Development Permit DP19/0050 to amend the subdivision plan and associated staging approved under DP19/0050, the following conditions are recommended on the permit:

*Please note that no new conditions have been recommended, however one previous condition has been removed (that related to building setback plans), and others have been corrected to reflect new processes and/or Departmental names), and a permit note added.*

## CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the proponent is to prepare a Construction and Environmental Management Plan. The Plan is to address waste management, traffic control, haulage routes, stormwater drainage, and how Council land will be managed during construction, to the requirements

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of the City of Darwin. The Plan is also to address dust, noise and vibration impacts, and waste management, and include processes for:

- communicating anticipated impacts of construction to stakeholders;
- the reporting of, and responding to complaints; and
- identifying when there are unexpected and unacceptable impacts to stakeholders and amending construction practices as appropriate,

on the advice of the Environment Division, of the Department of Lands, Planning and Environment (DLPE). The Plan must demonstrate compliance with Northern Territory Environment and Protection Authority (NT EPA) Noise Guidelines for Development Sites, and the NT EPA Noise Management Framework Guideline, and is also to include scope for regular review and updates and include the schedule for construction stages. The above is to be completed to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the design and specifications of the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system or another acceptable location shall be submitted to and approved by the City of Darwin, Medical Entomology, of the Department of Health (DoH), and Crown Land, DLPE, to the satisfaction of the consent authority. The stormwater design should be completely free draining to avoid the potential for mosquito breeding during low flow periods. All discharge drains must be fitted with concrete low flow inverts that terminate at a free draining tidal area. Access to, and maintenance of the end of point discharge drains must be clarified and accepted by all relevant parties. The design of the stormwater infrastructure must consider the sub-staging of the development to manage the quality of stormwater.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the developer is to prepare a water quality monitoring plan for Buffalo Creek, including baseline monitoring and monitoring of any additional pollutant loads from the subdivision, with any mitigation measures identified, on the advice of Water Resources, DLPE, to the satisfaction of the consent authority.
4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the developer is to prepare a weed management plan to address ongoing weed management, on the advice of Weed Management Branch, DLPE, to the satisfaction of the consent authority.
5. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a landscape plan is to be prepared and must be generally in accordance with the landscape concept submitted, and is to address landscaping details for all proposed road reserves and public areas, to the approval of the City of Darwin, to the satisfaction of the consent authority. The plans are to demonstrate as little clearing as possible.
6. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the consent authority on the advice of Environment Division, DLPE. The ESCP must be developed by a Certified Professional in Erosion and Sediment Control (CPESC) and should detail methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases of the development. The ESCP should also:
  - be cross-referenced with other relevant environmental management plans to ensure consistency;
  - include details of both temporary and permanent erosion and sediment control measures including for all stages of the development (pre, during and post works);
  - comprise an over-arching strategic document outlining the principals, practices and methods to be implemented, as well as site-specific dimensional plans identifying

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the location of works and prescribed controls, and be accompanied by standard drawings and construction notes;

- include information regarding the proposed timing and stage of works, site manager contact details, maintenance and monitoring requirements, and reporting procedures; and
- have the implementation regularly monitored by a suitably qualified third party auditor.

Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the NTG website: <https://nt.gov.au/environment/soil-land-vegetation>. The ESCP should be emailed for assessment to [developmentassessment.depws@nt.gov.au](mailto:developmentassessment.depws@nt.gov.au).

7. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site earthworks plan indicating finished levels of all proposed lots is to be submitted to and approved by the City of Darwin to the satisfaction of the consent authority. All cut and fill works are to be designed to eliminate the need for excessive cut/fill/retaining wall works for the proposed lots.
8. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the traffic impact assessment report submitted with the application is to be revised to address intersection priority and minimum collector street carriageway widths, to the requirements of the City of Darwin, to the satisfaction of the consent authority.
9. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), public transport details including bus stop locations and designs, and a route that considers the staging of the development are to be provided to the requirements of Transport and Civil Services Division (TCSD), Department of Logistics and Infrastructure (DLI), to the satisfaction of the consent authority.
10. Prior to the commencement of works (including site preparation), the developer is to submit an updated water and sewer infrastructure master plan to Water Services, Power and Water Corporation (PWC), to the satisfaction of the consent authority. The master plan is to address the development together with the related subdivision of Lot 4873, Town of Nightcliff to the west of Lee Point Road.
11. Prior to the commencement of works (including site preparation), a proposed zoning plan must be submitted to and approved by the consent authority. The zoning plan must be consistent with the description given in the application and is to address the whole of the subdivision including the proposed zoning for the end of point discharge drains.

## GENERAL CONDITIONS

12. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
13. The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.
14. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity services and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.



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15. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.
16. 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.
17. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.
18. The Construction and Environmental Management Plan is to be implemented on the advice of the City of Darwin, and Environment Division, DLPE, to the satisfaction of the consent authority. The Plan is also to remain publicly available for the duration of construction.
19. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Darwin, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.
20. Before the use commences the owner must, in accordance with Part 6 of the *Planning Act 1999*, pay a monetary contribution to the City of Darwin for the upgrade of local infrastructure, in accordance with its Lee Point Road Roadwork Contribution Plan, to the satisfaction of the consent authority.
21. Stormwater is to be collected and discharged into the drainage network to the technical standards of the City of Darwin, Medical Entomology, DoH, and Crown Land, DLPE, to the satisfaction of the consent authority.
22. The applicant is to demonstrate all discharge drains, including the end of point of the drains, include suitable access to allow for maintenance on the advice of Medical Entomology, DoH, to the satisfaction of the consent authority.
23. The landscaping works shown on the endorsed plans must be carried out and completed to the requirements of the City of Darwin, and Medical Entomology, DoH, to the satisfaction of the consent authority.
24. All works relating to this permit are to be undertaken in accordance with the approved Erosion and Sediment Control Plan to the requirements of the consent authority on the advice of Environment Division, DLPE, to the satisfaction of the consent authority.
25. The water quality monitoring plan for Buffalo Creek is to be implemented on the advice of Water Resources, DLPE, to the satisfaction of the consent authority.
26. The weed management plan is to be implemented on the advice of Weed Management Branch, DLPE, to the satisfaction of the consent authority.
27. Any offset or offset management plan required by the Australian Government with respect to the significant residual impact to the black-footed tree-rat (*Mesembriomys gouldii gouldii*) is to be completed, on the advice of Flora and Fauna Division, DLPE, to the satisfaction of the consent authority.

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28. A qualified person, under section 68 of the *Waste Management and Pollution Control Act 1998*, must provide certification that the site is suitable for the intended use on the advice of the Environment Division, DLPE, to the satisfaction of the consent authority.
29. The proponent must ensure that only clean fill (virgin excavated natural material) is accepted and that the fill has been adequately assessed as being suitable for its intended use, on the advice of Environment Division, DLPE, to the satisfaction of the consent authority.
30. Before the issue of titles, the developer is to provide written confirmation from a suitably qualified person that the rural residential lots are entirely unconstrained and free draining, and suitable for their intended purpose, to the satisfaction of the consent authority.
31. Before the issue of titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m<sup>2</sup> for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrates that a 3.5m driveway can be located on each lot whilst ensuring that each lot's street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.
32. Pursuant to section 34 of the *Land Title Act 2000*, a Caution Notice shall be lodged with the Registrar General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings to be located within the 1.7km odour buffer from the Leanyer Sanderson Wastewater Treatment Plant. The Caution Notice is to state "This lot:
  - occurs within the identified odour buffer for the Leanyer Sanderson Wastewater Treatment Plant; and
  - may be subject to occasional odours associated with the operation of the Leanyer Sanderson Wastewater Treatment Plant."Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.
33. Pursuant to section 34 of the *Land Title Act 2000*, a Caution Notice shall be lodged with the Registrar General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings to be located within the biting insect buffer. The Caution Notice is to state: "This lot:
  - occurs within the biting insect buffer; and
  - that the lot is subject to seasonal mosquito and biting midge pest problems arising from the adjacent mangroves of Buffalo Creek and tidal marshes and mangroves in Leanyer Swamp."Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

## NOTES

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

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2. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html> once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html>.
3. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
4. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email ([info@ntbuild.com.au](mailto:info@ntbuild.com.au)) or by phone on 08 8936 4070 to determine if the proposed works are subject to the Act.
5. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records [surveylandrecords@nt.gov.au](mailto:surveylandrecords@nt.gov.au) 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.
6. All new roads, including alterations and extensions to existing roads, are required to be named under the *Place Names Act 1967*. You should immediately make an application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 08 8995 5333 or [place.names@nt.gov.au](mailto:place.names@nt.gov.au).
7. The NT EPA has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act 1998*.
8. There are statutory obligations under the *Weeds Management Act 2001* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Weed Management Branch, DLPE.
9. The City of Darwin provides advice regarding the provision of street trees to be planted within Council's proposed road reserve, including the provision of a planting schedule, specification for quality tree stock, species selection, and the maintenance and establishment periods. Please contact the City of Darwin for advice on street trees.
10. Passenger Transport, DLI request that the developer remain in regular contact with the division and to confirm details of the location and design of bus stops as the development progresses.

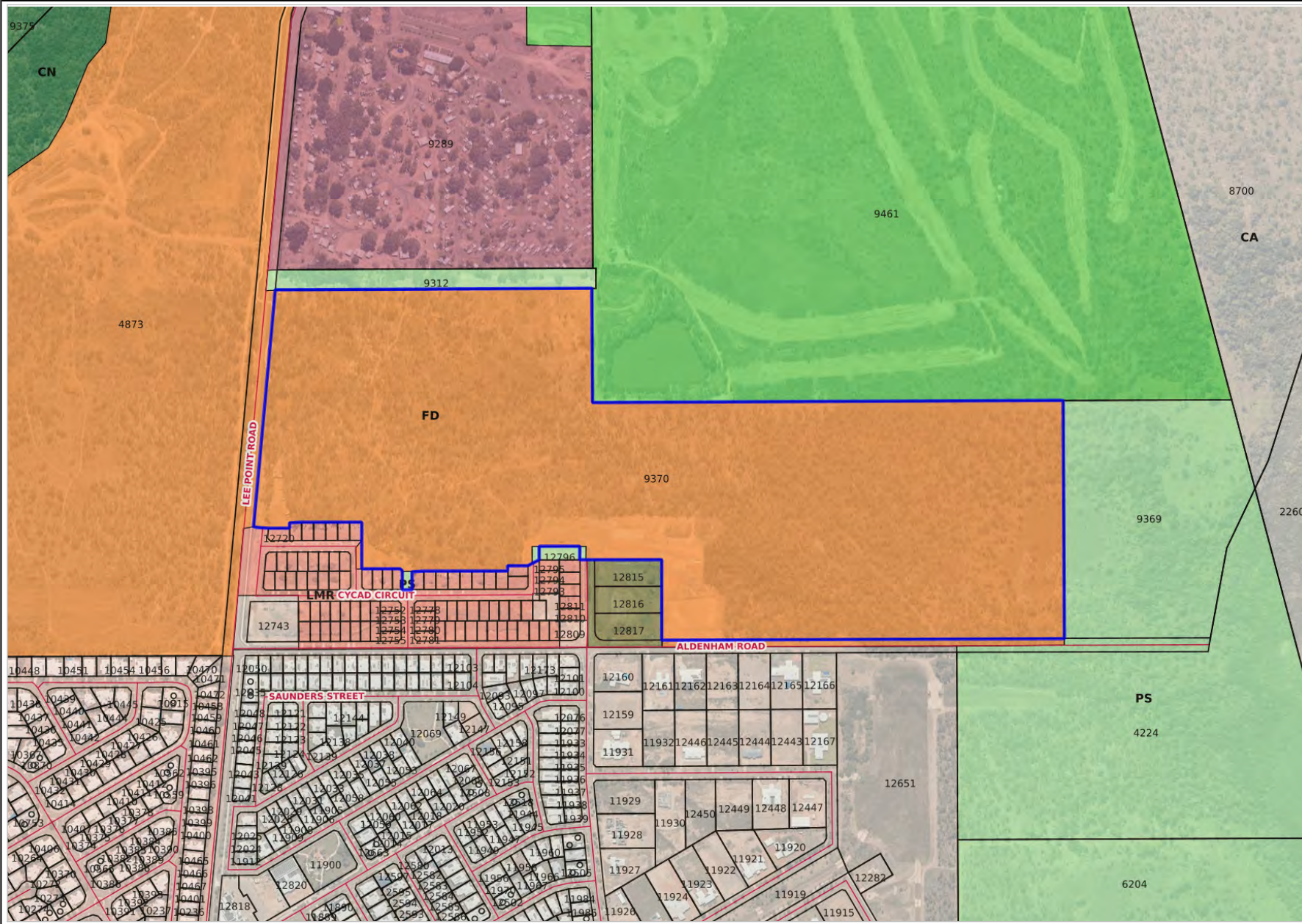


11. The applicant will be required to make a separate application for a planning scheme amendment to include a building setback plan in Schedule 9 of the Northern Territory Planning Scheme 2020. Please contact Lands Planning on 8999 8963 for more information



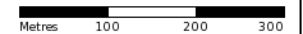
**AUTHORISED:**

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**KALEB THOMAS - URBAN PLANNING  
DEVELOPMENT ASSESSMENT SERVICES**



### Legend

- TOWN\_PLANNING\_ZONES
- A - Agriculture
  - CV - Caravan Park
  - CB - Central Business
  - C - Commercial
  - CL - Community Living
  - CP - Community Purpose
  - CN - Conservation
  - DV - Development
  - RR - Rural Residential
  - GI - General Industry
  - HT - Heritage
  - HR - High Density Residential
  - H - Horticulture
  - LI - Light Industry
  - M - Main Road
  - MR - Medium Density Residential
  - LMR - Low-Medium Density Resid
  - CA - No Planning Scheme Contrc
  - OR - Organised Recreation
  - PM - Proposed Main Road
  - PS - Public Open Space
  - RW - Railway
  - RD - Restricted Development
  - R - Rural
  - RL - Rural Living
  - SC - Service Commercial
  - LR - Low Density Residential
  - S - Specific Use



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Geospatial Services Unit



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Department of Lands,  
Planning and Environment  
© Northern Territory Government

15 January 2025

Development Assessment Services  
Department of Lands, Planning and Environment  
GPO Box 1680  
Darwin NT 0801

Attention: Madison Harvey

Dear Madison

**Re: Variation to DP19/0050  
Lot 09370 Town of Nightcliff (544 Lee Point Road, Lee Point)**

Cunnington Rosse Town Planning and Consulting have been engaged by Defence Housing Australia to apply for a variation to development permit DP19/0050 to seek approval for an amended subdivision layout largely as a result of amendments to the EPBC approval (EPBC 2015/7591). This submission identifies the relevant background approvals, the nature of the proposed variations, and considers the relevant requirements of **Section 57** of the Northern Territory Planning Act.

**1.0 Background**

DP19/0500 (**Attachment A**) was issued by the Darwin Division of the Development Consent Authority on 27 February 2019 for the purpose of subdivision to create 282 lots in 5 stages. The development permit approved the eastern portion of the Lee Point Master Planned Urban Development, occupying lot 9370 adjacent the eastern side of Lee Point Road. The western portion of the Lee Point Development occupies lot 4873 Town of Nightcliff, adjacent the western side of Lee Point Road, with the subdivision of the western portion approved under DP18/0409.

On 22 January 2021, following an application made on behalf of Defence Housing Australia, the Development Consent Authority issued DP19/0500A (**Attachment B**), approving an extension to the base period of DP19/0500. DP19/0500 is subject to 12 precedent and 22 general conditions. The precedent conditions were satisfied for stage 1, with the endorsed plans issued on 10 May 2021 and construction works commencing shortly thereafter. Stage 1 construction works were completed and a Certificate of Compliance issued 16 November 2022, with stage 1 titles issued shortly thereafter.

In late 2022 construction works across the Lee Point Development were paused to facilitate further discussions between Defence Housing Australia and the Australian Department of Climate Change, Energy, the Environment and Water (DCCEE) regarding sightings of the protected Gouldian Finch. On 15 June 2023, the Hon Tanya Plibersek MP,

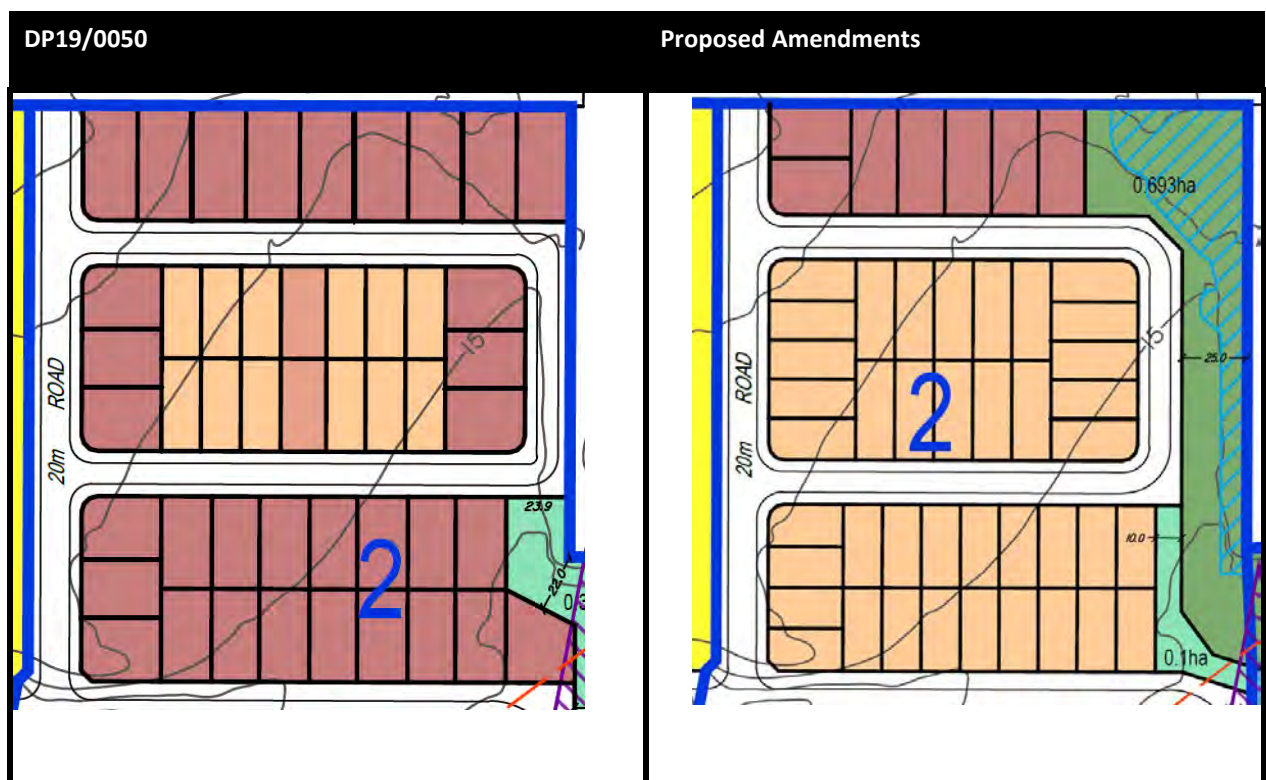


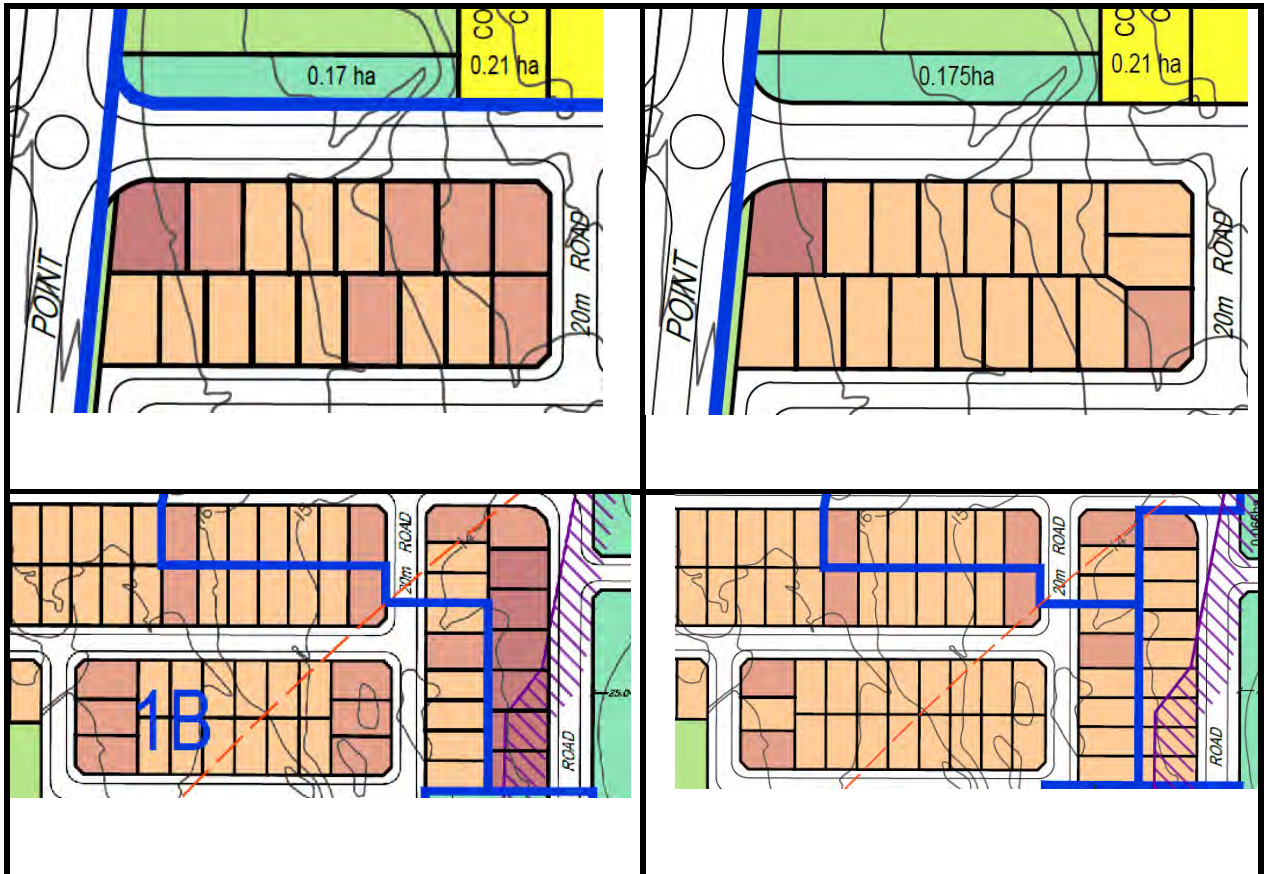
Minister for the Environment and Water, issued a variation (**Attachment C**) to the conditions of the project approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The variation included conditions to mitigate and manage impacts to Gouldian Finch in the project area, including limitations on the extent of clearing of Gouldian Finch breeding and foraging habitat. As a result of the variation conditions, the subdivision master plan has been amended to include an additional conservation area between proposed urban development and the western and southern boundaries of adjacent lot 9461.

## 2.0 Amendments

As a result of the variation to EPBC 2015/7591, the following amendments have been made to the subdivision approved through DP19/0050:

- Inclusion of 0.693 and 3.012 hectare conservation areas adjacent the northern and eastern boundaries of lot 9370, immediately adjacent the western and southern boundaries of lot 9461. As a result of the additional conservation areas, the rural residential lots adjacent the 9461 boundary have been reoriented so that the long-sides are parallel to the boundary / road, resulting in a net loss of 7 rural residential lots;
- Amendment to the proposed staging such that the completed stage is recognised as stage 1A, the rural residential lots, 9 urban residential lots, the primary drainage infrastructure and majority of the conservation areas are stage 1B, Central residential lots, school site, community centre site and active recreation reserve are stage 1C, and the remaining residential lots and new conservation area are stage 2; and
- In order to offset the reduction to the residential area as a result of the additional conservation area, lots have been reconfigured to minimise the reduction in lot yields by including a higher proportion of smaller lot typologies. The approved and altered lot areas are shown in the table below.





The inclusion of a higher proportion of smaller residential lot sizes relative to that approved through DP19/0050 is shown in the table below:

Lot Typology (residential lots only)	DP19/0050	Amended
4,000m <sup>2</sup> +	30	23
600-800m <sup>2</sup>	43	11
540-599m <sup>2</sup>	36	25
450-439m <sup>2</sup>	163	210
<b>Total</b>	<b>272</b>	<b>269</b>

### 3.0 Consideration of Variation

This application is made pursuant to **Section 57 (1)** of the *Northern Territory Planning Act*, which states:

- (1) *The owner of land to which a development permit relates, or a person authorised by the owner, may at any time before the permit lapses apply to the consent authority for a variation of a condition of the permit.*

**Subsection (3) of Section 57** of the Act provides that:

- (3) *the consent authority may, in writing, vary a condition of a development permit if:*
- a) *the proposed variation will not alter a measurable aspect of the development by a margin greater than 5% and, in the opinion of the consent authority, will not materially affect the amenity of adjoining or nearby land or premises; or*
  - b) *in the opinion of the consent authority, the alteration resulting from the proposed variation is not conveniently measurable and the proposed variation will not materially affect the amenity of adjoining or nearby land or premises.*

A measurable aspect is taken as an assessable component of the Planning Scheme as it relates to the approved development. The proposed variation includes the following changes to measurable aspects of the approved development:

- A reduction to the number of residential lots equivalent to 1.1% (from 272 to 269).

