



**DEVELOPMENT CONSENT AUTHORITY**

**DARWIN DIVISION**

**MINUTES**

**MEETING No. 200 – FRIDAY 9 NOVEMBER 2012**

**BROLGA ROOM  
NOVOTEL DARWIN ATRIUM  
100 THE ESPLANADE  
DARWIN**

**MEMBERS PRESENT:** Peter McQueen (Chairman), David Hibbert, Grant Tambling, Garry Lambert and Robin Knox

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Peter Sdraulig, Michael O'Neill, Kate Rogers and for part of the meeting Steven Conn and Victor Oecker (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Nil

**Meeting opened at 9.45 am and closed at 12 noon**

**THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.**

**ITEM 1**                    **3 X 3 BEDROOM MULTIPLE DWELLINGS IN 3 X 2 STOREY BUILDINGS**  
**PA2012/0756**            **LOT 10715 (21) TRAINER STREET, TOWN OF NIGHTCLIFF**  
**APPLICANT**            **ONE PLANNING CONSULT**

Mr Israel Kgosiemang (One Planning Consult) attended.

**RESOLVED**  
**274/12**

That the Development Consent Authority vary the requirements of clause 7.3.2 (Distance Between Residential Buildings on One Site) and clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 10715 (21) Trainer Street, Town of Nightcliff for the purpose of 3 x 2 bedroom multiple dwellings in 3 x 2 storey buildings, subject to the following conditions:

#### **GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0756/1 through to 2012/0756/5, endorsed as forming part of this permit.
2. 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.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity and telecommunication networks to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Council, to the satisfaction of the consent authority.
5. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of, and be at no cost to the City of Darwin, to the satisfaction of the consent authority.
6. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;All to the technical requirements of, and at no cost to, the City of Darwin, and to the satisfaction of the consent authority.

7. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat; and
  - (d) drained;to the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
8. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
9. Before the use/ occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
11. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed to ground level in a controlled manner to the satisfaction of the consent authority.
12. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
13. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
14. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

**NOTES:**

1. Notwithstanding the approved plans, any works and/ or landscaping within Council's road reserve is subject to Council's approval and shall meet all Council's requirements to the satisfaction of the City of Darwin and at no cost to Council.
2. The Power and Water Corporation advises that:
  - Payment is to be made in accordance with PAWC's 'water and sewerage services extension policy' (WASSEP) prior to the receipt of development clearance from PAWC.

- The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and the Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the servicing requirements of the Corporation, and the need for upgrading of on-site and/or surrounding infrastructure.
3. The Department of Lands, Planning and the Environment's 'Environment Protection Agency' advises that construction work should be conducted in accordance with the Department'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. The developer is to contact Telstra via the following website prior to any work commencing to facilitate the installation of the Telstra network: <http://www.telstrasmartcommunity.com/>, and is to register the development with NBN Co at <http://www.nbnco.com.au/getting-connected/new-developments.html>.
  5. Telstra advises that the developer is required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra network, and arrange for any removal or relocation if required.

#### **REASONS FOR THE DECISION**

1. The development accords with the purpose of Zone SD23 (Specific Use No. 23 – Darwin). It is for the development of a lot within stage 1 of the Muirhead subdivision, facilitating the use and development of this land, providing "housing choice through a range of lot sizes and housing types".
2. As a site identified for multiple dwelling purposes, subject to assessment against the relevant clauses for a site zoned MD (Multiple Dwelling Residential), it can be seen to suit the purpose of Zone MD (Multiple Dwelling Residential), by providing "a housing option to a height of two storeys above ground level" and being of a "scale, character and architectural style" that is "compatible with the streetscape and surrounding development".
3. A variation to the requirements of clause 7.3.2 (Distance Between Residential Buildings on One Site) of the Northern Territory Planning Scheme is supported as the non-compliant portion of the development is very minor, at approximately 3m<sup>2</sup> in area, and presents a development that satisfies all elements of the purpose of clause 7.3 (Building Setbacks of Residential Buildings) in that it will have no noticeable impact on the streetscape, is appropriate to all buildings proposed on Lot 10715, will have a negligible impact on building massing and breeze penetration, and will not result in any overlooking impacts.

