

**DEVELOPMENT CONSENT AUTHORITY
DARWIN DIVISION**

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: **1** **MEETING DATE:** 07/03/2025 **FILE:** PA2024/0287

APPLICATION PURPOSE:	Communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary
SUBJECT SITE:	Unit 8689, Common Property, Eley On Parap, (33) Parap Rd, Parap, Town of Darwin
ZONE:	MR (Medium Density)
SITE AREA:	1440m ²
APPLICANT	One Planning Consult Director - Israel-Tshepo Kgosiemang
PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE	Landowner
LANDOWNER	Body Corporate for Eley On Parap Unit Title Scheme
ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND	None

1. PROPOSAL

The application is for communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary at Unit 8689, Common Property, Eley On Parap, (33) Parap Rd, Parap, Town of Darwin. The lot is located in Zone MR (Medium Density) of the Northern Territory Planning Scheme 2020 (NTPS2020).

The application was submitted by Mr Israel-Tshepo Kgosiemang of One Planning Consult on behalf of the landowner Body Corporate for Eley On Parap Unit Title Scheme.

The site is developed with a dwelling-multiple use (serviced apartment) known as *Eley on Parap*. The building consists of two main structures connected by a corridor, stairs and a lift. A pool is located in the centre of the site for residents' recreational purposes (refer to Figure 1 below). A sewerage easement is centrally located on the site, running along a north-south axis between two main structures of the existing building.

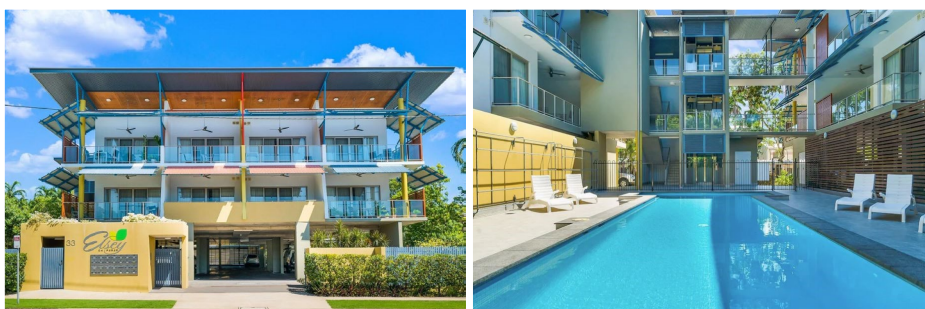


Figure 1: Site Photos (Source: Google)

The proposal is for the addition of a single-storey BBQ area with partially enclosed verandah used as a gym to the existing three-storey apartment. The structure is located in the middle of the southern boundary (refer to figures 2 and 3 below for the location and layout of the proposed structure).

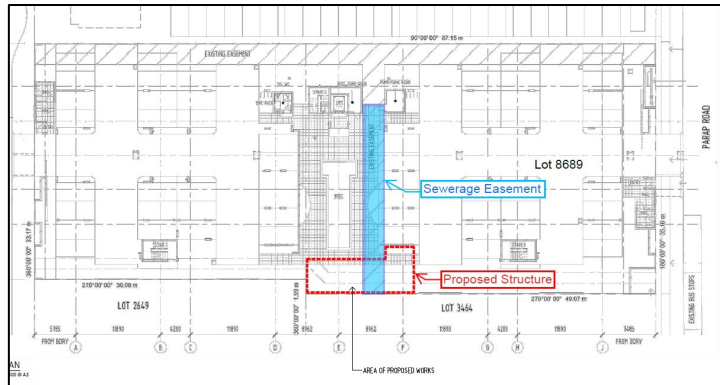


Figure 2: Proposed Site Plan

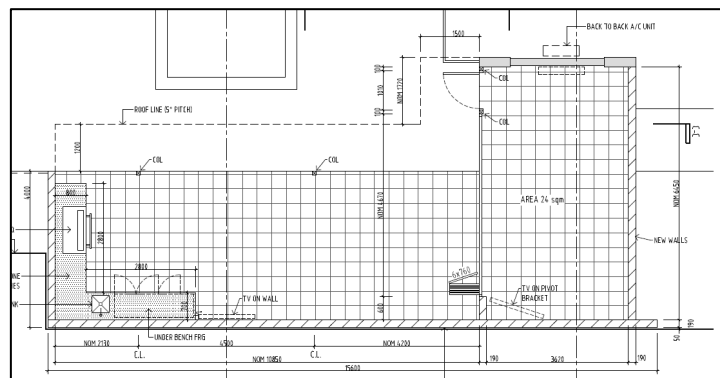


Figure 3: Proposed Layout Plan

The application was placed on exhibition from 27 September 2024 to 11 October 2024. On 11 October 2024, Power and Water Corporation (PWC) - Water Services provided comments that Water Services object to the application as the proposed structure is encroaches over the existing sewerage easement. The application was deferred under delegation to address the concerns raised by the PWC- Water Services.

On January 22, 2025, the applicant submitted revised plans along with clearance from PWC – Water Services addressing the encroachment requirements. The amended plans depict the proposed structure as divided into two sections: a covered BBQ area on the western side of the easement and a gym area on the eastern side. A tiled area is situated within the easement. Refer figure 4 on the following page.

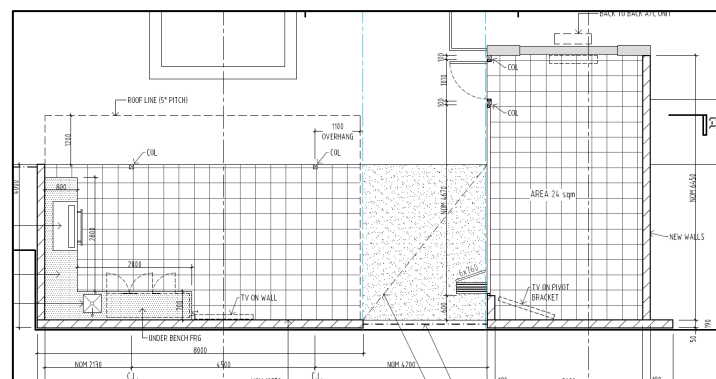


Figure 4: Amended Plan - 22/Jan/2025

Subsequently, in response to a public submission from the neighbouring property owner, the applicant submitted an amended markup plan. This revised plan shows a modified setback for the covered BBQ of 0.6 meters and a reduced height of 3 meters with landscaping incorporated between the building and the affected boundary line. Refer figure 5 below.



Figure 5: Amended Plan - 20/Feb/2025

The submitter raised further objections to the revised plan, and in response, the applicant provided additional amended plans to address these concerns. The amendments include a reduced height, increased setback, and additional landscaping for both structures. Please refer to Figure 6 on the following page for more details. Full copies of the submission are included at Bookmark F and discussed in Section 7(e) of this report.



Figure 6: Amended Plan - 25/Feb/2025

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

Extensions and ancillary structures to a dwelling-group or dwelling-multiple development are permissible in Zone MR, except where a proposal does not comply with the relevant development requirements set out in Part 5 of the NT Planning Scheme 2020. As this proposal seeks a variation to Clauses 5.2.6.1 (Landscaping in Zones other than Zone CB) and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), it does not comply with Part 5 and therefore becomes *Merit Assessable* under Clause 1.8(1)(b)(ii)(2) of the Scheme

For such proposals, under Clause 1.10(2) of the NTPS 2020, the consent authority must consider the requirements in Part 5 that are not complied with and whether the proposal meets the purpose of the requirements; and under Clause 1.10(5) of the Scheme, the consent authority may consent to a proposed development that is not in accordance with Part 5 of the Scheme only if it is satisfied that the variation is appropriate having regard to the purpose and administration clauses of the requirement (in this case Clauses 5.2.6.1 and 5.4.3 of the Scheme).

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should defer consideration of the application to require the applicant to provide additional information considered necessary to enable proper consideration of the application, as discussed in section 7 of this report.

4. BACKGROUND

There is no overlay or easement found on site. A Sewerage Easement to Power and Water Corporation is located in the middle of the site between two main structures of the existing building, and along the northern side boundary, while an Electricity Supply Easement to Power and Water Corporation is located in the northwestern corner of the site. A copy of the survey plan is at **Bookmark A2**.

Development history of the subject site is listed in the table below:

Permit	Date Issued	Purpose
DP16/0089	09 March 2016	Shed addition to existing multiple dwellings with reduced front and side setbacks
DP12/0399A	18 December 2015	Shed addition to existing multiple dwellings
DP13/0314	07 June 2013	Unit title schemes subdivision to create 28 units and common property
DP12/0332	28 June 2012	Consolidation to create one lot
DP12/0399	26 September 2012	20 x 1 and 8 x 2 bedroom multiple dwellings in a 3 storey building including undercroft car parking

A copy of approved development permits, endorsed plans, and Notice of Consent is at **Bookmark B**.

5. PUBLIC EXHIBITION

The application was placed on public exhibition for a period of two weeks. One public submissions were received under section 49(1) of the *Planning Act 1999*.

6. THIRD PARTY APPEAL RIGHTS

Third party appeal rights exist under Section 117 of the *Planning Act 1999* in respect to the development proposal as the dwelling-multiple is 3 storeys above ground level, as pursuant to Part 4 of the *Planning Regulations 2000* section 14(3)(a) states that *there is no right of review if the determination relates to dwelling-multiple not exceeding 2 storeys above ground level*.

7. MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE PLANNING ACT)

Pursuant to Section 51(1) of the *Planning Act 1999*, a consent authority must, in considering a development application, take into account any of the following relevant to the development:

- (a) *any planning scheme that applies to the land to which the application relates*

Item 1

Section 51 sub-clause 3 states that when considering a development application under subsection (1), the consent authority must apply the relevant considerations to only those components of the development that triggered the requirement for consent under the planning scheme. In this case the component of the development which triggered the requirement for consent is the reduced side setback and the considerations therefore only apply to the reduced landscaping and side setback.

The proposal has been assessed against the NTPS 2020 and been found not to be in accordance with Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), because the proposal will result in a 0.6m building setback to the southern side boundary, where 3m is required and proposes a landscaping buffer of 0.6m the southern side boundary, where 2m is required.

Clause 5.2.6.1 (Landscaping in Zones other than Zone CB)

The proposed addition has a landscaping buffer of 0.6m to the southern side boundary, where subclause 7 of this clause requires landscaping at least 2m deep along the side and rear setbacks.

Administratively, the consent authority may consent to landscaping that is not in accordance with sub-clauses 5, 6 and 7 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.

The purpose of Clause 5.2.6.1 (Landscaping in Zones other than Zone CB) is to ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall amenity of the locality.

The proposed outbuilding is 3m high and covers the entire rear boundary of the backyard of Unit 7/31 Parap Rd, making the landscaping particularly significant in maintaining safety and preserving views of residents from neighbouring properties. A 0.6m buffer does not provide adequate space for the establishment of effective vegetation, which is crucial to mitigate the visual impact of the building and to ensure the privacy of residents. As a result, the proposal does not adequately support the development of a visually appealing, functional, and sustainable environment as intended by the clause.

Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)

The proposed addition has 0.6m setback to the southern boundary, which does not comply with the minimum setback of 3m for side lot boundaries.

Administratively, the consent authority may consent to a development that is not in accordance with sub-clause 6-8 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

The purpose of Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) is to ensure that residential buildings and ancillary structures are located in a manner that:

- (a) is compatible with the streetscape and surrounding development including residential buildings on the same site;
- (b) minimises adverse effects of building massing when viewed from adjoining land and the street;
- (c) avoids undue overlooking of adjoining properties; and
- (d) facilitates breeze penetration through and between buildings.

The proposed single-storey outbuilding with a height of 3m is compatible with the height of surrounding residential developments. However, it may negatively impact the view from Unit 7/31 Parap Rd, considering the setback to the southern side boundary has been reduced to 0.6m compared with the 3m required. A solid wall with no windows is located along the affected boundary, serving as a privacy buffer and noise barrier. According to the further information provided by the applicant, instead of removable metal fencing, solid fencing can be provided along the southern side boundary between two separate buildings to avoid overlooking issues and protect privacy for residents on-site and from abutting lots. Nevertheless, the construction of solid fencing is likely to reduce breeze penetration between the site and neighbouring lots. Overall, the purpose of this clause cannot be achieved.

The Administration of Clause 5.4.3 (sub-clause 3) states that in order to grant a variation to the clause, the consent authority needs to be satisfied that the reduced setback is consistent with the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

Clause 4.4 Zone MR – Medium Density Residential

The zone purpose is to provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport or open space, where reticulated services can support medium density residential development.

According to Zone Outcome 5, building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and to adjoining lots, and provides privacy and attractive outdoor spaces.

The proposal includes the addition of a BBQ area and gym for residents of the existing serviced apartments. While these amenities offer recreational benefits, they are also likely to generate noise and raise safety concerns, potentially disrupting the privacy and comfort of residents in neighbouring properties. The increased activity levels, particularly from social gatherings at the BBQ area and exercise routines in the gym, may contribute to disturbances that affect the surrounding community. Considering that the setback and landscaping do not meet the relevant requirements under NTPS 2020, the proposal is deemed inconsistent with the zone's purpose and applicable outcomes.

The Development Assessment Services (DAS) recommends the application be deferred to allow the applicant to provide amended plans of the structures showing better compliance with Clauses 5.2.6.1 (Landscaping in Zones other than Zone CB) and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

- (b) any proposed amendments to such a planning scheme:**
- (i) that have been or are on exhibition under Part 2, Division 3;**
 - (ii) in respect of which a decision has not been made under Part 2, Division 5; and**
 - (iii) that are relevant to the development proposed in the development application**

There are no proposed amendments to the Northern Territory Planning Scheme 2020 which affect this proposal.

- (c) an interim development control order, if any, in respect of the land to which the application relates**

There are no interim development control orders relevant to the site.

(d) *an environment protection objective within the meaning of the Waste Management and Pollution Control Act 1998 that is relevant to the land to which the application relates*

There are no environmental protection objectives relevant to the land.

(e) *any submissions made under section 49, and any evidence or information received under section 50, in relation to the development application*

One public submissions were received during the exhibition period under Section 49 of the *Planning Act 1999* with respect to the proposal.

The submission is from the owner of Unit 7/31 Parap Road, Parap. The location is illustrated in the figures below:

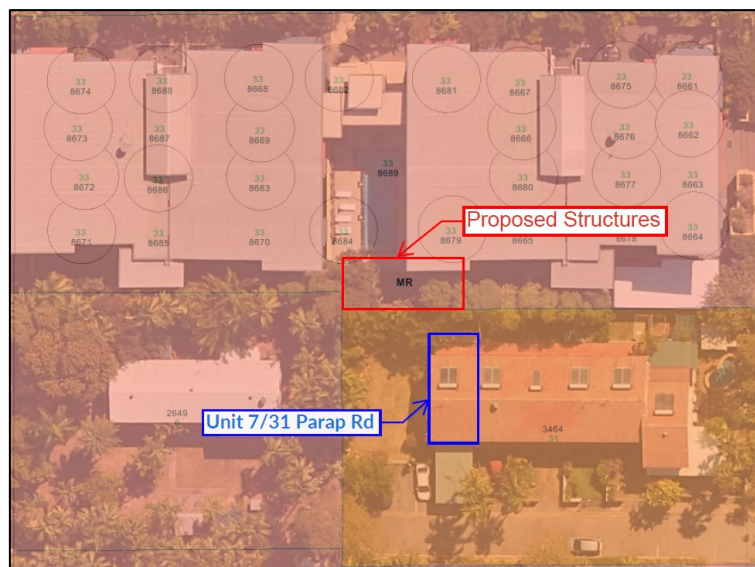


Figure 7: Locality Map

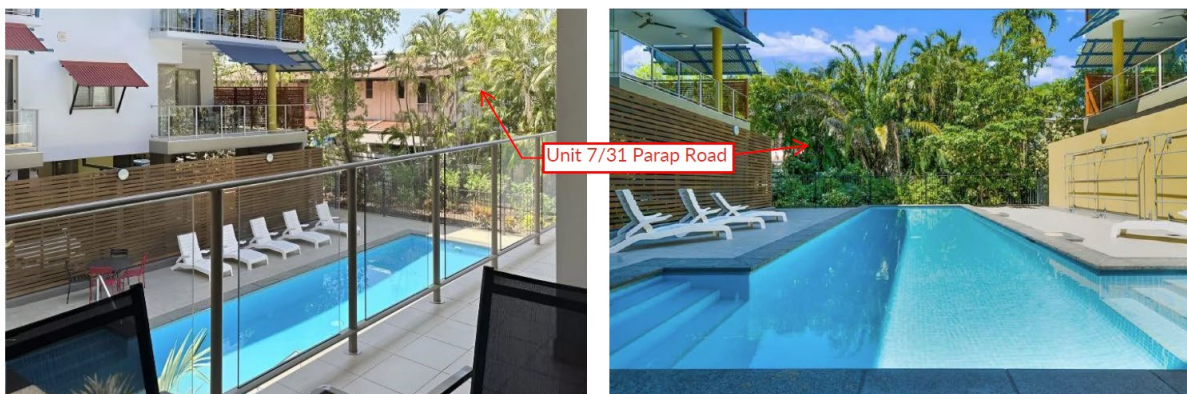


Figure 8: Site Photos (Source: Google)

The submission (**Bookmark F1**) is summarised as followed:

Emma Clee, Unit 7/31 Parap Road, Parap, raised concerns regarding:

- The structure does not meet the 3m setback requirement under NTPS2020, with gutters and eaves encroaching more than 0.9m into the required 3m setback.
- A 3.8m concrete wall extending the full northern side boundary of Unit 7/31 Parap Road would be imposing, unattractive, and could reduce property value of the unit.

Item 1

- The proposed structure will negatively impact the landscaping, airflow, and safety of Unit 7/31 Parap Road.
- The open design of the communal space will increase noise and impact nearby residents.
- The proposed structure is situated over a sewerage easement, which may restrict maintenance access and could potentially necessitate future access from Unit 7/31 Parap Road.

The applicant responded to the submission on 20 February 2025 (**Bookmark C3**), with following amendments:

- The height of the proposed structure adjacent to Unit 7/31 Parap Road has been reduced from 3.8m to 3m to minimize the visual bulk impact.
- The eastern portion of the development has been recessed from the affected boundary, creating a 0.6m setback to Unit 7/31 Parap Road.
- A 0.6m landscaping buffer with potential growth up to 3m in height has been incorporated into the setback area to provide passive cooling and soften the view from Unit 7/31 Parap Road.
- The existing fence along the affected boundary will not be removed. All works will be conducted within the subject site.

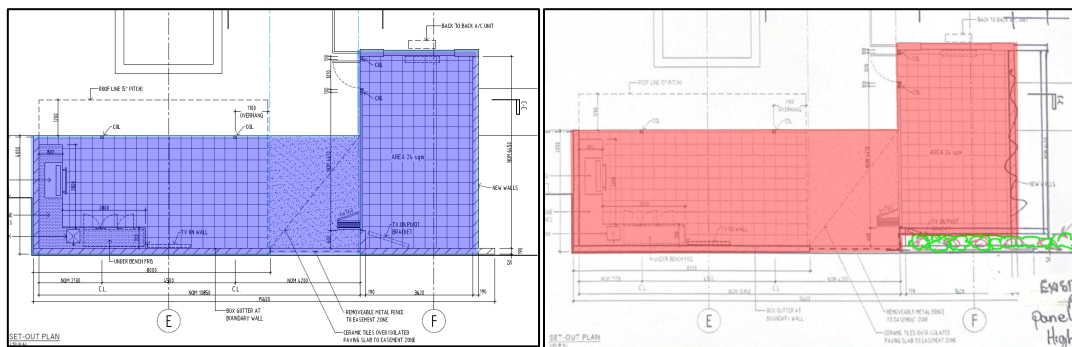


Figure 9: Proposed and Revised Plan (20/Feb/2025)

The revised plan was sent to the public submitter, and a response was received by DAS on 24 February 2025 (**Bookmark F2**), stating the following:

- The adjoining boundary extends the entire length of both proposed structures, not just the eastern portion. Therefore, the amendment should address both structures instead of focusing on only one.
- The gutters extend 0.125 meters from the wall, which reduces the setback to 0.475 meters instead of the required 0.6 meters. This minor adjustment does not adequately address the 3-meter setback requirement. The development continues to have a significant impact on Unit 7 at 31 Parap Road regarding privacy, safety, noise transmission, and the depreciation of property value.
- The proposed landscaping, which is 0.6 meters wide and up to 3 meters high, is unlikely to be feasible due to its location against a 1.8-meter high metal panel fence and a 3-meter high solid wall.
- No solid fencing has been proposed; the existing fencing consists of a mix of cyclone mesh and 1.8-meter high panel fencing. Any removal or modification of the existing fence along the affected boundary would have a considerable impact on Unit 7 at 31 Parap

The comments submitted were shared with the applicant, who provided an amended plan with additional information on 25 February 2025 (**Bookmark C2**) as detailed below:

Item 1

- The applicant acknowledged the affected boundary of Unit 7/31 Parap Road is extended to both structures of the proposed development. A continuous setback of 0.6m with landscaping towards the rear boundary is proposed.
- The proposed gutter is intended to redirect stormwater to the existing stormwater pit on the subject site. To ensure visual cohesion, the gutter will be painted in a colour similar to the proposed wall.
- A solid fencing can be provided while removal of existing fence might be required.



Figure 11: Revised Plan (25/Feb/2025)

DAS has provided the amended plan to the submitter and suggested the submitter to raise the concerns at the DCA meeting. DAS also clarified the definition of 'building setback' is defined as the distance from the boundary to the wall of a building or structure, but not to the gutter, pursuant to Schedule 2 under NTPS2020.

The original and amended versions of the proposed development are not supported by the Design Advisory Service (DAS) for the reasons outlined in section (a) above. DAS recommends an alternative design that demonstrates improved compliance with Clause 5.2.6.1 (Landscaping in Zones Other than Zone CB) and Clause 5.4.3 (Building Setbacks for Residential Buildings and Ancillary Structures).

The proposed development in its original and amended form is not supported by DAS for the reasons as outlined in section (a) above. DAS recommends an alternate design that demonstrate better compliance with Clauses 5.2.6.1 (Landscaping in Zones other than Zone CB) and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

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

The Minister has made no direction in relation to the application.

(h) the merits of the proposed development as demonstrated in the application

'The existing development is consistent with the zoning for the land and promotes best practice urban planning by creating mixed-use neighbourhoods and vibrant land economic management through sustainable development. The proposed structure and use will enhance the amenity of the development whilst minimising any adverse impact on the privacy of neighbouring developments.'

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

Outbuilding addition to the existing dwelling-multiple is an expected form of development within Zone MR. The land is not impacted by any overlays. Service authorities did not identify any issues of concern in relation to land capability that would not ordinarily be addressed via standard conditions on a permit. Additionally, the Department of Environment, Parks and Water Security did not identify or raise any issues of concern in relation to land capability.

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

There is no requirement for the provision of public facilities or open space as part of the proposed application.

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

The proposal was circulated to the following authorities for comment:

Local Authority:

City of Darwin – **Bookmark E1**

Council requested condition precedent for engineered stormwater plan, and standard conditions regarding easement and stormwater connections.

Service Authority:

PWC (Power) – **Bookmark E2**

The Power Services has not raised any concern and suggested applicable electrical installations to be engaged with a licensed electrician.

PWC (Water) – **Bookmark E3**

The Water Services provided submission during exhibition period in October 2024 that PWC objected to the application as the proposed development is located above the Water Easement on site (**Bookmark E3 - b**).

On 22 January 2025, the applicant provided further submission letter stating that PWC (water) has no objection to the revised design, as there is no encroachment within the existing sewerage easement (**Bookmark E3 - a**).

All requirements of service authorities can be address by standard conditions on any approval issued for the development.

- (n) ***the potential impact on the existing and future amenity of the area in which the land is situated***

While the proposed covered BBQ and gym facility will enhance recreational opportunities for residents of the existing multiple dwellings, the reduced building setbacks may contribute to excessive building massing, impacting the visual character when viewed from adjoining

properties. Additionally, the proposal is likely to result in adverse amenity impacts, including increased noise and visual intrusion.

- (p) the public interest, including (if relevant) how the following matters are provided for in the application:**
- (i) community safety through crime prevention principles in design;**
 - (ii) water safety;**
 - (iii) access for persons with disabilities**

The proposed development will not impact on the public interest.

- (pa) for a proposed subdivision or consolidation of land in a Restricted Water Extraction Area - whether the subdivision or consolidation complies with the restrictions of sections 14A and 14B of the Water Act 1992 and the requirements of section 14C(1) of that Act;**

Not applicable to this application.

- (q) for a proposed subdivision of land on which a building is, or will be, situated - whether the building complies, or will comply, with any requirements prescribed by regulation in relation to the building (including, for example, requirements about the structural integrity and fire safety of the building)**

Not applicable to this application.

- (r) any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011**

There are no known natural, social, cultural or heritage values on the site or in the immediate surrounding area.

- (s) any beneficial uses, quality standards, criteria, or objectives, that are declared under section 73 of the Water Act 1992**

The following declared beneficial uses apply to the subject land for Darwin Harbour:

- Aquaculture, environment, cultural, rural stock and domestic.

It is the responsibility of the developer and land owner to ensure that land use does not result in a contravention of the *Water Act 1992*.

- (t) other matters it thinks fit**

No other matters are raised for consideration by the consent authority.

Section 51(2) of the Planning Act 1999

If a development proposal is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the consent authority must not make a decision under this Division in relation to a development application for the proposal unless:

- (a) the NT EPA has determined that an environmental impact assessment is not required under that Act for that proposal; or***
- (b) if the NT EPA has determined that an environmental impact assessment is required - an environmental approval has been granted under that Act for the proposal and the decision is consistent with that approval; or***

(c) the Environment Protection Act 2019 otherwise permits the making of the decision.

The *Environment Protection Act 2019* otherwise permits the making of the decision by virtue that referral is not required.

8. RECOMMENDATION

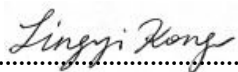
That, pursuant to section 46(4)(b) of the Planning Act 1999, the Development Consent Authority defer consideration of the application to develop Unit 8689, Common Property, Eley On Parap, (33) Parap Rd, Parap, Town of Darwin for the purpose of communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

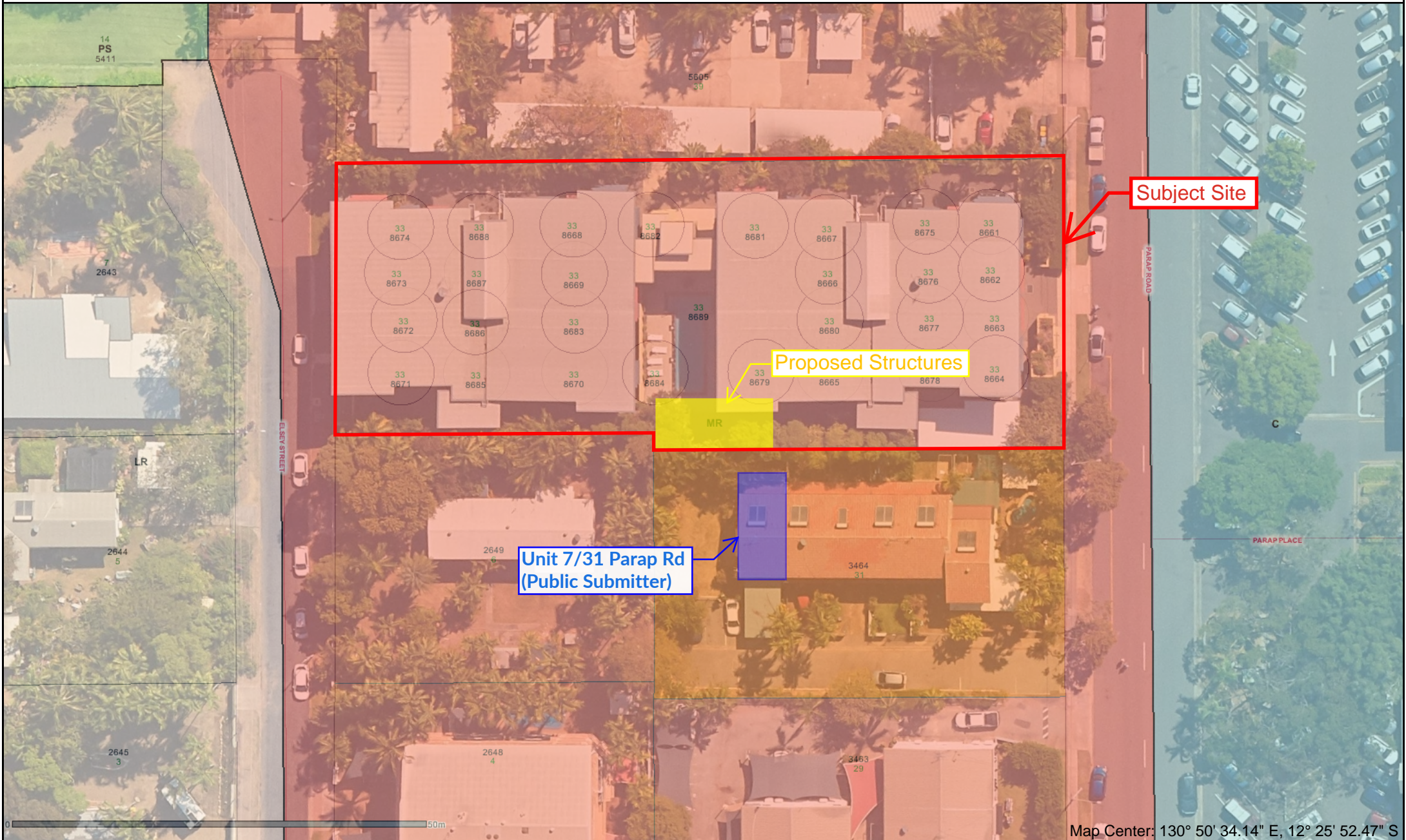
- Provide further information and/or amended plans that better respond to the requirements of Clauses 4.4 (Zone MR – Medium Density Residential), 5.2.6.1 (Landscaping in Zones other than Zone CB), and 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

9. REASONS FOR THE RECOMMENDATION

The request for additional information demonstrating better compliance with the zoning, landscaping, and setback requirements is necessary as the application does not adequately demonstrate the purpose of the clauses and the zone purpose and outcomes regarding appropriate impact on the amenity of adjoining and nearby property.