The original application assessment noted the northern residential area covering approximately 7.07 hectares and containing 54 residential lots, with the southern urban area covering 13.34 hectares with 186 lots. The variations reduce the number of lots / density in the northern area to 47 lots / 6.5 dwellings per hectare, and increase lots / density in the southern area to 199 lots / 14.9 dwellings per hectare. The average density across the urban residential areas (per the Lee Point Planning Principles and Area Plan) is 12.05 dwellings per hectare, an increase of 1.6% over the 11.86 dwellings per hectare in DP19/0050.

Whilst the relevant assessment elements of the Northern Territory Planning Scheme remain as per DP19/0050, in relation to subclause 4 of the Lee Point Planning Principles and Area Plan, the proposed variations retain a range of lot sizes across the entire Lee Point Development area (i.e. including the development approved through DP18/0409). The proposed amendments increase separation between urban development and adjacent land, do not alter the approved road layout, extent or location of public open space, community purpose or commercial land, and will not increase the potential number of dwellings to be accommodated. Accordingly, there will be no impact on amenity of nearby land or premises relative to the approved development.

Please do not hesitate to contact the undersigned with any queries regarding this matter.

Regards



BRAD CUNNINGTON

Cunnington Rosse Town Planning and Consulting

Attachment A: DP19/0050, Endorsed Stage 1 Plans, and Approved Subdivision Plans

Attachment B: DP19/0050A

Attachment C: Variation to EPBC 2015/7591

Attachment D: Amended Subdivision Master Plan

Attachment E: Amended Subdivision Dimension Plans

Attachment F: Amended Building Envelope Plans







**PROPERTY DESCRIPTION**

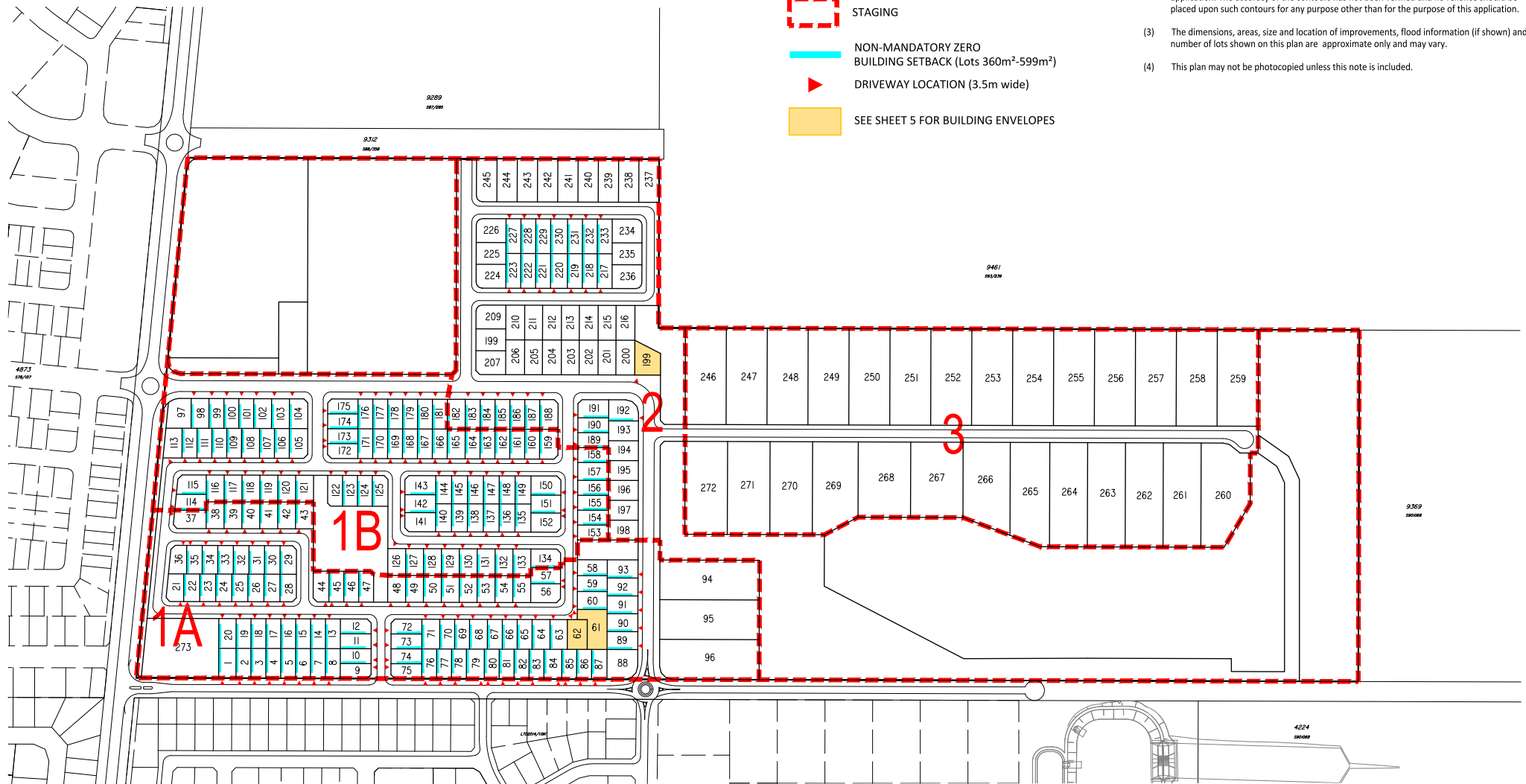
LOT 9370 ON S901068  
TOTAL AREA 51.17 ha

**NOTES**

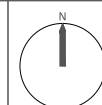
- (1) This plan was prepared for the purpose and exclusive use of DEFENCE HOUSING AUSTRALIA to accompany an application to the DEVELOPMENT CONSENT AUTHORITY for approval to subdivide the land described in the plan and is not to be used for any other purpose or by any other person or corporation.  
JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention to the terms of this clause or clauses 2, 3 or 4 hereof.
- (2) The contours on this plan are approximate and are suitable only for the purpose of this application. The accuracy of the contours has not been verified and no reliance should be placed upon such contours for any purpose other than for the purpose of this application.
- (3) The dimensions, areas, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- (4) This plan may not be photocopied unless this note is included.

**LEGEND**

-  STAGING
-  NON-MANDATORY ZERO BUILDING SETBACK (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
-  DRIVEWAY LOCATION (3.5m wide)
-  SEE SHEET 5 FOR BUILDING ENVELOPES



NORTH:



SCALE:



DESIGNED	TIM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:

ISSUE	DETAILS:	DATE:	INIT:
J	LAYOUT AMENDED	05-05-21	TJM
H	LAYOUT AMENDED	08-04-21	TJM
G	LAYOUT AMENDED	04-02-21	TJM
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E	LAYOUT AMENDED	02-11-20	TJM
D	LAYOUT AMENDED	08-04-19	TJM
A	ORIGINAL	31-08-18	TJM

TITLE:

**BUILDING ENVELOPE PLAN: STAGES 1-3**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:

PROJECT:	PLAN:	ISSUE:
M2737P MN_DA2 B1	J	
SHEET:	1	OF 6
FILE:	M2737P MN_DA2 B1.dwg	
DATE:	5th May 2021	





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587/285

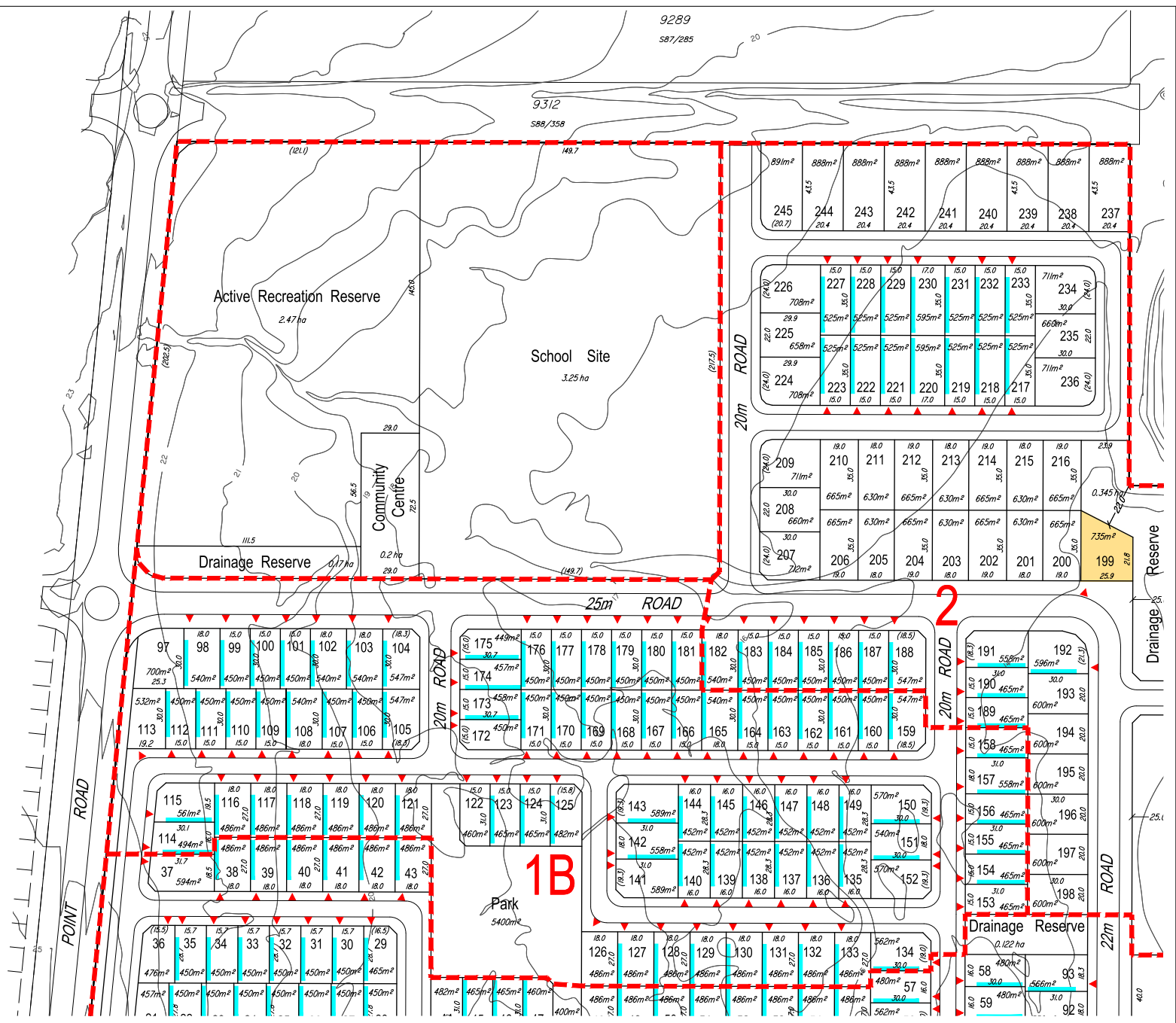
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588/358

- LEGEND**
-  STAGING
  -  NON-MANDATORY ZERO BUILDING SETBACK (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
  -  DRIVEWAY LOCATION (3.5m wide)
  -  SEE SHEET 5 FOR BUILDING ENVELOPES

**PROPERTY DESCRIPTION**  
 LOT 9370 ON S901068  
 TOTAL AREA 51.17 ha


**NOTES**

- (1) This plan was prepared for the purpose and exclusive use of DEFENCE HOUSING AUSTRALIA to accompany an application to the DEVELOPMENT CONSENT AUTHORITY for approval to subdivide the land described in the plan and is not to be used for any other purpose or by any other person or corporation. JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention to the terms of this clause or clauses 2, 3 or 4 hereof.
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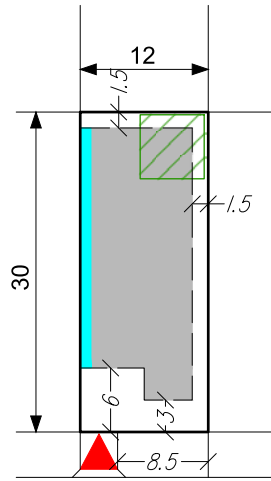
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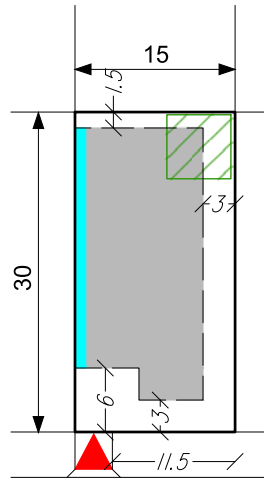
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**BUILDING ENVELOPE PLAN: STAGES 1-3**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

**DETAILS:**  
 PROJECT: M2737P MN\_DA2 B1 J  
 PLAN: ISSUE:  
 SHEET: 3 OF 6  
 FILE: M2737P MN\_DA2 B1J.dwg  
 DATE: 5th May 2021

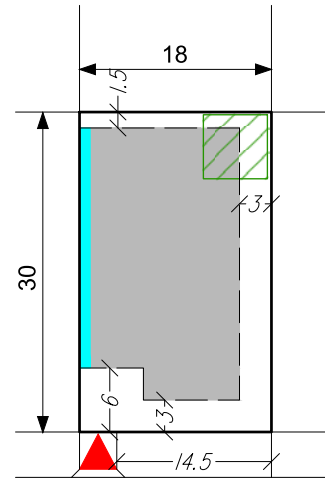
# TYPICAL BUILDING ENVELOPES - REGULAR LOTS



**Courtyard Allotments**  
12.0m x 30.0m  
(360m<sup>2</sup> - 449m<sup>2</sup>)



**Villa Allotments**  
15.0m x 30.0m  
(450m<sup>2</sup> - 539m<sup>2</sup>)







**Small Allotments**  
18.0m x 30.0m  
(540m<sup>2</sup> - 599m<sup>2</sup>)

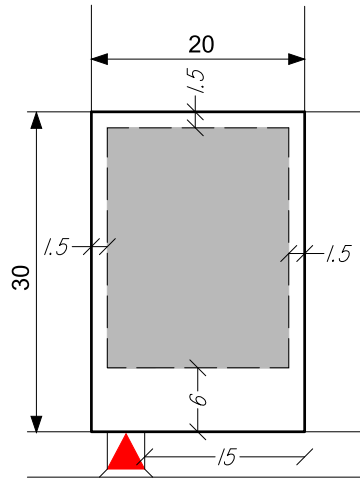
## DEVELOPMENT CONTROL NOTES GENERAL DESIGN CONTROLS FOR LOTS 360m<sup>2</sup>-599m<sup>2</sup>

<b>Front Boundary setbacks</b> - Primary Frontage boundary setback	6m setback to single or double garage; 3m setback for the remainder of the dwelling, subject to the requirements of the NT Planning Scheme.
- Secondary Frontage boundary setback	2.5m setback; and 1.5m for verandahs, balconies and ancillary structures without external walls.
<b>Side and Rear Boundary setbacks</b>	Unless built to boundary: - 1.5m or - 1m provided that the subject wall: <ul style="list-style-type: none"> <li>• Only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater;</li> <li>• Does not exceed beyond a maximum height of 3.5m; and</li> <li>• Does not extend beyond a maximum length of 9m; and</li> </ul> - 0.9m for shade sails to a maximum height to 2.5m at the minimum setback
<b>Zero Building Setback (built to boundary walls)</b>	Any part of a dwelling utilising a zero building setback must have its external wall erected to the boundary with no gap.  <b>For Lots 300-449m<sup>2</sup></b> A zero building setback is permitted to a maximum of one side boundary.  <b>For Lots 450 - 599m<sup>2</sup></b> A zero building setback is permitted to one side boundary where a 3m setback is provided to the other side boundary.
<b>Building Height</b>	Maximum 2 storeys to 8.5m
<b>Private Open Space</b>	50m <sup>2</sup> including an area no less than 6m x 6m. Must include an area of approximately 5m <sup>2</sup> for the deep soil planting of shade trees.
<b>Carparking</b>	At least 2 (two) car parking spaces with at least one space capable of being covered.
<b>Front Entry</b>	Pedestrian entry and door visible and accessible from primary street frontage.

### LEGEND:

-  BUILT TO BOUNDARY ZONE (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
-  INDICATIVE OPEN SPACE (6m x 6m)
-  DRIVEWAY LOCATION (3.5m wide)
-  BUILDING ENVELOPE

# TYPICAL BUILDING ENVELOPES - REGULAR LOTS





Traditional Allotments  
20.0m x 30.0m  
(600m<sup>2</sup> and over)

## DEVELOPMENT CONTROL NOTES GENERAL DESIGN CONTROLS FOR LOTS 600m<sup>2</sup> and over

<b>Front Boundary setbacks</b> - Primary Frontage boundary setback	6m setback to single or double garage; 3m setback for the remainder of the dwelling, subject to the requirements of the NT Planning Scheme.
- Secondary Frontage boundary setback	2.5m setback; and 1.5m for verandahs, balconies and ancillary structures without external walls.
<b>Side and Rear Boundary setbacks</b>	1.5m
<b>Building Height</b>	Maximum 2 storeys to 8.5m
<b>Carparking</b>	At least 2 (two) car parking spaces with at least one space capable of being covered.

### LEGEND:

-  DRIVEWAY LOCATION (3.5m wide)
-  BUILDING ENVELOPE\*

\* Building Envelopes are notional only. Actual building siting may vary and will be subject to setback requirements of the Northern Territory Planning Scheme.

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DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:

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TITLE:





**BUILDING ENVELOPE PLAN: STAGES 1-3  
DEFENCE HOUSING AUSTRALIA  
LEE POINT ROAD, LEE POINT - DARWIN**

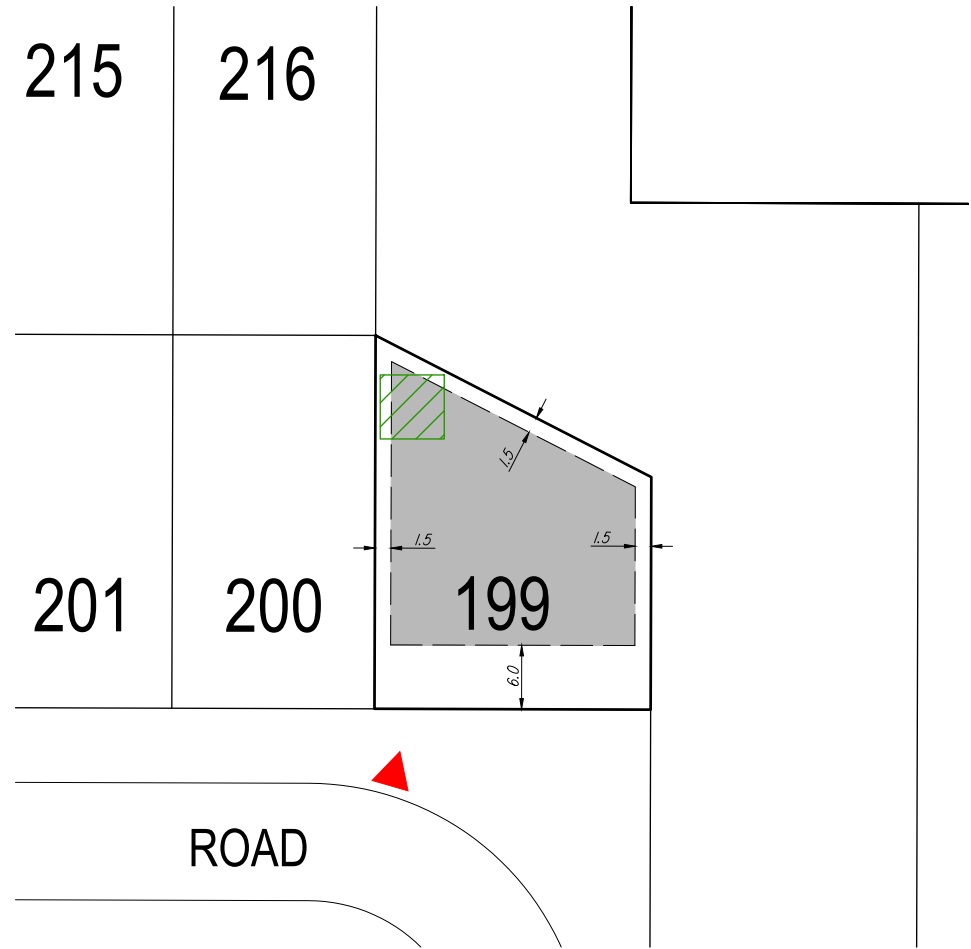
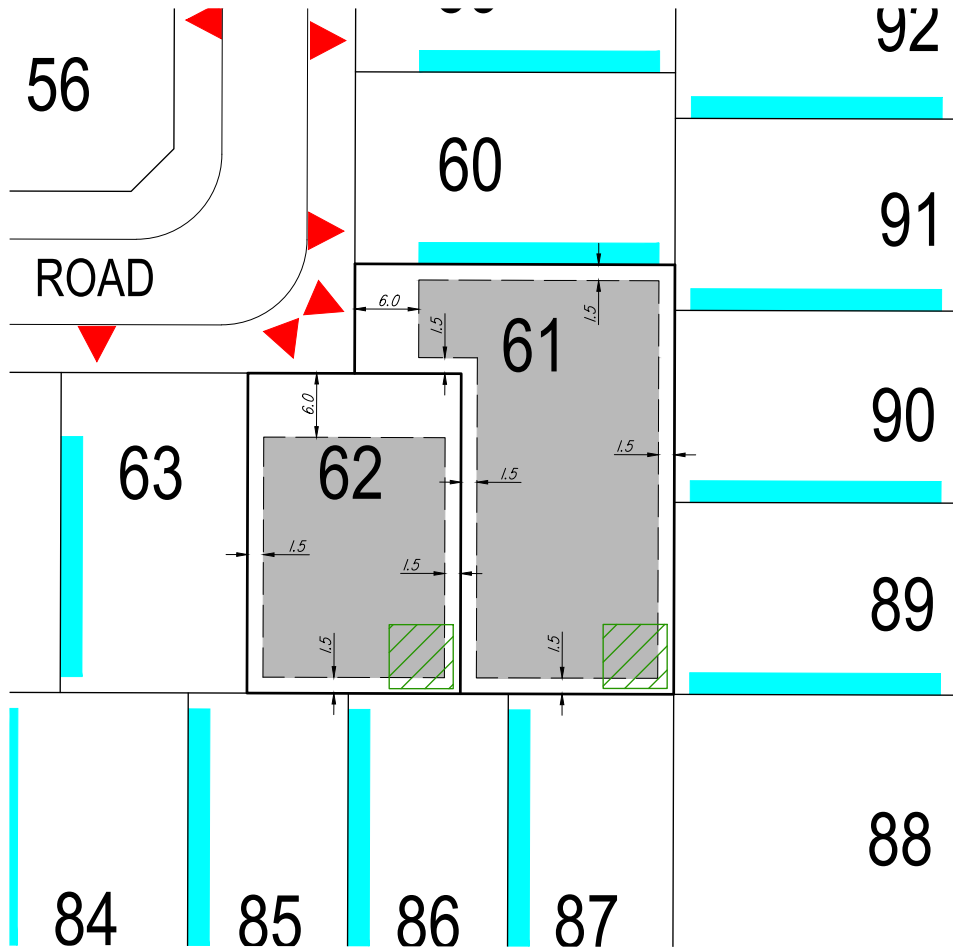
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PROJECT: M2737P MN\_DA2 B1 J  
SHEET: 5 OF 6  
FILE: M2737P MN\_DA2 B1J.dwg  
DATE: 5th May 2021

# TYPICAL BUILDING ENVELOPES - IRREGULAR LOTS

## LEGEND


-  BUILDING ENVELOPE
-  BUILT TO BOUNDARY ZONE (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
-  INDICATIVE OPEN SPACE (6m x 6m)
-  DRIVEWAY LOCATION (3.5m wide)

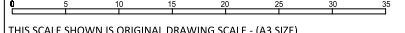


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DRAWN	RK	APPROVED	GB	COUNCIL REF