4. A variation to the requirements of clause 7.5 (Private Open Space) of the Northern Territory Planning Scheme is supported as the variations to the dimensional control are minor, and all units are provided with a space that exceeds the area requirements of the clause and clearly remain compatible with the purpose of clause 7.5, being to provide each dwelling with "private open space that is appropriately sited and of an adequate size for domestic purposes".

**ACTION:** Notice of Consent and Development Permit

**ITEM 2**                    **24 X 2 BEDROOM MULTIPLE DWELLINGS IN A 4 STOREY BUILDING**  
**PA2012/0711**            **INCLUDING GROUND LEVEL CAR PARKING**  
**APPLICANT**           **LOT 7114 (4) BISHOP STREET, TOWN OF DARWIN**  
**GEORGE SAVVAS**

Mr George Savvas attended.

**RESOLVED**  
**275/12**

That the Development Consent Authority determine to vary the requirements of clause 7.1.1 (Residential Density Limitations), clause 7.3 (Building Setbacks of Residential Buildings) and clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer than 18m and for Residential Buildings Over 4 Storeys in Height) of the Northern Territory Planning Scheme, and pursuant to section 53(b) of the *Planning Act*, alter the proposed development and consent the proposed development as altered to develop Lot 7114 (4) Bishop Street, Town of Darwin for the purpose of 21 x 2 bedroom multiple dwellings in a 4 storey building including ground level carparking, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater can be collected on the site and discharged to Council's stormwater drainage system, to the requirements of the City of Darwin, 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 applicant is to prepare a traffic impact assessment report prepared in accordance with the Austroads document 'Guide to Traffic Management Part 12: Traffic Impacts of Developments'. The report must outline changes that will be required to the surrounding road network and address vehicular, pedestrian, cyclist and public transport issues and opportunities. The report is to be to the approval of the City of Darwin, to the satisfaction of the consent authority.
3. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be

provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- (a) provision of secure bicycle storage at ground level;
- (b) details of materials and finishes of the fence along the site's western property boundary; and
- (c) details of the proposed treatment of the façade of the western elevation of the building, to reduce the visual impact of massing and addressing heat levels and glare.

#### GENERAL CONDITIONS

3. Works carried out under this permit shall be in accordance the plans endorsed as forming part of this permit.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity and telecommunication networks to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Council, to the satisfaction of the consent authority.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of, and be at no cost to the City of Darwin, to the satisfaction of the consent authority.
8. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;All to the technical requirements of, and at no cost to, the City of Darwin, and to the satisfaction of the consent authority.
9. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat; and
  - (d) drained;
  - (e) to the satisfaction of the consent authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

10. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
11. Before the use/ occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
13. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed to ground level in a controlled manner to the satisfaction of the consent authority.
14. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
15. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
16. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

#### NOTES:

1. Notwithstanding the approved plans, any works and/ or landscaping within Council's road reserve is subject to Council's approval and shall meet all Council's requirements to the satisfaction of the City of Darwin and at no cost to Council.
2. The Power and Water Corporation advises that:
  - Payment is to be made in accordance with PAWC's 'water and sewerage services extension policy' (WASSEP) prior to the receipt of development clearance from PAWC.
  - The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and the Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the servicing requirements of the Corporation, and the need for upgrading of on-site and/or surrounding infrastructure.

3. It is an offence to cause an environmental nuisance under section 83(5) of the *Waste Management and Pollution Control Act*.
4. The Department of Lands, Planning and the Environment's 'Environment Protection Agency' advises that construction work should be conducted in accordance with the Department'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.
5. The developer is to contact Telstra via the following website prior to any work commencing to facilitate the installation of the Telstra network: <http://www.telstrasmartcommunity.com/>, and is to register the development with NBN Co at <http://www.nbnco.com.au/getting-connected/new-developments.html>.
6. Telstra advises that the developer is required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra network, and arrange for any removal or relocation if required.