AUTHORISED:


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**PLANNER - DARWIN
DEVELOPMENT ASSESSMENT SERVICES**



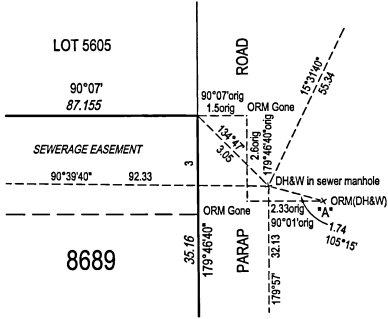
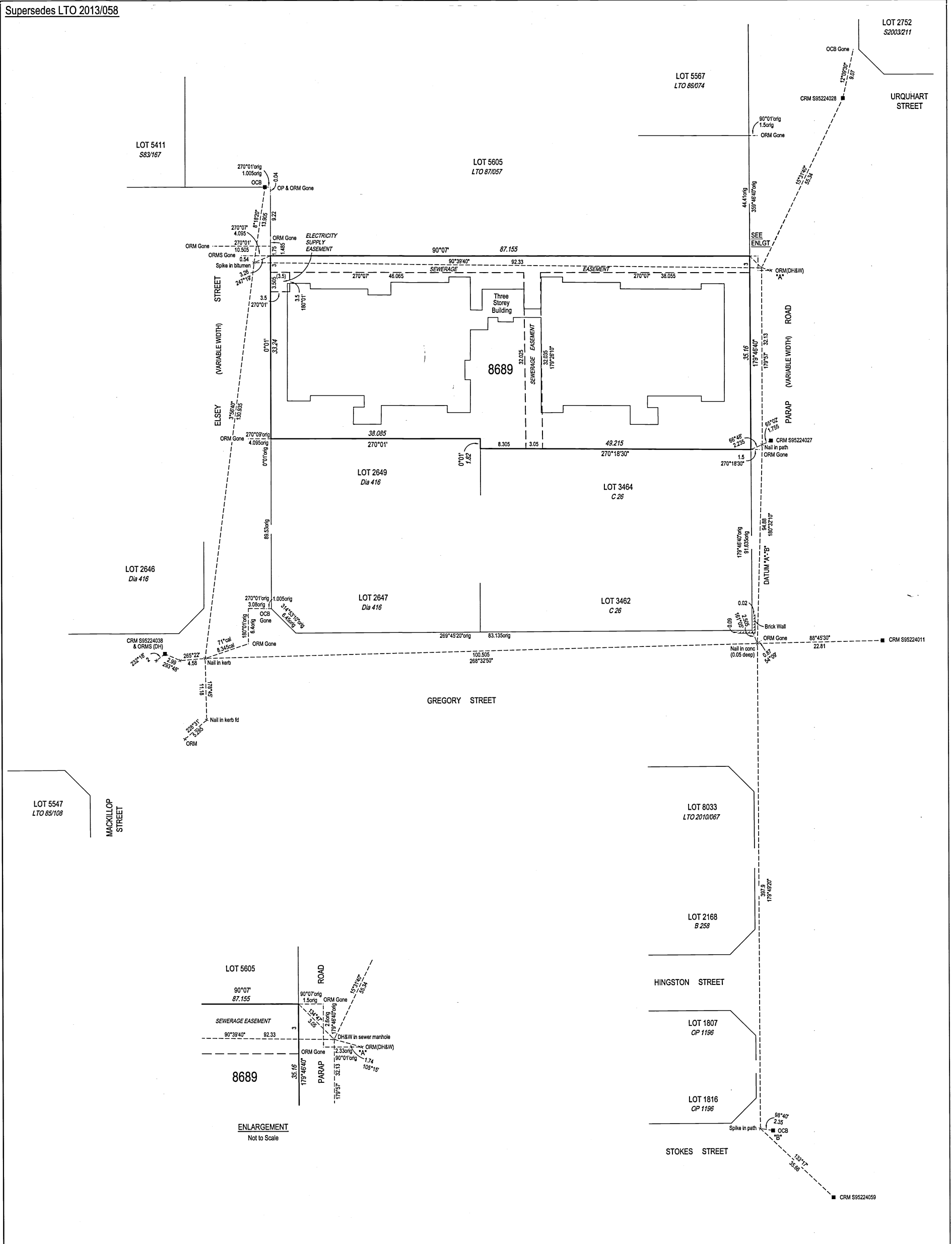
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Bottom Left: -12° 25' 53", 130° 50' 31" Top Right: -12° 25' 51", 130° 50' 36" Approximate Scale: 1:602 Datum: GDA 1994

Data for information purposes only - accuracy not guaranteed

N.T. Land Information System Copyright Northern Territory of Australia

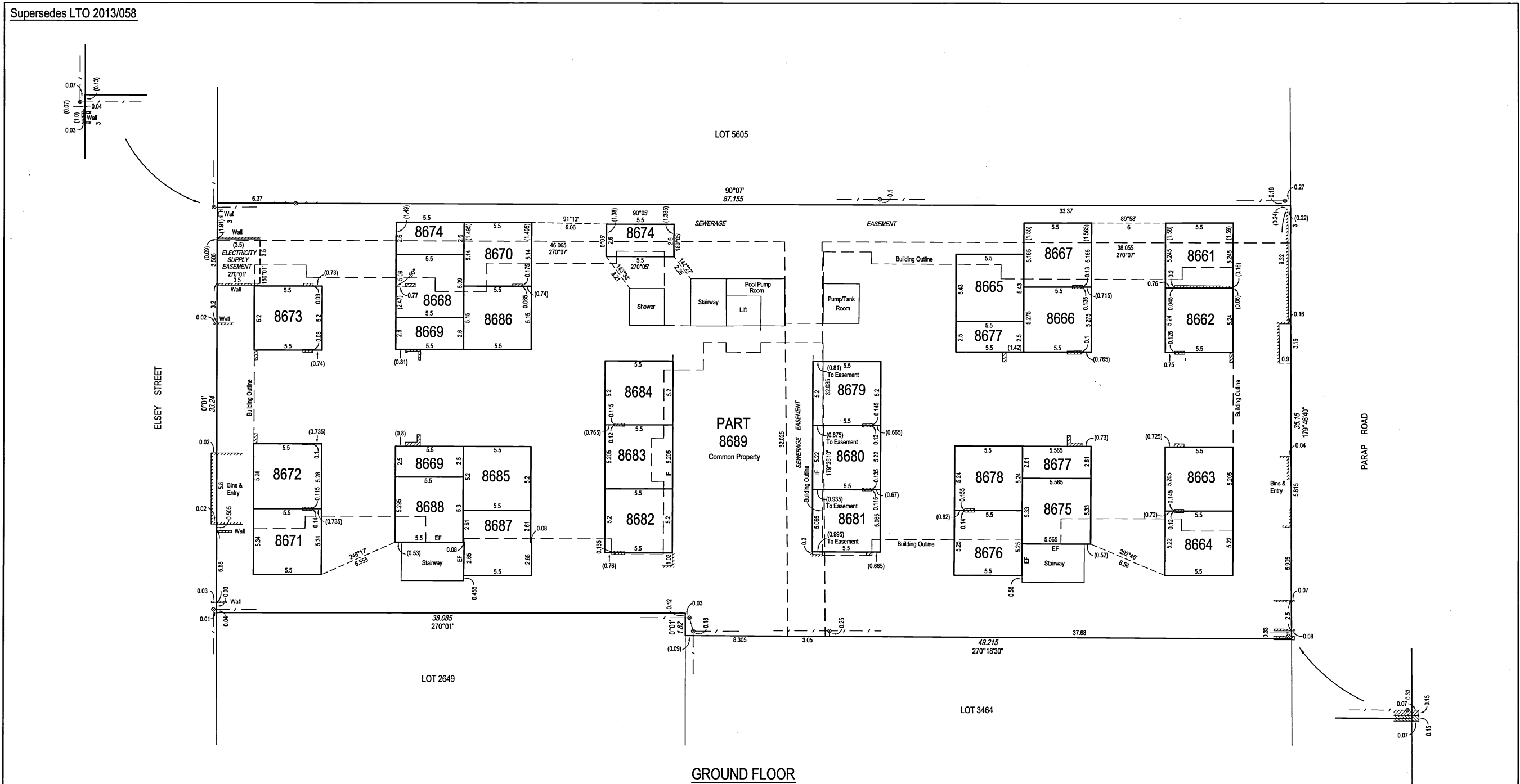
Map Center: 130° 50' 34.14" E, 12° 25' 52.47" S



UNIT TITLES SUBDIVISION - UNIT TITLE SCHEMES ACT

<p>Richard David Purnell hereby certify that the survey represented on this plan was carried out by me or under my supervision and was completed on 20.06.13 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder.</p> <p><i>R. Purnell</i> 5/7/13 Licensed Surveyor Date</p>	<p>Note Unit 8689 is Common Property Electricity Supply Easement is in favour of the Power and Water Corporation, affects Unit 8689 (Common Property) and has a vertical limit of RL 18.8 AHD Sewerage Easement is in favour of the Power and Water Corporation and affects Unit 8689 (Common Property) AHD Level Datum vide CRM S95224028</p>	<p>Field Book UTS 2013/023 Drawn Earl James & Associates (8718) 26.06.13 Examined Earl James & Associates 04.07.13 Map Reference</p>	<p> Grid Bearings</p>	<p>LEGEND Concrete Post Concrete Block Peg or Wooden Post Reference Mark Lockspit Fence Post</p>	<p>UNITS 8661 TO 8689 SUBDIVISION OF LOT 8608 TOWN OF DARWIN</p>	<p>SCALE 1:300 0 6 12 18 metres</p> <p>UTS 2013/023A SHEET 1 OF 3</p>
<p>SURVEY APPROVED <i>[Signature]</i> 02/10/13 Surveyor-General Date</p>	<p>WARNING - Damaged or creased plan will be rejected.</p>	<p>AZIMUTH Assumed from S95/263 Observed at</p>				

Supersedes LTO 2013/058



GROUND FLOOR

8673 denotes Part Unit Numbering and are Carparking
 Unit 8689 is Common Property and has no upper or lower limits except where occupied by Units 8661 to 8688
 Electricity Supply Easement is in favour of the Power and Water Corporation, affects Unit 8689 (Common Property) and has a vertical limit of RL18.8 AHD
 Sewerage Easement is in favour of the Power and Water Corporation and affects Units 8661, 8667, 8670, 8674, 8679 to 8681 and 8689 (Common Property)
 Where no ceiling slab/roof structure exists, the upper horizontal boundary is 3 metres above the lower horizontal boundary
 czz denotes Structural Column
 EF denotes External Face of Wall
 IF denotes Internal Face of Wall

UNIT TITLES SUBDIVISION - UNIT TITLE SCHEMES ACT

Richard David Pumell
 I hereby certify that the survey represented on this plan was carried out by me or under my supervision and was completed on 20.06.13 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder.
 R. Pumell 5/7/13
 Licensed Surveyor

Northern Territory Government
 Department of Lands Planning and the Environment
 SURVEY APPROVED
 02/10/13
 Surveyor General

AMENDMENTS			
Reference	Details	Approved	Date

Field Book
 UTS 2013/023
 Drawn
 Earl James & Associates
 (8718) 26.06.13
 Examined
 Earl James & Associates
 04.07.13
 Map Reference

Grid

AZIMUTH
 Assumed from S86/263
 Observed at

LEGEND

- Concrete Post
- Concrete Block
- Peg or Wooden Post
- Reference Mark
- Lockspit
- Fence Post

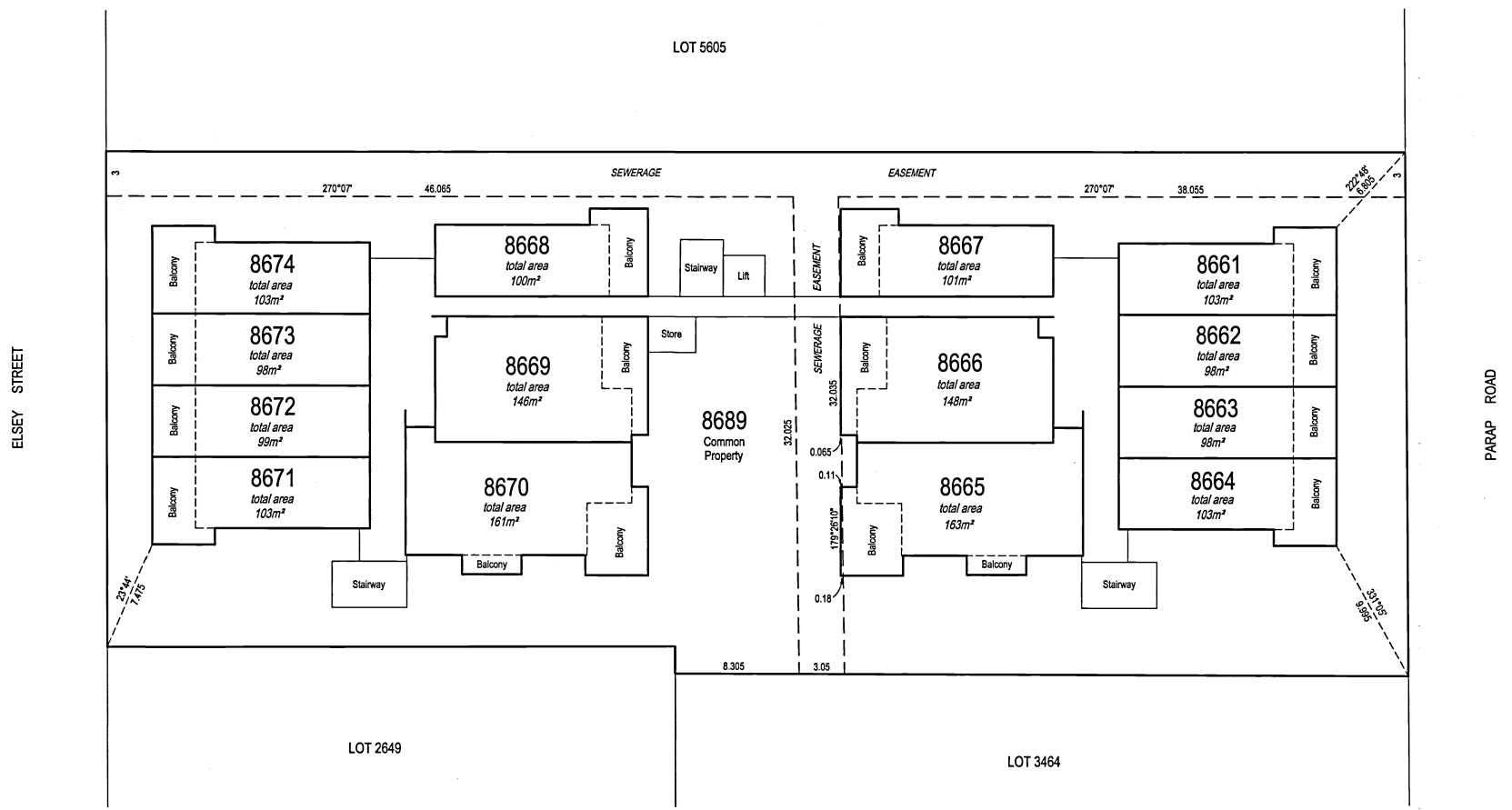
UNITS 8661 TO 8689
 SUBDIVISION OF LOT 8608
 TOWN OF DARWIN

SCALE 1:150

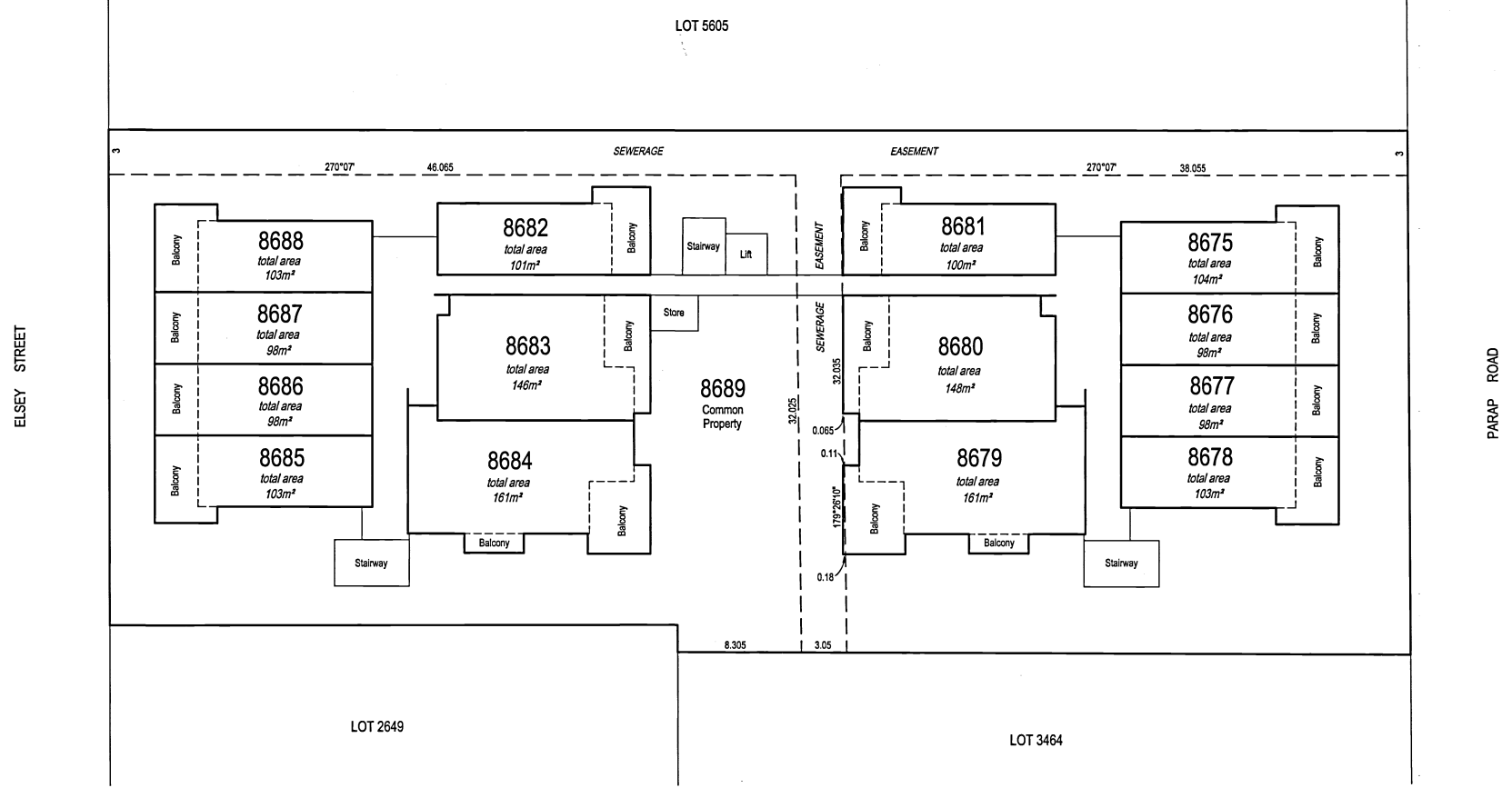
UTS 2013/023B
 SHEET 2 OF 3

WARNING - Damaged or crossed plan will be rejected.

Supersedes LTO 2013/058



FIRST FLOOR



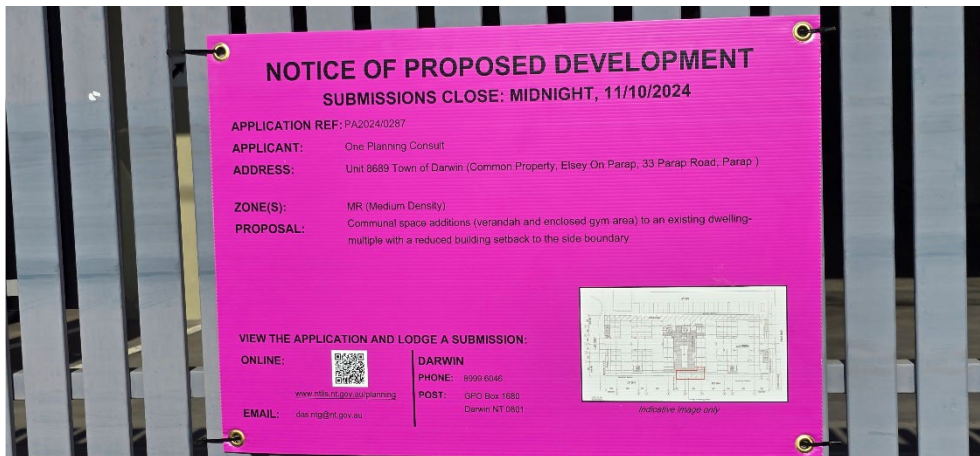
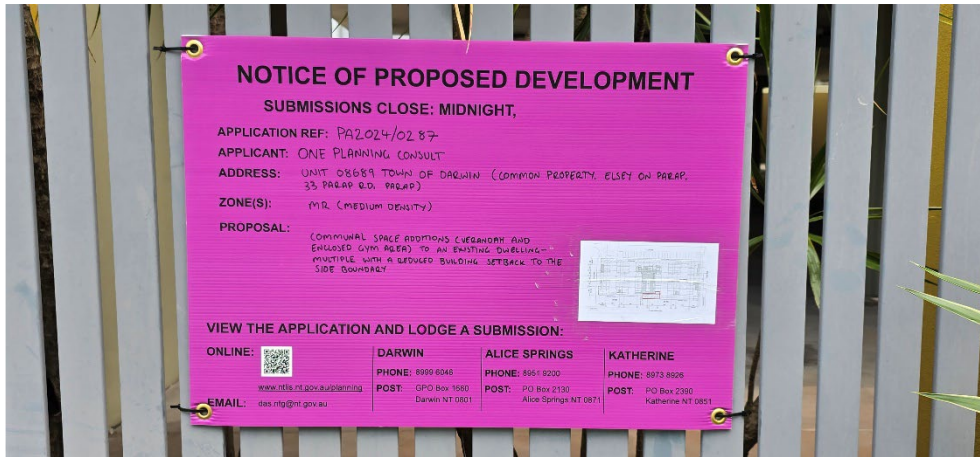
SECOND FLOOR

8683 denotes Part Unit Numbering
 Sewerage Easement is in favour of the Power and Water Corporation and affects Units 8665, 8666, 8679, 8680 and 8689 (Common Property)
 Unit 8689 is Common Property and has no upper or lower limits except where occupied by Units 8661 to 8688
 The vertical boundaries of the Units are centreline of wall and edge of balcony unless otherwise shown
 The horizontal boundaries of Units 8661 to 8688 are the upper surface of the floor slab and the under surface of the ceiling slab/roof structure including structural beams

UNIT TITLES SUBDIVISION - UNIT TITLE SCHEMES ACT

Richard David Purnell I, Richard David Purnell, hereby certify that the survey represented on this plan was carried out by me or under my supervision and was completed on 20.06.13 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder. <i>R. Purnell</i> 5/7/13 Licensed Surveyor	Field Book UTS 2013/023 Drawn Earl James & Associates (8718) 25.05.13 Examined Earl James & Associates 04.07.13 Map Reference	 Grid Bearings Assumed from S88/263 Observed at	LEGEND Concrete Post □ Concrete Block ■ Peg or Wooden Post ○ Reference Mark x Locksplit ▸ Fence Post ⊙	UNITS 8661 TO 8689 SUBDIVISION OF LOT 8608 TOWN OF DARWIN SCALE 1:200 UTS 2013/023C SHEET 3 OF 3
	SURVEY APPROVED Surveyor-General Date 02/10/13			

WARNING - Damaged or creased plan will be rejected.



NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT

DP16/0089

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Unit 08689
Town of Darwin
COMMON PROPERTY, ELSEY ON PARAP 33 PARAP RD, PARAP

APPROVED PURPOSE

To use and develop the land for the purpose of a shed addition to existing multiple dwellings with reduced front and side setbacks, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 6.11 (Garages and Sheds) 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.



DENIS BURKE
Delegate
Development Consent Authority

9 / 3 / 2016

DEVELOPMENT PERMIT

DP16/0089

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), a schematic plan demonstrating the on-site collection of stormwater and its discharge into the local stormwater drainage system shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority. The plan shall include details of site levels and stormwater drain connection points.