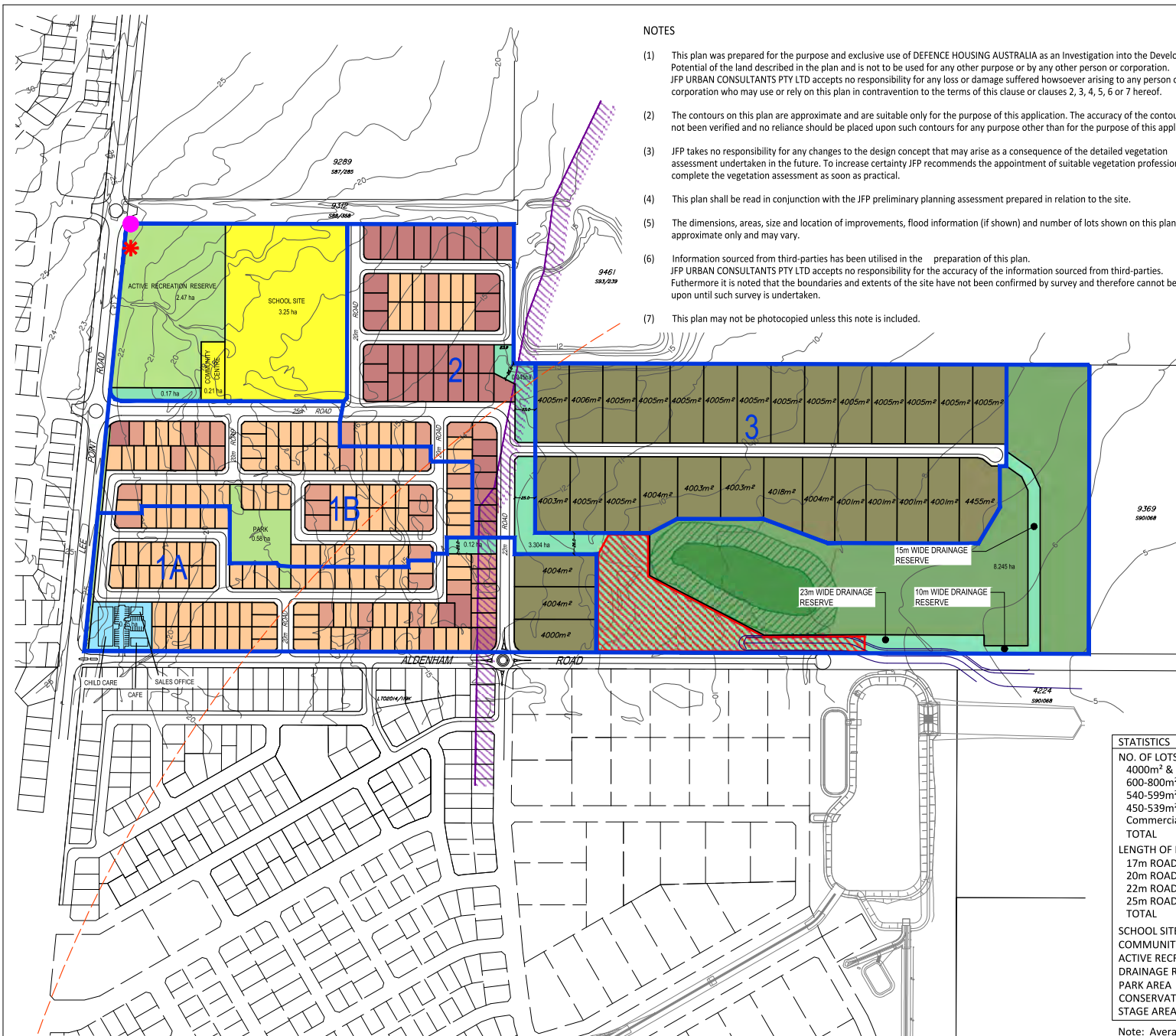
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J LAYOUT AMENDED	05-05-21	TJM
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ISSUE: DETAILS: DATE: INIT:

TITLE:  
**BUILDING ENVELOPE PLAN: STAGES 1-3  
DEFENCE HOUSING AUSTRALIA  
LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:  
PROJECT: M2737P MN\_DA2 B1 J  
SHEET: 6 OF 6  
FILE: M2737P MN\_DA2 B1J.dwg  
DATE: 5th May 2021





**NOTES**

- (1) This plan was prepared for the purpose and exclusive use of DEFENCE HOUSING AUSTRALIA as an Investigation into the Development Potential of the land described in the plan and is not to be used for any other purpose or by any other person or corporation. JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for any loss or damage suffered however arising to any person or corporation who may use or rely on this plan in contravention to the terms of this clause or clauses 2, 3, 4, 5, 6 or 7 hereof.
- (2) The contours on this plan are approximate and are suitable only for the purpose of this application. The accuracy of the contours has not been verified and no reliance should be placed upon such contours for any purpose other than for the purpose of this application.
- (3) JFP takes no responsibility for any changes to the design concept that may arise as a consequence of the detailed vegetation assessment undertaken in the future. To increase certainty JFP recommends the appointment of suitable vegetation professionals to complete the vegetation assessment as soon as practical.
- (4) This plan shall be read in conjunction with the JFP preliminary planning assessment prepared in relation to the site.
- (5) The dimensions, areas, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- (6) Information sourced from third-parties has been utilised in the preparation of this plan. JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for the accuracy of the information sourced from third-parties. Furthermore it is noted that the boundaries and extents of the site have not been confirmed by survey and therefore cannot be relied upon until such survey is undertaken.
- (7) This plan may not be photocopied unless this note is included.

**LEGEND**

- STAGING
- LOTS 4000m<sup>2</sup> & larger (40m frontage min.)
- LOTS 600-800m<sup>2</sup> (18-22m x 30-44m) & larger
- LOTS 540-599m<sup>2</sup> (17-20m x 27-35m)
- LOTS 450-539m<sup>2</sup> (15-18m x 27-35m)
- PARK/OPEN SPACE
- COMMUNITY USES
- COMMERCIAL USES
- DETENTION STORAGE (1.85ha)
- DRAINAGE RESERVE (DRAINAGE RESERVE-CONSERVATION 0.7657 ha)
- CONSERVATION
- MONSOON RAINFOREST (0.88 ha)
- 25m CONSERVATION BUFFER (1.26 ha)
- BITING INSECT BUFFER
- MILITARY HERITAGE SITE (KONFRONTASI)
- TELECOMMUNICATION TOWER
- ODOUR BUFFER LINE

**PROPERTY DESCRIPTION**

LOT 9370 ON S901068  
TOTAL AREA 51.17 ha

STATISTICS	STAGE 1A	STAGE 1B	STAGE 2	STAGE 3	BALANCE	TOTAL
NO. OF LOTS						
4000m <sup>2</sup> & larger	3	0	0	27	0	30 (11%)
600-800m <sup>2</sup> & larger	3	1	39	0	0	43 (16%)
540-599m <sup>2</sup>	13	17	6	0	0	36 (13%)
450-539m <sup>2</sup>	77	67	19	0	0	163 (59%)
Commercial	1	0	0	0	0	1 (1%)
TOTAL	97	85	64	27	0	273 (100%)
LENGTH OF NEW						
17m ROAD	750m	750m	495m	580m	0	2575m
20m ROAD	60m	75m	195m	0	0	330m
22m ROAD	140m	0	165m	0	0	305m
25m ROAD	0	285m	210m	0	0	495m
TOTAL	950m	1110m	1065m	580m	0	3705m
SCHOOL SITE AREA	0	0	0	0	3.25ha	3.25ha
COMMUNITY CENTRE AREA	0	0	0	0	0.21ha	0.21ha
ACTIVE RECREATION RESERVE AREA	0	0	0	0	2.47ha	2.47ha
DRAINAGE RESERVE AREA	0.12ha	0	3.65ha	0	0.17ha	3.94ha
PARK AREA	0.04ha	0.54ha	0	0	0	0.58ha
CONSERVATION	0	0	8.24ha	0	0	8.24ha
STAGE AREA	8.17ha	6.89ha	18.13ha	11.87ha	6.11ha	51.17ha

Note: Average residential lot size is 529m<sup>2</sup>; Average rural lot size is 4020m<sup>2</sup>

**JFOP**  
URBAN CONSULTANTS

PLANNERS  
URBAN DESIGNERS  
SURVEYORS  
ENGINEERS  
LANDSCAPE ARCHITECTS

**MN OVERALL PROPOSAL PLAN AH**

544 LEE POINT ROAD, LEE POINT, DARWIN  
DEFENCE HOUSING AUSTRALIA

JOB NUMBER: M2737P MN\_Overall Proposal AH ISSUE: NORTH

SCALE: 1:5000 @ A3

DATE: 23rd April 2021



**NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act - sections 54 and 55*

**DEVELOPMENT PERMIT**

DP19/0050

**DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT**

Lot 09370  
Town of Nightcliff  
544 LEE POINT RD, LEE POINT

**APPROVED PURPOSE**


To use and develop the land for the purpose of a subdivision to create 282 in 5 stages, in accordance with the attached schedule of conditions and the endorsed plans.

**VARIATIONS GRANTED**

Clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) of the Northern Territory Planning Scheme.

**BASE PERIOD OF THE PERMIT**

Subject to the provisions of sections 58, 59 and 59A of the Planning Act, this permit will lapse two years from the date of issue.

 Dawn Parkes  
2019.02.27  
15:02:37 +09'30'

**DAWN PARKES**  
Delegate  
Development Consent Authority

27 February 2019

## **DEVELOPMENT PERMIT**

DP19/0050

### **SCHEDULE OF CONDITIONS**

#### **CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended plans are to be submitted showing:
  - (a) A full set of amended detailed subdivision plans and other supporting reports and plans, reflecting the design changes made during assessment of the application, including the demonstration of compliant building envelopes where a variation to Clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) has not been granted.The above is to be completed to the satisfaction of the consent authority.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the proponent is to prepare a Construction and Environmental Management Plan. The Plan is to address waste management, traffic control, haulage routes, stormwater drainage, and how Council land will be managed during construction, to the requirements of the City of Darwin.

The Plan is also to address dust, noise and vibration impacts, and waste management, and include processes for:

  - communicating anticipated impacts of construction to stakeholders;
  - the reporting of, and responding to complaints; and
  - identifying when there are unexpected and unacceptable impacts to stakeholders and amending construction practices as appropriate,on the advice of the Environment division, Department of Environment and Natural Resources. The Plan must demonstrate compliance with NT EPA Noise Guidelines for Development Sites, and the NT EPA Noise Management Framework Guideline, and is also to include scope for regular review and updates and include the schedule for construction stages. The above is to be completed to the satisfaction of the consent authority.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the design and specifications of the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system or another acceptable location shall be submitted to and approved by the City of Darwin, Medical Entomology, Department of Health and Crown Land, to the satisfaction of the consent authority. The stormwater design should be completely free draining to avoid the potential for mosquito breeding during low flow periods. All discharge drains must be fitted with concrete low flow inverts that terminate at a free draining tidal area. Access to, and maintenance of the end of point discharge drains must be clarified and accepted by all relevant parties. The design of the stormwater infrastructure must consider the sub-staging of the development to manage the quality of stormwater.
4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the developer is to prepare a water quality monitoring plan for Buffalo Creek, including baseline monitoring and monitoring of any additional pollutant loads from the subdivision, with any mitigation measures identified, on the advice of Water Resources, Department of Environment and Natural Resources, to the satisfaction of the consent authority.

5. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the developer is to prepare a weed management plan to address ongoing weed management, on the advice of Weed Management Branch, Department of Environment and Natural Resources, to the satisfaction of the consent authority.
6. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a landscape plan is to be prepared and must be generally in accordance with the landscape concept submitted, and is to address landscaping details for all proposed road reserves and public areas, to the approval of the City of Darwin, to the satisfaction of the consent authority. The plans are to demonstrate as little clearing as possible.
7. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the consent authority on the advice of Rangelands, Department of Environment and Natural Resources.  
The ESCP must be developed by a Certified Professional in Erosion and Sediment Control (CPESC) and should detail methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases of the development. The ESCP should also:
  - be cross-referenced with other relevant environmental management plans to ensure consistency;
  - include details of both temporary and permanent erosion and sediment control measures including for all stages of the development (pre, during and post works);
  - comprise an over-arching strategic document outlining the principals, practices and methods to be implemented, as well as site-specific dimensional plans identifying the location of works and prescribed controls, and be accompanied by standard drawings and construction notes;
  - include information regarding the proposed timing and stage of works, site manager contact details, maintenance and monitoring requirements, and reporting procedures; and
  - have the implementation regularly monitored by a suitably qualified third party auditor.Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the NTG website: <https://nt.gov.au/environment/soil-land-vegetation>. The ESCP should be emailed for assessment to: [developmentassessment.denr@nt.gov.au](mailto:developmentassessment.denr@nt.gov.au).
8. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site earthworks plan indicating finished levels of all proposed lots is to be submitted to and approved by the City of Darwin to the satisfaction of the consent authority. All cut and fill works are to be designed to eliminate the need for excessive cut/fill/retaining wall works for the proposed lots.
9. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the traffic impact assessment report submitted with the application is to be revised to address intersection priority and minimum collector street carriageway widths, to the requirements of the City of Darwin, to the satisfaction of the consent authority.
10. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), public transport details including bus stop locations and designs, and a route that considers the staging of the development are to be provided to the requirements of Transport and Civil Services, Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

11. Prior to the commencement of works, the developer is to submit an updated water and sewer infrastructure master plan to Water Services, Power and Water Corporation, to the satisfaction of the consent authority. The master plan is to address the development together with the related subdivision of Lot 4873, Town of Nightcliff to the west of Lee Point Road.

12. Prior to the commencement of works, a proposed zoning plan must be submitted to and approved by the consent authority. The zoning plan must be consistent with the description given in the application and is to address the whole of the subdivision including the proposed zoning for the end of point discharge drains.

## **GENERAL CONDITIONS**

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

14. The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

15. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity services and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

16. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.

17. 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.

18. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.

19. The Construction and Environmental Management Plan is to be implemented on the advice of the City of Darwin, and Environment, Department of Environment and Natural Resources, to the satisfaction of the consent authority. The Plan is also to remain publically available for the duration of construction.

20. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Darwin, to the satisfaction of the consent authority and all approved works constructed at the owner's expense.

21. Before the use commences the owner must, in accordance with Part 6 of the *Planning Act*, pay a monetary contribution to the City of Darwin for the upgrade of local infrastructure, in accordance with its Lee Point Road Roadwork Contribution Plan, to the satisfaction of the consent authority.

22. Stormwater is to be collected and discharged into the drainage network to the technical standards of the City of Darwin, Medical Entomology, Department of Health, and Crown Land, to the satisfaction of the consent authority.

23. The applicant is to demonstrate all discharge drains, including the end of point of the drains, include suitable access to allow for maintenance on the advice of Medical Entomology, Department of Health, to the satisfaction of the consent authority.
24. The landscaping works shown on the endorsed plans must be carried out and completed to the requirements of the City of Darwin, and Medical Entomology, Department of Health, to the satisfaction of the consent authority.
25. All works relating to this permit are to be undertaken in accordance with the approved Erosion and Sediment Control Plan to the requirements of the consent authority on the advice of Rangelands, Department of Environment and Natural Resources.
26. The water quality monitoring plan for Buffalo Creek is to be implemented on the advice of Water Resources, Department of Environment and Natural Resources, to the satisfaction of the consent authority.
27. The weed management plan is to be implemented on the advice of Weed Management Branch, Department of Environment and Natural Resources, to the satisfaction of the consent authority.
28. Any offset or offset management plan required by the Australian Government with respect to the significant residual impact to the black-footed tree-rat (*Mesembriomys gouldii gouldii*) is to be completed, on the advice of Flora and Fauna, Department of Environment and Natural Resources, to the satisfaction of the consent authority.
29. A qualified person, under section 68 of the *Waste Management and Pollution Control Act*, must provide certification that the site is suitable for the intended use on the advice of Environment, Department of Environment and Natural Resources, to the satisfaction of the consent authority.
30. The proponent must ensure that only clean fill (virgin excavated natural material) is accepted and that the fill has been adequately assessed as being suitable for its intended use, on the advice of Environment, Department of Environment and Natural Resource, to the satisfaction of the consent authority.
31. Before the issue of titles, the developer is to provide written confirmation from a suitably qualified person that the rural residential lots are entirely unconstrained and free draining, and suitable for their intended purpose, to the satisfaction of the consent authority.
32. Before the issue of titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m<sup>2</sup> for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrates that a 3.5m driveway can be located on each lot whilst ensuring that each lot's street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.
33. Pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings to be located within the 1.7km odour buffer from the Leanyer Sanderson Wastewater Treatment Plant.

The Caution Notice is to state that:

“This lot:



- occurs within the identified odour buffer for the Leanyer Sanderson Wastewater Treatment Plant; and
- may be subject to occasional odours associated with the operation of the Leanyer Sanderson Wastewater Treatment Plant.”

Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

34. Pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings to be located within the biting insect buffer.

The Caution Notice is to state that:

“This lot:

- occurs within the biting insect buffer; and
- that the lot is subject to seasonal mosquito and biting midge pest problems arising from the adjacent mangroves of Buffalo Creek and tidal marshes and mangroves in Leanyer Swamp.”

Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

## NOTES

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)) should be contacted via email a minimum of one month prior to construction works commencing to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html> once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html>.
3. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority’s Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
4. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email ([info@ntbuild.com.au](mailto:info@ntbuild.com.au)) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

5. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records [surveylandrecords@nt.gov.au](mailto:surveylandrecords@nt.gov.au) 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.
6. All new roads, including alterations and extensions to existing roads, are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 08 8995 5333 or [place.names@nt.gov.au](mailto:place.names@nt.gov.au).
7. The Northern Territory Environment and Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act*.
8. There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Rangelands division, Department of Environment and Natural Resources.
9. The City of Darwin provides advice regarding the provision of street trees to be planted within Council's proposed road reserve, including the provision of a planting schedule, specification for quality tree stock, species selection, and the maintenance and establishment periods. Please contact the City of Darwin for advice on street trees.
10. Passenger Transport Planning, Department of Infrastructure, Planning and Logistics request that the developer remain in regular contact with the division and to confirm details of the location and design of bus stops as the development progresses.

STATISTICS	STAGE 1A	STAGE 1B	STAGE 2	STAGE 3	BALANCE	TOTAL
NO. OF LOTS						
4000m <sup>2</sup> & larger	3	0	0	27	0	30 (11%)
600-800m <sup>2</sup> & larger	3	1	39	0	0	43 (16%)
540-599m <sup>2</sup>	13	17	6	0	0	36 (13%)
450-539m <sup>2</sup>	77	67	19	0	0	163 (59%)
Commercial	1	0	0	0	0	1 (1%)
TOTAL	97	85	64	27	0	273 (100%)
LENGTH OF NEW						
17m ROAD	750m	750m	495m	580m	0	2575m
20m ROAD	60m	75m	195m	0	0	330m
22m ROAD	140m	0	165m	0	0	305m
25m ROAD	0	285m	210m	0	0	495m
TOTAL	950m	1110m	1065m	580m	0	3705m
SCHOOL SITE AREA	0	0	0	0	3.25ha	3.25ha
COMMUNITY CENTRE AREA	0	0	0	0	0.21ha	0.21ha
ACTIVE RECREATION RESERVE AREA	0	0	0	0	2.47ha	2.47ha
DRAINAGE RESERVE AREA	0.12ha	0	3.65ha	0	0.17ha	3.94ha
PARK AREA	0.04ha	0.54ha	0	0	0	0.58ha
CONSERVATION	0	0	8.24ha	0	0	8.24ha
STAGE AREA	8.17ha	6.89ha	18.13ha	11.87ha	6.11ha	51.17ha

PROPERTY DESCRIPTION  
 LOT 9370 ON S901068  
 TOTAL AREA 51.17 ha

NOTES

- This plan was prepared for the purpose and exclusive use of DEFENCE HOUSING AUSTRALIA to accompany an application to the DEVELOPMENT CONSENT AUTHORITY for approval to subdivide the land described in the plan and is not to be used for any other purpose or by any other person or corporation.  
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LEGEND

- STAGING
- MONSOON RAINFOREST (0.88 ha)
- 25m CONSERVATION BUFFER (1.26 ha)
- BITING INSECT BUFFER

Note: Average residential lot size is 529m<sup>2</sup>; Average rural lot size is 4020m<sup>2</sup>

Note: The endorsed plan relates to STAGE 1A only

This document contains drawing numbers:  
 2018/0436/01

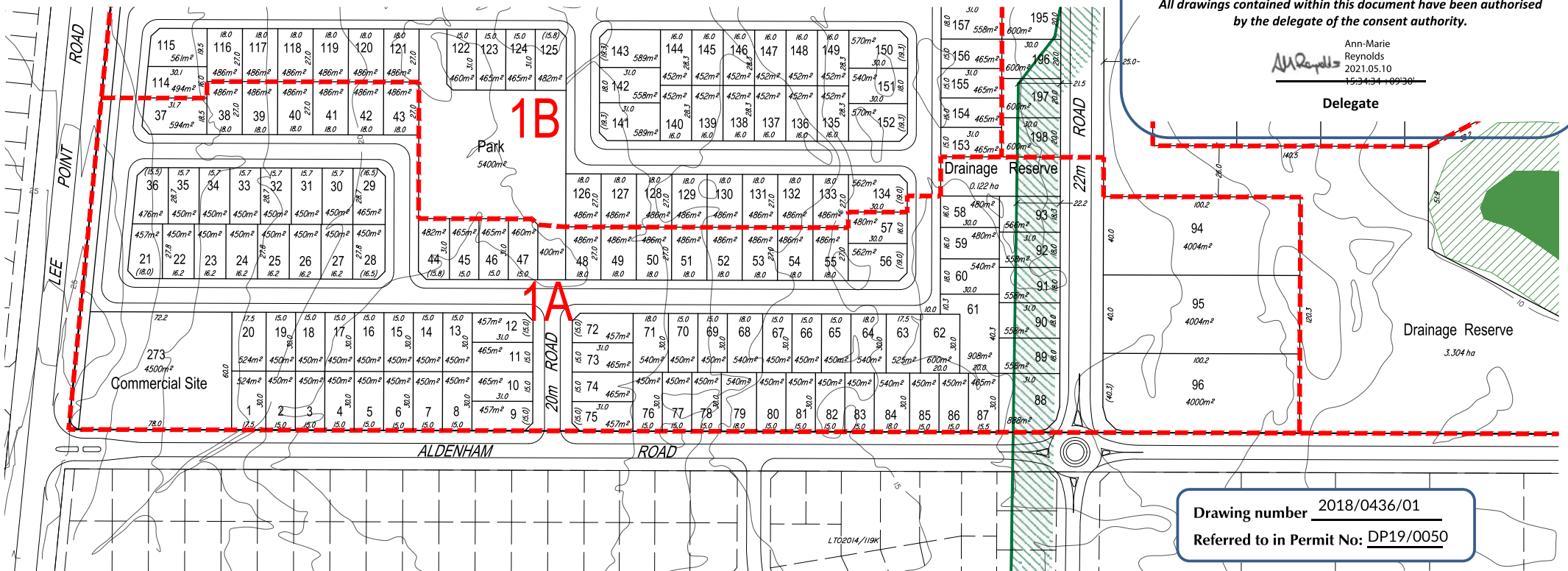
Referred to in Permit No: DP19/0050

Issued by the consent authority on: 27 February 2019

All drawings contained within this document have been authorised  
 by the delegate of the consent authority.