#### **REASONS FOR THE DECISION**

1. The proposal to develop the site for the purpose of 21 x 2 bedroom multiple dwellings in a 4 storey building including ground level carparking is consistent with aims of Zone MR (Medium Density Residential), given in clause 5.3 of the Northern Territory Planning Scheme as being to "provide for a range of housing options to a maximum height of four storeys above ground level", give consideration to the "availability or future availability of services, size of lots, and proximity to major roads, schools and other community facilities, [which] should be sufficient to support multiple dwelling residential development", and be of a "scale, character and architectural style [that is] compatible with the streetscape and surrounding development".
2. A variation to the requirements of clause 7.1.1 (Residential Density Limitations) of the Northern Territory Planning Scheme is supported as the proposed departure represents a minor variation of 3.1m<sup>2</sup> or 3.6% of area per unit, resulting in a total non-compliance of less than one unit (i.e. 0.8 two bedroom units) for the development as a whole. The development is in line with the purpose of the clause, for development to be of a "density that is compatible with the existing and planned provision of reticulated services and community facilities that will service the area and is consistent with land capability". The units are of a reasonable size and the development is largely compliant with all other requirements of the NT Planning Scheme, including a considerable surplus to the communal open space control given by clause 7.6 (Communal Open Space). Furthermore, the development gives consideration to clause 4.2(a)(iii) of the Northern Territory Planning Scheme, which seeks to provide for the "orderly and appropriate expansion of development in the [Darwin] region that maximises existing



development options, including urban infill”, seemingly is reflected in the reason for the rezoning approval given by the then Minister for Lands and Planning, the site being identified as “suitable for medium density development as sufficient strategic merit exists for the rezoning of the land. The site is also located near services including local schools and shops, and is unlikely to adversely impact on the amenity of the locality.”

3. A variation to the requirements of clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as the entry portico is not a bulky structure and will not present any impacts with regard to overlooking or the penetration of breezes. The other purpose listed for clause 7.3 is for residential buildings and associated structures to be compatible with the streetscape. While the entry portico does intrude well into the front setback requirement it provides articulation and variety to the shape of the building and is seen as being aesthetically appropriate while also clearly providing an amenity benefit to future guests through the provision of a covered walkway from the street (at a setback of 1.8m), its inclusion, therefore, being warranted.
4. A variation to the requirements of clause 7.3.1 (Additional Setback requirements for Residential Buildings Longer than 18m and for Residential Buildings Over 4 Storeys in Height) of the Northern Territory Planning Scheme is supported as the setbacks given as part of the development are generous and show clear consideration of the streetscape and planning controls. Special circumstances, as per clause 2.5 (Exercise of Discretion by the Consent Authority), are seen to be present in the existence of a large verge to the front of the site, separating the development from Bishop Street by 9m. This Council owned space is largely covered by grass, with some on-street parking, presenting a considerable setback from the roadway to any future development and further reducing the apparent bulk. The development satisfies the aims of clause 7.3, the relevant purpose of clause 5.3 (Zone MR – Medium Density Residential) that “the scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development”, and is believed to present generous setbacks that are appropriate to the site and those in the surrounding locality.
5. A schematic stormwater plan is required in order for the development to demonstrate that it is technically feasible to collect stormwater on the site and dispose of it into Council’s stormwater drainage system, and to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.
6. A traffic impact assessment report, in accordance with the Austroads document ‘Guide to Traffic Management Part 12: Traffic Impacts of Developments’, is required in order to demonstrate that the development can be supported without undue impact on the site and locality.

**ACTION:** Notice of Determination

ITEM 3  
PA2012/0700

**CARPORT ADDITION TO AN EXISTING SINGLE DWELLING WITH A REDUCED  
SIDE SETBACK**

APPLICANT

**LOT 4036 (186) LEANYER DRIVE, TOWN OF SANDERSON  
MICHAEL PAMMIT**

The applicant sent his apologies.