GENERAL CONDITIONS

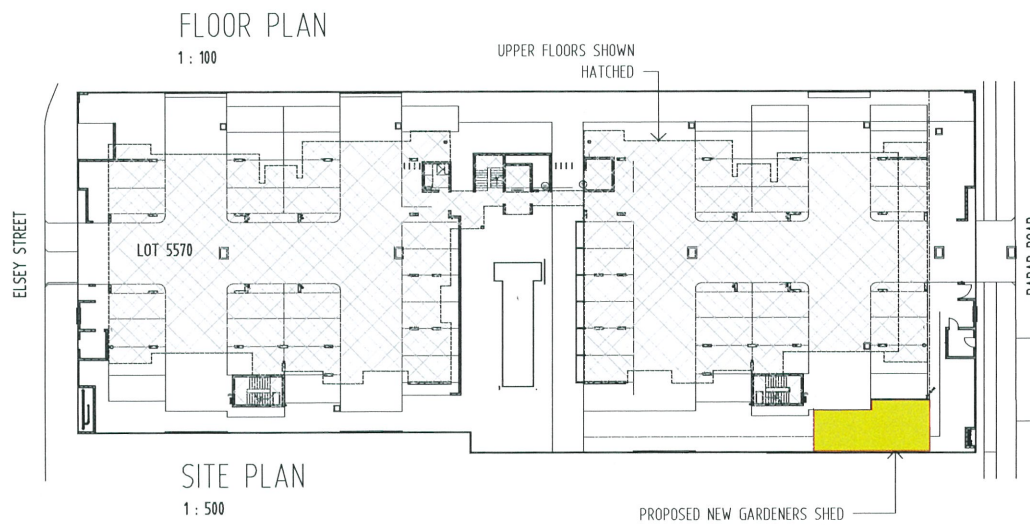
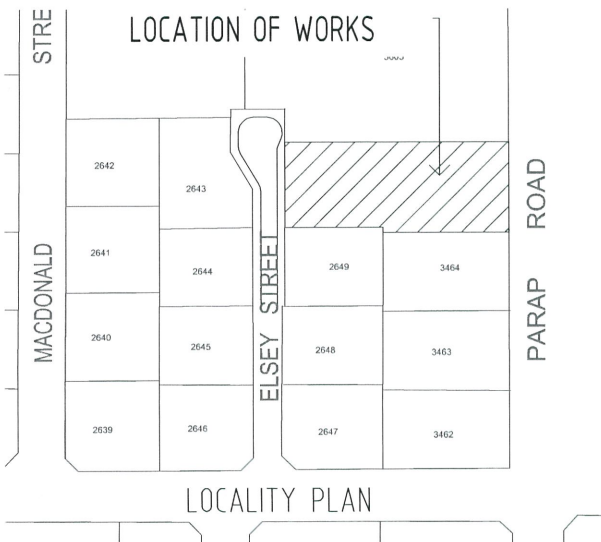
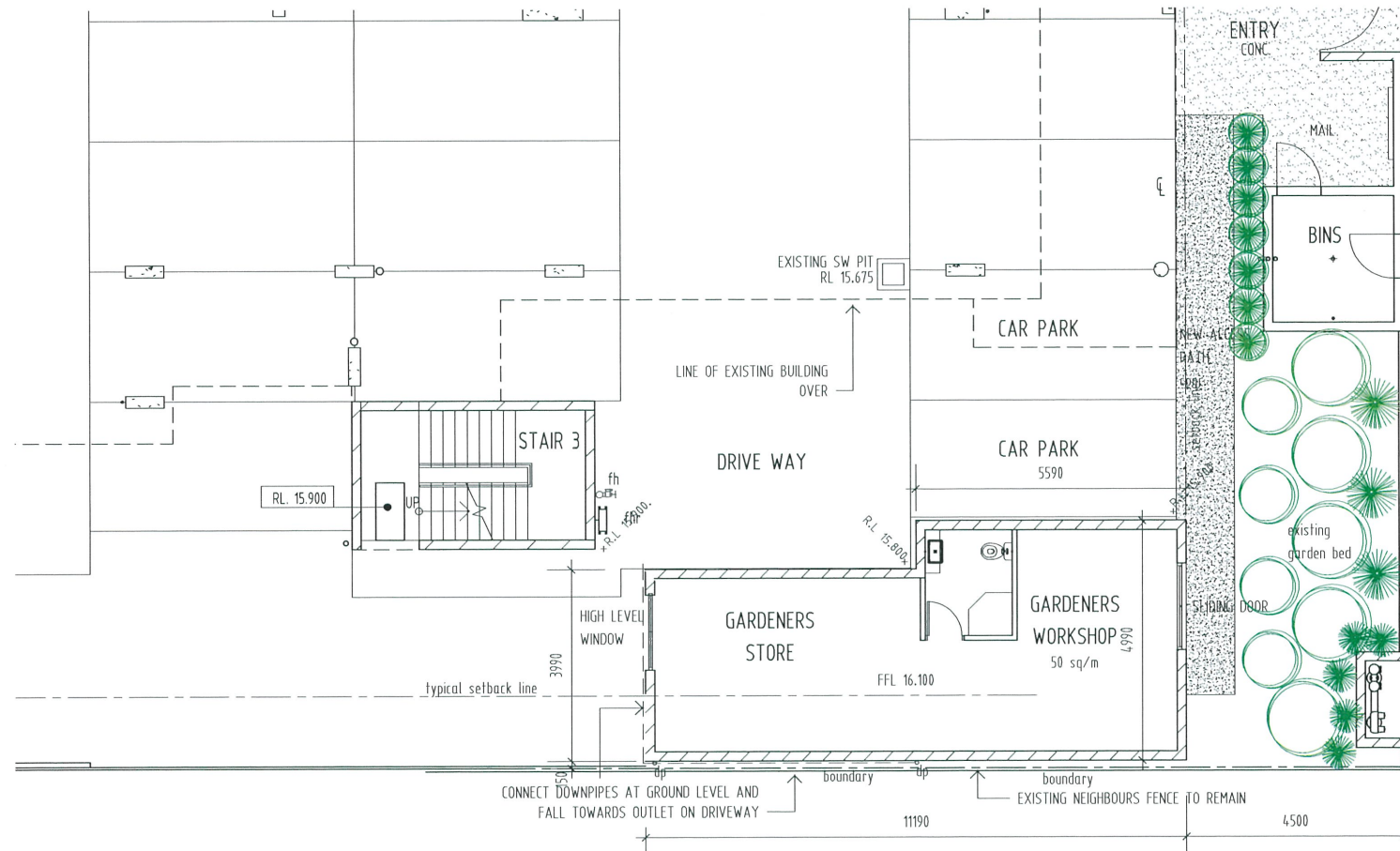
2. The works carried out under this permit shall be in accordance with the drawings numbered 2016/0049/01 and 2016/0049/02, endorsed as forming part of this permit.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of electricity facilities to the development 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 City of Darwin to the satisfaction of the consent authority.

NOTES

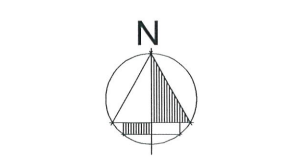
1. This permit will expire if one of the following circumstances applies:
 - a) the development and use is/are not started within two years of the date of this permit; or
 - b) the development is not completed within four years of the date of this permit.

The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

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 to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/ or surrounding infrastructure.
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 in the Northern Territory. 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 shed shall only be used for domestic storage purposes.



Drawing No: 2016/0049/01 referred to in
 Permit No: DP16/0089 issued by
 the consent authority on: 9/8/16
Chai Bunker
 Consent Authority / Delegate



Revision and approvals				
Code	Date	Description	Drawn	Date
B	1.01.16	REVISED FOOTPRINT		

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GROUP 1 CONSULTING Pty. Ltd.
 AON 066 014 328

UNIT 9 52 MARINA BOULEVARD CULLEN BAY
 P.O. Box 825 Darwin N.T. 0881
 Phone (081) 89 8291-1 Mobile 0478 824297

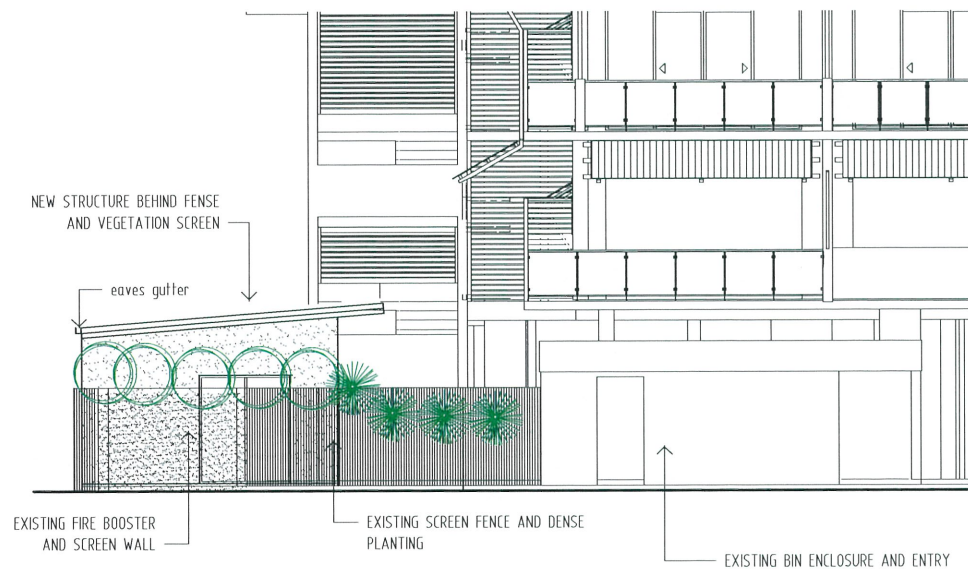
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- Landscape aided drafting
- Interior and furniture design
- Office planning

Scale 1:100	CAD ref
Drawn JB	Approved
Date JAN 2016	Issued

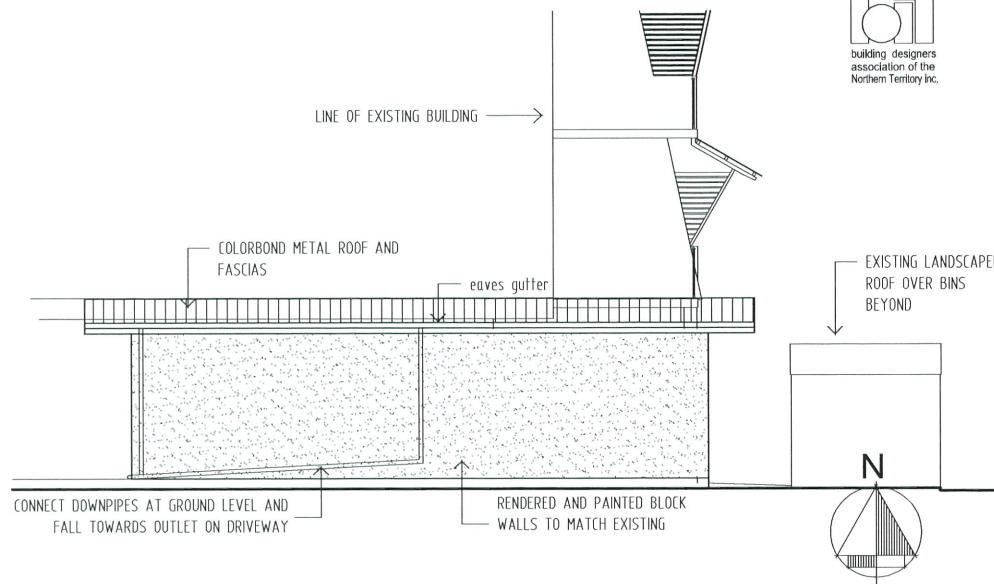
Project Description
 LOT 8689 TOWN OF DARWIN
 33 PARAP ROAD
 PROPOSED GARDENERS SHED

Drawing Title
 PLANS

Drawing Number 1516-A1	Revision B
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STREET ELEVATION



SIDE ELEVATION



EXISTING STREET ELEVATION

Revision and approvals				
Code	Date	Description	Dwn	Date
B	1.01.16	REVISED FOOTPRINT		

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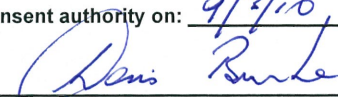
- Residential and commercial building design
- Computer aided drafting
- Exterior and furniture design
- office planning

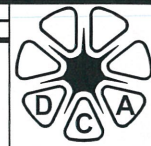
Scale 1:100	CAD ref
Drawn JB	Approved
Date JUN 2016	Issued

Project Description
 LOT 8689 TOWN OF DARWIN
 33 PARAP ROAD
 PROPOSED GARDENERS SHED

Drawing Title
 ELEVATION
 AND STREET ELEVATION

Drawing Number 1516-A2	Revision B
---------------------------	---------------

Drawing No: 2016/0049/02 referred to in
 Permit No: DP16/0089 issued by
 the consent authority on: 9/2/16

 Consent Authority / Delegate



Development Consent Authority

Northern Territory

GPO BOX 1680
DARWIN NT 0801

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

In reply please quote: PA2016/0049

Neville Jones Services
PO BOX 68
NIGHTCLIFF NT 0814
E-mail: nevillejones6@bigpond.com

Dear Mr Jones

NOTICE OF CONSENT (SECTION 53B OF THE *PLANNING ACT*)

UNIT 8689 (COMMON PROPERTY, ELSEY ON PARAP, 33 PARAP RD), TOWN OF DARWIN

The Development Consent Authority has determined, pursuant to section 53(a) of the *Planning Act*, to consent to the application to develop Unit 8689 (Common Property, Elsey on Parap, 33 Parap Rd), Town of Darwin, for the purpose of Shed addition to existing multiple dwellings with reduced front and side setbacks, subject to the conditions detailed in the attached permit by signing the Notice of Consent and Development Permit DP16/0089.

Reasons for the Determination

1. The proposed development is consistent with the primary purpose of Zone MR (Medium Dwelling Residential), which is "to provide for a range of housing options to a maximum height of four storeys above ground level...the scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development". The shed will enable the storage of gardening equipment on-site and is ancillary to the existing multiple dwelling development.
2. A variation to Clause 6.11 (Garages and Sheds) is considered acceptable as the shed is unlikely to detract from the amenity of the adjoining land as it will be of single storey, and finished in materials and colours to match the existing main building. Its location in the south eastern corner behind a 1.8m screen fence will be largely screened from the street and is unlikely to have any adverse impact on the amenity of Parap Road.

Right of Appeal

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

The Northern Territory Civil and Administrative Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: Northern Territory Civil and Administrative Tribunal, PO Box 41860 CASUARINA NT 0810 or Level 1, The Met Building, 13 Scaturchio Street, CASUARINA NT 0810 (Telephone: 08 8944 8720 or Facsimile 08 8922 7210 or email AGD.ntcat@nt.gov.au).

There is no right of appeal by a third party under section 117 of the *Planning Act* in respect of this determination as there were no submissions received under section 49 of the Act.

If you have any queries in relation to this Notice of Consent or the attached Development Permit, please contact Development Assessment Services on telephone (08) 8999 6046.

Yours faithfully



DENIS BURKE
Chairman, Development Consent Authority

9 / 3 /2016

Attachment

Cc City of Darwin

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - Section 57(3)

VARIATION OF CONDITIONS

DP12/0399A

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Unit 08689
Town of Darwin
COMMON PROPERTY, ELSEY ON PARAP 33 PARAP RD, PARAP

VARIATION

Consent is granted to vary Condition 8 of Development Permit DP12/0399 for the purpose of a shed addition to existing multiple dwellings, in accordance with drawing numbers 2012/0336/01A and 2012/0336/02A, endorsed as forming part of this permit.

In all other respects Development Permit DP12/0399 remains unchanged.

BASE PERIOD OF THE PERMIT

This permit will lapse two years from the date of issue.



GRANT TAMBLING
Delegate
Development Consent Authority

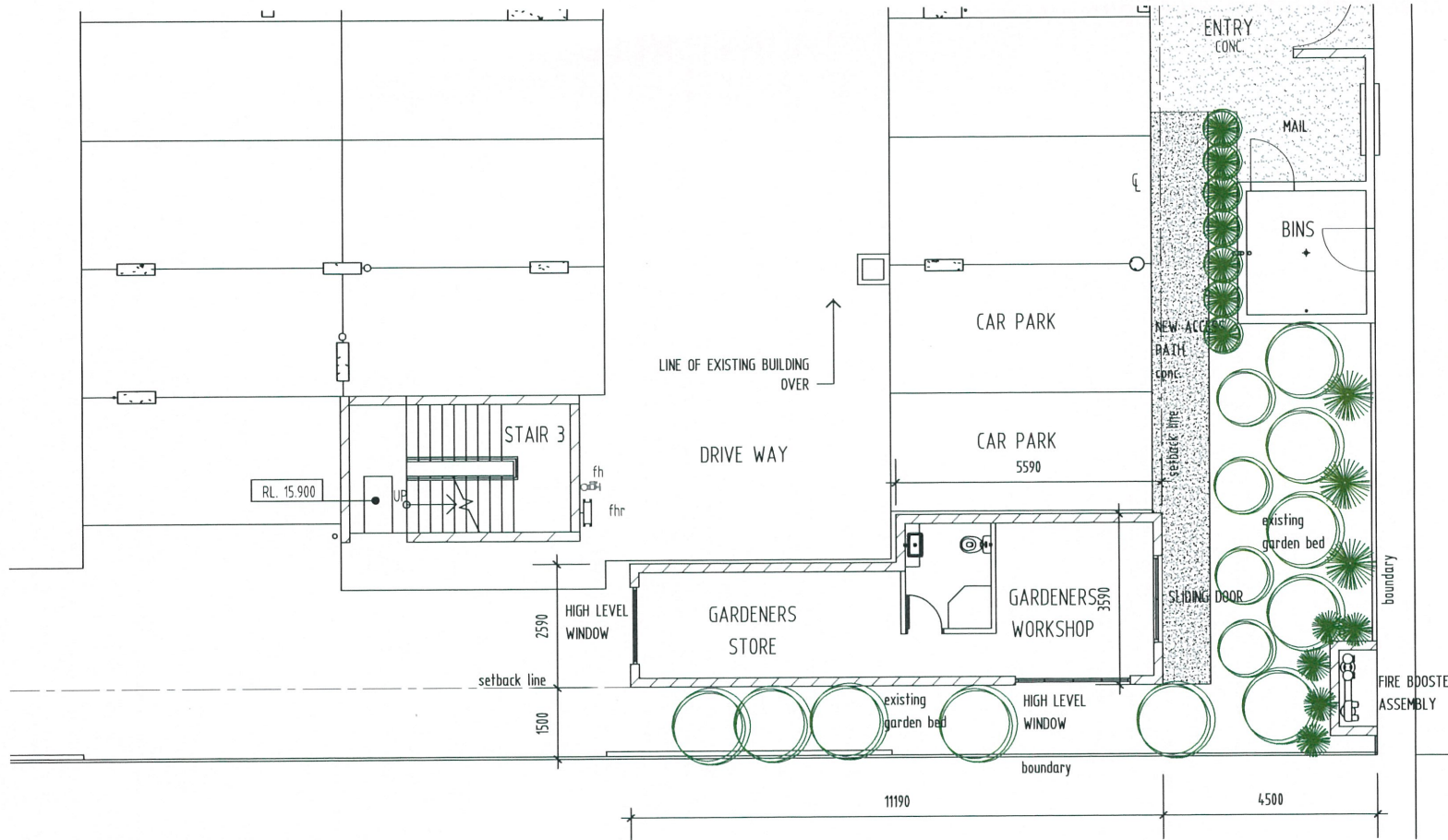
18 / 12 / 2015

SCHEDULE OF CONDITIONS

DP12/0399A

1. Except where varied by this approval, the development/use must proceed in accordance with Development Permit DP12/0399.

Drawing No: 2015/0336/01A referred to in
 Permit No: DP15/0399A issued by
 the consent authority on: 18/12/15

 Consent Authority / Delegate



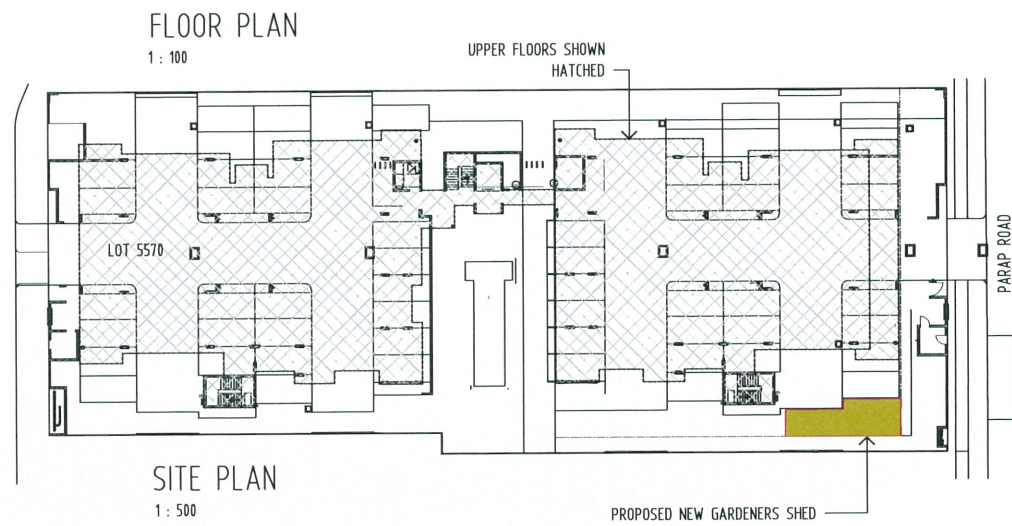
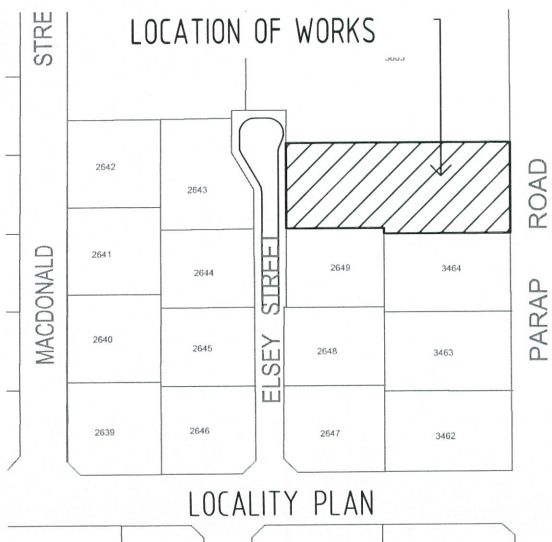
ALUMINIUM RAIL
 FENCING
 PARAP ROAD



Revision and approvals

Code	Date	Description	Dwn	Date

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 **GROUP 1
 CONSULTING** Pty. Ltd.
 ACR 008 094 328

UNIT 9 52 MARSA BOULEVARD CULLEN BAY
 P.O. Box 825 Darwin N.T. 8801
 Phone (08) 99 89841 Mobile 0417 894397

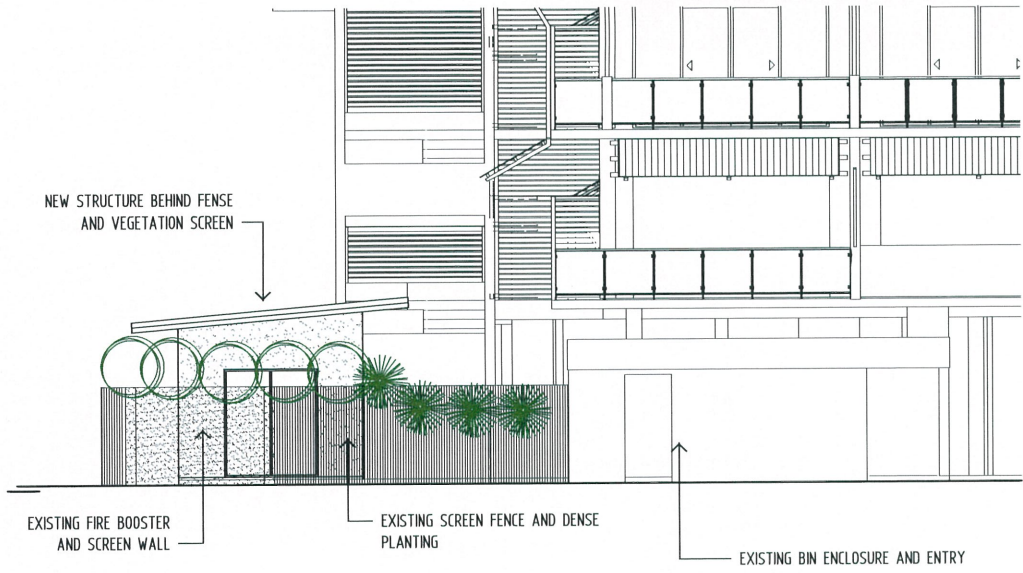
- residential and commercial building design
- computer aided drafting
- interior and furniture design
- office planning

Scale 1:100	CAD ref
Drawn JB	Approved
Date MAY 2015	Issued

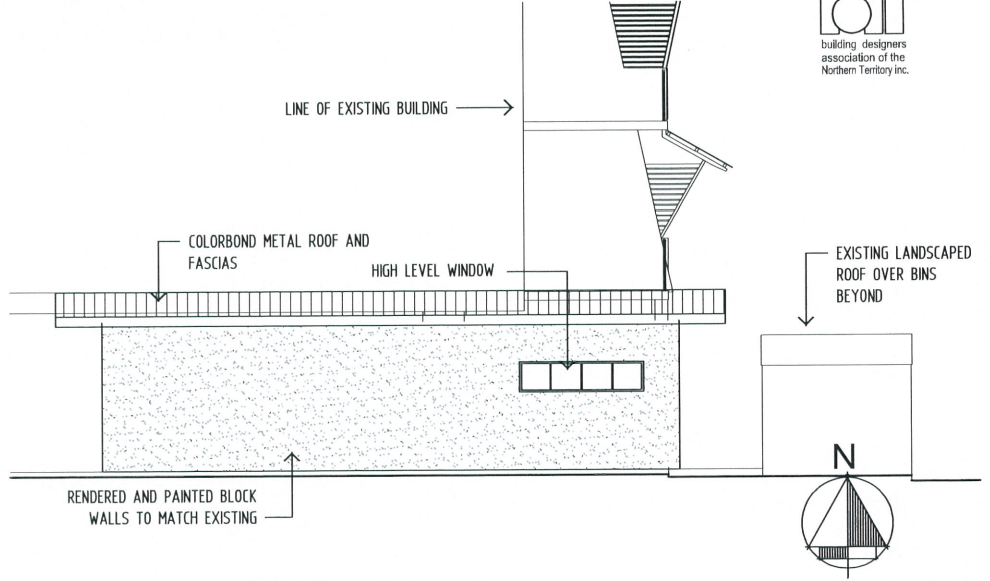
Project Description
 LOT 8689 TOWN OF DARWIN
 33 PARAP ROAD
 PROPOSED GARDENERS SHED

Drawing Title
 PLANS

Drawing Number 1516-A1	Revision A
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STREET ELEVATION



SIDE ELEVATION



EXISTING STREET ELEVATION

Revision and approvals:

Code	Date	Description	Drawn	Date

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 **GROUP 1 CONSULTING** Pty. Ltd.
 ACH 008 096 328

UNIT 9 52 MADDA BULKYARD COLLEN BAY
 P.O. Box 825 Darwin N.T. 8001
 Phone (08) 89 22041 Mobile 0477 894397

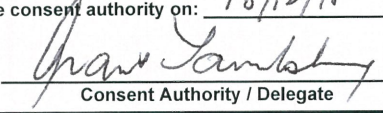
Residential and commercial building design
 Computer aided drafting
 Interior and furniture design
 Office planning

Scale 1:100	CAD ref
Drawn JH	Approved
Date NOV 2015	Issued

Project Description
 LOT 8689 TOWN OF DARWIN
 33 PARAP ROAD
 PROPOSED GARDENERS SHED

Drawing Title
ELEVATION AND STREET ELEVATION

Drawing Number 1516-A2	Revision A
---------------------------	---------------

Drawing No: 2015/0336/02A referred to in
 Permit No: DP15/0399A issued by
 the consent authority on: 18/12/15

 Consent Authority / Delegate

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT

DP13/0314

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 08608
Town of Darwin
33 PARAP RD, PARAP

APPROVED PURPOSE

To use and develop the land for the purpose of a unit title schemes subdivision to create 28 units and common property, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Nil.

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.