Ann-Marie  
 Reynolds  
 2021.05.10  
 152434 109330

Delegate



Drawing number 2018/0436/01  
 Referred to in Permit No: DP19/0050

**JFP** CONSULTANTS  
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 JFP URBAN CONSULTANTS PTY LTD. A.C.N. 590 434 045

PLANNERS  
 URBAN DESIGNERS  
 SURVEYORS  
 ENGINEERS  
 LANDSCAPE ARCHITECTS

NORTH:

SCALE: @ A3 1:2000  
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THIS SCALE SHOWN IS ORIGINAL DRAWING SCALE - (A3 SIZE)

DESIGNED	TIM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:

ISSUE	DATE	BY
L LAYOUT AMENDED	22-04-21	TJM
K STAGE 1A LAYOUT AMENDED	25-03-21	TJM
J STAGE 1A LAYOUT AMENDED	01-02-21	TJM
H CONSERVATION BUFFER UPDATED	03-11-20	TJM
G LAYOUT AMENDED	19-10-20	TJM
F STAGES 1A & 3 AMENDED	09-09-20	TJM
A ORIGINAL	17-05-18	RK

ISSUE: DETAILS: DATE: INIT:

TITLE:  
**PROPOSAL PLAN STAGES 1-3**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

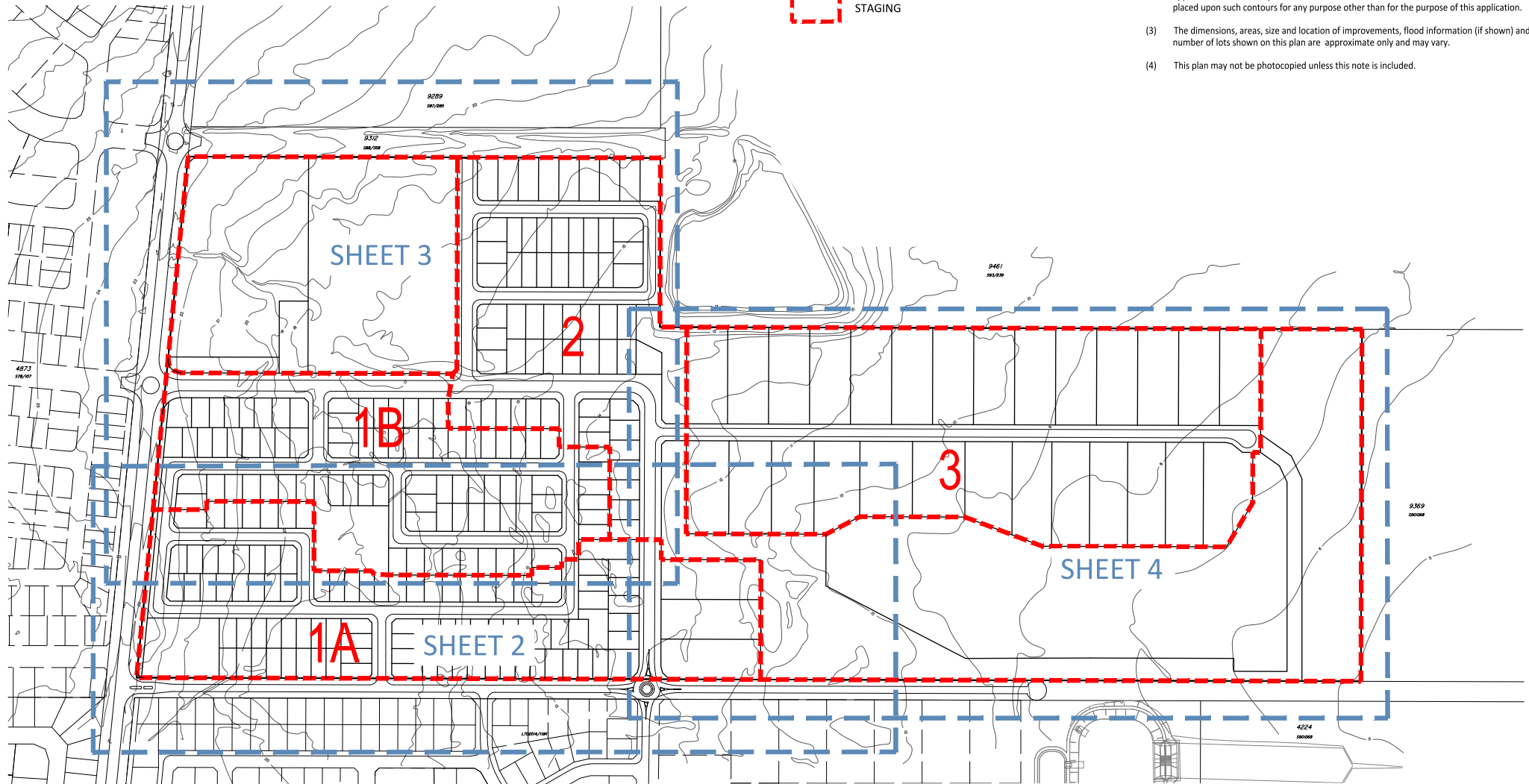
DETAILS:  
 PROJECT: M2737P MN\_DA2 R1 L  
 SHEET: 2 OF 4  
 FILE: M2737P MN\_DA2 R1L.dwg  
 DATE: 22nd April 2021

PROPERTY DESCRIPTION  
 LOT 9370 ON S901068  
 TOTAL AREA 51.17 ha

NOTES

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LEGEND



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JFP URBAN CONSULTANTS PTY LTD A.C.N. 050 414 045

PLANNERS  
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 SURVEYORS  
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 LANDSCAPE ARCHITECTS

NORTH:

SCALE:  
**SCALE: @ A3 1:4000**  
  
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DESIGNED	TJM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:	DATE:	TJM
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G LAYOUT AMENDED	19-10-20	TJM
F STAGES 1A & 3 AMENDED	09-09-20	TJM
A ORIGINAL	17-05-18	RK

TITLE:  
**PROPOSAL PLAN STAGES 1-3**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:  
 PROJECT: **M2737P MN\_DA2 R1 L**  
 SHEET: **1 OF 4**  
 FILE: **M2737P MN\_DA2 R1L.dwg**  
 DATE: **22nd April 2021**





STATISTICS	STAGE 1A	STAGE 1B	STAGE 2	STAGE 3	BALANCE	TOTAL
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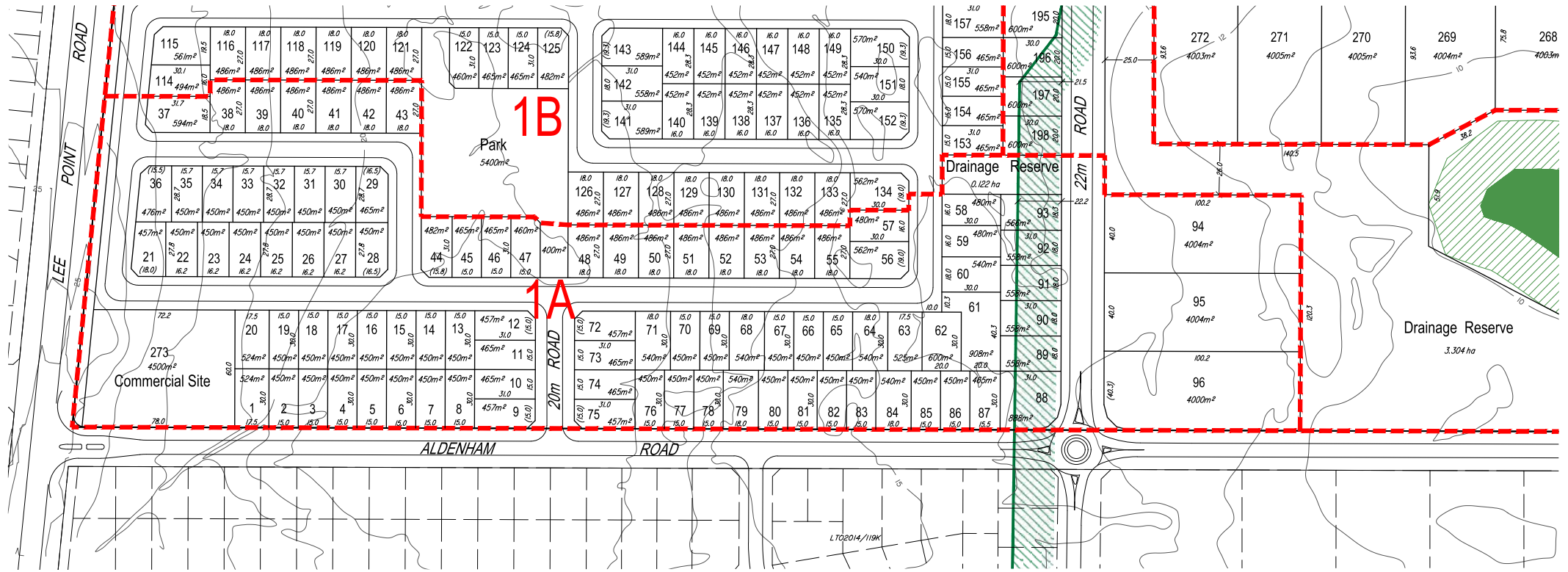
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LEGEND

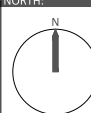
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-  25m CONSERVATION BUFFER (1.26 ha)
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Note: Average residential lot size is 529m<sup>2</sup>; Average rural lot size is 4020m<sup>2</sup>



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DRAWN	RK	APPROVED	GB	COUNCIL REF

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H CONSERVATION BUFFER UPDATED	03-11-20	TJM
G LAYOUT AMENDED	19-10-20	TJM
F STAGES 1A & 3 AMENDED	09-09-20	TJM
A ORIGINAL	17-05-18	RK

ISSUE: DETAILS: DATE: INIT:

TITLE:  
**PROPOSAL PLAN STAGES 1-3**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:  
 PROJECT: M2737P MN\_DA2 R1 L  
 PLANT: ISSUE:  
 SHEET: 2 OF 4  
 FILE: M2737P MN\_DA2 R1L.dwg  
 DATE: 17-05-18  
 DATE: 22nd April 2021



STATISTICS	STAGE 1A	STAGE 1B	STAGE 2	STAGE 3	BALANCE	TOTAL
NO. OF LOTS						
400m <sup>2</sup> & larger	3	0	0	27	0	30 (11%)
600-800m <sup>2</sup> & larger	3	1	39	0	0	43 (16%)
540-599m <sup>2</sup>	13	17	6	0	0	36 (13%)
450-539m <sup>2</sup>	77	67	19	0	0	163 (59%)
Commercial	1	0	0	0	0	1 (1%)
TOTAL	97	85	64	27	0	273 (100%)
LENGTH OF NEW						
17m ROAD	750m	750m	495m	580m	0	2575m
20m ROAD	60m	75m	195m	0	0	330m
22m ROAD	140m	0	165m	0	0	305m
25m ROAD	0	285m	210m	0	0	495m
TOTAL	950m	1110m	1065m	580m	0	3705m
SCHOOL SITE AREA	0	0	0	0	3.25ha	3.25ha
COMMUNITY CENTRE AREA	0	0	0	0	0.21ha	0.21ha
ACTIVE RECREATION RESERVE AREA	0	0	0	0	2.47ha	2.47ha
DRAINAGE RESERVE AREA	0.12ha	0	3.65ha	0	0.17ha	3.94ha
PARK AREA	0.04ha	0.54ha	0	0	0	0.58ha
CONSERVATION	0	0	8.24ha	0	0	8.24ha
STAGE AREA	8.17ha	6.89ha	18.13ha	11.87ha	6.11ha	51.17ha

Note: Average residential lot size is 529m<sup>2</sup>; Average rural lot size is 4020m<sup>2</sup>

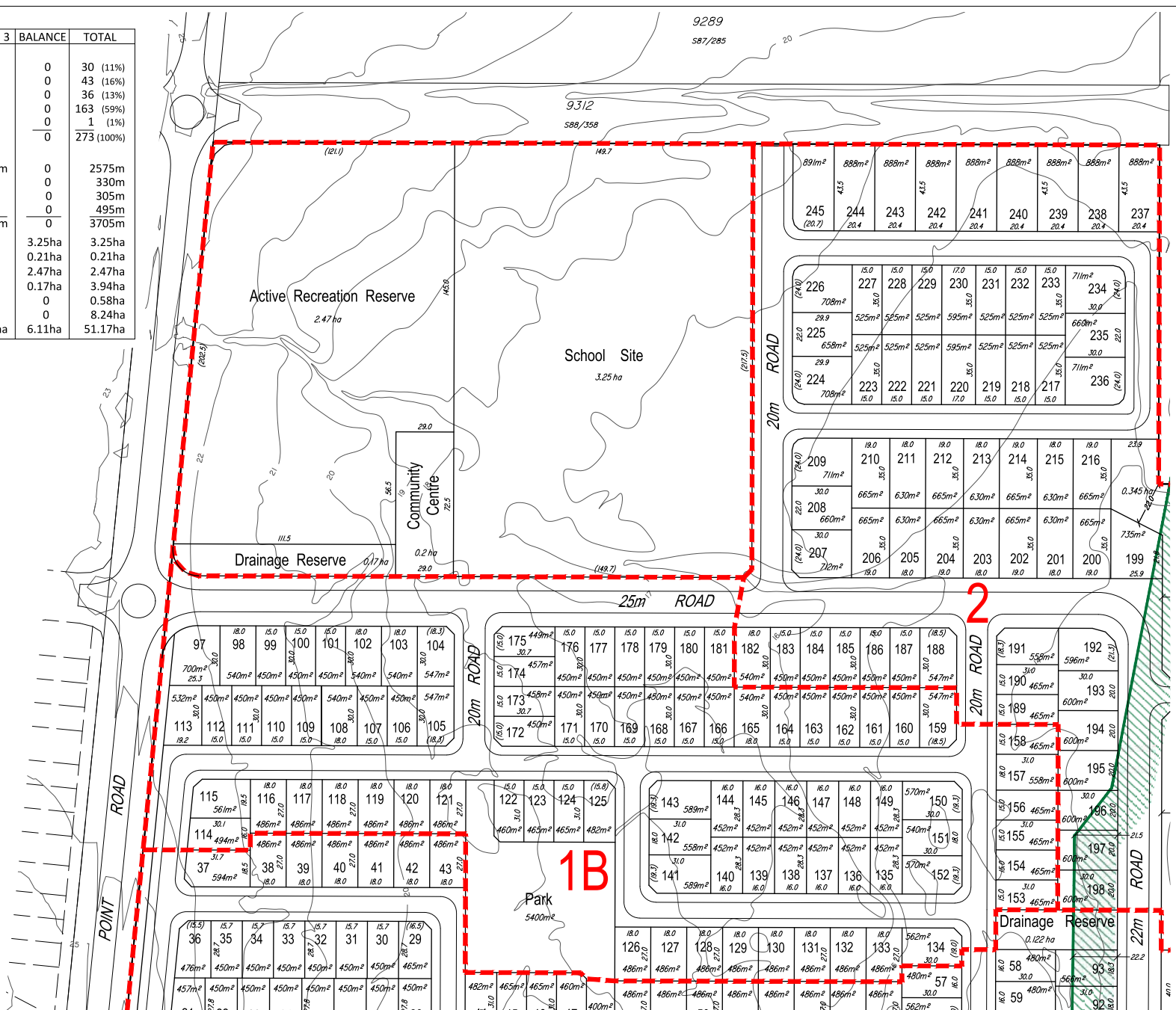
**LEGEND**

- STAGING
- MONSOON RAINFOREST (0.88 ha)
- 25m CONSERVATION BUFFER (1.26 ha)
- BITING INSECT BUFFER

**PROPERTY DESCRIPTION**  
 LOT 9370 ON S901068  
 TOTAL AREA 51.17 ha

**NOTES**

- This plan was prepared for the purpose and exclusive use of DEFENCE HOUSING AUSTRALIA to accompany an application to the DEVELOPMENT CONSENT AUTHORITY for approval to subdivide the land described in the plan and is not to be used for any other purpose or by any other person or corporation.  
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- The dimensions, areas, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- This plan may not be photocopied unless this note is included.



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 JFP URBAN CONSULTANTS PTY LTD A.C.N. 090 414 045

PLANNERS  
 URBAN DESIGNERS  
 SURVEYORS  
 ENGINEERS  
 LANDSCAPE ARCHITECTS

**NORTH:**

**SCALE:**  
 SCALE: @ A3 1:2000  
 THIS SCALE SHOWN IS ORIGINAL DRAWING SCALE - (A3 SIZE)  
 DO NOT SCALE FROM THIS DRAWING - USE ONLY DIMENSIONS PROVIDED - IF IN DOUBT PLEASE ENQUIRE

DESIGNED	TIM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

**ISSUES:**

ISSUE	DATE	TIM
L LAYOUT AMENDED	22-04-21	TIM
K STAGE 1A LAYOUT AMENDED	25-03-21	TIM
J STAGE 1A LAYOUT AMENDED	01-02-21	TIM
H CONSERVATION BUFFER UPDATED	03-11-20	TIM
G LAYOUT AMENDED	19-10-20	TIM
F STAGES 1A & 3 AMENDED	09-09-20	TIM
A ORIGINAL	17-05-18	RR

**ISSUE:** DETAILS: DATE: INIT:

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**PROPOSAL PLAN STAGES 1-3**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

**DETAILS:**  
 PROJECT: M2737P MN\_DA2 R1 L  
 PLAN: ISSUE:  
 SHEET: 3 OF 4  
 FILE: M2737P MN\_DA2 R1L.dwg  
 DATE: 22nd April 2021





3

STATISTICS	STAGE 1A	STAGE 1B	STAGE 2	STAGE 3	BALANCE	TOTAL
<b>NO. OF LOTS</b>						
4000m <sup>2</sup> & larger	3	0	0	27	0	30 (11%)
600-800m <sup>2</sup> & larger	3	1	39	0	0	43 (16%)
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450-539m <sup>2</sup>	77	67	19	0	0	163 (59%)
Commercial	1	0	0	0	0	1 (1%)
<b>TOTAL</b>	<b>97</b>	<b>85</b>	<b>64</b>	<b>27</b>	<b>0</b>	<b>273 (100%)</b>
<b>LENGTH OF NEW</b>						
17m ROAD	750m	750m	495m	580m	0	2575m
20m ROAD	60m	75m	195m	0	0	330m
22m ROAD	140m	0	165m	0	0	305m
25m ROAD	0	285m	210m	0	0	495m
<b>TOTAL</b>	<b>950m</b>	<b>1110m</b>	<b>1065m</b>	<b>580m</b>	<b>0</b>	<b>3705m</b>
<b>SCHOOL SITE AREA</b>	0	0	0	0	3.25ha	3.25ha
<b>COMMUNITY CENTRE AREA</b>	0	0	0	0	0.21ha	0.21ha
<b>ACTIVE RECREATION RESERVE AREA</b>	0	0	0	0	2.47ha	2.47ha
<b>DRAINAGE RESERVE AREA</b>	0.12ha	0	3.65ha	0	0.17ha	3.94ha
<b>PARK AREA</b>	0.04ha	0.54ha	0	0	0	0.58ha
<b>CONSERVATION</b>	0	0	8.24ha	0	0	8.24ha
<b>STAGE AREA</b>	8.17ha	6.89ha	18.13ha	11.87ha	6.11ha	51.17ha

Note: Average residential lot size is 529m<sup>2</sup>; Average rural lot size is 4020m<sup>2</sup>

**LEGEND**

- STAGING
- MONSOON RAINFOREST (0.88 ha)
- 25m CONSERVATION BUFFER (1.26 ha)
- BITING INSECT BUFFER

**PROPERTY DESCRIPTION**  
 LOT 9370 ON S901068  
 TOTAL AREA 51.17 ha

- NOTES**
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DRAWN	RK	APPROVED	GB	COUNCIL REF

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**LEE POINT ROAD, LEE POINT - DARWIN**

**DETAILS:**

PROJECT: M2737P MN\_DA2 R1 L  
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 DATE: 22nd April 2021

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**NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act 1999 - section 59*

**EXTENSION OF PERIOD OF PERMIT**

DP19/0050A

**DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT**

Lot 09370  
Town of Nightcliff  
544 LEE POINT RD, LEE POINT

**PERIOD OF EXTENSION**

The Development Consent Authority has determined to extend the period of Development Permit DP19/0050 by a period of two years.

Development Permit DP19/0050 will now lapse on 27 February 2023. Should works be substantially commenced in accordance with DP19/0050 on or before 27 February 2023, DP19/0050 will lapse on 27 February 2025.

In all other respects DP19/0050 remains unchanged.

Amit  
Magotra



2021.01.2  
2 13:50:30  
+09'30'

**AMIT MAGOTRA**

Delegate

Development Consent Authority

22 January 2021



## Correction Notification

### Variation Notice; 15 June 2023, Lee Point Master-planned Urban Development, Darwin, Northern Territory [EPBC 2015/7591]

The Variation Notice signed on 15 June 2023 contained the following errors.

The notice incorrectly stated in the definition of **Konfrontasi Cruciform** that its location was marked with a pink cross in **Attachment B**. The correct text should read “**Konfrontasi Cruciform** is the area described in Muirhead North (Lot 9370 Town of Nightcliff) – Archaeological Survey Report (Jung 2015) submitted with the EPBC Act referral 2015/7591. Location labelled as ‘Konfrontasi Cruciform site’ and marked with a pink cross at **Attachment C**.”

The notice incorrectly stated in reference to Attachment D that it contained Overall Concept Plan U. The correct text should read “Attachment D – Overall Concept Plan AD”.

The notice inadvertently did not include Attachments A, B, C, D, E, F and G. The correct notice should include Attachments A, B, C, D, E, F and G.

A corrected version of the notice is at Annexure 1.

### Person making the correction

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<b>name and position</b>	Rachel Short Branch Head Environment Approvals (Vic/Tas) and Post Approvals
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**signature**

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<b>date of correction</b>	21 June 2023
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**VARIATION OF CONDITIONS ATTACHED TO APPROVAL**

**Lee Point Master-planned Urban Development, Darwin, Northern Territory  
(EPBC 2015/7591)**

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

**Approved action**

---

<b>Person to whom the approval is granted</b>	Defence Housing Australia  ABN: 72 968 504 934
<b>Approved action</b>	To construct a master-planned urban residential development on Lot 4873 and Lot 9370 at Lee Point, approximately 14 km northeast of Darwin, Northern Territory [See EPBC Act referral 2015/7591]
<b>Expiry date of approval</b>	31 December 2035

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**Variation**

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<b>Variation of conditions attached to approval</b>	<p>The variation is:</p> <p>Delete condition 2, 6, 7, and 8 attached to the approval and replace it with that specified in the table below.</p> <p>Add conditions 2A, 8A, 8B, 8C, 8D, 8E, 10A, 10B and 10C specified in the table below.</p> <p>Delete the definitions for <b>Department, EPBC Act listed species, New or increased impact, Project area</b> and <b>Shapefile(s)</b> attached to the approval and replace them with those specified in the table below.</p> <p>Revoke the definition for <b>Offset Area</b>.</p> <p>Add definitions for <b>Black-footed Tree-rat Offset area, Business day, Compliance report, Detail(s), Environmental Management Plan Guidelines, Fauna Spotter Catcher, Functionally lost / functionally lost, Gouldian Finch, Gouldian Finch breeding habitat, Gouldian Finch foraging habitat, Migratory Shorebirds, Plans, Sandy and Buffalo Creek Roosts, Stage 1, Stage 2, Stage 3, Suitably qualified independent expert(s), Survey Guidelines for Australia's Threatened Birds, and Website</b> as specified in the table below.</p>
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Delete **Attachment D** and replace it with the **Attachment D** as specified in the table below.

Add **Attachments E, F and G** as specified in the table below.

---

**Date of effect** This variation has effect on the date the instrument is signed

---

**Person authorised to make decision**

---

**Name and position** The Hon Tanya Plibersek MP  
Minister for the Environment and Water

---

Signature



---

**Date of decision** 15 June 2023

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Date of decision	Conditions attached to approval
Original dated 17/03/2019	1. For the protection of <b>EPBC Act listed species</b> and <b>the Environment</b> , the approval holder must not <b>clear</b> more than 110 ha within the <b>project area</b> .
As varied on the date this instrument was signed	2. To mitigate and manage impacts to <b>EPBC Act listed species</b> and <b>the Environment</b> , the approval holder must comply with and implement the <b>Stormwater Management Plan - 2CRU, Stormwater Management Plan - Muirhead North</b> and <b>Water Quality Monitoring Plan</b> .
As varied on the date this instrument was signed	<p>2A. To mitigate and manage impacts to <b>Gouldian Finch</b> in the <b>project area</b> and <b>Migratory Shorebirds</b> at the <b>Sandy and Buffalo Creek roosts</b>, the approval holder must submit to the <b>department</b>, for the <b>Minister's</b> approval, a revised version of the <b>Construction Environmental Management Plan</b>. The revised <b>Construction Environmental Management Plan</b> must include <b>details</b> of:</p> <ul style="list-style-type: none"> <li>a) measures to mitigate the impacts of <b>clearing</b> to <b>Gouldian Finch</b>, including but not limited to: <ul style="list-style-type: none"> <li>i. pre-clearance surveys;</li> <li>ii. tree felling protocols; and</li> <li>iii. the oversight of all <b>clearing</b> by <b>fauna spotter catcher(s)</b>.</li> </ul> </li> <li>b) additional measures to those in the <b>Construction Environmental Management Plan</b> that avoid, mitigate and manage impacts of the action to <b>Migratory Shorebirds</b>;</li> <li>c) measures to plant native grass species where gamba grass is removed in conservation areas; and</li> <li>d) activities to monitor and ensure the efficacy and integrity of these measures, including trigger values and corrective actions that will be implemented if trigger values are realised.</li> </ul> <p>The approval holder must not undertake any <b>clearing</b> in the <b>project area</b>, other than <b>stage 1A, stage 2</b> and <b>stage 3</b> and clearing up to 20 meters from the perimeters of these stages (as required to facilitate construction), unless the <b>Minister</b> has approved the revised <b>Construction Environmental Management Plan</b> in writing.</p> <p>The approval holder may undertake <b>clearing</b> where required for the removal of contamination, noxious weeds (including gamba grass), and/or the creation and maintenance of fire breaks.</p> <p>The approval holder must implement the revised <b>Construction Environmental Management Plan</b> approved by the <b>Minister</b>.</p>
Original dated 17/03/2019	3. For the protection of the heritage values of <b>the Environment</b> on the <b>project area</b> the approval holder must:

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> <li>a) retain the existing <b>Konfrontasi Cruciform</b> and <b>Lee Point bunkers</b> at their current location</li> <li>b) engage a <b>heritage expert</b> to develop and install signage and interpretation material for the <b>Konfrontasi Cruciform</b> and <b>Lee Point bunkers</b> which must be maintained until at least the expiry date of approval.</li> </ul>
Original dated 17/03/2019	<p>4. In the event of a discovery of a heritage place item (including an object) within the <b>project area</b>, the approval holder must:</p> <ul style="list-style-type: none"> <li>a) cease work within 20 meters of the discovery, fence and cover the area from further disturbance</li> <li>b) seek advice from the relevant authority administering the <i>NT Heritage Act</i>; and</li> <li>c) document, salvage and store the discovery consistent with advice received in accordance with condition 4(b), prior to any recommencement of work within 20 meters of the discovery.</li> </ul>
Original dated 17/03/2019	<p>5. To minimise light pollution impacts to <b>turtles</b>, the approval holder must restrict artificial lighting on buildings above 15 meters in height, and any other lighting directly visible from the beach, by:</p> <ul style="list-style-type: none"> <li>a) only permitting lights of a long-wavelength (560 nanometers or longer) to which <b>turtle</b> hatchlings are not sensitive</li> <li>b) ensuring lighting is directed in a downwards direction and faced away from the <b>Casuarina Coastal Reserve</b> and</li> <li>c) At least once each year prior to <b>turtle</b> hatching season, conducting an audit of compliance with 5.a) and 5.b) and replace or correct any non-compliant light source.</li> </ul>
As varied on the date this instrument was signed	<p>6. For the protection of <b>the environment</b> the approval holder must determine if <b>PFASs</b> are known or likely to be present on the <b>project area</b> using the procedures outlined in the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>, which must include a desktop historical review of past fire suppression practices. If <b>PFASs</b> are known to be or likely to be present, prior to <b>commencement of clearing</b> or other works which have the potential to disturb areas of known or potential <b>PFAS</b> contamination, the approval holder must submit a <b>PFAS</b> Management Plan for the written approval of the <b>Minister</b>. If <b>PFASs</b> are known to be or are likely to be present the approval holder must not <b>commence</b> the action until the <b>PFAS</b> Management Plan is approved by the <b>Minister</b> in writing. The <b>PFAS</b> Management Plan must:</p>