**RESOLVED  
276/12**

That, pursuant to section 53(b) of the *Planning Act*, the Development Consent Authority alter the proposed development and consent to the proposed development as altered to develop Lot 4036 (186) Leanyer Drive, Town of Sanderson for the purpose of a carport addition to an existing single dwelling with a reduced side setback, subject to the following conditions:

**CONDITION PRECEDENT**

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - the proposed line on columns for the carport structure setback at no less than 1m to the northern side lot boundary; and
  - the roof setback at no less than 0.6m to the northern side lot boundary.
2. Prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating that all stormwater can be collected on the site and discharged to Council's stormwater drainage system, to the requirements of City of Darwin and to the satisfaction of the consent Authority.

**GENERAL CONDITIONS**

3. Works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements and satisfaction of the relevant service authority at no cost to the relevant service authority.

**NOTES:**

1. This development permit does not grant 'building approval' for the proposed structure. The Building Code of Australia requires that any structure within

900mm of a boundary meets minimum fire resistance level requirements, and accordingly you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.

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

#### REASONS FOR THE DECISION

1. Amended plans that will see the setback increased to 1.0m is required to ensure that the proposal is generally in keeping with the purpose of Clause 7.3 (Building Setbacks of Residential Buildings) of the NT Planning Scheme and will facilitate integration of the development with the neighbouring property. Furthermore, a variation to Clause 7.3 is supported as the proposed verandah is considered to:
  - fit in with the character of the streetscape;
  - have minimal affect on the streetscape and adjoining properties; and
  - be an open air structure so as to allow for adequate breeze penetration.
2. City of Darwin advises it is the sole authority responsible under the Local Government Act and associated by-laws for stormwater drainage and as such have requested details of the collection and discharge of stormwater for this proposal.

**ACTION:** Notice of Consent and Development Permit

**ITEM 4  
PA2012/0693**

**CHANGES TO DP12/0262 FOR OFFICE AND SHOWROOM SALES IN A 2 STOREY  
BUILDING**

**APPLICANT**

**LOT 6624 (23) SWAN CRESCENT, TOWN OF DARWIN  
SIMON PETERS**

Mr Simon Peters and Mr Andrew Swenson attended.

**RESOLVED  
277/12**

That, the Development Consent Authority vary the requirements of clause 6.1 (General Height Control), clause 6.6 (Loading Bays) and clause 9.1.1 of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 6624 (23) Swan Crescent, Town of Darwin for the purpose of office and showroom sales in a two storey building, subject to the following conditions:

## GENERAL CONDITIONS

1. Prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater can be collected on the site and discharged to Council's stormwater drainage system, to the requirements of City of Darwin and to the satisfaction of the consent authority.
2. Prior to the commencement of use, a waste management plan addressing the City of Darwin's Waste Management Policy 054 must be prepared to the requirements of the City of Darwin and to the satisfaction of the consent authority.
3. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0693/1 through to 2012/0693/7, endorsed as forming part of this permit.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and telecommunications services to the land shown on the endorsed plan in accordance with the authorities' requirements.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Council, to the satisfaction of the consent authority.
7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of, and be at no cost to the City of Darwin, to the satisfaction of the consent authority.
8. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;All to the technical requirements of, and at no cost to, the City of Darwin, and to the satisfaction of the consent authority.
9. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat; and
  - (d) drained;
  - (e) to the satisfaction of the consent authority.Car spaces, access lanes and driveways must be kept available for these purposes at all times.

10. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
11. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of, and be at no cost to the City of Darwin, to the satisfaction of the consent authority.
12. The loading and unloading of goods from vehicles must only be carried out on the subject site, and is not to disrupt the circulation and parking of vehicles on the land. All loading bays are to be line marked.
13. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
14. Before the use/ occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
15. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
16. All air conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed to ground level in a controlled manner to the satisfaction of the consent authority.
17. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