PETER McQUEEN

Delegate

Development Consent Authority

7 / 6 / 2013

DEVELOPMENT PERMIT

DP13/0314

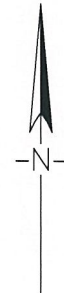
SCHEDULE OF CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawings numbered 2013/0333/01 through to 2013/0333/03, endorsed as forming part of this permit.
2. Prior to new titles being issued for the units shown on the endorsed drawings, a Scheme Statement meeting the requirements of the Unit Title Schemes Act (as confirmed by the Land Titles Office) shall be submitted for endorsement by the consent authority.
3. 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.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

This is the drawing referred to in Development Permit No. **DP13/0314** issued by the Development Consent Authority on **7.6.2013**

[Signature]
 Delegate of Authority

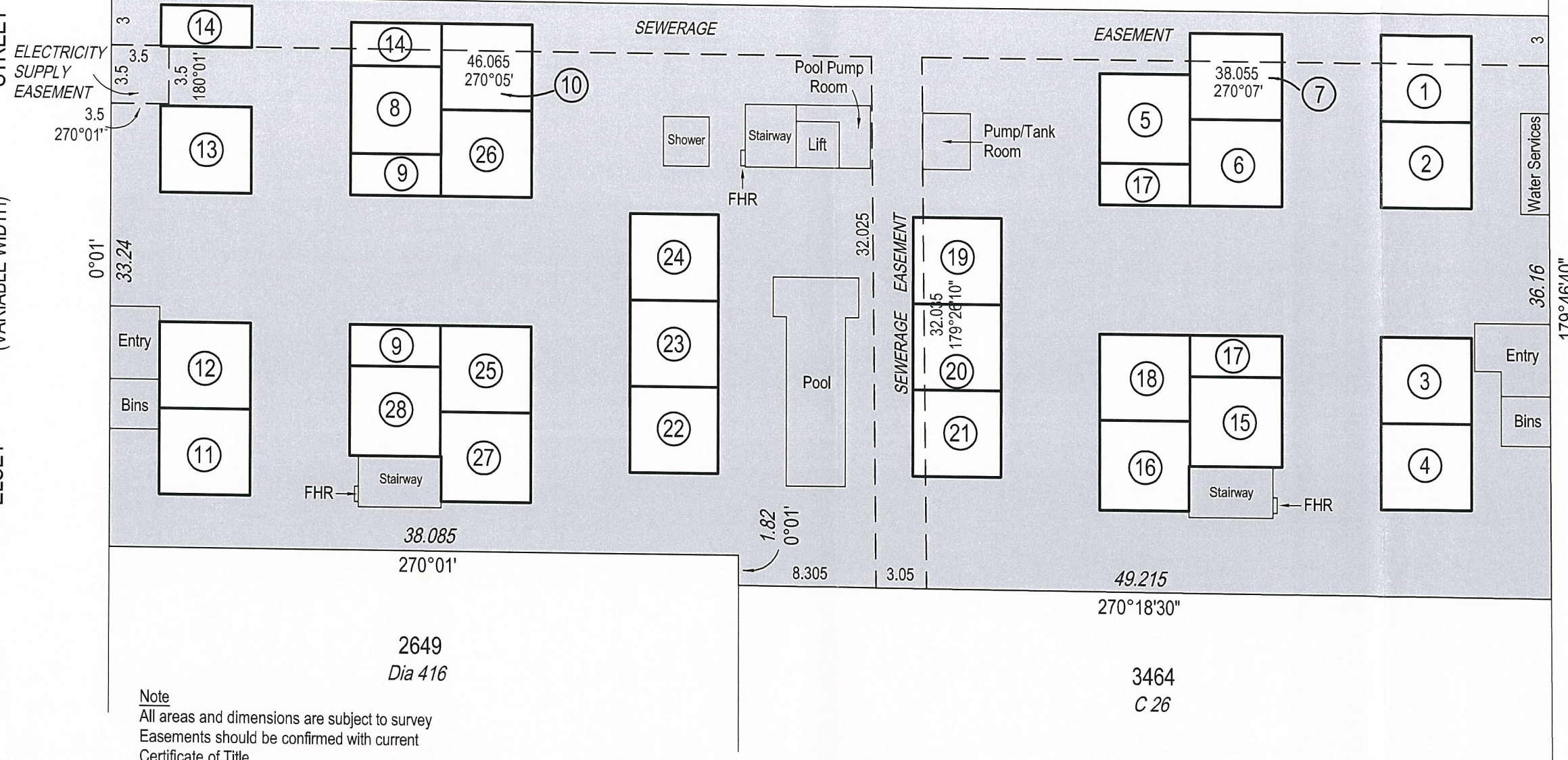
5605
 LTO 87/057



STREET

(VARIABLE WIDTH)

ELSEY



Note
 All areas and dimensions are subject to survey
 Easements should be confirmed with current Certificate of Title
 Based on architectural drawings "1209-A02, A03 Rev 3"
 Electricity Supply Easement is in favour of the Power and Water Corporation and has a vertical limit of RL18.8 AHD

②4 denotes Part Unit Numbering and are Carparking
 [Shaded Box] denotes Common Property

Dwg No. 2013/0333/01



eja
 earl james & associates

SURVEY & PLANNING CONSULTANTS
 10 HARVEY STREET
 DARWIN NT 0801
 PH. (08) 89812494
 FAX. (08) 89815205
 darwin@eja.com.au

**LOTS 5570 AND 5571 (PROPOSED LOT 8608)
 TOWN OF DARWIN**

UNIT TITLES - GROUND FLOOR

Client: **TREPANG SERVICES PTY LTD**


Licensed Surveyor:	Scale: 1:300 (A3)
Date:	Datum:
Drawn by: RM	Drawing No:
Date: 20.02.13	13/8718/1
Cad File: 8718-1.DWG	

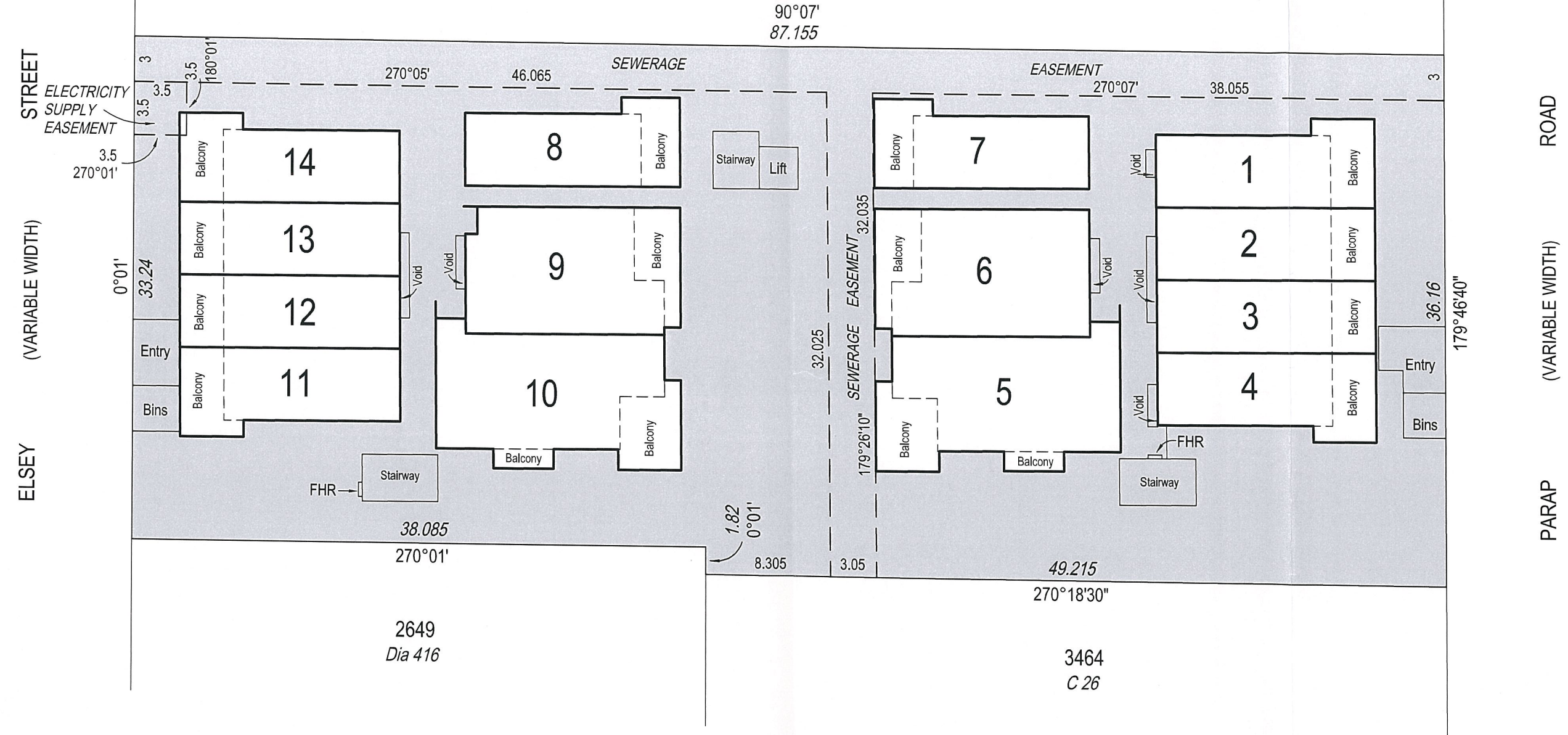
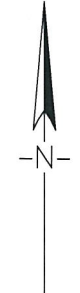
This is the drawing referred to in Development Permit No. 033/0314 issued by the Development Consent Authority on 7.6.2013

[Signature]
 Delegate of Authority

5605
 LTO 87/057

Note
 All areas and dimensions are subject to survey
 Easements should be confirmed with current Certificate of Title
 Based on architectural drawings "1209-A04, A05 Rev 4"
 Unit boundaries are the centreline of walls and extremities of balconies unless otherwise shown
 Electricity Supply Easement is in favour of the Power and Water Corporation and has a vertical limit of RL18.8 AHD

9 denotes Unit Numbering
 denotes Common Property



Dwg. No. 2013/0333/02



eja
 earl james & associates

SURVEY & PLANNING CONSULTANTS
 10 HARVEY STREET
 DARWIN NT 0801
 PH. (08) 89812494
 FAX. (08) 89815205
 darwin@eja.com.au

**LOTS 5570 AND 5571 (PROPOSED LOT 8608)
 TOWN OF DARWIN**

UNIT TITLES - FIRST FLOOR

Client: **TREPANG SERVICES PTY LTD**

Licensed Surveyor:	Scale: 1:300 (A3)
Date:	Datum:
Drawn by: RM	Drawing No:
Date: 5.02.13	13/8718/2
Cad File: 8718-2.DWG	

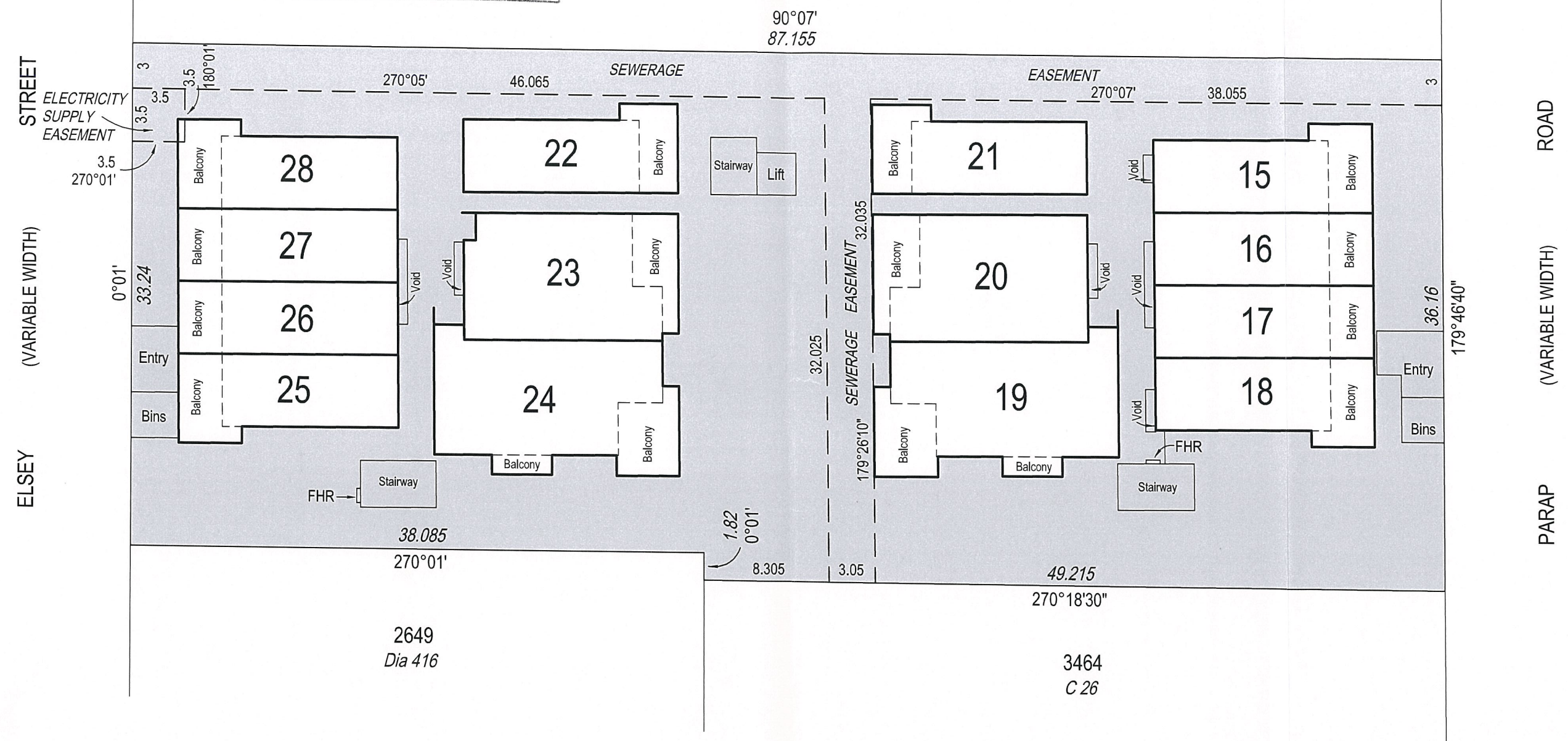
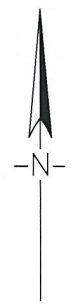
This is the drawing referred to in Development Permit No. 2013/0314 issued by the Development Consent Authority on 1.6.2013

[Signature]
Delegate of Authority

5605
LTO 87/057

Note
All areas and dimensions are subject to survey
Easements should be confirmed with current Certificate of Title
Based on architectural drawings "1209-A04, A05 Rev 4"
Unit boundaries are the centreline of walls and extremities of balconies unless otherwise shown
Electricity Supply Easement is in favour of the Power and Water Corporation and has a vertical limit of RL18.8 AHD

19 denotes Unit Numbering
[Shaded Box] denotes Common Property



DWG. No. 2013/0333/03



eja
earl james & associates

SURVEY & PLANNING CONSULTANTS
10 HARVEY STREET
DARWIN NT 0801
PH. (08) 89812494
FAX. (08) 89815205
darwin@eja.com.au

**LOTS 5570 AND 5571 (PROPOSED LOT 8608)
TOWN OF DARWIN**

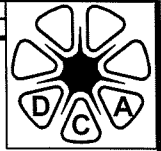
UNIT TITLES - SECOND FLOOR

Client: **TREPANG SERVICES PTY LTD**

Licensed Surveyor:	Scale: 1:300 (A3)
Date:	Datum:
Drawn by: RM	Drawing No:
Date: 5.02.13	13/8718/3
Cad File: 8718-3.DWG	

Development Consent Authority

Northern Territory



GPO BOX 1680
DARWIN NT 0801

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

In reply please quote: PA2013/0333

Mr Kevin Dodd
Earl James and Associates
GPO Box 884
DARWIN NT 0801

Dear Mr Dodd

NOTICE OF CONSENT (SECTION 53B OF THE *PLANNING ACT*) LOT 8608 TOWN OF DARWIN (33 PARAP ROAD, PARAP)

The Development Consent Authority has determined, in accordance with section 53(a) of the *Planning Act*, to grant consent to the proposal to use and develop the abovementioned land for the purpose of a unit title schemes subdivision to create 28 units and common property, subject to the conditions specified on the attached Development Permit DP13/0314.

Reason for the Determination

1. The proposed unit titles scheme subdivision complies with Clause 11.1.4 (Subdivision for the Purposes of a Unit Title Scheme) of the Northern Territory Planning Scheme.
2. A Scheme Statement is required to be submitted for endorsement by the consent authority prior to new titles being issued to ensure that the unit title scheme statement is consistent with the development as approved.

Right of Appeal

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

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

There is no right of appeal by a third party under section 117 of the *Planning Act* in respect of this determination as there were no submissions received under section 49 of the Act.

If you have any queries in relation to this Notice of Consent or the attached Development Permit, please contact Development Assessment Services on telephone (08) 8999 6048.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Peter McQueen', with a long horizontal flourish extending to the right.

Peter McQueen
Delegate
Development Consent Authority

7 / 6 / 2013

Attachment

Cc City of Darwin

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT

DP12/0332

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 05570

Lot 05571

Town of Darwin

8 ELSEY ST, PARAP
33 PARAP RD, PARAP

APPROVED PURPOSE

To use and develop the land for the purpose of consolidation to create one lot, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Nil.

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.



HANNA STEVENSON
Delegate

Development Consent Authority

28/10/2012

DEVELOPMENT PERMIT

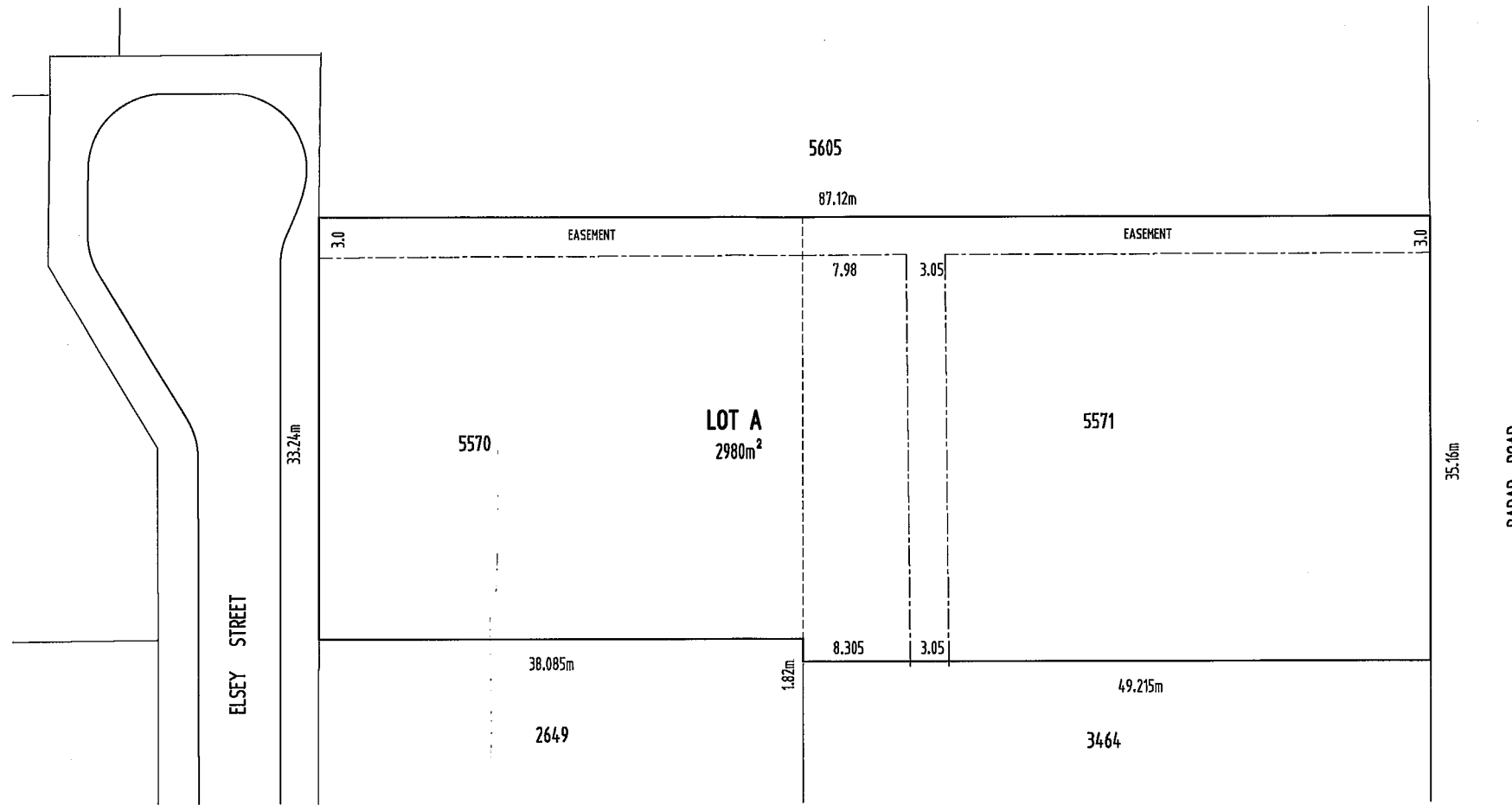
DP12/0332

SCHEDULE OF CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing numbered 2012/0335/01, endorsed as forming part of this permit.
2. 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.
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, electricity and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTES

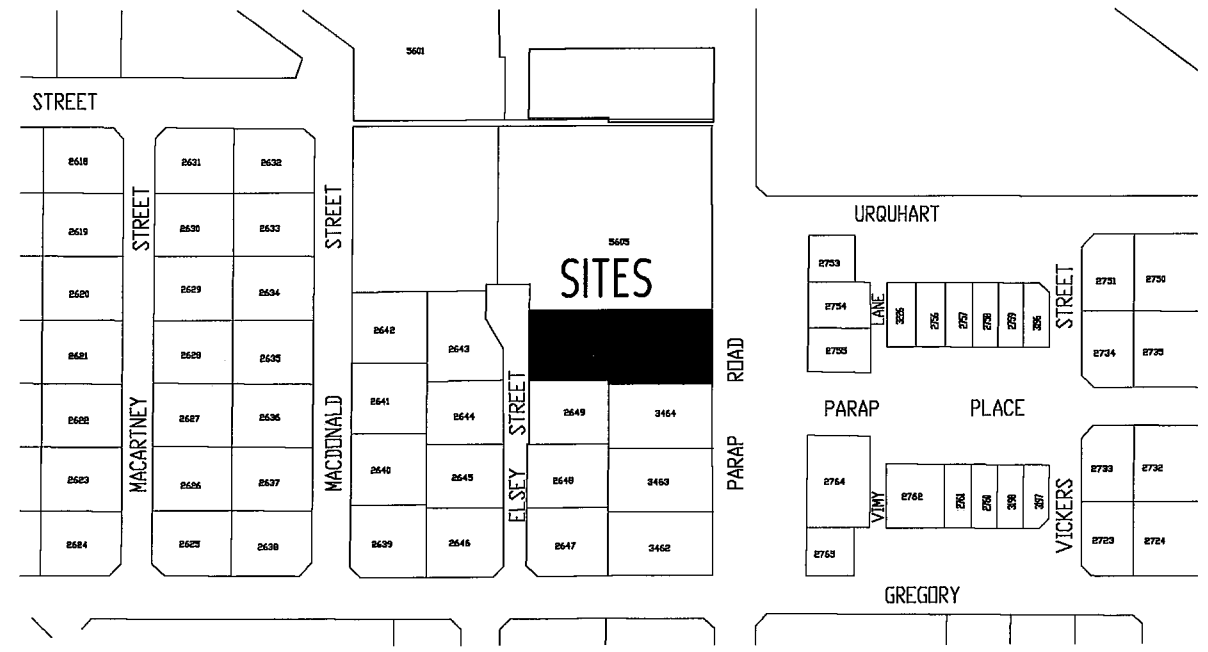
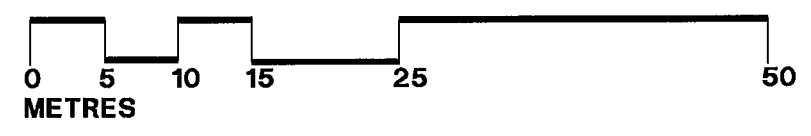
1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. The developer will be required to contact Dial Before You Dig on 1100 to obtain a location of the Telstra network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.



This is the drawing referred to in Development Permit No. DP12/0332 issued by the Development Consent Authority on 28.06.12

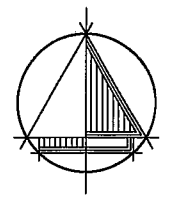
[Signature]
Delegate of Authority

SITE PLAN



LOCALITY PLAN nts

ONG No. 2012/0335/01



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ACN 069 014 328

- residential and commercial building design
- computer aided drafting
- interior and furniture design
- office planning

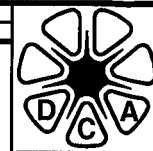
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Lots 5570 and 5571 Town of Darwin Consolidation Plan

DATE: **April 2012**
DRAWING No. **1209-C-01**

Development Consent Authority

Northern Territory



GPO BOX 1680
DARWIN NT 0801

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

In reply please quote: PA2012/0335

Mr John Berryman
Group 1 Consulting Pty Ltd
GPO Box 825
DARWIN NT 0801

Dear John

NOTICE OF CONSENT (SECTION 53B OF THE *PLANNING ACT*) LOT 5570 & 5571 (8 ELSEY STREET & 33 PARAP ROAD), TOWN OF DARWIN

The Development Consent Authority has determined, in accordance with section 53(a) of the *Planning Act*, to consent to the proposal to use and develop the abovementioned land for the purpose of consolidation to create one lot, subject to the conditions specified on the attached Development Permit DP12/0332.

Reason for the Determination

1. The proposed consolidation is consistent with the primary purpose of Zone MR (Medium Density Residential), being to provide for a range of housing options to a maximum height of four storeys above ground level.

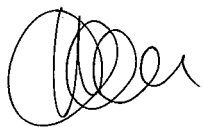
Right of Appeal

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

The Registrar of the Appeals Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: The Registrar, Appeals Tribunal, GPO Box 1281, DARWIN NT 0801 or Level 1, The MET Building, 13 Scaturchio Street, CASUARINA NT 0810 (Telephone: 08 8999 5001 or Facsimile 08 8999 5005).

If you have any queries in relation to this Notice of Consent or the attached Development Permit, please contact Development Assessment Services on telephone (08) 8999 6048.

Yours faithfully

A handwritten signature in black ink, consisting of several overlapping loops and a trailing flourish.

Hanna Stevenson
Delegate
Development Consent Authority

28/06/2012

Attachment

Cc City of Darwin

NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT

DP12/0399

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 05570
Lot 05571
Town of Darwin
8 ELSEY ST, PARAP
33 PARAP RD, PARAP

APPROVED PURPOSE

To use and develop the land for the purpose of 20 x 1 and 8 x 2 bedroom multiple dwellings in a 3 storey building including undercroft car parking, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 7.3 (Building Setbacks of Residential Buildings) 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.



DOUGLAS LESH
Delegate
Development Consent Authority

26/7/2012

DEVELOPMENT PERMIT

DP12/0399

SCHEDULE OF CONDITIONS

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 tabled at the 22 June 2012 meeting of the Authority but modified to show:
 - (a) full screening of the southern side of balconies attached to units adjacent to the southern side boundary (Units 4, 5, 10, 11, 18, 19, 24 & 25). The required screening is to meet the standard set out in Table B of Clause 7.3 (Building Setbacks of Residential Buildings) of the Planning Scheme (i.e. permanently fixed to a height of 1.7m above floor level, no more than 25% transparent, designed and coloured to blend in with the development);
 - (b) screening of the walkway link and/or balconies of Units 6, 7, 20 & 21 to minimise potential for overlooking of private open space areas of these dwellings from the walkway;
 - (c) screens in the landing areas of the first and second floors to prevent users of the walkway link viewing directly into habitable rooms of Units 1, 14, 15 & 28 in the event that the front door is open.
 - (d) the addition of bike storage areas at ground level;
 - (e) screening of driveway ends adjacent to the southern side boundary to minimise potential impacts of vehicle headlights on adjacent properties;
 - (f) removal of the barbecue area and relocation of the pool pump house to comply with the setback requirements of Clause 7.3 (Building Setbacks of Residential Buildings);
 - (g) roofing and screening of the rooftop plant whilst still complying with Clause 7.1.2 (Residential Height Limitations);
2. Before the development starts, 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 and two copies must be provided. The plan must show:
 - (a) details of the landscaping proposed for the entire site including canopy trees;
 - (b) details of surface finishes of pathways and driveways;
 - (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) landscaping and planting within all open areas of the site; 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.
3. Prior to the commencement of works (including site preparation), the applicant is to submit details regarding the ongoing provision of public transport services during the construction phase, on advice from the Department of Lands and Planning (Public Transport Division) and to the satisfaction of the consent authority.
4. Prior to the commencement of works (including site preparation), the applicant is to submit an easement encroachment agreement between the landowner and Power and Water Corporation

in regard to the siting of the walkway structure over the existing sewerage easement on site, to the satisfaction of the consent authority.

5. Prior to 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 the City of Darwin's stormwater drainage system, to the requirements of the City of Darwin and to the satisfaction of the consent authority.
6. The applicant is to prepare a Waste Management Plan demonstrating waste disposal, storage and removal, to the requirements of the City of Darwin and to the satisfaction of the consent authority.
7. The applicant is to submit details regarding landscaping within the Elsey Street verge to deter illegal parking on the verge, on advice from and to the requirements of the City of Darwin and to the satisfaction of the consent authority.
8. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
10. 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.
11. An Occupancy Permit under the Building Act must not be issued until Lots 5570 and 5571, Town of Darwin have been consolidated and a new title issued for the consolidated lot.
12. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
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 of 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. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.
16. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and Fire and Emergency Services.