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> <li>a) identify the extent and concentrations of possible contamination within the <b>project area</b></li> <li>b) identify possible exposure pathways and ecological receptors including from stored material</li> <li>c) identify possible risks tailored to the identified concentrations, pathways and receptors</li> <li>d) outline management strategies to be undertaken, as well as any remediation action plans or strategies, to manage any identified or potential risks and provide for ongoing monitoring</li> <li>e) commit to: <ul style="list-style-type: none"> <li>i. any <b>PFAS</b> contaminated material (including but not limited to excavated soil or sediment, leachate from soil or sediment, water arising from de-watering of soil or sediment, concrete, tarmac, appliances, pumps, pipes, hoses, fittings) will be handled in accordance with current best practice and disposed of in an approved receiving facility such that the <b>PFAS</b> content is unlikely to enter/spread into <b>the environment</b></li> <li>ii. any <b>PFAS</b> contaminated material with a <b>PFOS, PFHxS or PFOA</b> content above 50 milligrams per kilogram or litre (mg/kg or L) will be stored or disposed of in an approved receiving facility such that there will be no release of its <b>PFAS</b> content into <b>the environment</b>.</li> </ul> </li> </ul>
As varied on the date this instrument was signed	<p>7. To offset the loss of <b>Black-footed Tree-rat</b> habitat from <b>2CRU</b>, the approval holder must provide the following to the <b>Department</b>:</p> <ul style="list-style-type: none"> <li>a) a title search demonstrating that the title for the <b>Black-footed Tree Rat offset area</b> has been transferred by the approval holder to the <b>Northern Territory Government</b>. The <b>Black-footed Tree Rat offset area</b> must contain at least 21.5 ha of <b>Black-footed Tree-rat</b> habitat;</li> <li>b) documentation demonstrating that the <b>Northern Territory Government</b> is satisfied with the <b>management funding</b> provided by the approval holder for the management and monitoring required by <b>Northern Territory Government</b> of the <b>Black-footed Tree Rat offset area</b>;</li> <li>c) the <b>offset attributes</b> and <b>shapefile</b> for the <b>Black-footed Tree Rat offset area</b> required by condition 7(a).</li> </ul> <p>Unless otherwise agreed to in writing by the <b>Minister</b>, the approval holder must not continue the action at <b>2CRU</b> for more than 36 months from the date of</p>

Date of decision	Conditions attached to approval
	<p><b>commencement</b> of the action unless the approval holder has provided the requirements of condition 7(a-c) to the <b>department</b>.</p>
<p>As varied on the date this instrument was signed</p>	<p>8. To offset the loss of 10 ha of <b>Black-footed Tree-rat</b> habitat from <b>Muirhead North</b>, within 12 months of <b>commencement</b> of the action at <b>Muirhead North</b> the approval holder must submit a Black-footed Tree Rat Offset Plan to the <b>department</b> for the <b>Minister’s</b> approval. The approval holder must not undertake the action at <b>Muirhead North</b> for more than 24 months from the date of <b>commencement</b> of the action unless the <b>Minister</b> has approved the Black-footed Tree Rat Offset Plan in writing, and the provisions of condition 2A and 8B have been met.</p> <p>a) The Black-footed Tree Rat Offset Plan must provide a framework for how the <b>clearance</b> of <b>Black-footed Tree-rat</b> habitat will be offset, and must:</p> <ul style="list-style-type: none"> <li>i. Include a review of relevant <b>approved conservation advices, recovery plans and threat abatement plans</b>;</li> <li>ii. identify threats to <b>Black-footed Tree-rat</b>, and potential recovery actions and research opportunities; and</li> <li>iii. specify a process for developing Black-footed Tree Rat Offset Projects, and a staged process for submitting proposed Black-footed Tree Rat Offset Projects and milestones for completion of Black-footed Tree Rat Offset Projects to the <b>Department</b> for approval by the <b>Minister</b>.</li> </ul> <p>b) Offset Projects submitted to the <b>Department</b> for approval in accordance with Condition 8.a)iii. must:</p> <ul style="list-style-type: none"> <li>i. specify the location and nature of Offset Project activities;</li> <li>ii. include project goal/s, budget and a detailed Black-footed Tree Rat Offset Project description, including timeframes for the elements of the Black-footed Tree Rat Offset Project, and reporting and publishing of the Black-footed Tree Rat Offset Project results;</li> <li>iii. demonstrate how the Black-footed Tree Rat Offset Project is consistent with the Black-footed Tree Rat Offset Plan;</li> <li>iv. describe advice obtained to develop the Black-footed Tree Rat Offset Project;</li> <li>v. explain how the Black-footed Tree Rat Offset Project complies with the principles of the <b>EPBC Act Environmental Offsets Policy</b> and, if relevant, provide details of how the Black-footed Tree Rat Offset Project meets the criteria for research and educational programs identified in Appendix A of the <b>EPBC Act Environmental Offsets Policy</b>; and</li> <li>vi. identify and manage risks associated with implementing the Black-footed Tree Rat Offsets Project.</li> </ul>

Date of decision	Conditions attached to approval
	<p>The approval holder must not implement any Black-footed Tree Rat Offset Project until it has been approved in writing by the <b>Minister</b>. Each approved Black-footed Tree Rat Offset Project must be implemented. The approval holder must expend an amount equivalent to at least \$78,750 (excluding GST) on implementation of the Black-footed Tree Rat Offset Projects approved in accordance with Condition 8(a) and 7(b).</p>
<p>As varied on the date this instrument was signed</p>	<p>8A. The approval holder must not <b>clear</b> more than 94.64 ha of <b>Gouldian Finch breeding habitat</b> and 62.05 ha of <b>Gouldian Finch foraging habitat</b> within the <b>project area</b>. All <b>clearing of Gouldian Finch breeding habitat</b> and <b>Gouldian Finch foraging habitat</b> within the <b>project area</b> must be offset in accordance with the requirements of conditions 8B and 8C.</p>
<p>As varied on the date this instrument was signed</p>	<p>8B. To compensate for the loss of <b>Gouldian Finch breeding habitat</b> and <b>Gouldian Finch foraging habitat</b> within the <b>project area</b>, the approval holder must submit to the <b>department</b> a Gouldian Finch Strategy and Offset Plan (GFSOP) for the <b>Minister's</b> approval. The approval holder must implement the GFSOP approved by the <b>Minister</b>.</p> <p>The approval holder must not undertake any <b>clearing</b> in the <b>project area</b>, other than <b>stage 1A, stage 2</b> and <b>stage 3</b>, and <b>clearing</b> extending no more than 20 meters from the perimeters of these stages (as required to facilitate construction), unless the <b>Minister</b> has approved the GFSOP.</p> <p>The approval holder may undertake minor <b>clearing</b> where required for the removal of contamination, noxious weeds (including gamba grass), and/or the creation or maintenance of fire breaks</p>
<p>As varied on the date this instrument was signed</p>	<p>8C. The GFSOP must be prepared by a <b>suitably qualified independent expert</b>, and must:</p> <ol style="list-style-type: none"> <li>a. be consistent with the <b>department's</b> published <b>Environmental Management Plan Guidelines</b>;</li> <li>b. include an ecological survey of <b>Gouldian Finch breeding habitat</b> and <b>Gouldian Finch foraging habitat</b> within the <b>project area</b>, conducted by a <b>suitably qualified independent expert</b>;</li> <li>c. specify the actual area of <b>Gouldian Finch breeding habitat</b> and <b>Gouldian Finch foraging habitat</b> that will be <b>cleared</b>;</li> <li>d. for any areas of <b>Gouldian Finch breeding habitat</b> and / or <b>Gouldian Finch foraging habitat</b> to be retained within the <b>project area</b>: <ol style="list-style-type: none"> <li>i. identify and assess the likelihood and consequence of potential project-related impacts that may lead to the <b>functional loss</b> of retained areas of <b>Gouldian Finch breeding habitat</b> and <b>Gouldian Finch foraging habitat</b>;</li> </ol> </li> </ol>

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> <li>ii. include <b>details</b> of measures that will be implemented to avoid, mitigate, monitor and manage risks for the period of effect of approval to prevent the <b>functional loss</b> of retained areas of <b>Gouldian Finch breeding habitat</b> and <b>Gouldian Finch foraging habitat</b>. Where applicable, activities must be consistent with <b>the Survey Guidelines for Australia’s Threatened Birds</b>; and</li> <li>iii. include <b>details</b> of contingency responses, including triggers, corrective actions and reporting requirements that will be implemented in the event retained areas of <b>Gouldian Finch breeding habitat</b> and / or <b>Gouldian Finch foraging habitat</b> are <b>functionally lost</b>;</li> <li>e. identify suitable environmental offsets to provide compensation for the actual area of <b>Gouldian Finch breeding habitat</b> and <b>Gouldian Finch foraging habitat</b> that has been or will be <b>cleared</b>, that are consistent with the <b>EPBC Act Offsets Policy</b>;</li> <li>f. specify outcomes for <b>Gouldian Finch</b> habitat quality that will be attained for each offset;</li> <li>g. specify timebound and measurable completion criteria that will be achieved and maintained and demonstrate the attainment of outcomes;</li> <li>h. specify timebound and measurable performance targets that will be achieved and maintained and demonstrate the likely achievement of completion criteria;</li> <li>i. include <b>details</b> of measures that will be implemented to achieve and maintain performance targets and completion criteria;</li> <li>j. include <b>details</b> of activities to monitor the achievement and maintenance of performance targets and completion criteria, and the attainment of outcomes;</li> <li>k. specify timebound actions that will be implemented in the event performance targets and/or completion criteria are not achieved or maintained, with the capacity to correct this failure; and</li> <li>l. include <b>details</b> of reporting requirements, including triggers for different reporting types.</li> </ul>



Date of decision	Conditions attached to approval
As varied on the date this instrument was signed	8D. The approval holder must legally secure the environmental offset(s) for <b>Gouldian Finch</b> identified in the GFSOP approved by the <b>Minister</b> , within 48 months of the <b>Minister</b> approving the GFSOP.
As varied on the date this instrument was signed	8E. The approval holder must not transfer the ownership or long-term management responsibility of the area marked as conservation area in <b>Muirhead North</b> as shown in <b>Attachment D</b> to another entity unless the proposed transfer has been approved by the <b>Minister</b> in writing.  Note: The proposed arrangement must serve to protect that part of the <b>project area</b> in perpetuity from any impact on <b>EPBC Act listed species</b> or <b>the Environment</b> .
Original dated 17/03/2019	9. Within 30 days of <b>commencement</b> of the action, the approval holder must advise the <b>Department</b> of the actual date of <b>commencement</b> .
Original dated 17/03/2019	10. The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans, and make them available upon request to the <b>Department</b> . Such records may be subject to audit by the <b>Department</b> or an independent auditor in accordance with section 458 of the <b>EPBC Act</b> , or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the <b>Department's</b> website. The results of audits may also be publicised through the general media.
As varied on the date this instrument was signed	10A. The approval holder must prepare a <b>compliance report</b> for each 12-month period following the date of <b>commencement</b> .  Each <b>compliance report</b> must include:  a. accurate and complete details of compliance and any non-compliance with the conditions and the <b>plans</b> , and any <b>incidents</b> ;  b. one or more <b>shapefile</b> showing all <b>clearing</b> of any <b>protected matters</b> , and/or their habitat, undertaken within the 12-month period at the end of which that <b>compliance report</b> is prepared; and  c. a schedule of all <b>plans</b> in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.
As varied on the date this instrument was signed	10B. Each <b>compliance report</b> must be consistent with the department's <i>Annual Compliance Report Guidelines (2014)</i> , or any subsequent official version, and include:  a. accurate and complete details of compliance and any non-compliance with the conditions and the <b>plans</b> , and any <b>incidents</b> ;  b. one or more <b>shapefile</b> showing all <b>clearing</b> of any <b>protected matters</b> , and/or their habitat, undertaken within the 12-month period at the end of which that <b>compliance report</b> is prepared; and

Date of decision	Conditions attached to approval
	<p>c. a schedule of all <b>plans</b> in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.</p>
<p>As varied on the date this instrument was signed</p>	<p>10C. The approval holder must:</p> <ul style="list-style-type: none"> <li>a. publish each <b>compliance report</b> on the <b>website</b> within 60 <b>business days</b> following the end of the 12-month period for which that <b>compliance report</b> is required;</li> <li>b. notify the <b>department</b> electronically, within 5 <b>business days</b> of the date of publication that a <b>compliance report</b> has been published on the <b>website</b>;</li> <li>c. provide the weblink for the <b>compliance report</b> in the notification to the department;</li> <li>d. keep all published <b>compliance reports</b> required by these conditions on the <b>website</b> until the expiry date of this approval;</li> <li>e. exclude or redact <b>sensitive ecological data</b> from <b>compliance reports</b> published on the <b>website</b> or otherwise provided to a member of the public; and</li> <li>f. if <b>sensitive ecological data</b> is excluded or redacted from the published version, submit the full <b>compliance report</b> to the <b>department</b> within 5 <b>business days</b> of its publication on the <b>website</b> and notify the <b>department</b> in writing of what exclusions and redactions have been made in the version published on the website.</li> </ul> <p><b>Note: Compliance reports</b> may be published on the <b>department's</b> website.</p>
<p>Original dated 17/03/2019</p>	<p>11. Upon the direction of the <b>Minister</b>, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the <b>Minister</b>. The independent auditor and audit criteria must be approved by the <b>Minister</b> prior to the commencement of the audit. The audit report must address the criteria to the satisfaction of the <b>Minister</b>.</p>
<p>Original dated 17/03/2019</p>	<p>12. The approval holder may choose to revise a management plan specified in condition 2 without submitting it for approval under section 143A of the <b>EPBC Act</b>, if the taking of the action in accordance with the revised plan would not be likely to have a <b>new or increased impact</b>. If the approval holder makes this choice it must notify the <b>Department</b> in writing that the management plan has been revised and provide the <b>Department</b>, at least four weeks before implementing the revised plan, with:</p> <ul style="list-style-type: none"> <li>i. an electronic copy of the revised plan;</li> <li>ii. an explanation of the differences between the revised plan and the management plan; and</li> <li>iii. the reasons the approval holder considers that the taking of the action in accordance with the revised plan would not be likely to have a <b>new or increased impact</b>.</li> </ul>

Date of decision	Conditions attached to approval
Original dated 17/03/2019	12A. The approval holder may revoke its choice under condition 12 at any time by notice to the <b>Department</b> . If the approval holder revokes the choice to implement a revised plan, without approval under section 143A of the <b>EPBC Act</b> , the plan approved by the <b>Minister</b> must be implemented.
Original dated 17/03/2019	<p>12B. If the <b>Minister</b> gives a notice to the approval holder that the <b>Minister</b> is satisfied that the taking of the action in accordance with the revised plan would be likely to have a <b>new or increased impact</b>, then:</p> <ul style="list-style-type: none"> <li>i. Condition 12 does not apply, or ceases to apply, in relation to the revised plan; and</li> <li>ii. The approval holder must implement the plan approved by the <b>Minister</b>.</li> </ul> <p>To avoid any doubt, this condition does not affect any operation of conditions 12 and 12A in the period before the day the notice is given.</p> <p>At the time of giving the notice the <b>Minister</b> may also notify that for a specified period of time, that condition 11 does not apply for one or more specified plans required under the approval.</p>
Original dated 17/03/2019	12C. Conditions 12, 12A and 12B are not intended to limit the operation of section 143A of the <b>EPBC Act</b> which allows the approval holder to submit a revised plan to the <b>Minister</b> for approval.
Original dated 17/03/2019	13. Unless otherwise agreed to in writing by the <b>Minister</b> , the approval holder must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one (1) month of being approved by the <b>Minister</b> or being submitted under condition 12 and must remain published for the life of the approval.
Original dated 17/03/2019	14. If, at any time after five (5) years from the date of this approval, the approval holder has not substantially <b>commenced</b> the action, then the approval holder must not substantially <b>commence</b> the action without the written agreement of the <b>Minister</b> .

Date of decision	Definitions attached to approval
Original dated 17/03/2019	<b>2CRU</b> is the area shown in <b>Attachment A</b> , where it is depicted as ‘2CRU Development Site’, and marked with a red dashed perimeter line.
Original dated 17/03/2019	<b>Approved conservation advices, recovery plans and threat abatement plans</b> is a threat abatement plan/s, conservation advice/s and/or recovery plan/s made or adopted by the Minister under the EPBC Act.
Original dated 17/03/2019	<b>Black-footed Tree-rat</b> is the <b>EPBC Act</b> listed Black-footed Tree-rat (Kimberley and mainland Northern Territory) ( <i>Mesembriomys gouldii gouldii</i> )
As varied on the date this instrument was signed	<b>Black-footed Tree-rat Offset area</b> means the area represented in <b>Attachment B</b> , as ‘Portion of Lot 4873 to be added to Casuarina Coastal Reserve’, and marked with a light blue perimeter line with a solid green fill titled in the legend as ‘CN – Conservation’.
As varied on the date this instrument was signed	<b>Business day</b> means a day that is not a Saturday, a Sunday or a public holiday in the Northern Territory.
Original dated 17/03/2019	<b>Casuarina Coastal Reserve</b> is the area shown in <b>Attachment B</b> , where it is depicted as ‘Casuarina Coastal Reserve’, and marked with a solid green fill titled in the legend as ‘CN – Conservation’.
Original dated 17/03/2019	<b>Clearing/clear/cleared</b> means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of native vegetation.
Original dated 17/03/2019	<b>Commencement/commence/commenced</b> means the clearing of any vegetation or construction of any infrastructure, excluding fences and signage, associated with the proposed action.
As varied on the date this instrument was signed	<b>Compliance report</b> means a written report of compliance with, and fulfilment of, the conditions attached to the approval.
Original dated 17/03/2019	<b>Construction Environmental Management Plan</b> is the document entitled ‘Construction Environmental Management Plan (CEMP): Lee Point Master-planned Urban Development’, dated July 2018, authored by Ecology and Heritage Partners Pty Ltd, which was provided to the <b>Department</b> with the final assessment documentation; or as revised under these conditions or under section 143A of the <b>EPBC Act</b> .
As varied on the date this instrument was signed	<b>Department</b> means the Australian Government agency administering the <b>EPBC Act</b> .
As varied on the date this instrument was signed	<b>Detail(s)</b> means specific information that clearly identifies, as relevant to each activity or measure: <ul style="list-style-type: none"> <li>i. its purpose;</li> <li>ii. where it will be implemented;</li> <li>iii. the duration, frequency and timing, calendar year and/or season, of implementation;</li> <li>iv. the personnel responsible for implementation; and</li> </ul>

Date of decision	Definitions attached to approval
	v. the method of implementation.
As varied on the date this instrument was signed	<b>Environmental Management Plan Guidelines</b> means the <i>Environmental Management Plan Guidelines, Commonwealth of Australia 2014</i> .
Original dated 17/03/2019	<b>EPBC Act</b> is the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Original dated 17/03/2019	<b>EPBC Act Environmental Offsets Policy</b> is the <i>Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy</i> (October, 2012), or subsequent revision, including the Offsets Assessment Guide. Available at: <a href="http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy">http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy</a> .
As varied on the date this instrument was signed	<b>EPBC Act listed species</b> means the <b>Black-footed Tree-rat, Gouldian Finch, Dwarf Sawfish (<i>Pristis clavata</i>), Green Sawfish (<i>Pristis zijsron</i>), Largetooth Sawfish (<i>Pristis pristis</i>), Eastern Curlew (<i>Numenius madagascariensis</i>), Gouldian Finch (<i>Erythrura gouldiae</i>) and Turtles.</b>
As varied on the date this instrument was signed	<b>Fauna spotter catcher(s)</b> means a person who has demonstrable identification and handling skills, and behaviour knowledge (including nesting requirements) for <b>EPBC Act listed species</b> that have the potential to occur, are likely to occur, or are known to occur, in the area being impacted by the relevant <b>clearing</b> .
As varied on the date this instrument was signed	<b>Functional loss / functionally lost</b> means, as relevant to <b>Gouldian Finch breeding habitat</b> , habitat that is no longer utilised by <b>Gouldian Finch</b> for breeding, as evidenced by: <ul style="list-style-type: none"> <li>i. 3 consecutive years without an observation of <b>Gouldian Finch</b>, and</li> <li>ii. The absence of obvious factors other than the action that can be attributed for the lack of observation.</li> </ul>
As varied on the date this instrument was signed	<b>Gouldian Finch</b> means the <b>EPBC Act</b> listed Gouldian Finch ( <i>Erythrura gouldiae</i> )
As varied on the date this instrument was signed	<b>Gouldian Finch breeding habitat</b> means all land comprising the following vegetation types as shown at <b>Attachment E</b> : <ul style="list-style-type: none"> <li>iii. B. <i>Eucalyptus tetradonta</i> Woodland, in the dark-yellow shaded polygon;</li> <li>iv. C. Low <i>Eucalyptus tetradonta</i> Woodland with Monsoon Vine Thicket elements, in the light-yellow shaded polygon;</li> <li>v. D. Disturbed <i>Eucalyptus tetradonta</i> Woodland with <i>Calytrix exstipulata</i> shrubland, in the brown shaded polygon;</li> <li>vi. 2. Darwin Stringybark (<i>Eucalyptus tetradonta</i>) and Woollybutt (<i>E.miniata</i>) Open Forest over <i>Sarga intrans</i> Grassland, in the pinkish-orange shaded polygon;</li> <li>vii. 3. Darwin Stringybark (<i>Eucalyptus tetradonta</i>) Open Woodland over <i>Sarga intrans</i> grassland understorey, in the light-green shaded polygon;</li> </ul>

Date of decision	Definitions attached to approval
	<ul style="list-style-type: none"> <li>viii. 4. Eucalyptus and Corymbia Open Woodland (mixed species) over introduced grasses, in the light-blue shaded polygon; and</li> <li>ix. 6. <i>Lophostemon lactifluus</i> and <i>Pandanus spiralis</i> open woodland to low open woodland, in the lavender shaded polygon.</li> </ul>
As varied on the date this instrument was signed	<p><b>Gouldian Finch foraging habitat</b> means all land identified at <b>Attachment F</b> as:</p> <ul style="list-style-type: none"> <li>i. Very High, in polygons with a dark-green hash;</li> <li>ii. High, in polygons with a dark-blue hash;</li> <li>iii. Medium, in polygons with an orange hash; and</li> <li>iv. Low, in polygons with a light yellow hash.</li> </ul>
Original dated 17/03/2019	<p><b>Heritage expert</b> is a heritage expert with relevant qualifications and expertise appointed and funded by the approval holder.</p>
Original dated 17/03/2019	<p><b>Konfrontasi Cruciform</b> is the area described in <i>Muirhead North (Lot 9370 Town of Nightcliff) – Archaeological Survey Report</i> (Jung 2015) submitted with the <b>EPBC Act</b> referral 2015/7591. Location labelled as ‘Konfrontasi Cruciform site’ and marked with a pink cross at <b>Attachment C</b>.</p>
Original dated 17/03/2019	<p><b>Lee Point bunkers</b> is the area described in <i>Heritage and Archaeological Investigations over block 4873 Lee Point Road, Darwin Final Report</i> (Crassweller, 2010) submitted with the <b>EPBC Act</b> referral 2015/7591. Location labelled as ‘Concrete Bunker’ and marked with a yellow box in <b>Attachment C</b>.</p>
Original dated 17/03/2019	<p><b>Management funding</b> is a monetary contribution made by the approval holder for the implementation of management measures on the <b>offset area</b>.</p>
As varied on the date this instrument was signed	<p><b>Migratory Shorebirds</b> means species of <b>EPBC Act listed</b> migratory shorebirds found at Lee Point.</p>
Original dated 17/03/2019	<p><b>Minister</b> means the Minister administering the <b>EPBC Act</b> and includes a delegate of the Minister.</p>
Original dated 17/03/2019	<p><b>Muirhead North</b> is the area shown in <b>Attachment A</b>, where it is depicted as ‘Muirhead North Development Site’, and marked with a red dashed perimeter line.</p>
As varied on the date this instrument was signed	<p><b>New or increased impact</b> means any direct or indirect increase in the impacts of an action, an increase to the likelihood of an impact occurring, a reduction to the monitoring or mitigation measures for a protected matter, and/or a change to the nature or management of an environmental offset as outlined in the <i>Guidance on ‘new or increased impact’ relating to changes to approved management plans under EPBC Act environmental approvals</i> (2017).</p>
Original dated 17/03/2019	<p><b>Northern Territory Government</b> means Northern Territory body responsible for the administration of the <i>Parks and Wildlife Commission Act 2013</i> (NT) or the <i>Territory Parks and Wildlife Conservation Act 2014</i> (NT).</p>



Date of decision	Definitions attached to approval
Original dated 17/03/2019	<b>Offset attributes</b> means electronic files including '.xls' files and ESRI shapefiles containing '.shp', '.shx' and '.dbf' files capturing the relevant attributes of the <b>offset area</b> , including the <b>EPBC Act</b> reference number, the physical address of the <b>offset area</b> , coordinates of the boundary points in decimal degrees, the <b>EPBC Act</b> protected matters that the <b>offset area</b> compensates for, any additional <b>EPBC Act</b> protected matters benefiting from the offset and the size of the <b>offset area</b> (in hectares).
Original dated 17/03/2019	<b>PFAS/PFASs</b> means a per-and poly-fluoroalkyl substance or per-and poly-fluoroalkyl substances. <b>PFAS</b> substances include <b>PFOS, PFOA, PFHxS</b> , and their precursors. Where the identity of <b>PFOS, PFOA</b> , and <b>PFHxS</b> precursors are unknown, the suite of analytes in Eurofins (method LTM-ORG-2100) or other equivalent laboratory techniques is appropriate for the measurement of <b>PFAS</b> substances and may be reported as 'Sum of PFASs (n=28)'.
Original dated 17/03/2019	<b>PFOS</b> means perfluorooctane sulfonate.
Original dated 17/03/2019	<b>PFOA</b> means perfluorooctanoic acid.
Original dated 17/03/2019	<b>PFHxS</b> means perfluorohexane sulfonate.
As varied on the date this instrument was signed	<b>Plan(s)</b> means any action management plan or strategy that the approval holder is required by these conditions to implement.
As varied on the date this instrument was signed	<b>Project Area</b> means the area represented in <b>Attachment D</b> by all zones enclosed by a solid blue perimeter line.
As varied on the date this instrument was signed	<b>Sandy and Buffalo Creek roosts</b> means the areas shown at <b>Attachment G</b> , within the pink polygons identified as roosting location.
As varied on the date this instrument was signed	<b>Shapefile(s)</b> means location and attribute information about the Action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
As varied on the date this instrument was signed	<b>Stage 1A</b> means undertaking the Action within the area represented at <b>Attachment D</b> by the zone labelled '1A' and enclosed by a solid blue line.
As varied on the date this instrument was signed	<b>Stage 2</b> means undertaking the Action within the area represented at <b>Attachment D</b> by the zone labelled '2' and enclosed by a solid blue line.
As varied on the date this instrument was signed	<b>Stage 3</b> means undertaking the action within the area represented at <b>Attachment D</b> by the zone labelled '3' and enclosed by a solid blue line.