**NOTES:**

1. This development permit does not grant 'building approval' for the proposed structure. The Building Code of Australia requires that any structure within 900mm of a boundary meets minimum fire resistance level requirements, and accordingly you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
2. The City of Darwin advises that, notwithstanding the approved plans, any proposed awnings, footpaths and landscaping works within Council's road reserve are subject to approval from the City of Darwin, and shall be undertaken at no cost to Council.
3. Notwithstanding the approved plan, all signage is subject to approval from the City of Darwin, and is to be at no cost to the City of Darwin.
4. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction

works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

## REASONS FOR THE DECISION

1. The development is compatible with the purpose of zone GI (General Industry) by providing offices that are "expected to primarily provide a service to the general industry in the zone and be of a size commensurate with the service provided", especially in the context of the development's showroom sales component and the previous approval for an identical use.
2. A variation to the height control given in clause 6.1 (General Height Control) of the Northern Territory Planning Scheme is supported as the increased height ensures a more streamlined roof design and is in response to the need to raise floor levels in order to limit the impacts of potential inundation due to the site's position partially within the secondary storm surge area, thereby matching the purpose of clause 6.14 (Land Subject to Flooding and Storm Surge) of the Northern Territory Planning Scheme, which aims to "reduce risk to people, damage to property, and costs to the general community caused by flooding and storm surge".
3. A variation to the dimensional requirements of subclause 3(a) of clause 6.6 (Loading Bays) of the Northern Territory Planning Scheme is supported as the nature of the use will mean that the loading bay provided with the development, having dimensions of 6.5m x 3m, will be sufficient for the type of deliveries to be expected, which will not be of a scale given for uses of a predominant general industrial nature.
4. The development is considered to be in accordance with clause 6.14 (Land Subject to Flooding and Storm Surge) of the Northern Territory Planning Scheme as the intended showroom sales use on the ground floor is considered an acceptable industrial use permissible within the secondary storm surge area. The encroachment of the building into the secondary storm surge area is minor, is addressed through the appropriate raising of the floor level, and reflects the development previously approved through DP12/0262.
5. A variation to the side and rear setbacks listed in clause 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme is supported as the plant deck is not expected to affect the amenity of the industrial locality by any noticeable margin as it is an open structure and shall be fully screened by louvres to minimise the visual impact and the potential transmission of noise. The carport along the eastern boundary is also an open structure, and with a height of 2.3m is only marginally above the adjacent boundary fence. The development provides landscaping to the street frontage and is seen to give appropriate consideration to the purpose of the clause, for buildings to be "sited to provide an adequate level of visual amenity in industrial zones".

6. A schematic stormwater plan is required in order for the development to demonstrate that it is technically feasible to collect stormwater on the site and dispose of it into Council's stormwater drainage system, and to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

**ACTION:** Notice of Consent and Development Permit

**ITEM 5  
PA2012/0695**

**ADDITION OF 109 NEW CABINS IN SINGLE STOREY STRUCTURES TO AN  
EXISTING CARAVAN PARK**

**APPLICANT**

**SECTION 3244 (11) FARRELL CRESCENT, HUNDRED OF BAGOT  
BELL GABBERT ASSOCIATES PTY LTD**

Mr Mark Bell (Bell Gabbert Associates Pty Ltd) attended.

**RESOLVED  
278/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Section 3244 (11) Farrell Crescent, Hundred of Bagot for the purpose of an addition of 109 new cabins in single storey structures to an existing caravan park, subject to the following conditions:

#### **CONDITION PRECEDENT**

1. Prior to the commencement of works (including site preparation) a schematic plan demonstrating all stormwater to be collected on the site and discharged into the local underground stormwater system, to the standards and approval of the Department of Transport's Road Network Division or City of Darwin, whichever the case may be, to the satisfaction of the consent authority.