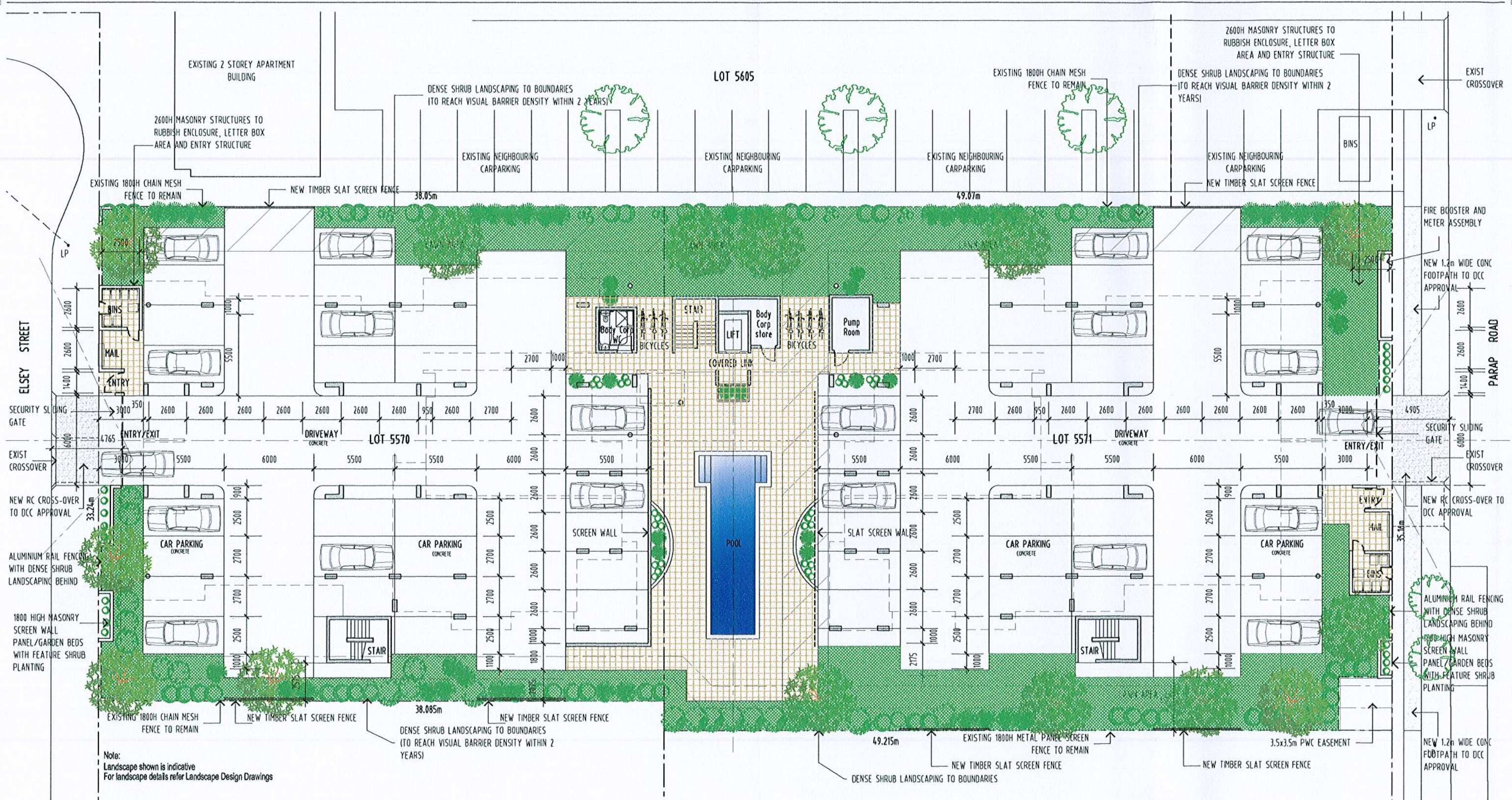
17. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.
18. Before the occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed 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;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;
- to the satisfaction of the consent authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
19. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority, and 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, to the satisfaction of the consent authority.
20. 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.
21. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
22. 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.
23. The landscaping shown on the endorsed plans must be maintained 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) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Natural Resources Management Division, Department of Natural Resources, Environment, the Arts and Sport.
3. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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 will be required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
5. Power and Water Corporation has advised that the current local infrastructure cannot sustain the necessary fire fighting flows for this development. The developer will be required to upgrade the local water reticulation infrastructure, and will need to contact Power and Water Corporation's Services Development Technical Officers to discuss details of the water supply requirements this development would attract.
6. All proposed works impacting on Elsey Street and Parap 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 City of Darwin. Drawings must be submitted to the City of Darwin for approval and no works are to commence prior to approval and receipt of a permit to Work Within a Road Reserve



Note:
Landscape shown is indicative
For landscape details refer Landscape Design Drawings

This is the drawing referred to in Development Permit No. **DA12/0399** issued by the Development Consent Authority on **26/7/2012**

[Signature]
Delegate of Authority



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ACN 066 014 328

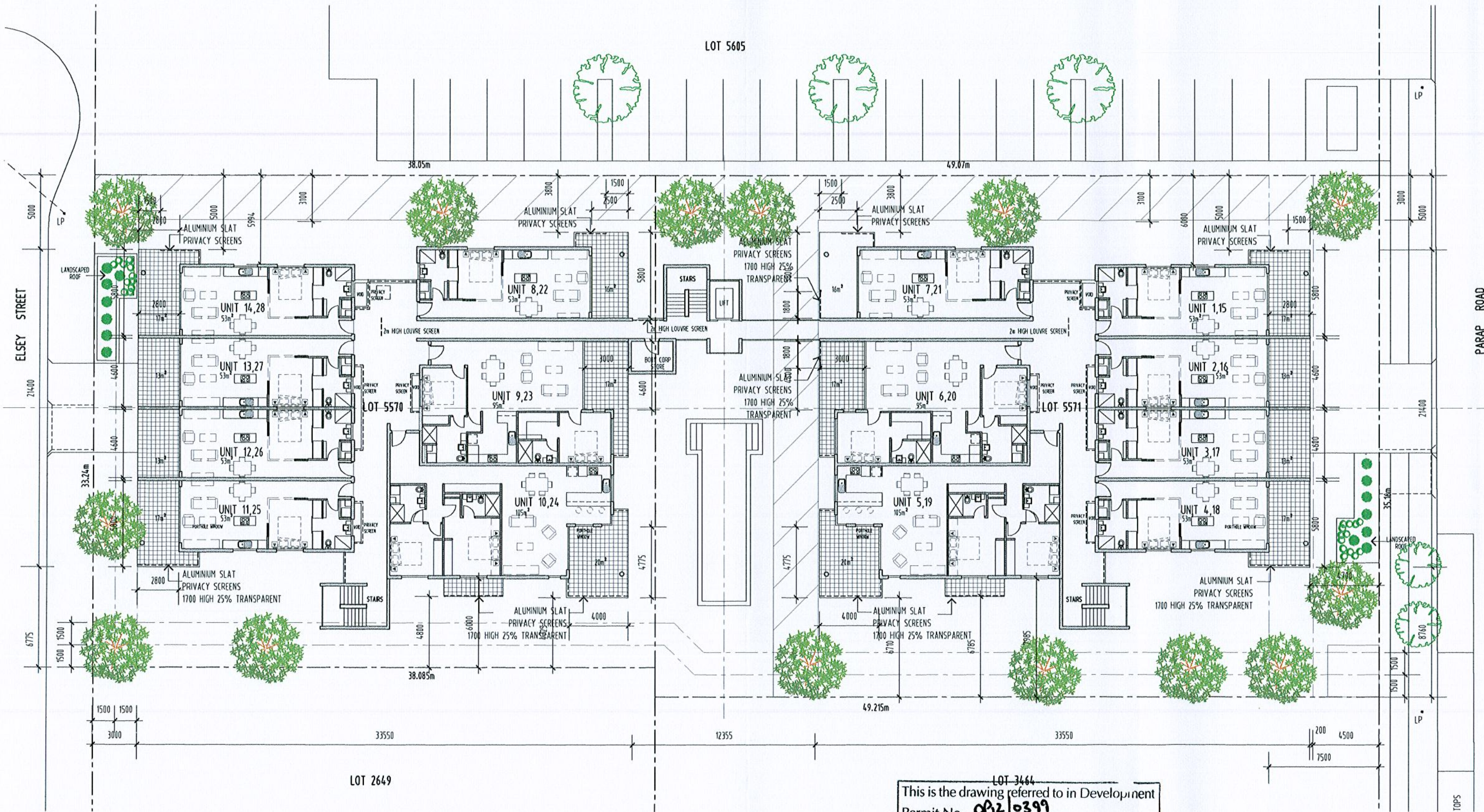
- residential and commercial building design
- computer aided drafting
- interior and furniture design
- office planning

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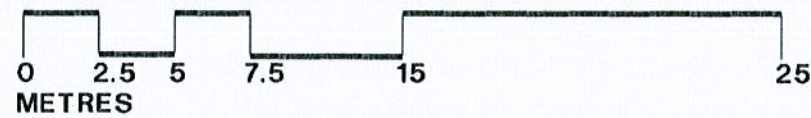
Auth. No. 2012/0336/1

33 PARAP ROAD
Apartment Development

DATE: April 2012
REVISION: C
DRAWING No. 4200-SK1



LOT 3464
 This is the drawing referred to in Development Permit No. **DP2/0399** issued by the Development Consent Authority on **26/7/2012**
 Delegate of Authority



First and Second Floor Plans



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 ACN 066 014 328

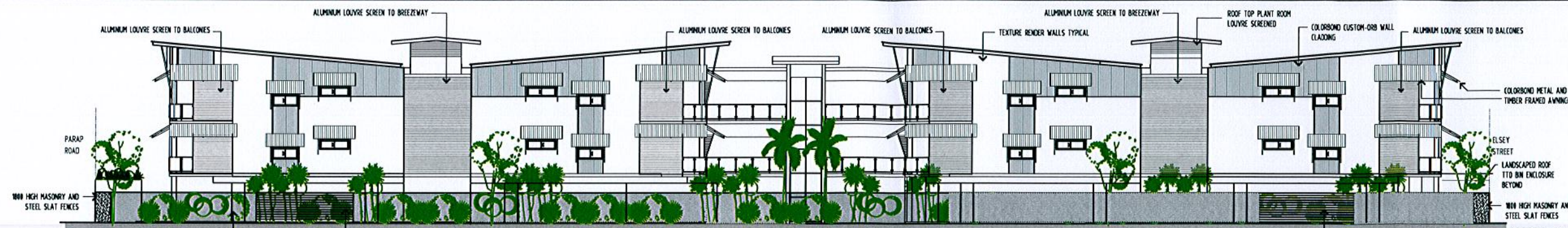
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Draw No. 2012/0336/2

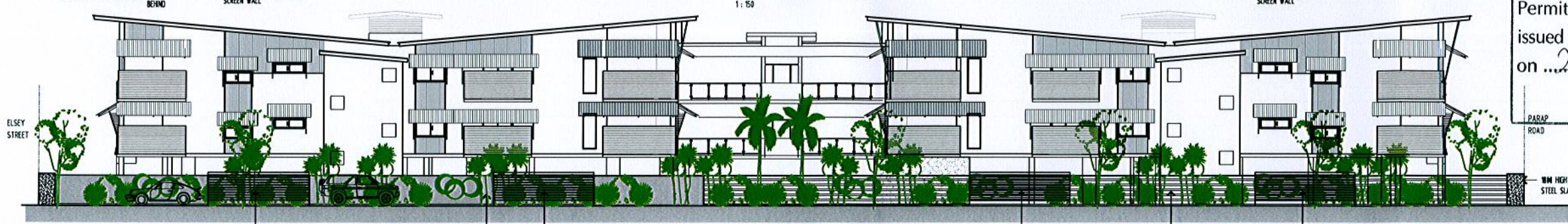
33 PARAP ROAD
Apartment Development

DATE: April 2012
 REVISION: C
 DRAWING No. 1200-SK2

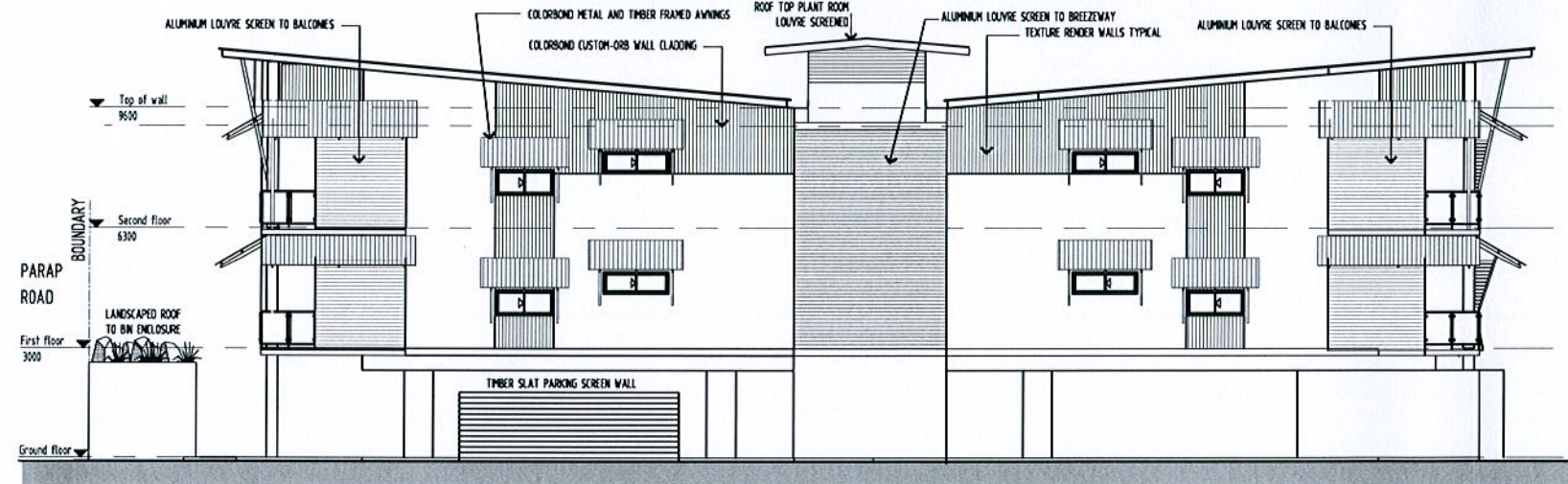


SITE NORTH ELEVATION
1:150

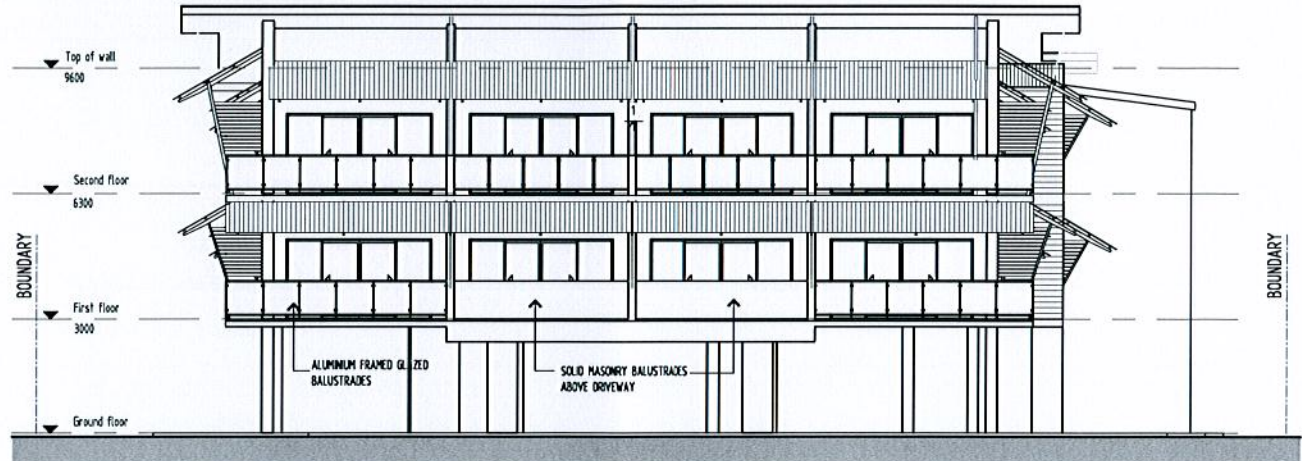
This is the drawing referred to in Development Permit No. AP12/0399 issued by the Development Consent Authority on 26/7/2012.

 Delegate of Authority



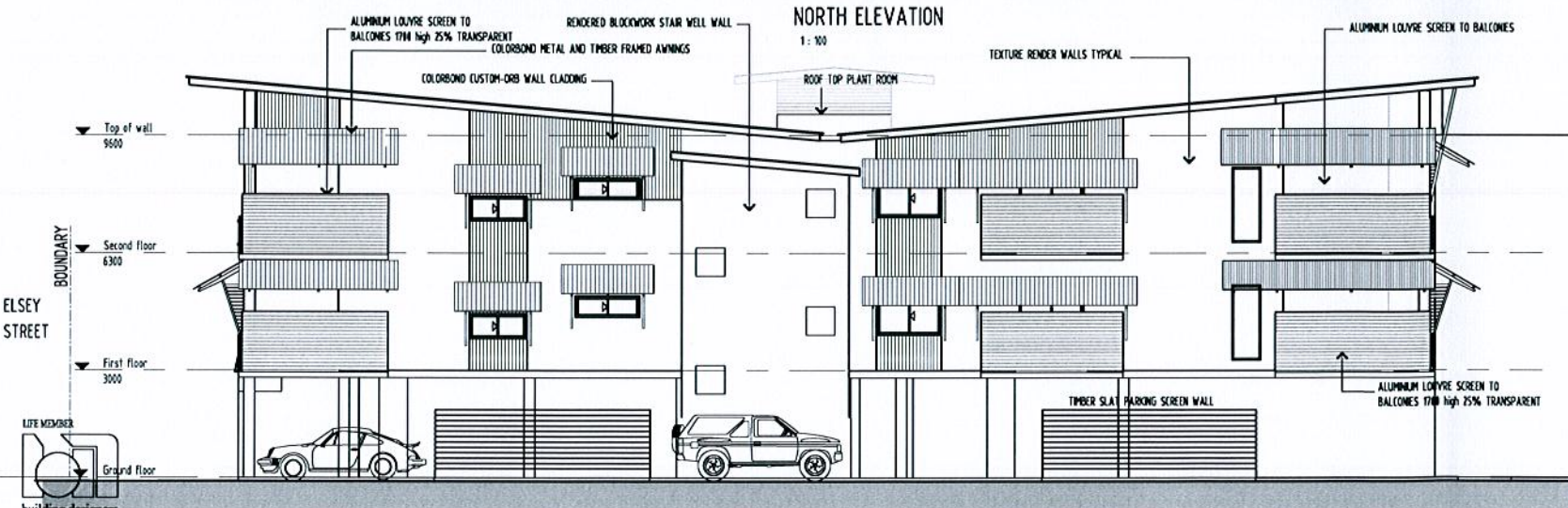
SITE SOUTH ELEVATION
1:150



NORTH ELEVATION
1:100



WEST ELEVATION
1:100



NORTH ELEVATION
1:100



WEST ELEVATION
1:100

G1 GROUP 1 CONSULTING Pty. Ltd.
 ACN 066 014 328

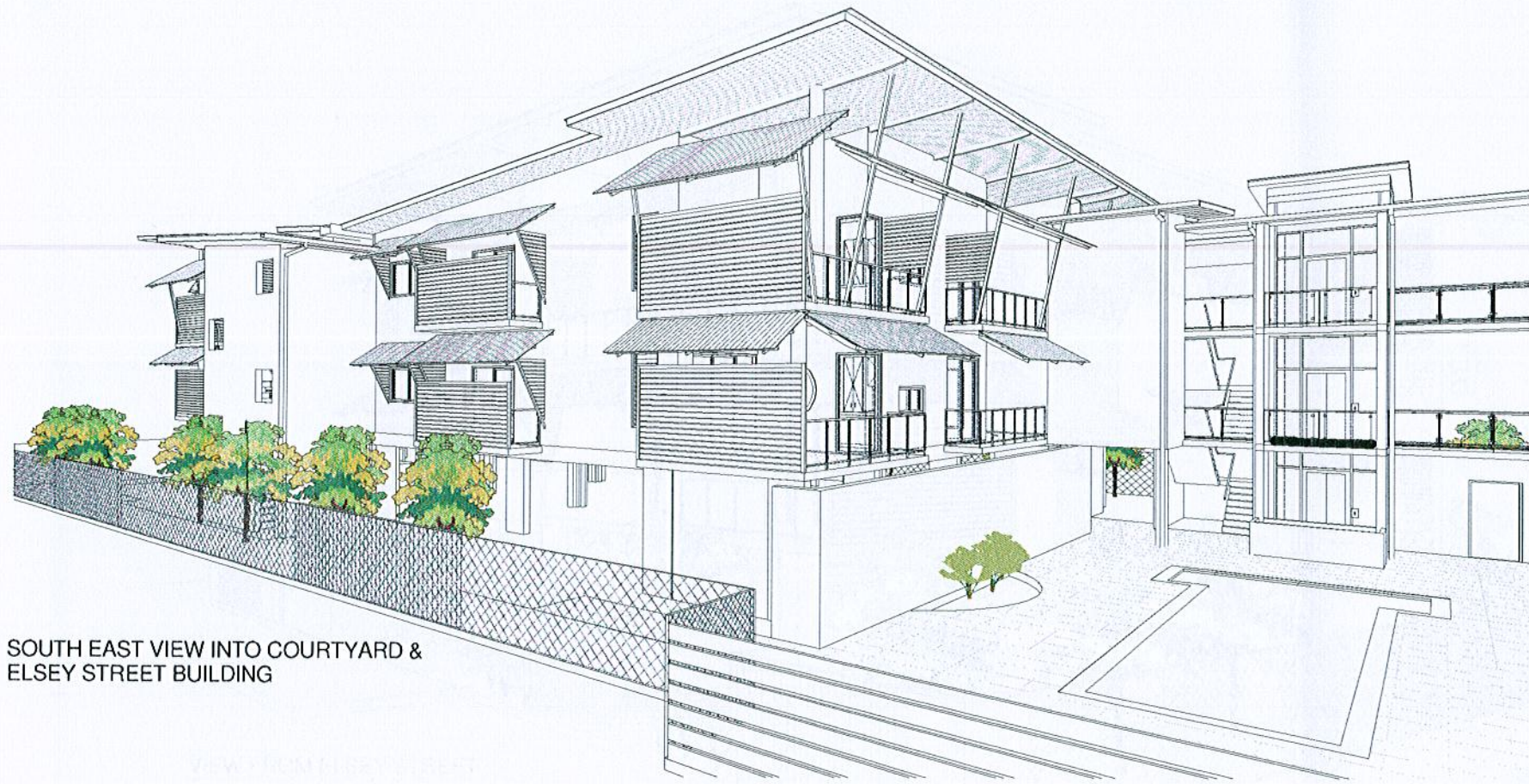
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DWG No. 2012/0536/3
 Elevations

33 PARAP ROAD
 Apartment Development

DATE: April 2012
 REVISION: B
 DRAWING No. 4200-SK5



SOUTH EAST VIEW INTO COURTYARD & ELSEY STREET BUILDING

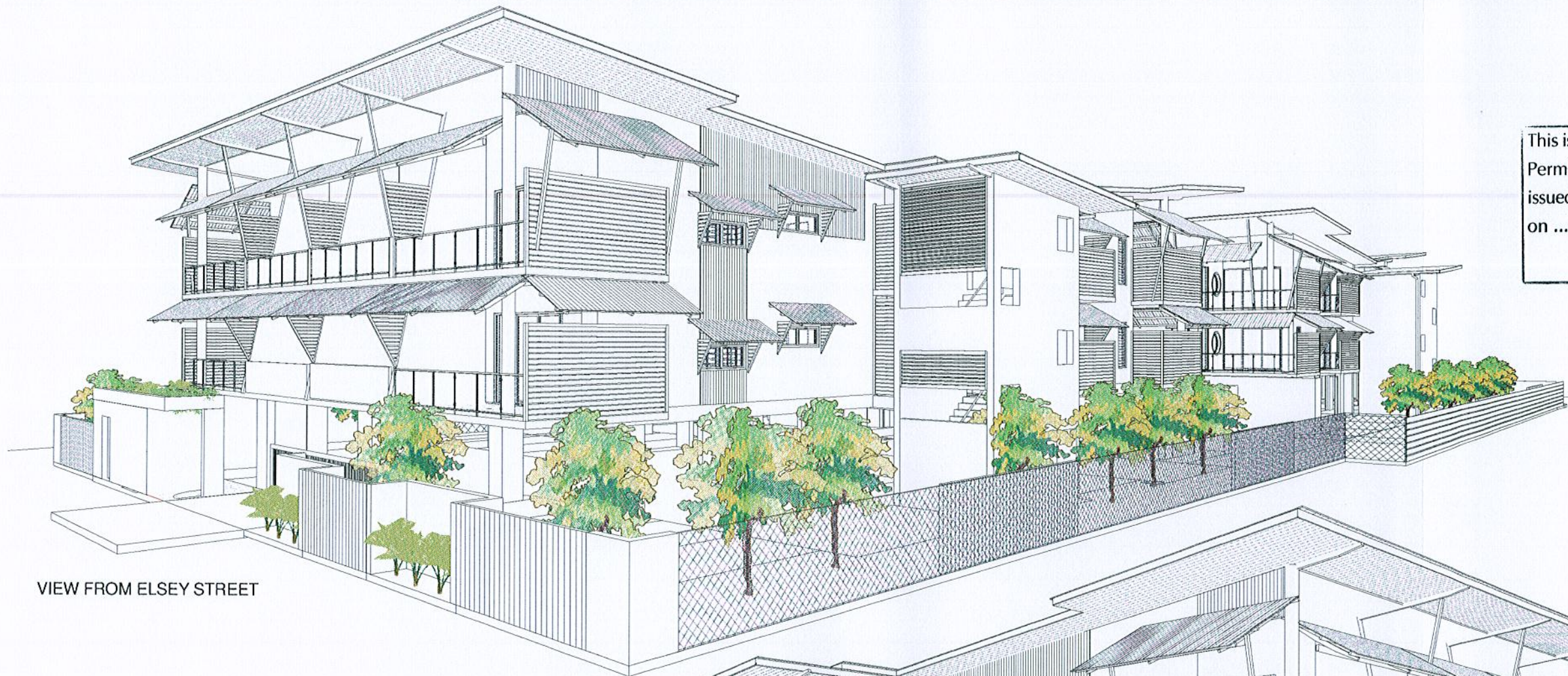
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[Signature]
 Delegate of Authority

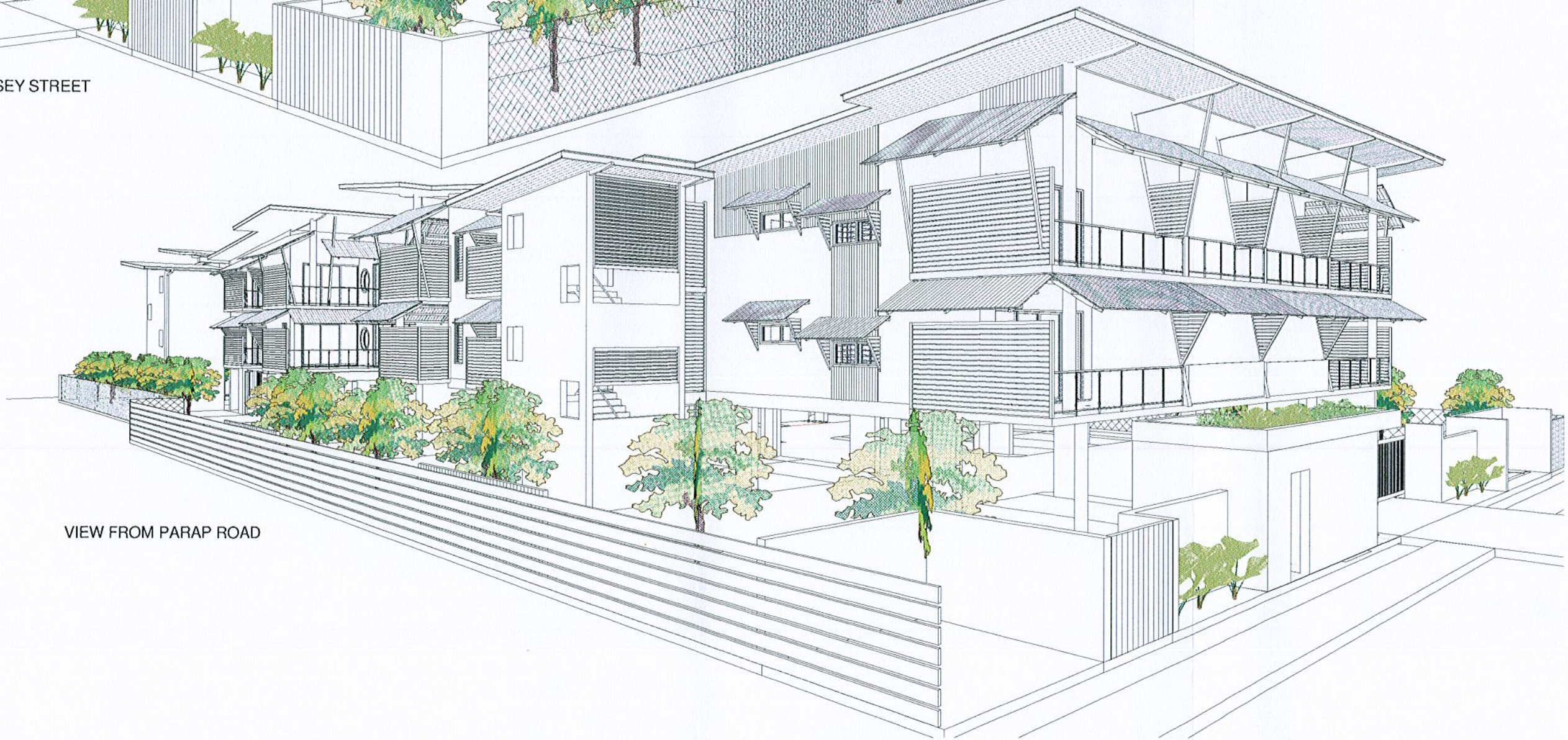


NORTH EAST VIEW TO ELSEY STREET BUILDING

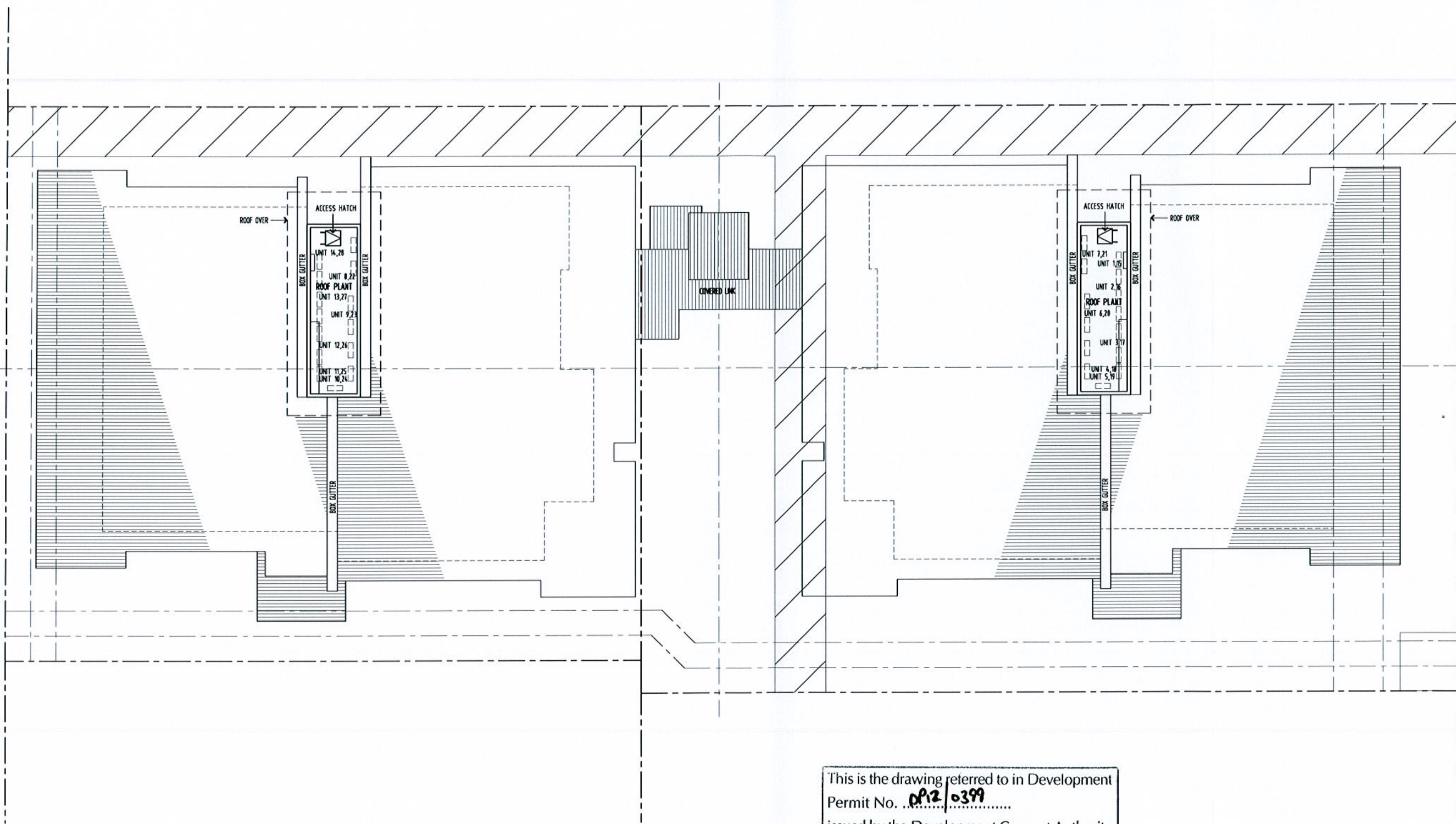
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 on **26/7/2012**.....
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VIEW FROM ELSEY STREET