Date of decision	Definitions attached to approval
Original dated 17/03/2019	<b>Stormwater Management Plan – 2CRU</b> is the document entitled ‘2CRU - Lee Point Road, Lee Point - Stormwater Management Plan - DC1603/R1/V3’, dated 11 October 2017, authored by Cardno (Qld) Pty Ltd, which was provided to the <b>Department</b> with the final assessment documentation; or as revised under these conditions or under section 143A of the <b>EPBC Act</b> .
Original dated 17/03/2019	<b>Stormwater Management Plan – Muirhead North</b> is the document entitled ‘Muirhead North - Lee Point Road, Lee Point - Stormwater Management Plan - DC1603/R1/V2’, dated 11 October 2017, authored by Cardno (Qld) Pty Ltd, which was provided to the <b>Department</b> with the final assessment documentation; or as revised under these conditions or under section 143A of the <b>EPBC Act</b> .
As varied on the date this instrument was signed	<p><b>Suitably qualified independent expert(s)*</b> means a person(s) or firm that:</p> <ul style="list-style-type: none"> <li>i does not have any individual, financial**, employment** or family affiliation or any conflicting interests with the project, the approval holder or the approval holder’s staff, representatives, or associated persons; and</li> <li>ii has relevant professional qualifications and at least 3 years of work experience designing and implementing surveys for threatened birds and can give an authoritative assessment and advice on the presence of <b>Gouldian Finch</b> and their habitat using relevant protocols, standards, methods and/or literature.</li> </ul> <p>*the approval holder may use the services of a team to fully meet the requirements.</p> <p>**other than for the purpose of undertaking the role for which an independent person is required</p>
As varied on the date this instrument was signed	<b>Survey Guidelines for Australia’s Threatened Birds</b> means the <i>Survey guidelines for Australia’s threatened birds; Guidelines for detecting birds listed as threatened under the Environment Protection and Biodiversity Conservation Act 1999, 2010</i> , or a published successor document.
Original dated 17/03/2019	<b>The Environment</b> means the <i>environment</i> as defined under section 528 of the <b>EPBC Act</b> .
Original dated 17/03/2019	<b>Turtles</b> are the <b>EPBC Act listed</b> Flatback Turtle ( <i>Natator depressus</i> ), Olive Ridley Turtle ( <i>Lepidochelys olivacea</i> ) and Green Turtle ( <i>Chelodina mydas</i> ).
Original dated 17/03/2019	<b>Water Quality Monitoring Plan</b> is the document entitled ‘Lee Point Master-planned Urban Development – Water Quality Monitoring Plan’, dated October 2017, authored by Ecology and Heritage Partners Pty Ltd, which was provided to the <b>Department</b> with the final assessment documentation; or as revised under these conditions or under section 143A of the <b>EPBC Act</b> .
As varied on the date this instrument was signed	<b>Website</b> means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

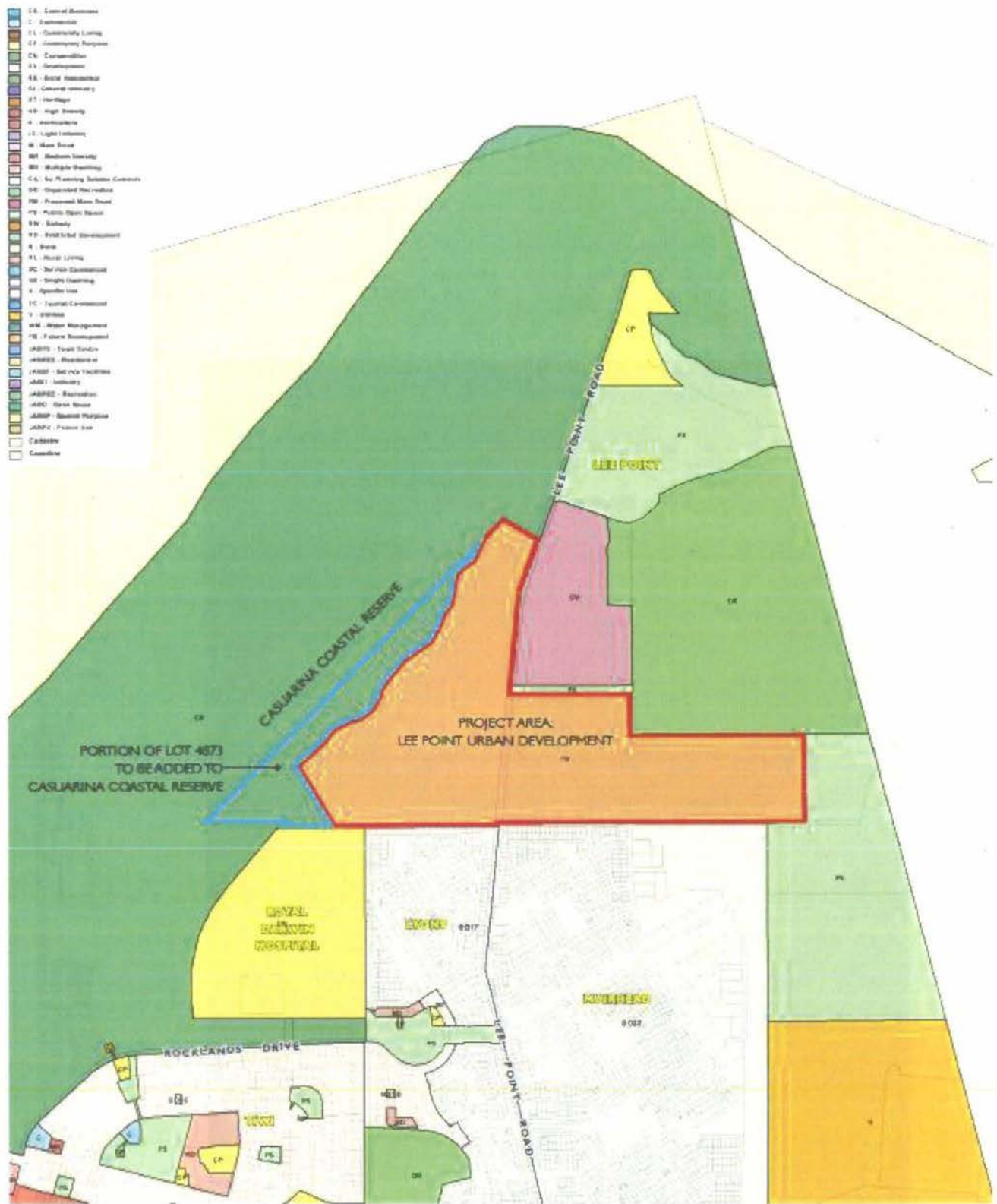
<b>Date of decision</b>	<b>Attachments</b>
Original dated 17/03/2019	Attachment A – Lee Point and Surrounds Area Plan
Original dated 17/03/2019	Attachment B – Lee Point Urban Development and Casuarina Coastal Reserve
Original dated 17/03/2019	Attachment C – Historical Sites
As varied on the date this instrument was signed	Attachment D – Overall Concept Plan AD
As varied on the date this instrument was signed	Attachment E – Vegetation Types (strata) sampled
As varied on the date this instrument was signed	Attachment F – Understorey mapping
As varied on the date this instrument was signed	Attachment G – Lee Point showing migratory shorebird habitat



2CRU Development - Darwin NT  
**LEE POINT AND SURROUNDS AREA PLAN**

D17-0020  
 29/08/2018 Issue A





**Context Plans**  
 LEE POINT URBAN DEVELOPMENT &  
 CASUARINA COASTAL RESERVE  
 -LAND ADDED TO RESERVE - TOWN PLANNING ZONES-

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 Darwin Corporate Park, Unit 6, T212  
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Lee Point Road  
 LEE POINT

(Created 30 August 2018)



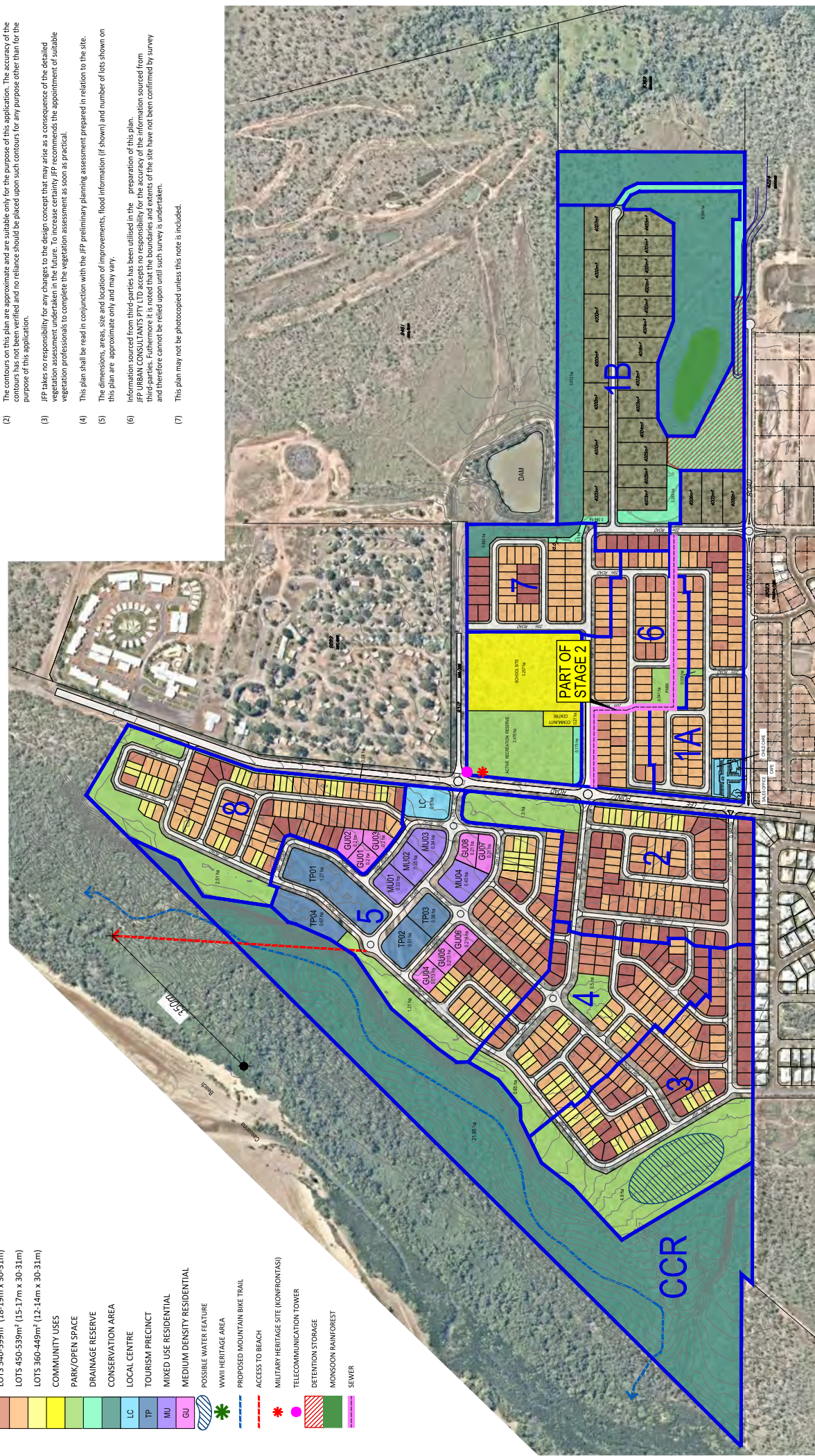






**PROPERTY DESCRIPTION**  
 LOT 4873 ON S78/107 &  
 LOT 9370 ON S901068  
 TOTAL AREA 132.5 ha

- LEGEND**
- STAGING
  - LOTS 4000m<sup>2</sup> & larger (40m frontage min.)
  - LOTS 600-750m<sup>2</sup> (20m x 30-31m)
  - LOTS 540-599m<sup>2</sup> (18-19m x 30-31m)
  - LOTS 450-539m<sup>2</sup> (15-17m x 30-31m)
  - LOTS 360-449m<sup>2</sup> (12-14m x 30-31m)
  - COMMUNITY USES
  - PARK/OPEN SPACE
  - DRAINAGE RESERVE
  - CONSERVATION AREA
  - LOCAL CENTRE
  - TOURISM PRECINCT
  - MIXED USE RESIDENTIAL
  - MEDIUM DENSITY RESIDENTIAL
  - POSSIBLE WATER FEATURE
  - WWII HERITAGE AREA
  - PROPOSED MOUNTAIN BIKE TRAIL
  - ACCESS TO BEACH
  - MILITARY HERITAGE SITE (KONFRONTASI)
  - TELECOMMUNICATION TOWER
  - DEFENTION STORAGE
  - MONSOON RAINFOREST
  - SEWER



**NOTES**

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**OVERALL CONCEPT PLAN AD**  
 LEE POINT ROAD, LEE POINT, DARWIN  
 DEFENCE HOUSING AUSTRALIA

JOB NUMBER: M2737P\_Overall Concept AD  
 SCALE: 1:7000 @ A3  
 DATE: 25th May 2023



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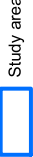

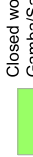





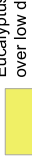
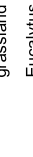











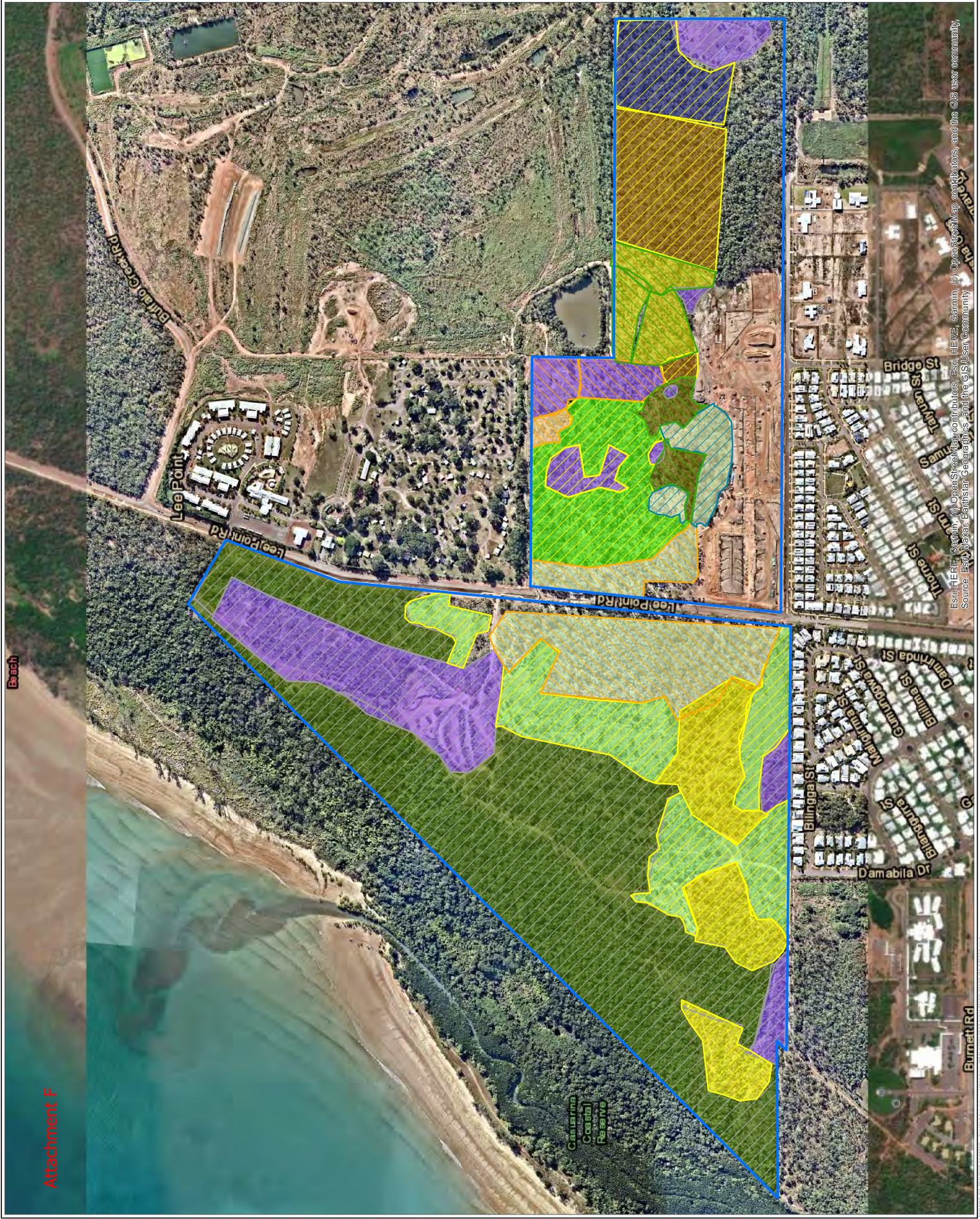
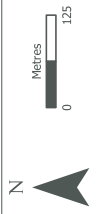


**Figure 10: Understorey mapping**

Project: Defence Housing Lee Point Development  
 Client: Peter Biggs (Partner)  
 Date: 18/08/2022

- |   |   |
|---|---|
|  | Study area  |
|  | Calytrix shrubland                                    |
|  | Closed woodland with Gamba/Sarga understorey          |
|  | Dense forest thicket (dry/wet)                        |
|  | Eucalyptus open forest over Sarga grassland           |
|  | Eucalyptus woodland with shrubby understorey          |
|  | Eucalyptus/Melaleuca over low density Gamba grassland |
|  | Eucalytus open woodland over diverse native grassland |
|  | Lophostemon/Eucalytus woodland                        |
|  | Low density Gamba grassland                           |
|  | Melaleuca woodland with Gamba understorey             |
|  | Disturbed - high weed cover                           |

- GF Habitat Suitability**
- |   |            |
|---|------------|
|    | Very High  |
|   | High       |
|  | Medium     |
|  | Low        |
|  | Unsuitable |



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# Attachment G



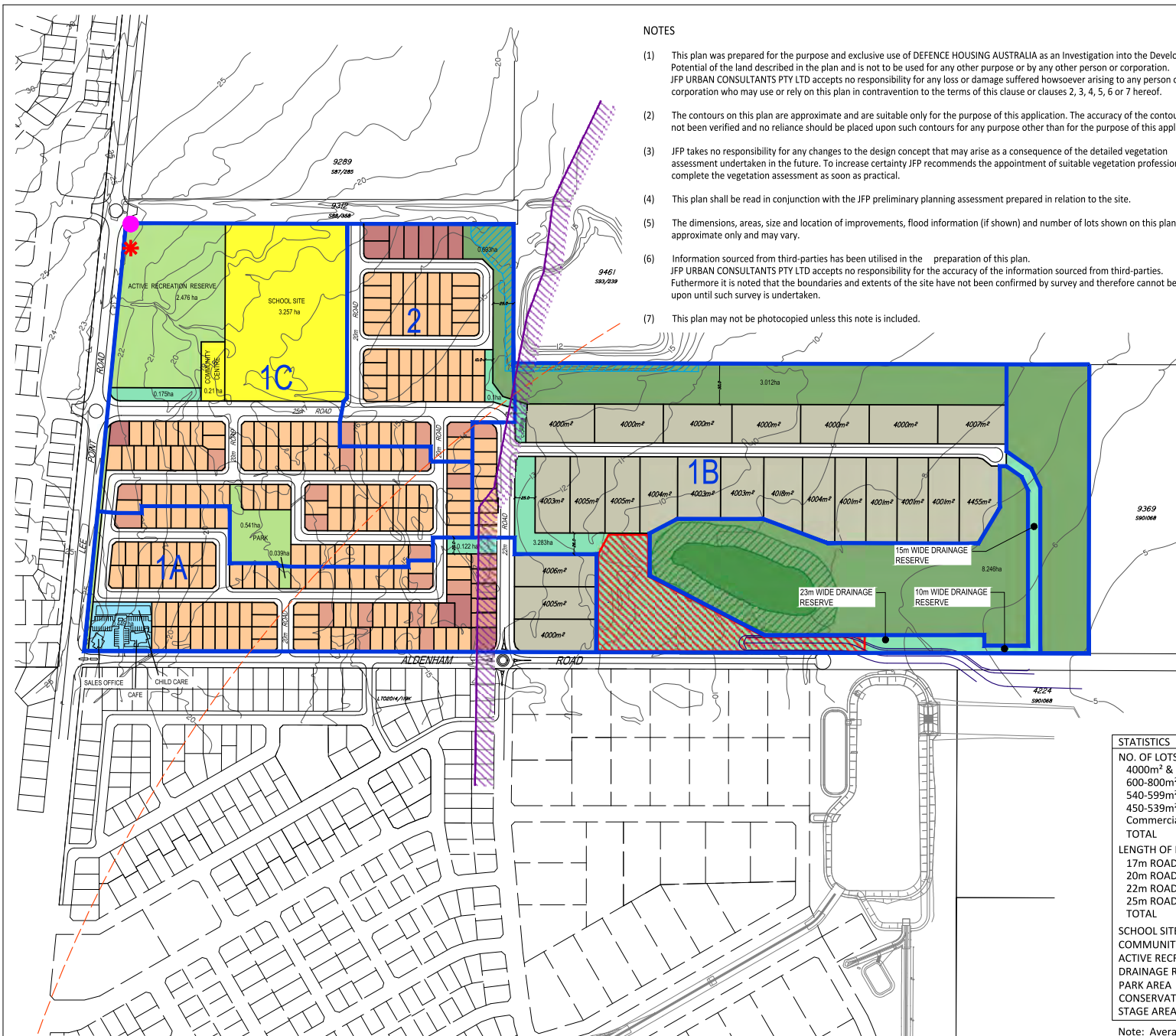
- Shorebirds**
-  Feeding location
  -  Roosting location
  -  Project data
  -  Proposed development boundary

The remainder of Lee Point is considered suitable for occasional roosting and feeding



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**LEGEND**

- STAGING
- LOTS 4000m<sup>2</sup> & larger (40m frontage min.)
- LOTS 600-800m<sup>2</sup> (18-22m x 30-44m) & larger
- LOTS 540-599m<sup>2</sup> (17-20m x 27-35m)
- LOTS 450-539m<sup>2</sup> (15-18m x 27-35m)
- PARK/OPEN SPACE
- COMMUNITY USES
- COMMERCIAL USES
- DETENTION STORAGE (1.85ha)
- DRAINAGE RESERVE (DRAINAGE RESERVE-CONSERVATION 7557m<sup>2</sup>)
- CONSERVATION
- MONSOON RAINFOREST (0.88 ha)
- 25m CONSERVATION BUFFER (1.26 ha)
- BITING INSECT BUFFER
- MILITARY HERITAGE SITE (KONFRONTASI)
- TELECOMMUNICATION TOWER
- ODOUR BUFFER LINE

**PROPERTY DESCRIPTION**

LOT 9370 ON S901068  
TOTAL AREA 51.17 ha

STATISTICS	STAGE 1A	STAGE 1B	STAGE 1C	STAGE 2	BALANCE	TOTAL
NO. OF LOTS						
4000m <sup>2</sup> & larger	3	20	0	0	0	23 (8%)
600-800m <sup>2</sup> & larger	3	0	1	7	0	11 (4%)
540-599m <sup>2</sup>	13	1	8	3	0	25 (9%)
450-539m <sup>2</sup>	77	8	78	47	0	210 (78%)
Commercial	1	0	0	0	0	1 (1%)
<b>TOTAL</b>	<b>97</b>	<b>29</b>	<b>87</b>	<b>57</b>	<b>0</b>	<b>270 (100%)</b>
LENGTH OF NEW						
17m ROAD	750m	595m	750m	390m	0	2485m
20m ROAD	60m	0	75m	195m	0	330m
22m ROAD	140m	140m	0	0	0	280m
25m ROAD	0	0	285m	210m	0	495m
<b>TOTAL</b>	<b>950m</b>	<b>735m</b>	<b>1110m</b>	<b>795m</b>	<b>0</b>	<b>3590m</b>
SCHOOL SITE AREA	0	0	3.257ha	0	0	3.257ha
COMMUNITY CENTRE AREA	0	0	0.21ha	0	0	0.21ha
ACTIVE RECREATION RESERVE AREA	0	0	2.476ha	0	0	2.476ha
DRAINAGE RESERVE AREA	0.122ha	3.349ha	0.175ha	0.1ha	0	3.746ha
PARK AREA	0.039ha	0	0.541ha	0	0	0.58ha
CONSERVATION	0	3.012ha	0	0.693ha	8.246ha	11.951ha
<b>STAGE AREA</b>	<b>8.206ha</b>	<b>16.187ha</b>	<b>12.976ha</b>	<b>5.555ha</b>	<b>8.246ha</b>	<b>51.17ha</b>