#### **GENERAL CONDITIONS**

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. 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.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
5. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat; and

- (d) drained;
  - (e) to the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
6. Storage for waste disposal bins is to be provided to the requirements of City of Darwin to the satisfaction of the consent authority.
  7. The 109 new cabins are to be constructed such that they meet the acoustic performance ratings given in Australian Standard AS 2021 – 2000 '*Acoustics – Aircraft Noise Intrusion – Building Siting and Construction*'.
  8. Any lighting installed as part of the development is to consider section 9.21 '*Lighting in the Vicinity of Aerodromes*' of the CASA Manual of Standards Part 139, available at:  
<http://www.comlaw.gov.au/Details/F2011C00882>.
  9. The site is to be kept clean of rubbish and any storage of waste is to be managed at all times in a manner so as to not attract birds or bats, to the satisfaction of the consent authority.
  10. Soil erosion control and dust control measures must be employed throughout the construction stage of the development 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 1 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. It is advised that any works within the Stuart Highway road reserve will require a 'permit to work within a road reserve' from the Department of Infrastructure, while any proposed work (including provision of services) within, or impacting on, the Stuart Highway road reserve shall be to the standards and specifications of Department of Transport
3. All commercial accommodation must comply with the *NT Public and Environmental Health Act* and the NT Public Health (Shops, Boarding Houses, Hostels and Hotels) Regulations. Related plans must be submitted to Environmental Health Greater Darwin Region, via a Building Certifier, for approval, prior to the construction of building works. Following assessment and approval the premises are required to be registered as a boarding house with the Department of Health Environmental Health Greater Darwin Region prior to operating.



## REASONS FOR THE DECISION

1. The proposed development is consistent with the primary purpose of Zone CV (Caravan Parks), being "to provide for caravan parks".
2. The introduction of 109 cabins and BBQ shelter to an existing caravan park is clearly compatible with the existing use on the site. The development is not expected to result in any detrimental amenity impacts in the area, and subject to satisfaction of all conditions, including the requirement for the cabins to meet acoustic treatment criteria, no amenity impacts are expected on those making use of the new cabins and BBQ shelter. The new cabins and BBQ shelter comply with all applicable criteria given in the Northern Territory Planning Scheme.
3. Construction to the standards of Australian Standard AS 2021 – 2000 '*Acoustics – Aircraft Noise Intrusion – Building Siting and Construction*' shows that the proposal acknowledges the ANEF contour value that affects the land, and ensures that the cabins will be protected against the majority of noise impacts resulting from the site's proximity to Darwin airport. The development satisfies the purpose of clause 6.9 (Land in Proximity to Airports) of the Planning Scheme, to "minimise the detrimental effects of aircraft noise on people who reside or work in the vicinity of an airport". The development addresses the Building Site Acceptability Table relating to clause 6.9 by identification of the cabins as short term accommodation and therefore more akin to a hotel, motel or hostel, which are conditionally acceptable on land in the 25 – 30 ANEF zone.
4. Satisfaction of section 9.21 '*Lighting in the Vicinity of Aerodromes*' of the CASA Manual of Standards Part 139 is required in order to meet subclause 4 of clause 6.9 (Land in Proximity to Airports), which requires that "lighting associated with development on land within flight approach paths is not to prejudice the safe operation of an airport".
5. It is necessary the site is kept clean of rubbish and any waste which is stored on the site is to be covered at all times to ensure that the development is in accordance with subclause 5 of clause 6.9 (Land in Proximity to Airports) which states that the development of "land is not to be of a nature that attracts birds or bats to an extent that prejudices the safe operation of an airport".
6. A schematic stormwater plan is required in order for the development to demonstrate that it is technically feasible to collect stormwater on the site and dispose of it into the appropriate stormwater drainage system, and to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.

**ACTION:** Notice of Consent and Development Permit

ITEM 6  
PA2012/0644  
APPLICANT

**ALTERATIONS AND ADDITIONS TO AN EXISTING ARCHIVE FACILITY  
LOT 2581 (370) BAGOT ROAD, TOWN OF NIGHTCLIFF  
MASTERPLAN NT**

Mr Brad Cunnington and Ms Adelle Godfrey (Masterplan NT) and Mr Terry Finocchiaro (owner) attended.

**RESOLVED  
279/12**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 2581 (370) Bagot Road, Town of Nightcliff for the purpose of alterations and additions to an existing archive facility, subject to the following conditions:

**CONDITION PRECEDENT**

1. Prior to the endorsement of plans and prior to the commencement of works, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The plan must show:
  - (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed, with a view to maximising retention of existing vegetation;
  - (b) the layout of the landscaping proposed;
  - (c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
  - (d) minimisation of paved areas; and
  - (e) provision of an in ground irrigation system to all landscaped areas.All species selected must be to the satisfaction of the consent authority.