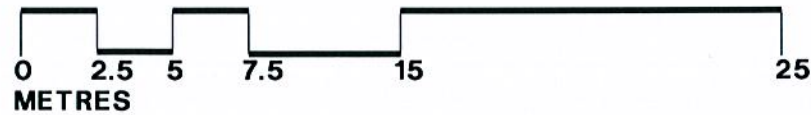
VIEW FROM PARAP ROAD



Roof Plan

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.....
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- office planning

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Auth. No. 2012/0336/6

33 PARAP ROAD
Apartment Development

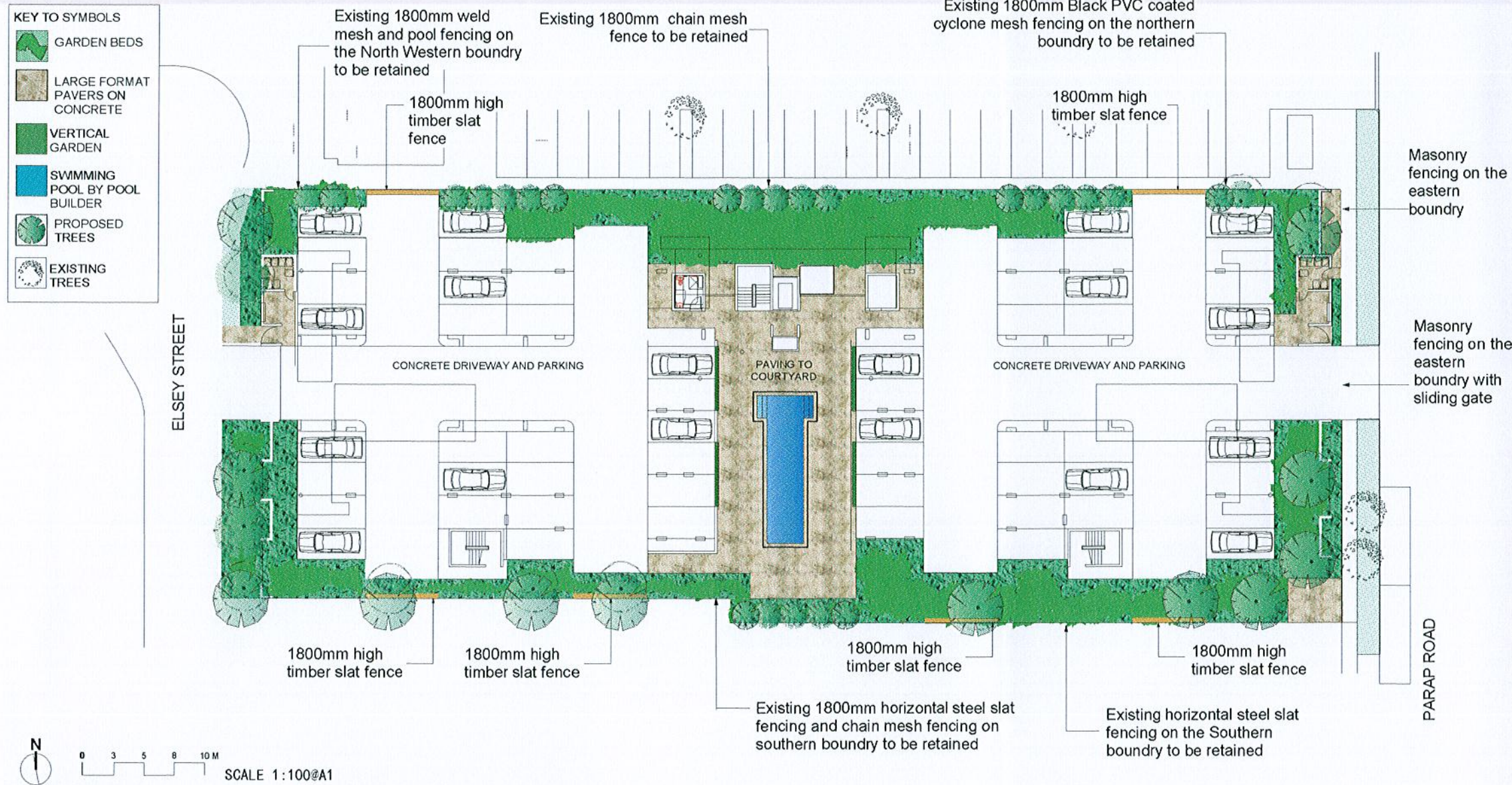
DATE: April 2012
REVISION: B
DRAWING No. ~~4200-SK3~~

PROPOSED LANDSCAPE SCHEME

THE LANDSCAPE DESIGN FOR THE DEVELOPMENT IS TO BLEND WITH AND ADD TO THE PARAP ROAD STREETSCAPE WITH A COLOURFUL, MULTI-LAYERED TROPICAL PLANT DESIGN. THE SOFTENING OF THE BOUNDARY MASONRY WALLS WITH MIXED FOLIAGE SPILLING OVER THE WALL AND LOW PLANTING IN FRONT BREAKS THE LINE OF THE FRONT FENCE TO IMPROVE PRESENTATION TO THE STREET.

PROPOSED TREES AND PALMS ARE SELECTED TO SCREEN VIEWS BETWEEN NEIGHBOURING BUILDINGS AND THE DEVELOPMENT, FOR THE BEGINNING AND MATURATION OF THE LANDSCAPE. THE VERTICAL GARDENS IN THE COURTYARD ARE PANELS ATTACHED TO THE FACADE OF THE INNER COURTYARD AND ADD SOFTENING AND SCENT TO THE SCALE OF THE AREA. THE GAPS BETWEEN THE VERTICAL GARDEN PANELS PROMOTE VISION INTO THE COURTYARD AND AIRFLOW FOR THE CAR PARK AND DWELLINGS. THE LOW PLANTING IN THE GARDEN BEDS WILL COVER THE AREA AT MATURATION AND PROVIDE COLOUR AND TEXTURE TO THE SURROUNDS.

PROPOSED LANDSCAPE PLAN



FENCING

THE PROPOSED NEW FENCING FACES PARAP ROAD AND ELSLEY STREET. THE FENCING IS A COMBINATION OF RENDERED MASONRY WALLS AND ALUMINUM RAIL FENCING. THE MASONRY FENCE IS LOCATED AROUND THE MAIL/BIN ENCLOSURES WITH ALUMINUM SLAT PANELS TO THE BOUNDARY AS SHOWN IN THE IMAGES BELOW.

ALL EXISTING FENCING TO NEIGHBOURS TO BE RETAINED WITH ADJACENT SCREEN PLANTING TO IMPROVE PRIVACY.



IRRIGATION

ALL SOFT LANDSCAPED AREAS WILL INCLUDE AUTOMATICALLY CONTROLLED INGROUND IRRIGATION AS APPROPRIATE FOR GRASS AND PLANTINGS.

This is the drawing referred to in Development Permit No. **DP12/0399** issued by the Development Consent Authority on **26/7/2012**

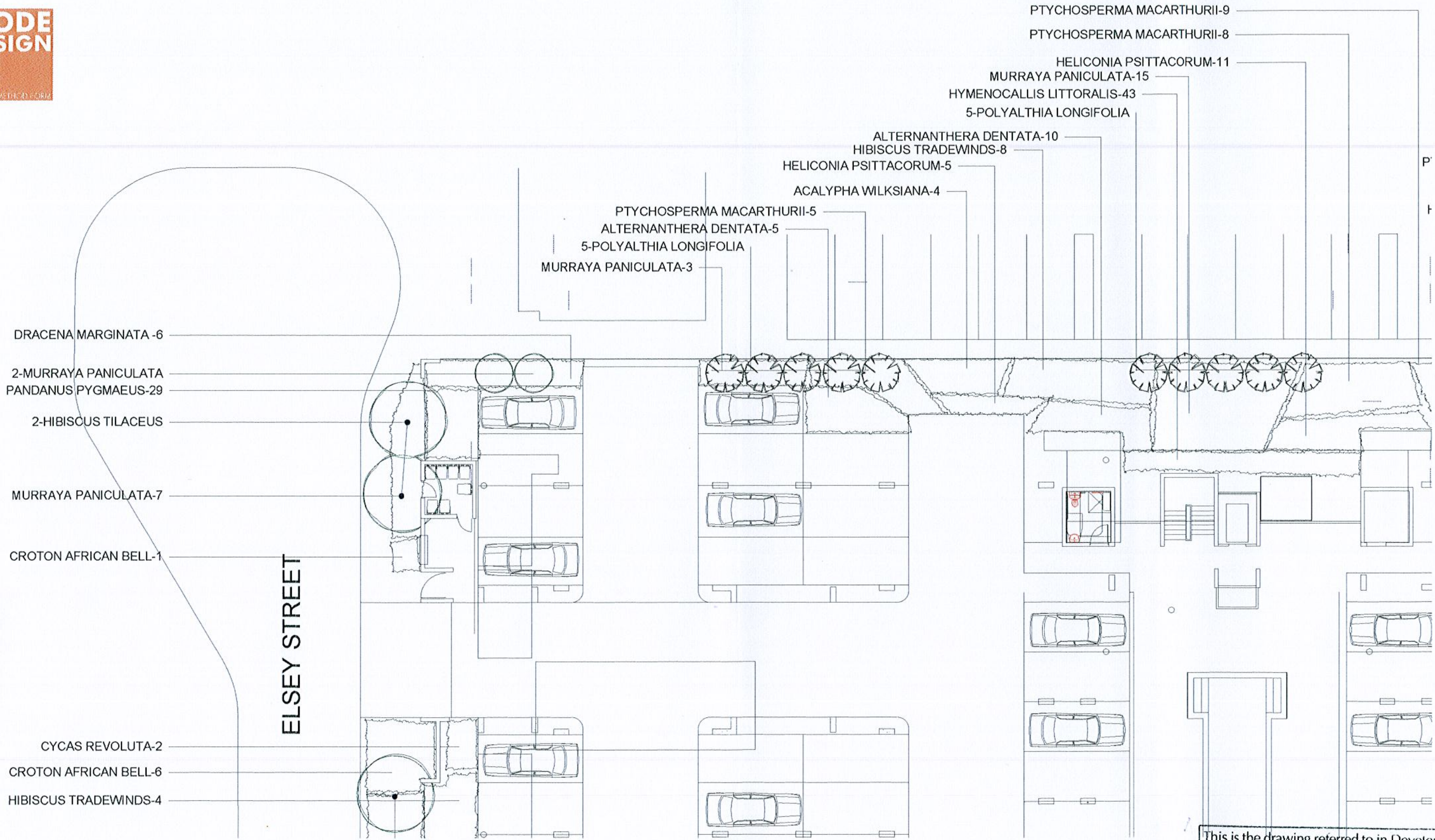
[Signature]
Delegate of Authority

FOR APPROVAL

PROPOSED VERTICAL TROPICAL PLANTING WALLS



THE VERTICAL GARDENS IN THE POOL AREA ARE DESIGNED TO ALLOW FOR PLANTING ABOVE THE PAVED AREAS AROUND THE POOL. THE PANELS OF VERTICAL GARDENS ALLOW LIGHT AND BREEZE TO FLOW THROUGH THE SPACE BETWEEN THE PANELS AND STILL PROVIDE SUFFICIENT VIEWS INTO THE COURTYARD FOR PASSIVE SURVEILLANCE. THE VERTICAL GARDENS ARE 400MM DEPTH, CONTAIN LIGHTWEIGHT FOAM AND PLANTS ARE GROWN IN A HYDROPONIC STATE. THIS IS EASY TO MAINTAIN AS THEY ALSO HAVE INBUILT IRRIGATION SYSTEMS.



ELSEY STREET

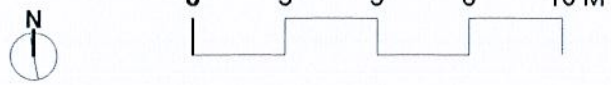
FOR CONTINUATION OF PLAN REFER SK03

FOR CONTINUATION OF PLAN REFER SK04

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[Signature]
Delegate of Authority

FOR APPROVAL



SCALE 1:50@A1

PLANTING PLAN

33 PARAP ROAD Apartment Development
LANDSCAPE DETAIL PLAN

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GROUP 1 CONSULTING Pty. Ltd.
BUILDING DESIGNERS AND MASTER PLANNERS

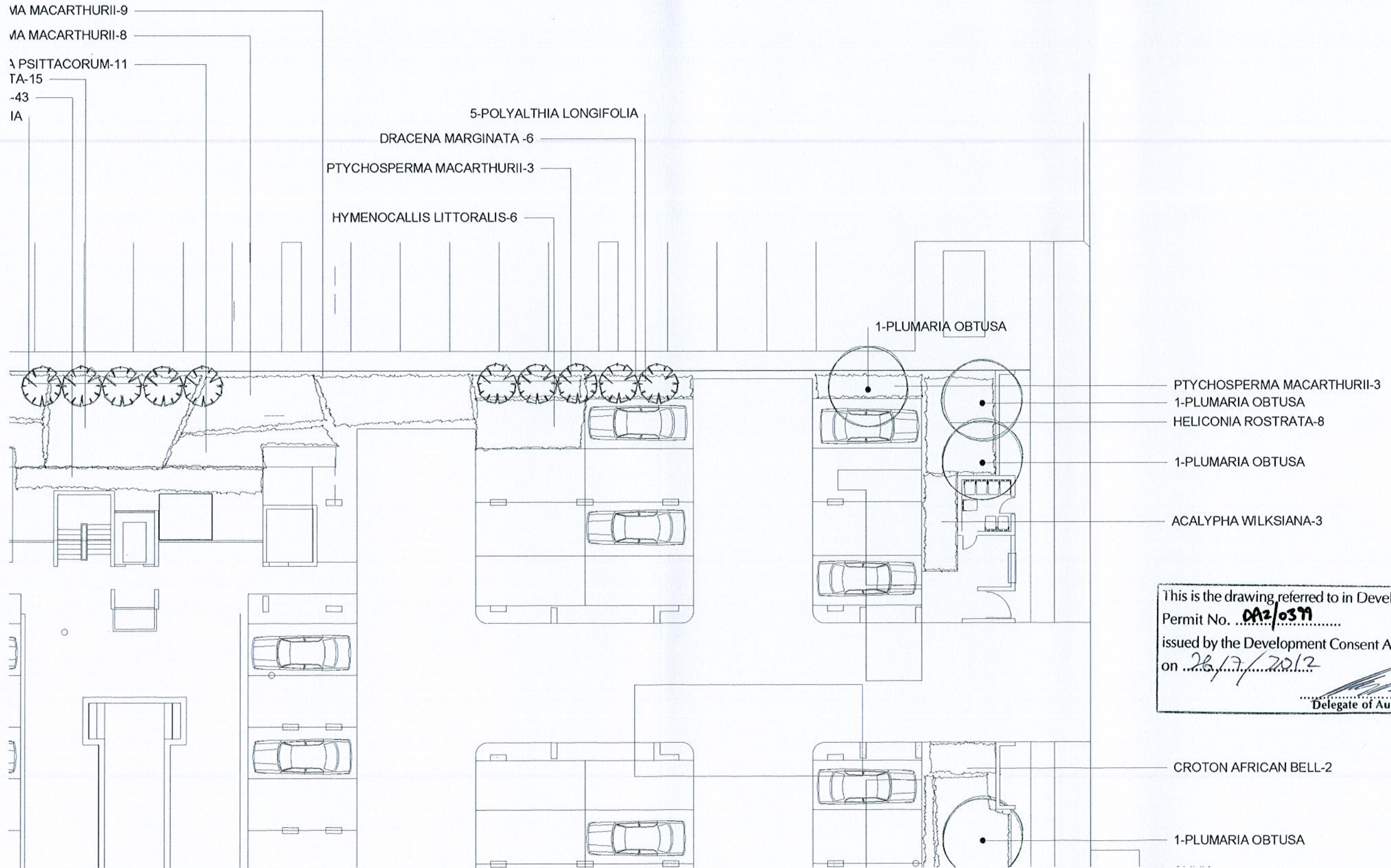
DP No. 2012/0399/8

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Brisbane Sunshine Coast Sydney Darwin

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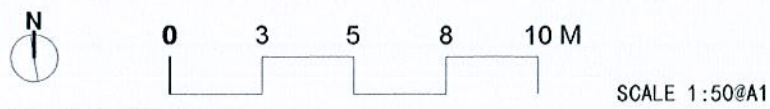
PROJECT No:	120607LSC
DATE:	JULY 2012
SCALE:	1:100
DRAWING No:	SK03
DRAWING:	2 of 6



FOR CONTINUATION OF PLAN REFER SK02

FOR CONTINUATION OF PLAN REFER SK05

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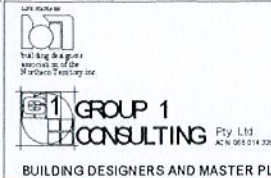


PLANTING PLAN

FOR APPROVAL

33 PARAP ROAD Apartment Development
 LANDSCAPE DETAIL PLAN

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DA2/0379

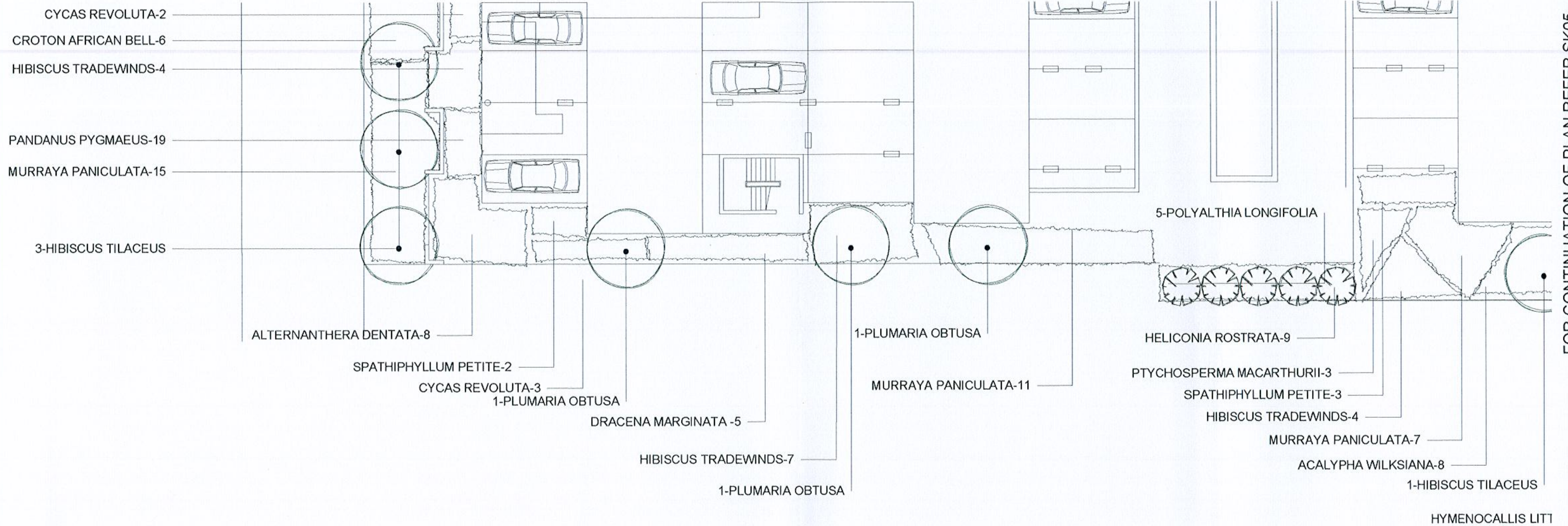
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Brisbane Sunshine Coast Sydney Darwin

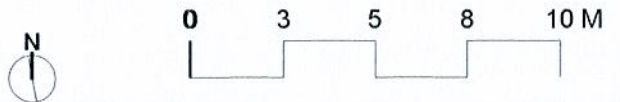
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PROJECT No. 120607LSC
 DATE: JULY 2012
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 DRAWING No. SK03
 DRAWING 3 of 6

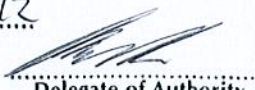
FOR CONTINUATION OF PLAN REFER SK02



FOR CONTINUATION OF PLAN REFER SK05



SCALE 1:50@A1

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 Delegate of Authority

PLANTING PLAN

FOR APPROVAL

33 PARAP ROAD Apartment Development
 LANDSCAPE DETAIL PLAN

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**GROUP 1
CONSULTING** Pty Ltd
 BUILDING DESIGNERS AND MASTER PLANNERS

DWG No. 2012/0336/10

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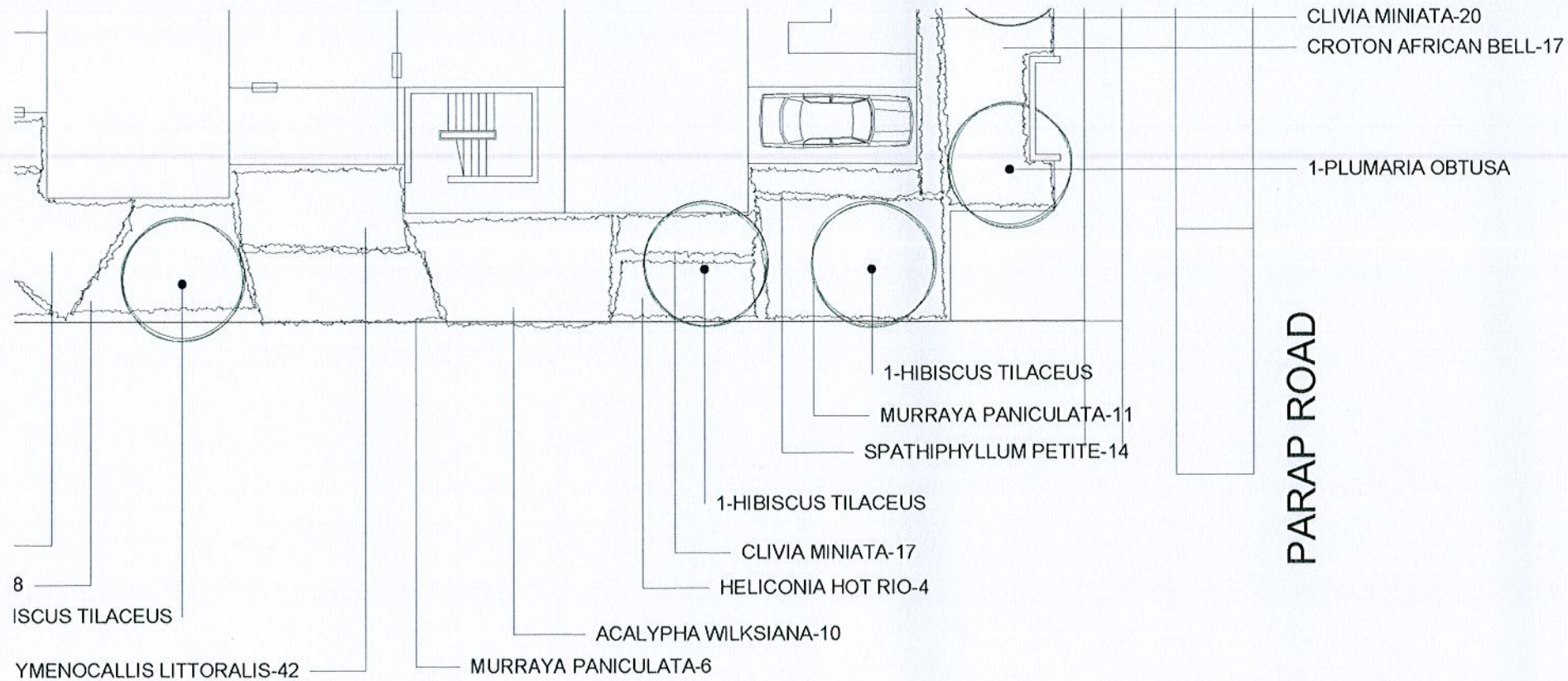
Brisbane Sunshine Coast Sydney Darwin

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PROJECT No: 120607LSO
 DATE: JULY 2012
 SCALE: 1:100
 DRAWING No: SK04
 DRAWING: 4 of 6

FOR CONTINUATION OF PLAN REFER SK03

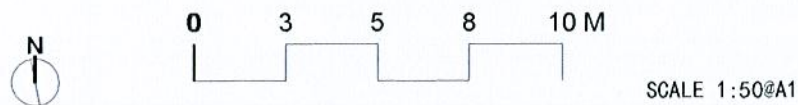
FOR CONTINUATION OF PLAN REFER SK04



Latin Name	Common Name	Height	Spread	Pot Size	Quantity
ACALYPHA WILKSIANA	CATS TAILS	2500	1500	300	25
ALTERNANTHERA DENTATA	RUBY LEAF ALTERNANTHERA	1000	1000	300	23
CLIVIA MINIATA	CLIVIA	1000	1000	300	37
CROTON AFRICAN BELL	CROTON AFRICAN BELL	2000	1500	300	26
CYCAS REVOLUTA	CYCAS	1000	1000	300	5
DRACENA MARGINATA	DRACENA	1500	1500	300	17
HELICONIA HOT RIO	HELICONIA HOT RIO	1500	1500	300	4
HELICONIA PSITTACORUM	YELLOW HELICONIA	1500	1500	300	16
HELICONIA ROSTRATA	HANGING HELICONIA	1500	1500	300	17
HIBISCUS TILACEUS	NATIVE HIBISCUS	4000	4000	100LTR	8
HIBISCUS TRADEWINDS	ORANGE HIBISCUS	1500	1500	300	23
HYMENOCALLIS LITTORALIS	SPIDER LILY	1000	1000	300	93
MURRAYA PANICULATA	ORANGE JESSAMINE	2500	1500	300	77
PANDANUS PYGMAEUS	DWARF PANDANUS	300	300	300	48
PLUMARIA OBTUSA	FRANGIPANI	4000	4000	100LTR	7
POLYALTHIA LONGIFOLIA	INDIAN MAST TREE	6000	2000	100LTR	20
PTYCHOSPERMA MACARTHURII	MACARTHUR PALM	3000	2000	300	31
SPATHIPHYLLUM PETITE	PEACE LILY	1000	1000	300	19

This is the drawing referred to in Development Permit No. 02/0399 issued by the Development Consent Authority on 26/7/2012.