Note: Average residential lot size is 502m<sup>2</sup>; Average rural lot size is 4023m<sup>2</sup>

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**MN OVERALL PROPOSAL PLAN AN**

544 LEE POINT ROAD, LEE POINT, DARWIN  
DEFENCE HOUSING AUSTRALIA

JOB NUMBER: M2737P MN\_Overall Proposal AN ISSUE: NORTH

SCALE: 1:5000 @ A3

DATE: 15th January 2025



**PROPERTY DESCRIPTION**

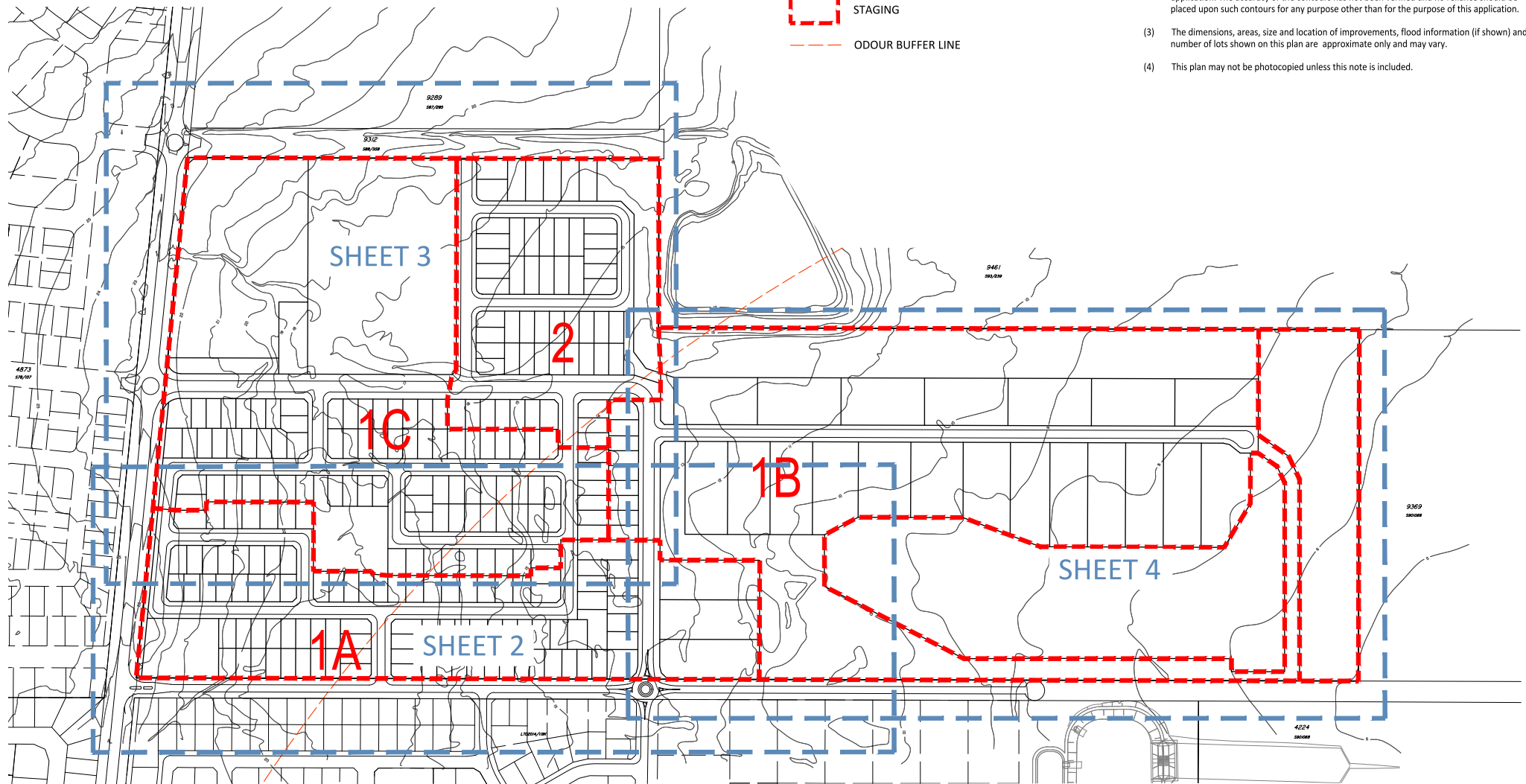
LOT 9370 ON S901068  
TOTAL AREA 51.17 ha

**NOTES**

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**LEGEND**

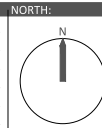
-  STAGING
-  ODOUR BUFFER LINE



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JFP URBAN CONSULTANTS PTY LTD A.C.N. 050 414 045

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**SCALE:**  
SCALE: @ A3 1:4000

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DESIGNED	TJM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

**ISSUES:**

Q	LAYOUT AMENDED	23-08-24	TJM
P	TITLE BLOCK UPDATED	19-07-22	TJM
N	STAGING AMENDED	12-04-22	TJM
M	STAGING AMENDED	20-10-21	TJM
L	LAYOUT AMENDED & ODOUR BUFFER LINE ADDED	11-05-21	TJM
K	STAGE 1A LAYOUT AMENDED	25-03-21	TJM
A	ORIGINAL	17-05-18	RK

ISSUE: DETAILS: DATE: INIT:

**TITLE:**

**PROPOSAL PLAN STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

**DETAILS:**

PROJECT: M2737P MN\_DA2 R1Q  
SHEET: 1 OF 4  
FILE: M2737P MN\_DA2 R1Q.dwg  
DATE: 23rd August 2024








STATISTICS	STAGE 1A	STAGE 1B	STAGE 1C	STAGE 2	BALANCE	TOTAL
NO. OF LOTS						
4000m <sup>2</sup> & larger	3	20	0	0	0	23 (8%)
600-800m <sup>2</sup> & larger	3	0	1	7	0	11 (4%)
540-599m <sup>2</sup>	13	1	8	3	0	25 (9%)
450-539m <sup>2</sup>	77	8	78	47	0	210 (78%)
Commercial	1	0	0	0	0	1 (1%)
TOTAL	97	29	87	57	0	270 (100%)
LENGTH OF NEW						
17m ROAD	750m	595m	750m	390m	0	2485m
20m ROAD	60m	0	75m	195m	0	330m
22m ROAD	140m	140m	0	0	0	280m
25m ROAD	0	0	285m	210m	0	495m
TOTAL	950m	735m	1110m	795m	0	3590m
SCHOOL SITE AREA	0	0	3.257ha	0	0	3.257ha
COMMUNITY CENTRE AREA	0	0	0.21ha	0	0	0.21ha
ACTIVE RECREATION RESERVE AREA	0	0	2.476ha	0	0	2.476ha
DRAINAGE RESERVE AREA	0.122ha	3.349ha	0.175ha	0.1ha	0	3.746ha
PARK AREA	0.039ha	0	0.541ha	0	0	0.58ha
CONSERVATION	0	3.012ha	0	0.693ha	8.246ha	11.951ha
STAGE AREA	8.206ha	16.187ha	12.976ha	5.555ha	8.246ha	51.17ha

Note: Average residential lot size is 502m<sup>2</sup>; Average rural lot size is 4023m<sup>2</sup>

### PROPERTY DESCRIPTION

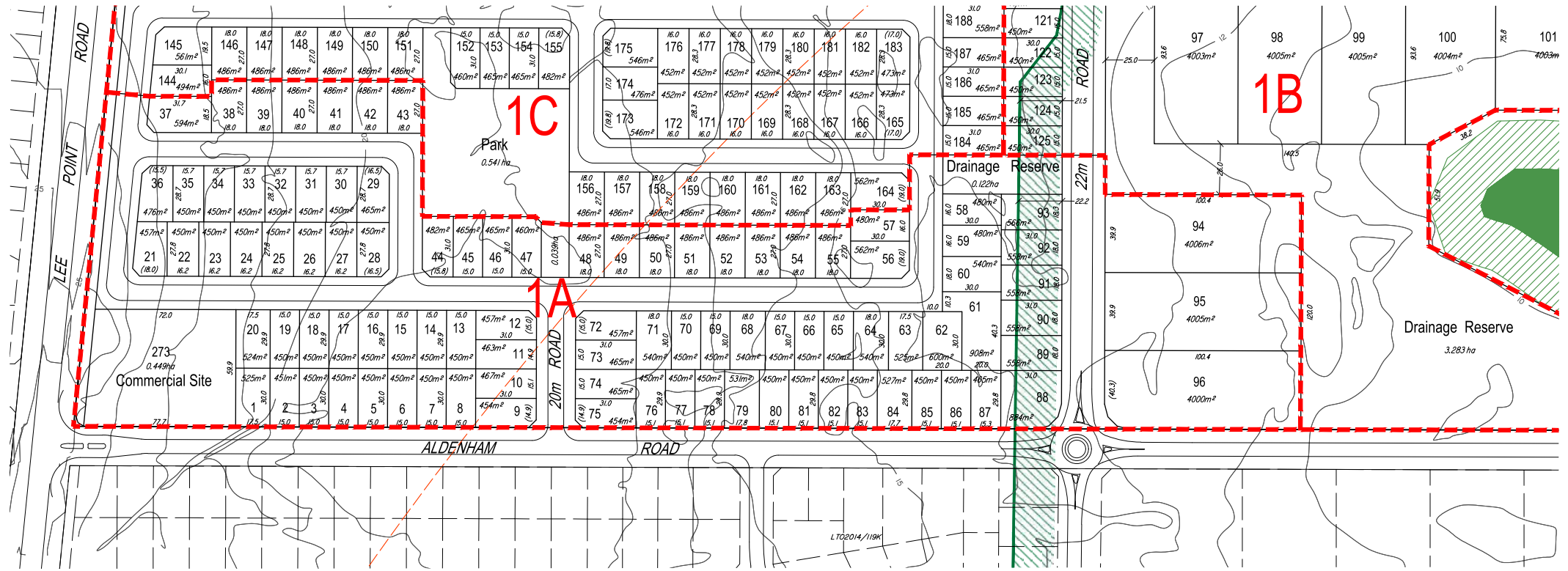
LOT 9370 ON S901068  
TOTAL AREA 51.17 ha

### LEGEND

-  STAGING
-  MONSOON RAINFOREST (0.88 ha)
-  25m CONSERVATION BUFFER (1.26 ha)
-  BITING INSECT BUFFER
-  ODOUR BUFFER LINE


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LANDSCAPE ARCHITECTS

NORTH: 

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DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:

Q	LAYOUT AMENDED	23-08-24	TJM
P <td>TITLE BLOCK UPDATED</td> <td>19-07-22</td> <td>TJM</td>	TITLE BLOCK UPDATED	19-07-22	TJM
N <td>STAGING AMENDED</td> <td>12-04-22</td> <td>TJM</td>	STAGING AMENDED	12-04-22	TJM
M <td>STAGING AMENDED</td> <td>20-10-21</td> <td>TJM</td>	STAGING AMENDED	20-10-21	TJM
L <td>LAYOUT AMENDED &amp; ODOUR BUFFER LINE ADDED</td> <td>11-05-21</td> <td>TJM</td>	LAYOUT AMENDED & ODOUR BUFFER LINE ADDED	11-05-21	TJM
R <td>STAGE 1A LAYOUT AMENDED</td> <td>25-03-21</td> <td>TJM</td>	STAGE 1A LAYOUT AMENDED	25-03-21	TJM
A <td>ORIGINAL</td> <td>17-05-18</td> <td>RK</td>	ORIGINAL	17-05-18	RK

ISSUE: DETAILS: DATE: INIT:

TITLE: **PROPOSAL PLAN STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:  
PROJECT: M2737P MN\_DA2 R1Q  
PLANT: ISSUE:  
SHEET: 2 OF 4  
FILE: M2737P MN\_DA2 R1Q.dwg  
DATE: 23rd August 2024

STATISTICS	STAGE 1A	STAGE 1B	STAGE 1C	STAGE 2	BALANCE	TOTAL
NO. OF LOTS						
4000m <sup>2</sup> & larger	3	20	0	0	0	23 (8%)
600-800m <sup>2</sup> & larger	3	0	1	7	0	11 (4%)
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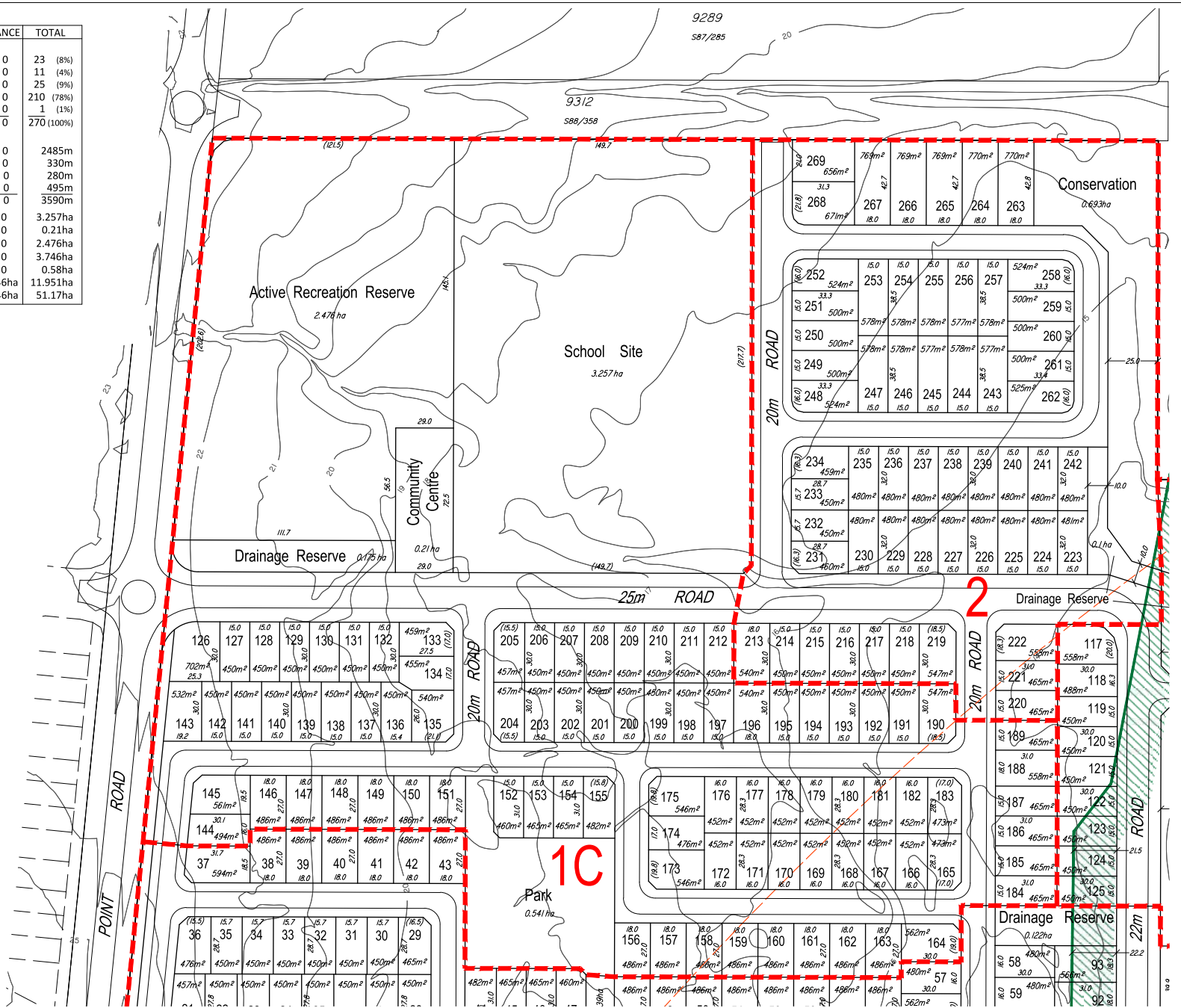
Note: Average residential lot size is 502m<sup>2</sup>; Average rural lot size is 4023m<sup>2</sup>

- LEGEND**
- STAGING
  - MONSOON RAINFOREST (0.88 ha)
  - 25m CONSERVATION BUFFER (1.26 ha)
  - BITING INSECT BUFFER
  - ODOUR BUFFER LINE

**PROPERTY DESCRIPTION**  
 LOT 9370 ON S901068  
 TOTAL AREA 51.17 ha

**NOTES**

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DRAWN	RK	APPROVED	GB	COUNCIL REF

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M STAGING AMENDED	20-10-21	TJM
L LAYOUT AMENDED & ODOUR BUFFER LINE ADDED	11-05-21	TJM
K STAGE 1A LAYOUT AMENDED	25-03-21	TJM
J ORIGINAL	17-05-18	RR

**PROPOSAL PLAN STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

**DETAILS:**






PROJECT: M2737P MN\_DA2 R1.Q  
 SHEET: 3 OF 4  
 FILE: M2737P MN\_DA2 R1.Q.dwg  
 DATE: 23rd August 2024



STATISTICS	STAGE 1A	STAGE 1B	STAGE 1C	STAGE 2	BALANCE	TOTAL
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4000m <sup>2</sup> & larger	3	20	0	0	0	23 (8%)
600-800m <sup>2</sup> & larger	3	0	1	7	0	11 (4%)
540-599m <sup>2</sup>	13	1	8	3	0	25 (9%)
450-539m <sup>2</sup>	77	8	78	47	0	210 (78%)
Commercial	1	0	0	0	0	1 (1%)
TOTAL	97	29	87	57	0	270 (100%)
LENGTH OF NEW						
17m ROAD	750m	595m	750m	390m	0	2485m
20m ROAD	60m	0	75m	195m	0	330m
22m ROAD	140m	140m	0	0	0	280m
25m ROAD	0	0	285m	210m	0	495m
TOTAL	950m	735m	1110m	795m	0	3590m
SCHOOL SITE AREA	0	0	3.257ha	0	0	3.257ha
COMMUNITY CENTRE AREA	0	0	0.21ha	0	0	0.21ha
ACTIVE RECREATION RESERVE AREA	0	0	2.476ha	0	0	2.476ha
DRAINAGE RESERVE AREA	0.122ha	3.349ha	0.175ha	0.1ha	0	3.746ha
PARK AREA	0.039ha	0	0.541ha	0	0	0.58ha
CONSERVATION	0	3.012ha	0	0.693ha	8.246ha	11.951ha
STAGE AREA	8.206ha	16.187ha	12.976ha	5.555ha	8.246ha	51.17ha

Note: Average residential lot size is 502m<sup>2</sup>; Average rural lot size is 4023m<sup>2</sup>

**LEGEND**

-  STAGING
-  MONSOON RAINFOREST (0.88 ha)
-  25m CONSERVATION BUFFER (1.26 ha)
-  BITING INSECT BUFFER
-  ODOUR BUFFER LINE

**PROPERTY DESCRIPTION**  
 LOT 9370 ON S901068  
 TOTAL AREA 51.17 ha

**NOTES**

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 LANDSCAPE ARCHITECTS

**SCALE:**  
 SCALE: @ A3 1:2000  
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**DESIGNED:** TIM  
**CHECKED:** AD  
**APPROVED:** GB

**CLIENT:** L.A. DARWIN CITY COUNCIL  
**COUNCIL REF:**

**ISSUES:**

Q	ISSUE	DATE	INITIALS
Q	LAYOUT AMENDED	23-08-24	TJM
P	TITLE BLOCK UPDATED	19-07-22	TJM
N	STAGING AMENDED	12-04-22	TJM
M	STAGING AMENDED	20-10-21	TJM
L	LAYOUT AMENDED & ODOUR BUFFER LINE ADDED	11-05-21	TJM
K	STAGE 1A LAYOUT AMENDED	25-03-21	TJM
J	ORIGINAL	17-05-18	RK

**ISSUE:** DETAILS  
**DATE:**

**TITLE:**  
**PROPOSAL PLAN STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

**DETAILS:**  
 PROJECT: M2737P MN\_DA2 R1Q  
 PLAN: ISSUE:  
 SHEET: 4 OF 4  
 FILE: M2737P MN\_DA2 R1Q.dwg  
 DATE: 23rd August 2024






**PROPERTY DESCRIPTION**

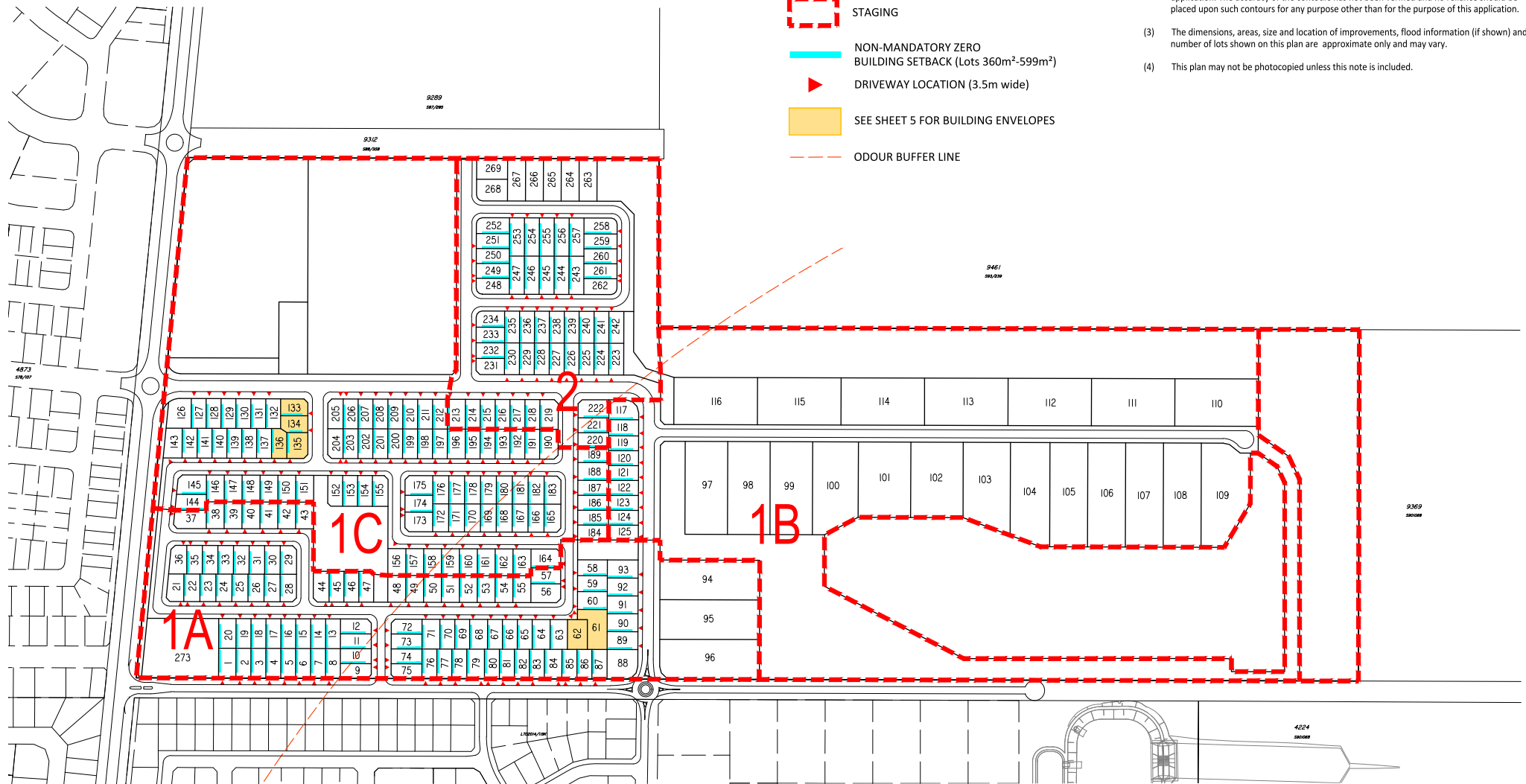
LOT 9370 ON S901068  
TOTAL AREA 51.17 ha

**NOTES**

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**LEGEND**


-  STAGING
-  NON-MANDATORY ZERO BUILDING SETBACK (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
-  DRIVEWAY LOCATION (3.5m wide)
-  SEE SHEET 5 FOR BUILDING ENVELOPES
-  ODOUR BUFFER LINE

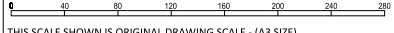


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NORTH: 

SCALE: @ A3 1:4000  


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DESIGNED	TJM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:

ISSUE	DETAILS	DATE	INIT.
M	LAYOUT AMENDED	15-01-25	TJM
L	ODOUR BUFFER LINE ADDED	19-07-22	TJM
K	LAYOUT AMENDED	21-04-22	TJM
J	LAYOUT AMENDED	05-05-21	TJM
H	LAYOUT AMENDED	08-04-21	TJM
A	ORIGINAL	31-08-18	TJM