**GENERAL CONDITIONS**

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity supply to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
5. The car parking within the site shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the facility and its visitors.
6. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land.

7. The proposed retaining wall adjoining the Bagot Road/Trower Road reserve shall be wholly contained within the lot (including foundations/footings). The retaining wall shall be appropriately finished so as to not detract from the amenity of the road environment, to the requirements of the Department of Transport (Road Network Division) and to the satisfaction of the consent authority.
8. Any proposed works impacting on Bagot Road/Trower Road are to be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Department of Transport. Drawings must be submitted to the Senior Director, Road Network Division of the Department of Transport for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".
9. Storage for waste disposal bins is to be provided to the requirements of City of Darwin, to the satisfaction of the consent authority.
10. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Darwin, to the satisfaction of the consent authority.
11. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building.
12. Before the occupation of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
14. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the City of Darwin's drains or to any watercourse.
15. Soil erosion control and dust control measures must be employed throughout the construction stage of the development 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 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. A "Permit to Work Within a Road Reserve" may be required from the City of Darwin and/or the Department of Infrastructure before commencement of any work within the road reserve.
3. Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to Council.
4. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency'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.
5. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development is available from the Department of Land Resource Management.
6. The Power and Water Corporation advises that full lot fire coverage cannot be achieved from existing hydrants and internal fire fighting arrangements should be made to the satisfaction of the NT Fire and Rescue Service.

#### **REASONS FOR THE DECISION**

1. The archive use is consistent with the purpose of Zone CP (Community Purposes), being to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic and government administration.
2. In regard to car parking, the applicant indicates that 12 full-time staff are expected to operate the facility, with five to six visitors per day. Considering the specific nature of the proposed use and the car parking demand anticipated, the provision of 30 on-site car parking spaces is adequate.
3. A detailed landscaping plan is required to address the potential impact of the proposed development on the Trower Road/Bagot Road streetscape and ensure that the landscaping enhances the visual appearance of the development, consistent with the purpose of Zone CP (Community Purposes) and Clause 8.2 (Commercial and Other Developments in Zones .CP.).
4. City of Darwin advises that it is the sole authority responsible under the *Local Government Act* and associated by-laws for stormwater drainage and as such has requested details of the collection and discharge of stormwater run-off.

**ACTION:** Notice of Consent and Development Permit

ITEM 7  
PA2012/0688

OFFICE AND ANCILLARY WAREHOUSE AND TRADES TRAINING IN A 2 STOREY  
BUILDING

PORTION 2235 (651) STUART HIGHWAY, HUNDRED OF BAGOT

APPLICANT

HOUSING INDUSTRY ASSOCIATION

Mr Murray Britton attended.

RESOLVED  
280/12

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Portion 2235 (651) Stuart Highway, Hundred of Bagot for the purpose of office with ancillary warehouse and trades training, to require the application to provide the following information that the authority considers necessary in order to enable the proper consideration of the application:

1. An acoustic report from a suitably qualified acoustic engineer detailing addressing Clause 3.3 of AS2012-2000 'Construction Guidelines' which state that 'buildings on sites determined to be conditionally acceptable under Clause 2.2 (Determination of Building Site Acceptability) should be designed such that the ANR (Aircraft Noise Reduction) values determined under Clause 3.2.2 are achieved for all internal spaces'.

#### REASONS FOR THE DECISION

An acoustic study is required to determine whether the development can be constructed in compliance with AS2012 – 2000 'Acoustics – Aircraft noise intrusion – Building siting and construction (AS2021) as required by Part 4 of the Schedule to Zone SD31 (Specific Use Darwin No. 31) of the NT Planning Scheme.

**ACTION:** Advice to Applicant

**RATIFIED AS A RECORD OF ATTENDANCE AND DETERMINATIONS MADE AT THE MEETING**



PETER MCQUEEN  
Chairman

13/11/12