 Delegate of Authority



PLANTING PLAN

FOR APPROVAL

33 PARAP ROAD Apartment Development
 LANDSCAPE DETAIL PLAN

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Brisbane Sunshine Coast Sydney Darwin

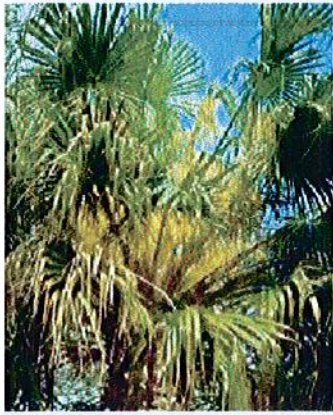
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PROJECT No: 120607LSC
 DATE: JULY 2012
 SCALE: 1:100
 DRAWING No: 0100
 DRAWING: 5 of 6

PROPOSED TROPICAL PLANTING

THE PLANTING SCHEME IS IRRIGATED AND IS DESIGNED TO ADD HIGH COLOUR AND SCENT TO THE AREA, MATCHING SURROUNDING PLANTING SCHEMES IN PARAP ROAD. THE PLANTING CONCEPT FOR THE PROJECT IS TO CREATE LAYERS OF SHADE AND SCREENING BETWEEN THE PROPOSED BUILDING AND THE ADJOINING LOTS. THE SHADING AND SCREENING WILL BE ACHIEVED WITH TREES OF VARYING MATURE HEIGHTS IN WIDE GARDEN AREAS AND WITH PALM TREES IN NARROW GARDEN BED AREAS. THE REMAINING SHRUB FOLIAGE WILL PROVIDE SCREENING FOR VIEWS INTO THE CAR PARK AREA YET BE INTER PLANTED WITH LOW PLANTINGS TO ENSURE VENTILATION FOR THE CAR PARK IS MAINTAINED. THE POOL COURTYARD WILL INCLUDE VERTICAL GARDENS ATTACHED TO THE ARCHITECTURAL PANELS TO CONTINUE THE 'GREEN ENVIRONMENT'.

PROPOSED TREES AND PALMS – TROPICAL PLANTING



Livistona australis
Cabbage Palm



Roystonea rigia
Cuban Royal Palm



Rapis excelsa
Lady Finger Palm



Tabebuia pallida
Pink Trumpet Tree



Plumeria obtusa
Frangipani Tree

PROPOSED SCREENING SHRUBS – TROPICAL PLANTING



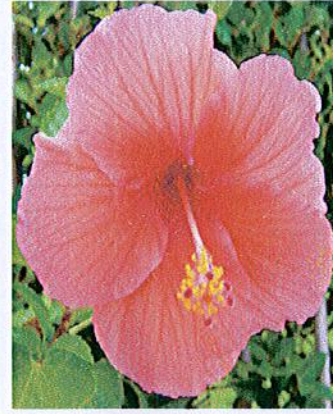
Acalypha wilkesiana
Cats Tails



Heliconia rostrata
Hanging Heliconia



Murraya paniculata
Orange Jessamine



Hibiscus 'Tradewinds'
Orange Hibiscus



Clivia miniata
Bush Lily

PROPOSED LOW SHRUBS – TROPICAL PLANTING



Pandanus pygmaeus
Dwarf Pandanus



Spathiphyllum petio
Dwarf Madonna Lily



Alternanthera dentata
Ruby Leaf Alternanthera



Cycas revoluta
Sago Palm



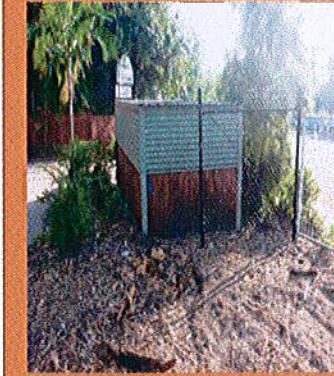
Hymenocallis littoralis
Spider Lily

FOR APPROVAL

FENCING

THE EXISTING FENCING IS TO BE RETAINED WHERE IT REMAINS IN GOOD CONDITION. THE EXISTING FENCING TO BE RETAINED IS ILLUSTRATED BELOW AND SHOWN ON THE LANDSCAPE PLAN. WHERE THE FENCE NEEDS TO BE REPLACED, WE HAVE ILLUSTRATED THE TYPE ON NEW FENCING REQUIRED AND SHOWN THE LOCATIONS OF NEW FENCING ON THE LANDSCAPE PLAN.

EXISTING FENCING



1800mm high Chain mesh fence north east corner



1800mm high Weld mesh fence north west corner



1800mm high metal horizontal cladding fence - southern boundary



1800mm high Chain mesh fence - southern boundary



1800mm high horizontal cladding fence - southern boundary

This is the drawing referred to in Development Permit No. **DP12/0394** issued by the Development Consent Authority on **26/7/2012**

Delegate of Authority

GROUP 1 CONSULTING Pty Ltd
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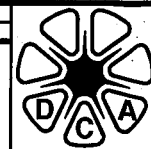
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PROJECT No: 120607LSC
DATE: JULY 2012
SCALE: N/A
DRAWING No: ~~SK06~~
DRAWING: 6 of 6
REVISION

Development Consent Authority

Northern Territory



GPO BOX 1680
DARWIN NT 0801

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

In reply please quote: PA2012/0336
MO : KC

John Berryman
Group 1 Consulting
GPO BOX 825
DARWIN NT 0801
group1@bigpond.net.au

Dear Mr Berryman

NOTICE OF DETERMINATION (*SECTION 53A OF THE PLANNING ACT*) LOT 5570 (8) ELSEY STREET & LOT 5571 (33) PARAP ROAD, TOWN OF DARWIN

The Development Consent Authority has determined to vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to section 53(b) of the Planning Act, to alter the proposed development and grant consent to the proposed development as altered to use and develop the land for the purpose of 20 x 1 and 8 x 2 bedroom multiple dwellings in a 3 storey building including undercroft car parking subject to the conditions specified below.

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

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to 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 tabled at the 22 June 2012 meeting of the Authority but modified to show:
 - (a) full screening of the southern side of balconies attached to units adjacent to the southern side boundary (Units 4, 5, 10, 11, 18, 19, 24 & 25). The required screening is to meet the standard set out in Table B of Clause 7.3 (Building Setbacks of Residential Buildings) of the Planning Scheme (i.e. permanently fixed to a height of 1.7m above floor level, no more than 25% transparent, designed and coloured to blend in with the development);
 - (b) screening of the walkway link and/or balconies of Units 6, 7, 20 & 21 to minimise potential for overlooking of private open space areas of these dwellings from the walkway;

- (c) screens in the landing areas of the first and second floors to prevent users of the walkway link viewing directly into habitable rooms of Units 1,14, 15 & 28 in the event that the front door is open.
 - (d) the addition of bike storage areas at ground level;
 - (e) screening of driveway ends adjacent to the southern side boundary to minimise potential impacts of vehicle headlights on adjacent properties;
 - (f) removal of the barbecue area and relocation of the pool pump house to comply with the setback requirements of Clause 7.3 (Building Setbacks of Residential Buildings);
 - (g) roofing and screening of the rooftop plant whilst still complying with Clause 7.1.2 (Residential Height Limitations);
2. Before the development starts, 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 and two copies must be provided. The plan must show:
- (a) details of the landscaping proposed for the entire site including canopy trees;
 - (b) details of surface finishes of pathways and driveways;
 - (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) landscaping and planting within all open areas of the site; 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.

3. Prior to the commencement of works (including site preparation), the applicant is to submit details regarding the ongoing provision of public transport services during the construction phase, on advice from the Department of Lands and Planning (Public Transport Division) and to the satisfaction of the consent authority.
4. Prior to the commencement of works (including site preparation), the applicant is to submit an easement encroachment agreement between the landowner and Power and Water Corporation in regard to the siting of the walkway structure over the existing sewerage easement on site, to the satisfaction of the consent authority.
5. Prior to 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 the City of Darwin's stormwater drainage system, to the requirements of the City of Darwin and to the satisfaction of the consent authority.

GENERAL CONDITIONS

6. The applicant is to prepare a Waste Management Plan demonstrating waste disposal, storage and removal, to the requirements of the City of Darwin and to the satisfaction of the consent authority.
7. The applicant is to submit details regarding landscaping within the Elsey Street verge to deter illegal parking on the verge, on advice from and to the requirements of the City of Darwin and to the satisfaction of the consent authority.
8. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
10. 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.
11. An Occupancy Permit under the *Building Act* must not be issued until Lots 5570 and 5571, Town of Darwin have been consolidated and a new title issued for the consolidated lot.
12. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
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 of 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. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.
16. All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and Fire and Emergency Services.
17. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.
18. Before the 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;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
19. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority, and 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, to the satisfaction of the consent authority.

20. 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.
21. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
22. 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.
23. The landscaping shown on the endorsed plans must be maintained 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) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Natural Resources Management Division, Department of Natural Resources, Environment, the Arts and Sport.
3. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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 will be required to contact "Dial Before You Dig" on 1100 to obtain a location of the Telstra network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
5. Power and Water Corporation has advised that the current local infrastructure cannot sustain the necessary fire fighting flows for this development. The developer will be required to upgrade the local water reticulation infrastructure, and will need to contact Power and Water Corporation's Services Development Technical Officers to discuss details of the water supply requirements this development would attract.
6. All proposed works impacting on Elsey Street and Parap 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 City of Darwin. Drawings must be submitted to the City of Darwin for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

Reasons for the Determination

1. The proposed structure is consistent with the primary purpose of Zone MR (Medium Density Residential) of the NT Planning Scheme, being to provide for a range of housing options to a maximum height of 4 storeys above ground level.

2. A variation to Clause 7.3 (Building Setbacks of Residential Buildings) for the purpose of reduced front and side setbacks is supported, as the proposed development is generally consistent with the purpose of the clause. The additional setback requirements of Clause 7.3.1 have been assessed on the basis that the development is one building, however in some respects it would present as two buildings and the additional setbacks required may be considered excessive in seeking to achieve a development consistent with the purpose of the setback clause.

The design and scale of the eastern and western buildings and the setbacks proposed are considered compatible with the Parap Road and Elsey Street streetscapes and surrounding development. As required by Clause 7.1.2 (Residential Height Limitations), a three storey maximum applies to any development of the site, thereby increasing the compatibility of any development with the surrounding residential zones and the existing and future development these zones provide for.

The proposed design is considered to minimise potential adverse effects of building massing when viewed from adjoining land and the street. The way in which the development largely presents as two buildings, the open sided design of the walkway link, the undercroft car parking, first and second floor balconies the full width of the building on each street frontage, variety in building materials proposed and well-articulated façades including regular use of windows and awnings, are all aspects of the development which would minimise its visual impact in terms of building massing.

The proposed setbacks are considered adequate to allow for and encourage breeze penetration through and between the buildings. Living areas of each dwelling opening directly onto balcony areas, the regular placement of windows, a 15 metre distance between the eastern and western buildings, the open-sided walkway link, the open ended stairwells and breezeway landings with internal windows to each dwelling, are all aspects of the proposed development which would allow and encourage breeze penetration into the site and each dwelling.

3. The sewerage easement within the site is considered to represent special circumstances for consideration. The sewerage easement effectively constrains the logical development of the site to two separate buildings. In regard to the configuration of two separate buildings within the site, full compliance with the setback requirements of Clause 7.3 and 7.3.1 would likely require a reduction in dwelling and building size, resulting in an adverse impact upon the amenity of the buildings and dwellings for future residents, or a reduction in the number of dwellings that can be accommodated within the site, which would be inconsistent with the purpose of Zone MR (Medium Density Residential) and an inefficient use of land ideally suited to medium density infill development.
4. Screening of balconies on the southern side of the buildings is required to avoid undue overlooking of adjoining properties in keeping with the purpose of Clause 7.3 (Building Setbacks of Residential Buildings).
5. Screening of the walkway link and/or balconies of Units 6, 7, 20 & 21 as well as within the landing areas adjacent to the entrance to Units 1, 14, 15 & 28 of the first and second floors is required to minimise the potential for undue overlooking of private open space areas and habitable rooms from the walkway.
6. Screening at the end of driveways adjacent to the southern side boundary is considered necessary to mitigate potential impacts of vehicle headlights on adjacent residences to the south.

7. Removal of the barbecue area and relocation of the pool pump house to comply with the setback requirements of Clause 7.3 (Building Setbacks of Residential Buildings) is required as the structures would likely have an adverse impact upon the adjacent property in terms of building massing and may compromise breeze penetration.
8. Details of the landscaping of the site are required in order to ensure that the landscaping complements and enhances the streetscape, is attractive, water efficient and contributes to a safe environment, as per Clause 6.12 (Landscaping) of the NT Planning Scheme.
9. Council is the sole responsible authority under the *Local Government Act* and associated by-laws to regulate matters of stormwater drainage and waste collection in regard to the proposed development, and as such has requested the submission of a schematic stormwater plan and Waste Management Plan.
10. A Traffic Management Plan is required in order to demonstrate that the free flow of buses past the site and bus access to the stop directly outside the site will be maintained throughout the construction phase of the development.

Rights of Appeal

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

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

The Registrar of the Appeals Tribunal can provide information regarding the Notice of Appeal form and fees payable. The address for lodgement of a Notice of Appeal is: The Registrar, Appeals Tribunal, GPO Box 1281, DARWIN NT 0801 or Level 1, The MET Building, 13 Scaturchio Street, CASUARINA NT 0810 (Telephone: 08 8999 5001 or Facsimile 08 8999 5005).

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

If you have any queries in relation to this Notice of Determination, please contact Development Assessment Services on telephone (08) 8999 6046.

Yours faithfully



HANNA STEVENSON
Delegate

09/07/2012

Cc City of Darwin
Hayley Shields
C.B.J Pilling
Andrew Race
Parap Residents Association
Lands Planning & Mining Tribunal
Alan Kushin & Dawn Ray
Bryan Hart
Colleen Corden
Frank May



DEVELOPMENT APPLICATION

SECTION 46 PLANNING ACT

VERANDAH ADDITION TO AN EXISTING DEVELOPMENT WITH A REDUCED SIDE SETBACK

LOT 8689 (33) PARAP ROAD TOWN OF DARWIN

CONTENTS

1.0	PRELIMINARY	3-4
1.1	Introduction Summary.....	3
1.2	Land Owner(s).....	3
1.3	Nature of Application	4
1.4	Overlays.....	4
2.0	PROPOSAL	5
3.0	SITE & LOCATIONAL ATTRIBUTES	5-6
3.1	Land Description	5-6
3.2	Locational Attributes	6
4.0	STATUTORY PLANNING & CONSIDERATION, SECTION 46 OF THE PANNING ACT	7-21
	46(3)(a) – Compliance with the NT Planning Scheme 2020	7 -20
	46(3)(b) – Interim Development Control Order.....	20
	46(3)(c) – Environmental Reports.....	21
	46(3)(d) – Merits of Proposed Development.....	21
	46(3)(e) – Land Capability.....	21
	46(3)(f) – Public Facilities/Open Space	21
	46(3)(g) – Public Utilities and Infrastructure.....	21
	46(3)(h) – Impact on Amenity	21
	46(3)(j) – Public Interest.....	21
	46(3)(k) – Compliance with <i>Building Act 1993</i>	21
5.0	CONCLUSION	22
	 APPENDIX A - Drawings	
	 APPENDIX B – Title Search Certificate	
	 APPENDIX C1 and C2 – Old and New Survey Plans	

1. Preliminary

1.1 Introduction Summary

One Planning Consult has been engaged by the proponents to lodge an application for the purpose of adding a partly enclosed verandah structure (gym) to an existing development for use as BBQ area. The subject site is Lot 8689 (33) Parap Road, Town of Darwin. The site is contained within land zoned MR (Medium Density Residential).

The development is consistent with the zoning (MR) of the land and ordinarily aligned with the purpose and outcome(s) of the land zoning as discussed below. The relevant clauses of the NT Planning Scheme applicable to the proposed use are:

5.2.1 General Height Control

5.2.4 Car Parking

5.2.6 Landscaping

5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

5.4.4 Extensions and Structures Ancillary to a Dwelling-group or Dwelling-Multiple Development

5.4.6 Private Open Space

5.4.7 Communal Open Space

5.4.8 Residential Building Design

5.4.17 Building Articulation

5.4.18 Fencing

5.4.19 Residential Plot Ratio

1.2 Lan Landowner(s) – Section 46 (aa) d Owner

Applicant: One Planning Consult

Landowners: Body Corporate for Elsey On Parap Unit Title Scheme (BC 2013/042)

Proponent: Clarke Constructions (NT) PTY LTD

Refer to Search Certificate at **APPENDIX B** obtained at the time of preparing this application report.

1.3 Nature of the Application

Pursuant to section 46 (1) of *the Planning Act*, the application seeks planning approval for the purpose of adding a single storey verandah to an existing three (3) storey buildings development. Verandah is merit assessable pursuant to Clause 1.8 (1)(b)(i) of the NT Planning Scheme 2020. The proposal does not comply with the relevant development requirements set out in Part 5, clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) and clause 5.2.6 (Landscaping) of the Scheme. Merit Assessable development requires the exercise of discretion by the consent authority to ensure the development can be established in a way that does not impact on the amenity of the area and accords with the relevant zone purposes and outcomes.

Dwelling-multiple means a dwelling or serviced apartment that is wholly or partially vertically over or under another dwelling on a site or any dwellings above the ground floor in a mixed-use development and includes a dwelling on a unit title with common property.

The purpose of MR land zoning is to provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport, or open space, where reticulated services can support medium density residential development.

Amongst other zoning outcomes under the land zoning to the subject site, the proposal is aligned with the following outcomes:

Outcome 1, Predominantly medium density residential developments generally not exceeding four storeys.

The proposed development is for addition of a single storey partly enclosed verandah to an existing three (3) storeys dwelling-multiple buildings.

Outcome 5, Building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and to adjoining lots, and provides privacy and attractive outdoor spaces.

The verandah design incorporates partly enclosed and open verandah that face away from affected side boundary. The proposed wall along the affected boundary is approximately 3.6m in height and provides additional privacy to the development (communal area) and adjoining properties.

1.4 Overlays and Easements

There are no overlays identified over the subject land. The site has an existing sewer easement along the northern boundary and running through the central part of the site. It is noted that the proposal overlaps over the existing central sewer easement which appears to be useless to the development due to existing connection to the northern sewer easement that connects to both Parap Rd and Elsey St connection points (**Image1**). The central sewer easement is therefore not relevant and required.

Alternative Sewer Connection points (Parap Rd and Elsey St)



2. Proposal

The proposed development comprises the addition of a single-storey BBQ area with partially enclosed verandah (gym) structure to an existing development in accordance with the plans provided at **APPENDIX A**.

The look of the site when viewed from Parap Road and Elsey Street at, **Image 2** and **3** below.

Image 2: The look of existing development, Parap Road view



Image 3: The look of existing development, Elsey Street view



3. Site and Locational Attributes

3.1 Land Description

The subject site is Lot 8689 (33) Parap Road, Parap. The site is rectangular in shape with an area of and takes street frontages to Parap Road and Elsey Street. The length and depth of the site are approximately 87m and 34m respectively. The land is relatively flat with a steady slope towards the front boundaries. The land zones close to the site comprises:

- To the north is land zoned MR (Medium Density Residential) and developed with 2 storey buildings.
- To the south is land zoned MR (Medium Density Residential) and developed with 2 storey buildings.
- To the east and across Parap Road is land zoned C (Commercial) and developed as Parap shopping village.
- To the west and across Eley Street is land zoned LMR (Low-Medium Density Residential) and developed with a 2 storey building.

Reticulated power, water and sewer services are available to service the proposed development and will be connected to these services to the satisfaction of Power and Water Corporation (PWC.) The site has existing electricity supply and sewer easements (to Power and Water Corporation) identified on the survey plan (**APPENDIX C1 and C2**) to the site.

Image 4: Zoning of Locality

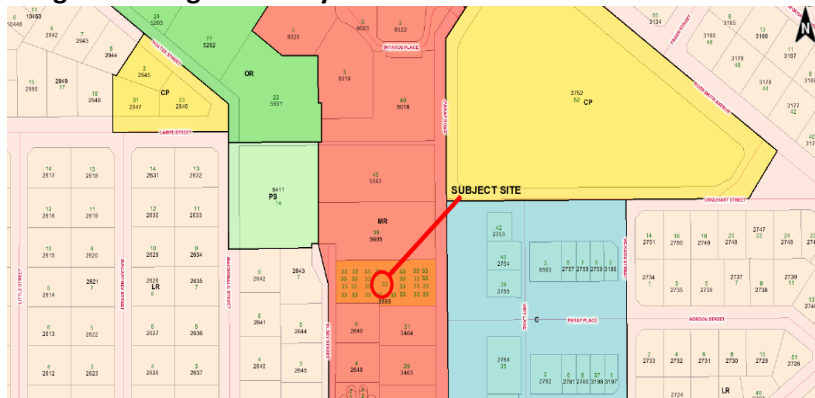


Image 5: Aerial image of locality



3.2 Locational Attributes

The site forms part of the medium density transitional zoning buffer between commercial and low-density residential. The site is located within proximity to public transport, public open space, schools, and commercial and recreational land uses. There are no proposed changes to the existing access points to the site.

4.0 Statutory Planning Consideration

Section 46 of the Planning Act

46(3)(a) Relevant Clauses of the NT Planning Scheme applicable to the land

The following assessment is made based on the proposed land uses NT Planning Scheme 2020 and the relevant clauses of the NT Planning Scheme applicable to the land.

5.2.1 General Height Control

The purpose of this clause is to ensure that the heights of buildings and structures are appropriate to them strategic and local context of the location and meet community expectations for development in the zone.

Administration

1. *This clause does not apply if:*

(a) *The development is for the purpose of:*

- i. a telecommunications facility;*
- ii. a chimney, flag pole, aerial, antenna or lightning rod; or*
- iii. the housing of equipment relating to the operation of a lift; or*

(b) *an alternative height control is specified in clause 5.9 (Location specific development requirements).*

The proposal is for a residential building and therefore the clause applies.

2. *The consent authority must not consent to a development in Alice Springs that is not in accordance with sub-clause 5.*

Not applicable to the subject site.

3. *The consent authority must not consent to a development on land in Zone MR abutting land in Zone LR that is not in accordance with sub-clause 6.*

The site is not located adjacent to land in Zone LR.

4. *Except as set out in sub-clause 3, the consent authority may consent to a development that is not in accordance with sub-clause 6 if it is satisfied the building height is consistent with the intended character and amenity of the area, having regard to:*

- (a) the heights of other buildings in the immediate vicinity; and*
- (b) measures taken to mitigate potential impacts (such as unreasonable overshadowing, or overlooking of dwellings and private open space) on abutting properties.*

The proposal does not seek variation to allowable building height of 4 storeys on land zoned MR.

Requirements

5. *The building height of a development in the Municipality of Alice Springs is not to exceed:*

- (a) the maximum building height for the zone and use as specified in table A to this clause; or*
- (b) two storeys to a maximum of 8.5m if the zone and use is not included in table A to this clause.*

Not applicable to the subject site.

6. *The building height in all other areas is not to exceed:*

- (a) the maximum building height for the zone and use as specified in table B to this clause; or*

In accordance with Table B to clause 5.2.1 the subject site can be developed up to 4 storeys in height. The proposed development comprises a single storey structure.

- (b) two storeys to a maximum of 8.5m if the zone and use is not included in table B to this clause.*

The proposal is included in table bB to this clause.

5.2.4.1 Car Parking Spaces

The purpose of this clause is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site.

Administration

1. This clause does not apply where alternative car parking space requirements are established under clause 5.9 (Location specific development requirements). *The proposed car parking spaces meet the parking demands generated by the proposed uses and are summarised as follows:*
2. *The consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied a reduction of the number of car parking spaces is appropriate with regard to:*
 - (a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land;*
 - (b) the provision of car parking spaces in the vicinity of the land;*
 - (c) the availability of public transport in the vicinity of the land; and*
 - (d) the potential impact on the surrounding road network and the amenity of the locality and adjoining property; or if the use or development relates to a heritage place and the Minister responsible for the administration of the Heritage Act 2011 supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place.*
3. *The consent authority may require the provision of car parking spaces for any ancillary use or development in addition to that specified for the primary use or development in the table to this clause.*

Requirements

4. Dwelling-multiple requires 2 car parks per dwelling

The proposed structure (verandah, BBQ area and Gym) does not require additional parking on site. The proposed structure does not result in any loss of car parking spaces on site.

5.2.4.4 Layout of Car Parking Areas

The purpose of this clause is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.

Administration

1. *This clause does not apply to a car parking area where the car parking is required in association with a dwelling-single, dwelling-independent or a home-based business.*

The proposal is for 12 dwelling-group requiring 24 car parking bays on site. The proposed lay out is designed to meet the requirements of this clause.

2. *A car parking area may be used for the purpose of a market if:
(a) a market is Permitted in the zone; and
(b) the market operates outside of the operating hours of the use for which the car parking area is established.*

Not applicable

3. *The consent authority may consent to a car parking area that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the amenity of the surrounding locality.*

The proposed parking is adequately screened along the front boundary. It is noted that solid screening coupled with vegetation is used to some parts the front boundary and does not impact on the amenity of the surrounding locality.

4. *The consent authority may consent to a car parking area that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design and construction is safe and functional with regard to the location of the development.*

No variation to sub-clauses 7 and 8 sought.

5. *The consent authority may consent to a car parking area that is not in accordance with sub-clause 9 if it is satisfied that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area.*

No variation to sub-clauses 9 is sought.

Requirements

6. *A car parking area is to:*

- (a) be not less than 3m from any lot boundary abutting a road; and*
- (b) provide landscaping to the setback area to a minimum depth of 3m immediately adjacent to any lot boundary abutting a road, using species designed to lessen the visual impact of the car parking area when viewed from the road.*

The proposed car parking is at least 3m from front lot boundary abutting the road.

7. *A car parking area is to be constructed and maintained to be:*
- (a) of a suitable gradient for safe and convenient parking; and*
 - (b) sealed and well drained in urban areas, or dust suppressed in nonurban areas.*

The existing parking layout is of suitable gradient, sealed and well drained.

8. *The layout of a car parking area is to:*
- (a) be functional and provide separate access to every car parking space;*
 - (b) allow a vehicle to enter from and exit to a road in a forward gear;*
 - (c) be in accordance with the dimensions set out in the diagram to this clause; and*
 - (d) ensure parking spaces at the end of and perpendicular to a driveway are 3.5m wide or so that the driveway projects 1m beyond the last parking space.*

There are no proposed changes to the existing parking layout.

9. *The number of access points to the road is to be limited, and access points to car parking areas are to:*
- (a) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and*
 - (b) maximise sight lines for drivers entering or exiting the car parking area.*

There are no proposed changes to existing driveway aisles and car parking layout.

5.2.6 Landscaping

The purpose of this clause is to ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall amenity of the locality. Where landscaping is required by this Scheme it should be designed so that:

Administration

- 1. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.*
- 2. The consent authority may consent to landscaping that is not in accordance with sub-clauses 5, 6 and 7 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.*

Requirements

- 3. Where landscaping is required by this Scheme it should be designed so that:*
 - (a) planting is focused on the area within the street frontage setbacks, side setbacks,*

communal open space areas and uncovered car parking areas;

The development has existing planting focused on street frontages and other parts of development.

(b) it maximises efficient use of water and is appropriate to the local climate;

The existing landscaping plants are widely used in Darwin area and adaptable to local climate.

(c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;

The development has established vegetation as shown at Images 1 and 2 above.

(d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;

The existing development has shade trees that contribute towards the character of the street and amenity of the site.

(e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;

The existing vegetation along the front and side boundaries provides shade at varying times of the day.

(f) the layout and choice of plants permits surveillance of public and communal areas; and

(g) it facilitates on-site infiltration of stormwater run-off.

The existing development generally has clear view of the public domain whilst parts of landscaped areas along the boundaries facilitates on-site infiltration of stormwater run-off.

4. The quality and extent of the landscaping consented to must be maintained for the life of the development.

The existing landscaping will be maintained for the life of the development.

5. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.

The proposed development entails provision of BBQ area and enclosed verandah (gym) within the existing communal space area. These improvements form part of the entertainment and recreational activities included in the landscaping area for the development. The development does not change the existing and required landscaping on site.

6. In Zones LI, GI and DV all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.

No applicable to land zoned MR.

- 7. In Zones MR and HR, side and rear setbacks are to include planting to the length of the setback of no less than 2m deep, except for areas that are used for private open space.*

A variation to the 2m depth of planting is sought as the proposed structure is located close to the side boundary. The encroachment is within a communal open space area with similar functions to a private open space. The reduced planting is unlikely to have adverse effect on the amenity of nearby properties as the proposal provides 3.5m high solid wall with no windows for screening towards neighbouring properties. The proposal provides functional screening to the existing communal space area with minimal impact on the affected side boundary.

5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR

The purpose of this clause is to protect the visual and acoustic amenity of residential buildings where they are adjacent to non-residential development.