TITLE:  
**BUILDING ENVELOPE PLAN: STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:  
PROJECT: M2737P MN\_DA2 B1M  
SHEET: 1 OF 6  
FILE: M2737P MN\_DA2 B1M.dwg  
DATE: 15th January 2025








PROPERTY DESCRIPTION

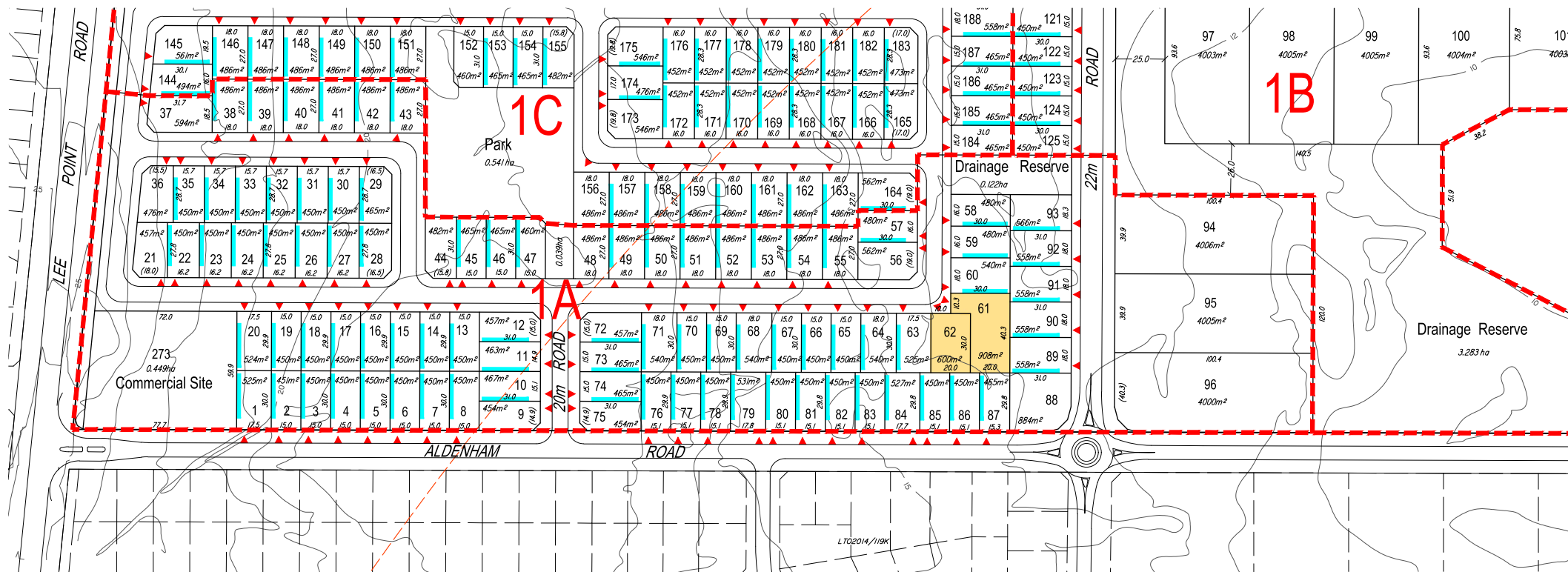
LOT 9370 ON S901068  
TOTAL AREA 51.17 ha

NOTES

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LEGEND

-  STAGING
-  NON-MANDATORY ZERO BUILDING SETBACK (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
-  DRIVEWAY LOCATION (3.5m wide)
-  SEE SHEET 5 FOR BUILDING ENVELOPES
-  ODOUR BUFFER LINE



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PLANNERS  
URBAN DESIGNERS  
SURVEYORS  
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LANDSCAPE ARCHITECTS



NORTH:  
SCALE:  
SCALE: @ A3 1:2000  
0 20 40 60 80 100 120 140  
THIS SCALE SHOWN IS ORIGINAL DRAWING SCALE - (A3 SIZE)  
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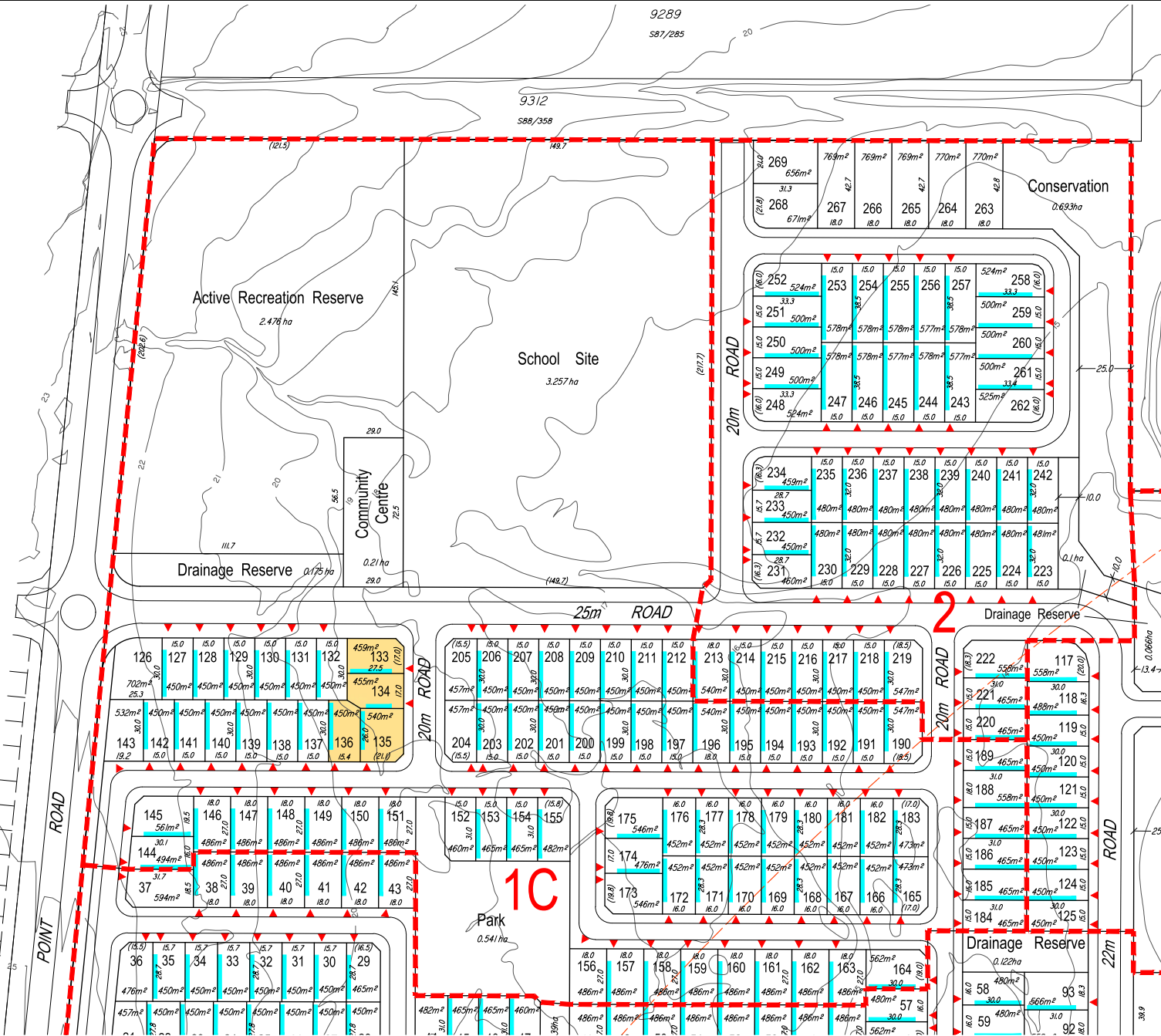
DESIGNED	TIM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:	ISSUE:	DATE:	BY:
M	LAYOUT AMENDED	15-01-25	TJM
L	ODOUR BUFFER LINE ADDED	19-07-22	TJM
J	LAYOUT AMENDED	21-04-22	TJM
K	LAYOUT AMENDED	05-05-21	TJM
H	LAYOUT AMENDED	08-04-21	TJM
A	ORIGINAL	31-08-18	TJM

TITLE:  
**BUILDING ENVELOPE PLAN: STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:  
PROJECT: M2737P MN\_DA2 B1M  
PLANT: ISSUE:  
SHEET: 2 OF 6  
FILE: M2737P MN\_DA2 B1M.dwg  
DATE: 15th January 2025

9289  
587/285



**LEGEND**

- STAGING
- NON-MANDATORY ZERO BUILDING SETBACK (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
- DRIVEWAY LOCATION (3.5m wide)
- SEE SHEET 5 FOR BUILDING ENVELOPES
- ODOUR BUFFER LINE

**PROPERTY DESCRIPTION**  
**LOT 9370 ON S901068**  
**TOTAL AREA 51.17 ha**

**NOTES**

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URBAN DESIGNERS  
SURVEYORS  
ENGINEERS  
LANDSCAPE ARCHITECTS

**NORTH:**

**SCALE:** SCALE: @ A3 1:2000

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DESIGNED	TIM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

**ISSUES:**

ISSUE	DETAILS:	DATE:	INIT:
M	LAYOUT AMENDED	15-01-25	TJM
L	ODOUR BUFFER LINE ADDED	19-07-22	TJM
K	LAYOUT AMENDED	21-04-22	TJM
J	LAYOUT AMENDED	05-05-21	TJM
H	LAYOUT AMENDED	08-04-21	TJM
A	ORIGINAL	31-08-18	TJM

**TITLE:**

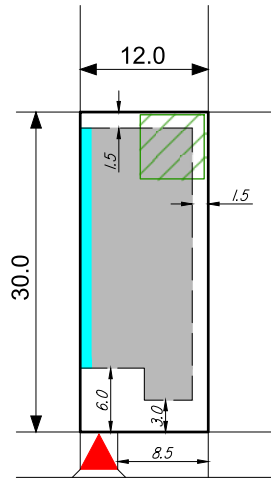
**BUILDING ENVELOPE PLAN: STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

**DETAILS:**

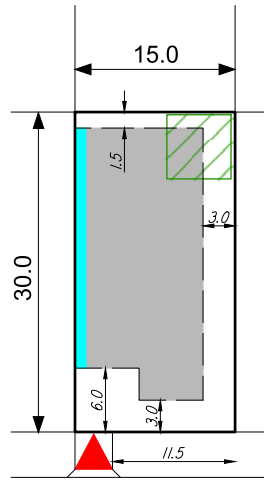
PROJECT: M2737P MN\_DA2 B1M  
 PLAN: ISSUE:  
 SHEET: 3 OF 6  
 FILE: M2737P MN\_DA2 B1M.dwg  
 DATE: 15th January 2025



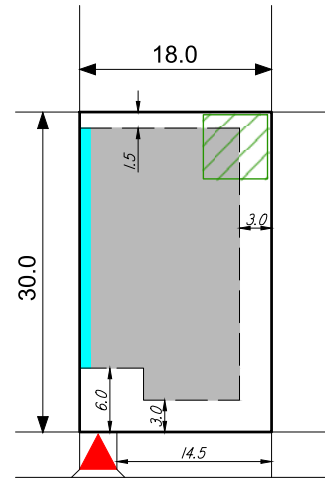
# TYPICAL BUILDING ENVELOPES - REGULAR LOTS



**Courtyard Allotments**  
12.0m x 30.0m  
(360m<sup>2</sup> - 449m<sup>2</sup>)



**Villa Allotments**  
15.0m x 30.0m  
(450m<sup>2</sup> - 539m<sup>2</sup>)



**Small Allotments**  
18.0m x 30.0m  
(540m<sup>2</sup> - 599m<sup>2</sup>)

## DEVELOPMENT CONTROL NOTES GENERAL DESIGN CONTROLS FOR LOTS 360m<sup>2</sup>-599m<sup>2</sup>

<b>Front Boundary setbacks</b> - Primary Frontage boundary setback	6m setback to single or double garage; 3m setback for the remainder of the dwelling, subject to the requirements of the NT Planning Scheme.
- Secondary Frontage boundary setback	2.5m setback; and 1.5m for verandahs, balconies and ancillary structures without external walls.
<b>Side and Rear Boundary setbacks</b>	Unless built to boundary: - 1.5m or - 1m provided that the subject wall: <ul style="list-style-type: none"> <li>• Only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater;</li> <li>• Does not exceed beyond a maximum height of 3.5m; and</li> <li>• Does not extend beyond a maximum length of 9m; and</li> </ul> - 0.9m for shade sails to a maximum height to 2.5m at the minimum setback
<b>Zero Building Setback (built to boundary walls)</b>	Any part of a dwelling utilising a zero building setback must have its external wall erected to the boundary with no gap.  <b>For Lots 300-449m<sup>2</sup></b> A zero building setback is permitted to a maximum of one side boundary.  <b>For Lots 450 - 599m<sup>2</sup></b> A zero building setback is permitted to one side boundary where a 3m setback is provided to the other side boundary.
<b>Building Height</b>	Maximum 2 storeys to 8.5m
<b>Private Open Space</b>	50m <sup>2</sup> including an area no less than 6m x 6m. Must include an area of approximately 5m <sup>2</sup> for the deep soil planting of shade trees.
<b>Carparking</b>	At least 2 (two) car parking spaces with at least one space capable of being covered.
<b>Front Entry</b>	Pedestrian entry and door visible and accessible from primary street frontage.

### LEGEND:

- BUILT TO BOUNDARY ZONE (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
- INDICATIVE OPEN SPACE (6m x 6m)
- DRIVEWAY LOCATION (3.5m wide)
- BUILDING ENVELOPE



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LANDSCAPE ARCHITECTS

SCALE:

SCALE: @ A3 1:500

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DESIGNED	TJM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:

M	LAYOUT AMENDED	15-01-25	TJM
L	ODOUR BUFFER LINE ADDED	19-07-22	TJM
K	LAYOUT AMENDED	21-04-22	TJM
J	LAYOUT AMENDED	05-05-21	TJM
H	LAYOUT AMENDED	08-04-21	TJM
A	ORIGINAL	31-08-18	TJM

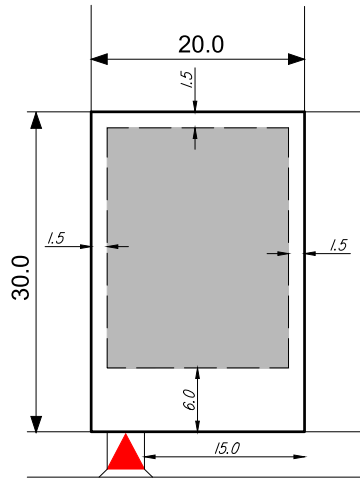
TITLE:

**BUILDING ENVELOPE PLAN: STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:

PROJECT: M2737P MN\_DA2 B1M  
PLAN: ISSUE:  
SHEET: 4 OF 6  
FILE: M2737P MN\_DA2 B1M.dwg  
DATE: 15th January 2025

# TYPICAL BUILDING ENVELOPES - REGULAR LOTS





Traditional Allotments  
20.0m x 30.0m  
(600m<sup>2</sup> and over)

## DEVELOPMENT CONTROL NOTES GENERAL DESIGN CONTROLS FOR LOTS 600m<sup>2</sup> and over

<b>Front Boundary setbacks</b> - Primary Frontage boundary setback	6m setback to single or double garage; 3m setback for the remainder of the dwelling, subject to the requirements of the NT Planning Scheme.
- Secondary Frontage boundary setback	2.5m setback; and 1.5m for verandahs, balconies and ancillary structures without external walls.
<b>Side and Rear Boundary setbacks</b>	1.5m
<b>Building Height</b>	Maximum 2 storeys to 8.5m
<b>Carparking</b>	At least 2 (two) car parking spaces with at least one space capable of being covered.

### LEGEND:

-  DRIVEWAY LOCATION (3.5m wide)
-  BUILDING ENVELOPE\*

\* Building Envelopes are notional only. Actual building siting may vary and will be subject to setback requirements of the Northern Territory Planning Scheme.





M	LAYOUT AMENDED	15-01-25	TJM
L	ODOUR BUFFER LINE ADDED	19-07-22	TJM
K	LAYOUT AMENDED	21-04-22	TJM
J	LAYOUT AMENDED	05-05-21	TJM
H	LAYOUT AMENDED	08-04-21	TJM
A	ORIGINAL	31-08-18	TJM

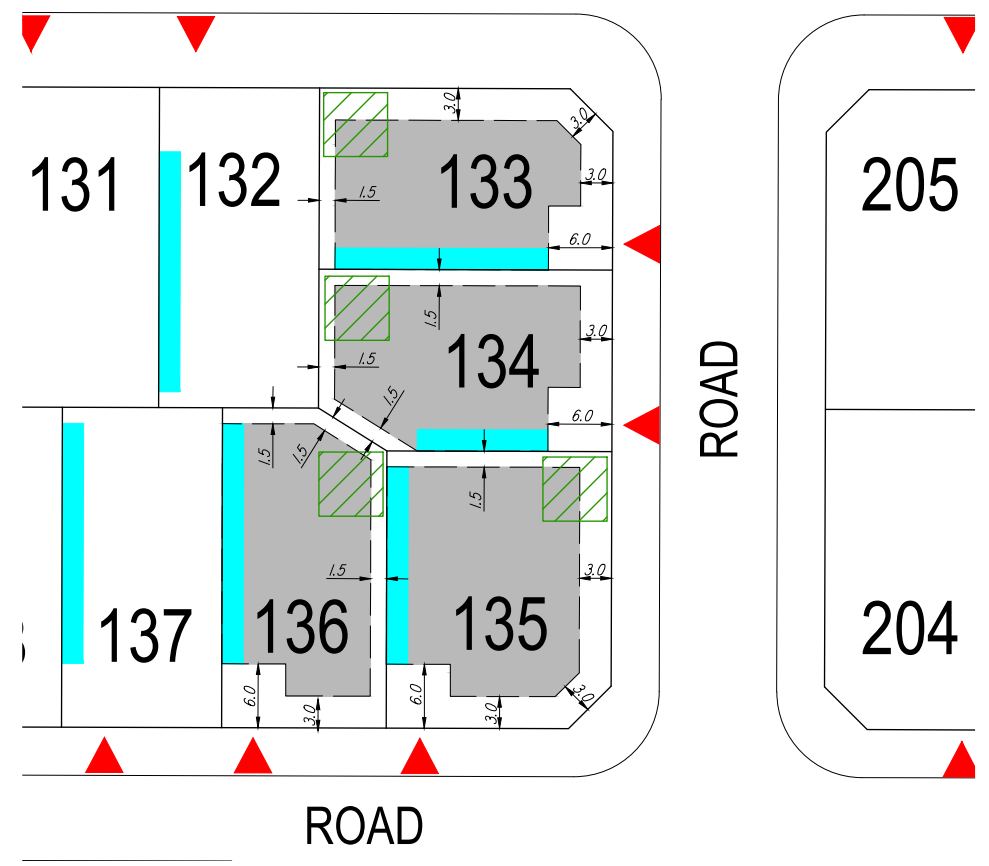
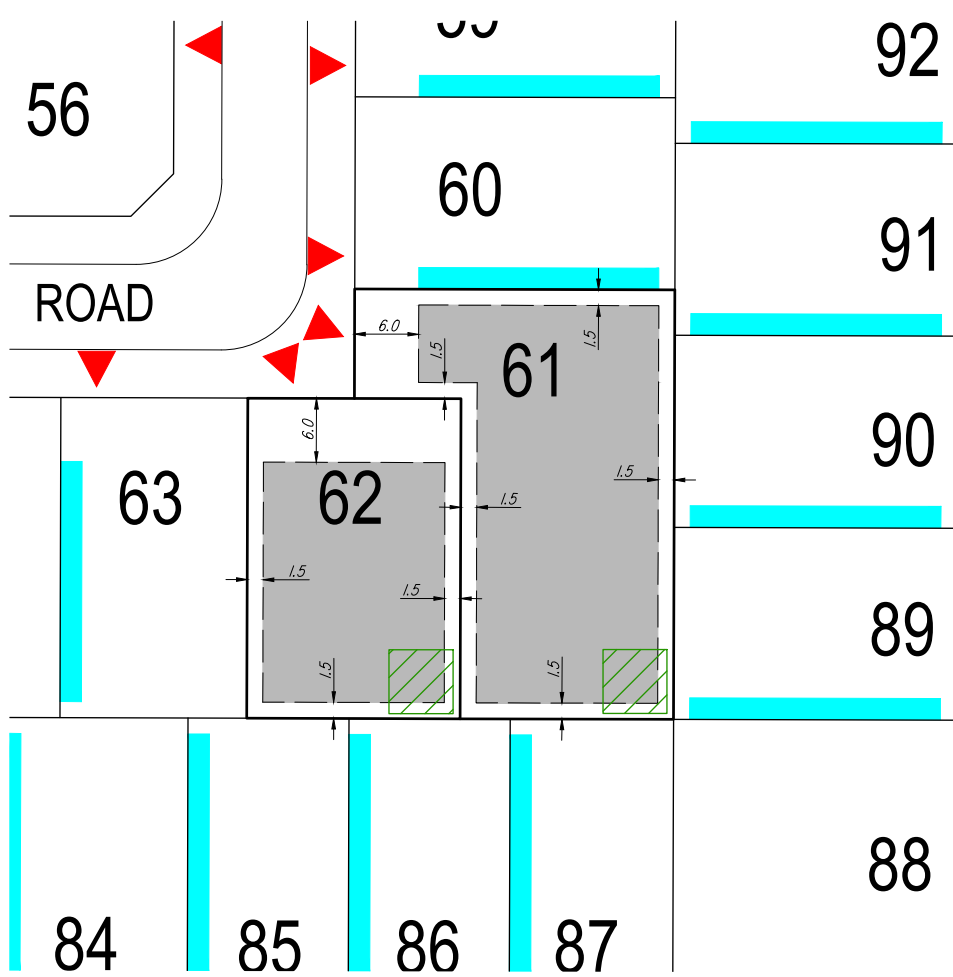
**BUILDING ENVELOPE PLAN: STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

PROJECT: M2737P MN\_DA2 B1 M  
SHEET: 5 OF 6  
FILE: M2737P MN\_DA2 B1M.dwg  
DATE: 15th January 2025

# TYPICAL BUILDING ENVELOPES - IRREGULAR LOTS

## LEGEND

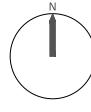
-  BUILDING ENVELOPE
-  BUILT TO BOUNDARY ZONE (Lots 360m<sup>2</sup>-599m<sup>2</sup>)
-  INDICATIVE OPEN SPACE (6m x 6m)
-  DRIVEWAY LOCATION (3.5m wide)



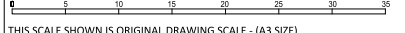


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 LANDSCAPE ARCHITECTS

NORTH: 

SCALE: @ A3 1:500



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DESIGNED	TJM	CHECKED	AD	L.A. DARWIN CITY COUNCIL
DRAWN	RK	APPROVED	GB	COUNCIL REF

ISSUES:

M	LAYOUT AMENDED	15-01-25	TJM
L	ODOUR BUFFER LINE ADDED	19-07-22	TJM
K	LAYOUT AMENDED	21-04-22	TJM
J	LAYOUT AMENDED	05-05-21	TJM
H	LAYOUT AMENDED	08-04-21	TJM
A	ORIGINAL	31-08-18	TJM

ISSUE: DETAILS: DATE: INIT:

TITLE:

**BUILDING ENVELOPE PLAN: STAGES 1-2**  
**DEFENCE HOUSING AUSTRALIA**  
**LEE POINT ROAD, LEE POINT - DARWIN**

DETAILS:

PROJECT: M2737P MN\_DA2 B1 M  
 SHEET: 6 OF 6  
 FILE: M2737P MN\_DA2 B1M.dwg  
 DATE: 15th January 2025


PLAN: ISSUE:

# Land owner/s authorisation to lodge a development application

## Under the *Planning Act 1999*

### Before you fill in the form

Signatures from ALL landowners registered on the land title must be provided.

The owners and/or persons duly authorised as signatory on behalf of the landowner hereby authorise			
Name of consultant or acting agent on behalf of landowner			
<i>Brad Cunnington, Cunnington Rosse Town Planning and Consulting</i>			
Phone		Mobile	0427 796 140
to lodge an application for Planning Scheme Amendment under the <i>Planning Act 1999</i> over the property described as			
Lot/NT portion	<i>Lot 9370</i>		
Location/town	<i>Town of Nightcliff</i>		
Street address	<i>544 Lee Point Road, Lee Point</i>		
Proposed Development	<i>Variation to DP19/0050</i>		
Owner signature 1			
Full name	Peter Gurkin		
Title (e.g. company director)	National Manager Developments		
Company name	<i>Defence Housing Australia</i>		
Phone		Mobile	0421041129
Signature			
Date	20/01/25		

## Privacy Note

The Department of Lands, Planning and Environment, on behalf of the Minister, is authorised under the *Planning Act 1999* to collect the information on this form, or otherwise provided by you, to consider a proposal to grant a Development Permit or to amend a planning scheme. Failure to provide the information in full may result in delays in processing of the application.

Some of the personal information provided by you on this application may be publicly available, as part of a public exhibition process. The information is also regularly provided to other Northern Territory Government agencies, the Australian Valuation Office, local governments and Commonwealth Government Departments and agencies, as required by law.

Collection of personal information on this form is done in accordance with the privacy legislation within the Northern Territory *Information Act 2002*. For more information, please refer to the Northern Territory Government's privacy statement located at <https://nt.gov.au/copyright-disclaimer-and-privacy>. Any personal information provided can be subsequently accessed by you on request.