Administration

- 1. The consent authority must not consent to a development that is not in accordance with sub-clause 3, except where:*
 - (a) the development is covered by an area plan listed in Part 2 (Major Remote Towns) of the Planning Scheme, in which case the consent authority may consent to a development that is not in accordance with sub-clause 3 if the service authority responsible for distribution of electricity, water and sewerage services points to compliance being impractical or prohibited; or*
 - (b) the development is for the purpose of a child care centre.*

The proposed development is residential use by nature and therefore not subject to this requirement.

Requirements

- 2. A use or development or a proposed use or development that is:*
 - (a) not a residential building;*
 - (c) on land that is in a zone other than Zones LR, LMR, MR or HR; and*
 - (d) abuts land in any of those zones;**must provide a setback to the boundary that abuts any of those zones of not less than 5m.*

Not applicable as the land is zoned MR.

- 3. The setback described in sub-clause 2 is to be landscaped to provide a visual screen to the adjacent land Zoned LR, LMR, MR or HR for a minimum depth of 3m.*

Not applicable as the land is zoned MR.

- 4. The development should provide a solid screen fence of a minimum height of 1.8m at the boundary with land in Zones LR, LMR, MR or HR.*

Not applicable to the proposed development as the site is zoned MR.

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

The purpose of this clause is to ensure that residential buildings and ancillary structures are located in a manner that:

- (a) is compatible with the streetscape and surrounding development including residential buildings on the same site;*
- (b) minimises adverse effects of building massing when viewed from adjoining land and the street;*
- (c) avoids undue overlooking of adjoining properties; and*
- (d) facilitates breeze penetration through and between buildings.*

Administration

In this clause:

- (a) an ancillary structure includes an outbuilding (excluding shade sails), balcony, portico and the like, which may or may not include external walls; and*
- (b) for all developments except dwellings-multiple in Zone MR or HR, where a lot has a boundary with a public street from which vehicular access to the lot is restricted by the controlling Agency or local government council, this boundary shall be considered a side or rear lot boundary for the purpose of calculation of the building setback.*

Requirements

- 6. *Subject to clause 5.2.7, residential buildings and ancillary structures are to be setback from lot boundaries in accordance with table A or B (as the case requires) to this clause noting that no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum building setbacks (subject to the Building Code of Australia) from the lot boundaries.*
- 7. *Not applicable.*
- 8. *Unless detailed in a table to this clause or within a building setback plan in Schedule 9, no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum building setbacks (subject to the Building Code of Australia) from the lot boundaries.*

The proposed structure is zero-lot line (3m required) along the southern side boundary. The development is seeking a variation for a reduced setback to this section of the boundary due to the following reasons:

- The proposed structure provides an incidental visual screening and noise barrier to the communal space area at ground level.
- The proposed solid walls project 4m to 6.45m perpendicular to the affected side boundary and thereby providing noise and visual barrier from the affected side boundary.

- The proposed wall is 3.5m in height along the boundary and affects only 19.5% of the side boundary. Furthermore, the affected portion is located at the rear corners to adjoining properties with dense vegetation.
- There are no windows proposed along the facades of the wall along the portion of the affected side boundary in order to avoid undue overlooking of adjoining properties.

5.4.4 Extensions and Structures Ancillary to a Dwelling-group or Dwelling-Multiple Development

The purpose of this clause is to ensure an extension or ancillary structure that is ancillary to an existing dwelling-group or dwelling-multiple responds to the streetscape and surrounding development.

Administration

1. *An extension to an existing dwelling-group or dwelling-multiple, or addition of an ancillary structure, is Permitted without consent if it complies with sub-clause 2.*

Requirements

2. *An extension or ancillary structure to a dwelling-group or dwellingmultiple is:*
 - (a) *to comply with the requirements of Parts 5 and 6 of the Planning Scheme;*
 - (b) *to be contained wholly within the respective unit title and not on or over a registered easement;*
 - (c) *to be of a scale and design compatible with the existing dwellings and the streetscape and surrounding development including residential buildings on the same site;*
 - (d) *not to result in:*
 - i. *the creation of a habitable area capable of separate occupancy;*
 - ii. *an additional storey; or*
 - iii. *an increase in the maximum height of the development; and*
 - (e) *to include adequate measures to prevent the discharge of concentrated stormwater onto an adjacent lot or unit title.*

The exemption under this clause is not applicable as the proposal is not fully compliant with Parts 5 of the Planning Scheme.

5.4.6.2 Private Open Space for Dwelling-multiple

The purpose of this clause is to ensure dwellings include private open space that enhances the function of the dwelling and are:

- (a) of an adequate size to provide for outdoor living; and
- (b) appropriately sited to provide outlook for the dwelling.

Administration

1. The consent authority may consent to dwellings-multiple comprising of serviced apartments in Zone TC that is not in accordance with sub-clauses 3-5 if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.

2. The consent authority may consent to dwellings-multiple, other than dwellings-multiple comprising of serviced apartments in Zone TC, that is not in accordance with sub-clauses 3-5 if it is satisfied the development is consistent with the purpose of this clause.

Requirements

3. *Each dwelling-multiple is to have at least one area of private open space that:*

(a) is a minimum area of 12m² with no dimensions less than 2.8m;

Table 2 below denotes the area and dimensions of the proposed private open space for each dwelling.

(b) is directly accessible from the main living area or dining area of the dwelling to enable an extension of the function of the dwelling;

(c) is located to provide views from the dwelling to open space and natural features of the site or locality.

4. Where private open space is adjacent to communal open space, direct access is to be provided from the private open space to the communal open space, with a delineation between each area.

5. *Where the private open space is at ground level and not adjacent to communal open space, it should be:*

(a) fenced to a maximum height of 1.8m providing a visual barrier to adjoining dwellings; or

(b) planted with dense vegetation which will provide a visual barrier to 1.8m to adjoining to adjoining dwellings within two years of planting.

The proposed development does not entail addition of new dwellings and therefore this clause is not applicable in this instance.

5.4.6.2 Communal Open Space

The purpose of this clause is to ensure that suitable areas for communal open space are provided for dwellings-multiple, residential care facilities and rooming accommodation.

Administration

1. *This clause does not apply to dwelling-multiple where each dwelling has direct and independent access to private open space at ground level.*
2. *The consent authority may consent to a dwelling-multiple comprising serviced apartments in Zone TC that is not in accordance with sub-clauses 5 and 6 only if it is satisfied it is consistent with the purpose of this clause and that the private open space associated with each dwelling provides appropriate opportunities for outdoor activities.*
3. *The consent authority may consent to a development in Zone C or Zone CB that is not in accordance with sub-clauses 5 and 6 if appropriate recreational space for the occupants of the development is provided, having regard to the following matters:*
 - (a) either the communal open space has usable dimensions and is of a sufficient size for the density of the development;*

- (b) the development is in proximity to adequate public open space or sufficient amenities; and*
- (c) whether there is an appropriate increase in private open space provided (over that which is required by Clause 5.4.6), for each dwelling in the development.*
- 4. *For zones and uses not covered by sub-clauses 2 and 3, the consent authority may consent to a development that is not in accordance with sub-clauses 5 and 6 if it is satisfied the communal open space has usable dimensions and is of a sufficient size for the development.*

The proposed dwellings do not have direct access and independent access to private open space at ground level. The existing communal open space has usable dimensions and is of a sufficient size for the development. The proposed addition improves privacy and functionality of existing communal area.

Requirements

- 5. *A minimum of 15% of the site, being not less than 6m wide at any point, is to be communal open space.*

The proposed addition does not result in change to the area designated for communal open space on site.

- 6. *Communal open space is to be designed to:*
 - (a) be clearly delineated from private and public open space;*
 - (b) maintain reasonable privacy of nearby dwellings;*
 - (c) provide recreational facilities for occupants; address the projected needs of children;*
 - (d) include landscaping and shade where located outdoors;*
 - (e) minimise safety issues, including through lighting and passive surveillance;*
 - (f) minimise the effects of any on-site traffic circulation and car parking areas; and*
 - (g) be capable of efficient maintenance and management*

The proposed verandah provides covered BBQ area with sitting and enclosed area for a gym. The proposed wall with no windows facing the neighbouring properties provides visual amenity and reasonable privacy to the communal open space area and nearby dwellings.

5.4.8.2 Building Design for Dwelling-multiple

The purpose of this clause is to promote site-responsive design of dwellings-multiple that provides a sympathetic interface with the streetscape and surrounding dwellings, is climatically appropriate and provides a pleasant living environment for the occupants.

Administration

- 1. *A development application must, in addition to the matters described in sub-clauses 8-15, demonstrate consideration of and the consent authority is to have regard to the Community Safety Design Guide in Schedule 5.*

The Community Safety Design Guide advocates and encourages urban environments in the Northern Territory that are safe and feel safe. It is intended to be a guide that can be used by applicants as part of the design process, and as an assessment tool when the Consent Authority considers development applications. The Guide sets out recommended solutions as to how development applications can

comply with the key principles. Some guidelines may be more or less relevant to particular circumstances.

The proposed addition will encourage activity at ground level and in turn enhance passive surveillance around the car park and common areas. Appropriate signage and way finding around common areas is provided through use of symbols and signage to help navigate through areas within the development.

- 2. The consent authority may consent to a development that is not in accordance with sub-clauses 8-9 if it is satisfied that it is consistent with the purpose of the clause.*

The design of the structure provides bi-fold doors and open verandah to allow natural cross ventilation opportunities.

- 3. The consent authority may consent to a development that is not in accordance with sub-clause 10 if it is satisfied that the development facilitates safe and convenient pedestrian movement through the site.*

The existing development provides legible entry points and clear and direct pathways for pedestrians from the street to staircase for access to the top levels of the building.

- 4. The consent authority may consent to a development that is not in accordance with sub-clause 11 if it is satisfied that all reasonable measures have been taken to mitigate potential noise impacts on habitable rooms within the site.*

The development provides appropriate materials (solid core filled blockwork) for fire separation and sound insulation to the walls close to the side boundary.

- 5. The consent authority may consent to a development that is not in accordance with sub-clause 12 if it is satisfied that car parking areas, services and utilities, and bin storage areas are appropriately concealed or integrated into the development to minimise visual impacts.*

The car parks at ground level are obscured by existing vegetation and parts of the building when viewed from the street.

- 6. The consent authority may consent to a development that is not in accordance with sub-clauses 13 and 14 if it is satisfied that the balcony design allows for sufficient breeze penetration and limits the appearance of building massing when viewed from the public domain. N/A*

- 7. The consent authority may consent to a development that is not in accordance with sub-clauses 15 if it is satisfied the development prevents run-off from balconies to adjoining private open space, communal open space and dwellings below. Requirements 8. Doors and openable windows are to provide natural cross ventilation opportunities to habitable rooms. N/A*

Requirements

- 8. Doors and openable windows are to provide natural cross ventilation opportunities to habitable rooms.*

The proposed doors and openings provide natural cross ventilation to the proposed development.

9. *Building design is to minimise the expanse of blank walls facing the street and public open spaces and limit external finishes that could cause nuisance to residents or the general public, such as materials that would result in excessive reflected glare.*

The design entails use of materials and color tones that are less reflective to cause nuisance to residents or general public.

10. *Development is to provide legible entry points and clear and direct pathways for pedestrians from the street and to all buildings on the site.*

The existing development provides defined entry points for vehicles and pedestrians to the site.

11. *Development is to minimise the transmission of noise and exhaust from services by:*
(a) locating lift shafts away from habitable rooms, or by using other noise attenuation measures; and
(b) locating air conditioner plants away from openings in habitable rooms.

The air conditions units to enclosed portion of the verandah will be located away from any openings in habitable rooms.

12. *Development is to include screening to:*
(a) car parking areas at or above ground level (excluding access points) to the public domain, using materials that have a maximum visual permeability of 50%;

The existing car parks are reasonably screened when viewed from the street.

- (b) services and utilities (such as servicing ducts and air conditioning units) to the public domain and neighbouring properties, using materials that have a maximum visual permeability of 50%; and*

The services and utilities will be screened where visible from public domain.

- (c) bin storage areas to the public domain, using solid materials and/or landscaping.*

The existing bin storage is screened from public view.

13. *Balconies are to provide at least:*
(a) One side without an external wall; and
(b) One side without an external wall for more than 50% of the length of that side. N/A

14. *Full-height privacy screening on balconies is not to exceed 25% of the length the balcony that faces a street. N/A*

15. *Buildings are to provide internal drainage of balconies. N/A*

5.4.17 Building Articulation

The purpose of this clause is to ensure that residential buildings mitigate the perception of building mass and bulking when viewed from adjoining properties and the street and provide opportunities for cross-ventilation within building design.

Administration

- 1. This clause applies to all sides of residential buildings that are longer than 15m, except the ground floor of buildings in Zone CB.*
- 2. The consent authority may consent to a development that is not in accordance with sub-clause 4 only if it is satisfied it is consistent with the purpose of this clause.*
- 3. The length of the building excludes verandahs, balconies, porches and carports integrated into the residential building design.*

The proposed building has building length of approximately 15m enclosed area facing the affected side boundary plus 0.6m blade wall when viewed from adjoining property.

Requirements

- 4. A step or recess to the building line of no less than 1m by 1m is required for every 15m of building length, or part thereof.*

The overall length of enclosed building is approximately 15m plus 0.6m blade wall when viewed from adjoining property.

5.4.18 Fencing in Zones MR and HR

The purpose of this clause is to promote fencing in medium and high-density areas that provides a positive interface with the public domain, while allowing necessary privacy for residents and neighboring properties.

Administration

- 1. The consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied the fence enhances the streetscape and allows for passive surveillance to the public domain.*
- 2. The consent authority may consent to a use or development that is not in accordance with sub-clause 5 if it is satisfied the fencing provides sufficient sightlines for pedestrian and cyclist safety.*
- 3. The consent authority may consent to a use or development that is not in accordance with sub-clause 6 if it is satisfied the development protects the privacy of adjacent lower density residential development.*

Requirements

4. *All fences adjacent to road boundaries or boundaries adjoining public open space are to be constructed so that:
 - (a) *the maximum height is 2m above ground level measured at the relevant site boundary; and*
 - (b) *the area of materials that is not visually permeable does not exceed an area equivalent to the length of the site boundary (excluding driveways) multiplied by 1.2m.**
5. *Fencing within 1.5m of driveways, pedestrian entries, and street corners is to be visually permeable above 0.6m (unless there is truncation provided within these areas to the same distance).*
6. *Where the development abuts land in Zones LR or LMR, development is to provide a solid screen fence to a minimum height of 1.8m to that boundary.*

There are no significant changes to existing fencing arrangements on site. The proposed structure adds to privacy screening and fencing to the development.

5.4.19 Residential Plot Ratio

The purpose of this clause is to encourage varied built form outcomes in higher density zones that are consistent with the anticipated character of the area.

Administration

1. *The consent authority may consent to a use or development that is not in accordance with sub-clauses 3 and 4 if it is satisfied the design response mitigates the appearance of visual bulk to the street and neighbouring properties, having regards to matters such as the articulation of the building and setbacks of the development.*
2. *The residential plot ratio in Table A does not apply to dwellings at ground level in Zones MR or HR.*
3. *This clause does not apply where an alternative residential plot ratio is established under Clause 5.9 (Location specific development requirements).*

Requirements

4. *The maximum residential plot ratio for development consisting of dwellings-multiple and/or rooming accommodation in Zones MR, HR and C is to be determined in accordance with Table A.*
5. *The maximum residential plot ratio for development consisting of rooming accommodation in Zone TC is to be determined in accordance with Table B.*

The above sub-clauses are not applicable to proposed development.

46(3)(b) - Interim Development Control Orders

There are no interim development control orders applicable to the site or development.

46(3)(c) - Environmental Reports

The development does not require the preparation of any environmental reports or impact statements under the Environmental Assessment Act.

46(3)(d) – Merits

The existing development is consistent with the zoning for the land and promotes best practice urban planning by creating mixed-use neighbourhoods and vibrant land economic management through sustainable development. The proposed structure and use will enhance the amenity of the development whilst minimising any adverse impact on the privacy of neighbouring developments.

46(3)(e) - Land Capability

The site is considered capable of supporting the proposed development as it has a relatively steady slope terrain with minimal and manageable physical constraints. The impact of the development is not beyond what would be normally expected of this type of development. Appropriate measures will be taken to ensure all stormwater is directed into Council’s established drainage system.

46(3)(f) - Public Facilities and Public Open Space

The land is nominated for zone MR (Medium Density Residential) and the proposed development is not expected to create an additional need for public facilities or public open space as the needs are catered for within the requirements of the locality.

46(3)(g) - Public Utilities and Infrastructure

Reticulated power, water and sewer services will be available to service the proposed development and connected to the satisfaction of Power and Water Corporation. Appropriate measures will be taken to ensure all stormwater is directed into Council’s established drainage system.

46(3)(h) – Amenity

The NT Planning Scheme defines amenity, in relation to a locality or building, as any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable. The proposed development aims to promote the intent and purpose of the Scheme in relation to amenity by creating a built form that enhances functionality, privacy and respect amenity of developments within the locality.

46(3)(j) - Public Interest

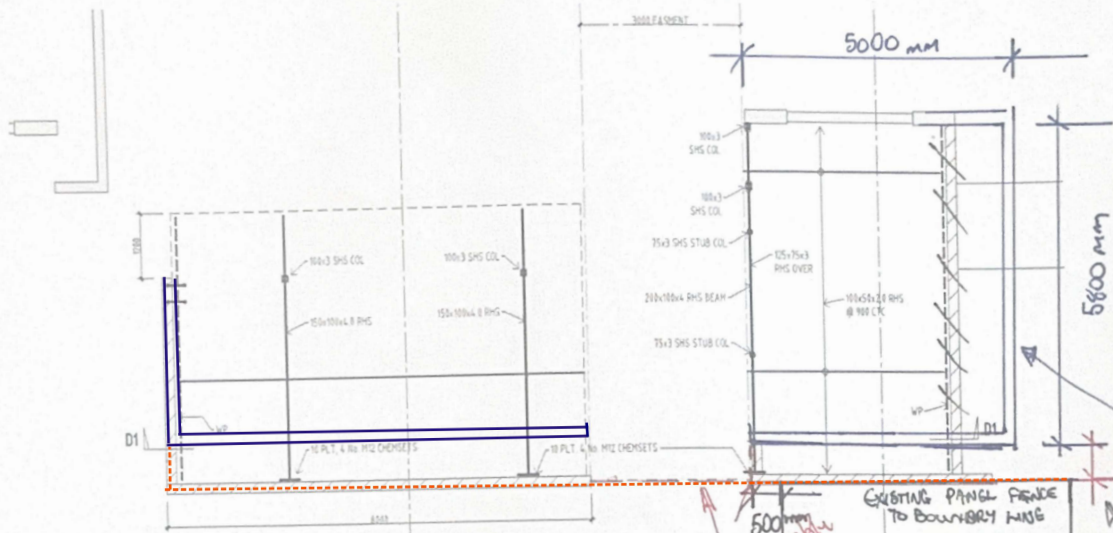
The proposed development is considered to be consistent with the public’s expectation of the land use in the area.

46(3)(k) - Building Act Compliance

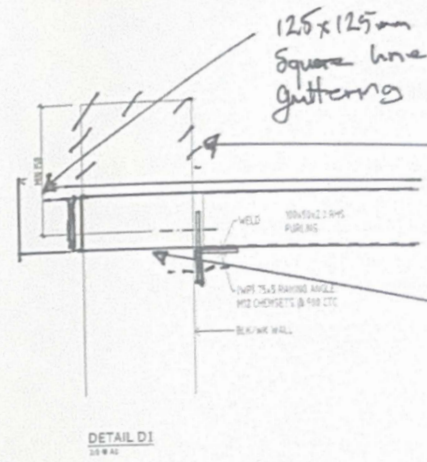
The proposed development is subject to regulatory controls under the *Building Act*.

5.0 Conclusion

Overall, the development largely meets the intent of land zoning which is to provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport, or open space, where reticulated services can support medium density residential development. The proposal is generally consistent with the requirements of the NT Planning Scheme.



ROOF FRAMING PLAN
1:50 @ A1



DETAIL D1
1:10 @ A1

Delete Parapet section of Boundary wall

Purlins to top of core filled Block wall checked around Purlins to underside of Roof sheeting

Move Block Wall 1000 mm

Reduce wall back from Boundary by 600 mm

UNIT 7 APPROXIMATE PROPERTY BOUNDARY



SET-OUT PLAN
1:50 @ A1

EXISTING Panel Fencing High Panels to 1800mm



3000mm MAXIMUM

600mm MINIMUM

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TELEPHONE 08 89815111 FACSIMILE 08 89815283
Member DESIGN INSTITUTE OF AUSTRALIA
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PROJECT | Proposed Alterations & Additions
| 33 Parap Rd Parap NT
| Lot 6690 Town of Darwin
CLIENT | K Clarke
DRAWN | J.L.
SCALE | AS SHOWN
JOB No | KC027
DWG No | A02

REV A 18/07/24 ISSUED FOR REVIEW
REV B 18/08/24 LOT No
REV C 21/12/24 EASEMENT
REV D 28/11/24 EASEMENT
REV E 14/01/25 ROOF OVERHANG DETAIL ASKED FOR CONSTRUCTION

From: israel.k@oneplanningconsult.com.au
To: [Lingyi Kong](#)
Cc: [Amit Magotra](#)
Subject: RE: PA2024/0287 - Further information submitted by submitter
Date: Tuesday, 25 February 2025 5:36:14 PM
Attachments: [image001.png](#)
[image002.gif](#)
[image003.jpg](#)
[APPENDIX D1 - Mark UP Response.pdf](#)

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Hi Lingyi,

Thanks for the email. We have sourced the survey unit plan for the neighbouring site and found that unit lot boundary to Unit 7 extend to the rear boundary of the property. As such, we have amended the plans to provide continuous 600mm setback and landscaping towards the rear boundary (See attached **APPENDIX D1**).

Just to note, the gutter is provided to collect stormwater and redirect it to existing stormwater pit on development site. The gutter will be painted similar colour to the proposed wall for blending.

With regards to solid fencing, the proponent can provide solid fence if that's what the submitter expected., however, this might require removal of existing fence.

Please do not hesitate to contact me for any clarification.

Kind regards,

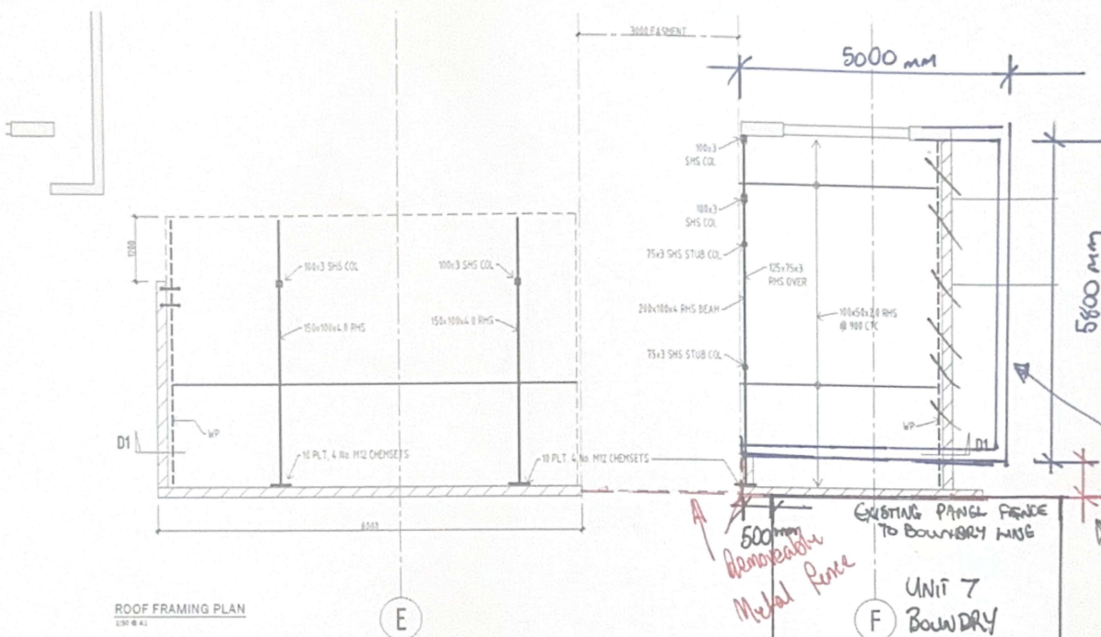
ISRAEL T KGOSIEMANG
BSc URP MPIA

☎ 0417 787 473
✉ israel.k@oneplanningconsult.com.au
✉ P.O.Box 42279, Casuarina NT 0811

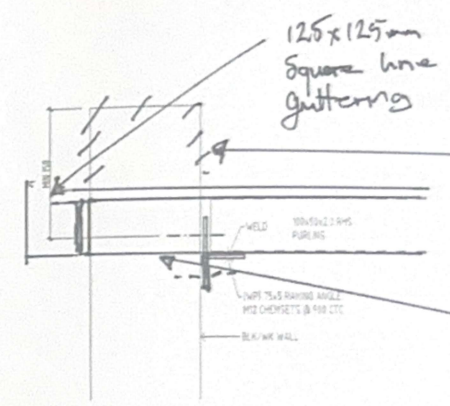


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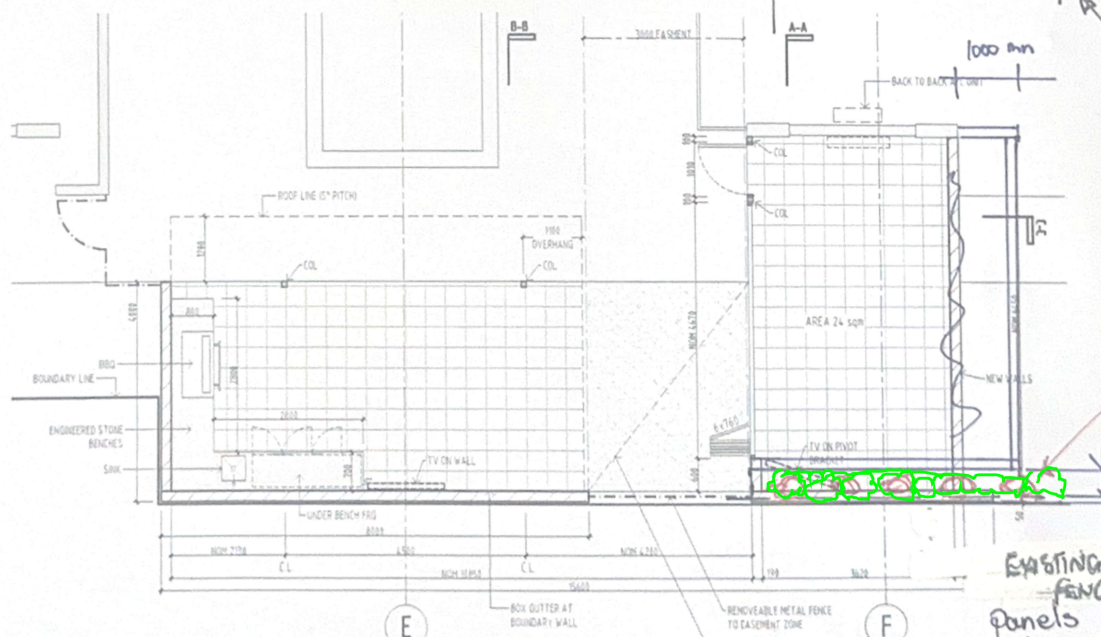
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ROOF FRAMING PLAN
1:50 @ A1



DETAIL D1
1:10 @ A1



SET-OUT PLAN
1:50 @ A1

125x125mm Square line guttering

Delete Parapet section of Boundary wall

Purlins to top of core filled Block wall checked around Purlins to underside of Roof sheeting

More Block Wall 1000mm

Reduce wall back from Boundary By 600mm

UNIT 7 APPROXIMATE PROPERTY BOUNDARY

3000mm MAXIMUM

600mm

600mm

EXISTING PANGLOSS FENCE Panels to 1800mm High

Vegetation UP to 3m High

BOUNDARY LINE 600mm MINIMUM

G/L

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PROJECT Proposed Alterations & Additions
33 Parap Rd Parap NT
Lot 8680 Town of Darwin

CLIENT K Clarke

DRAWN JL

SCALE AS SHOWN

JOB No KC027

DWG No A02

REV A 08/07/04 ISSUED FOR REVIEW
REV B 08/08/04 LOT No
REV C 21/11/04 EASEMENT
REV D 29/11/04 EASEMENT
REV E 14/01/05 500P OVERHANG BELIEVED ISSUED FOR CONSTRUCTION

From: israel.k@oneplanningconsult.com.au
To: [Lingyi Kong](#)
Cc: [Kaleb Thomas](#)
Subject: TRM: RE: PA2024/0287 - DCA
Date: Thursday, 20 February 2025 3:51:13 PM
Attachments: [APPENDIX D - Mark UP Drawing DA Response.pdf](#)

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Hi Lingyi,

Thanks for the email. We would note this email in response to the neighbour's objection to proposed structure and note the attached (APPENDIX D - markup) and revised layout thereof. We have reviewed the objection and provide the revised markup drawings to address planning matters raised as follows:

1. Height

We acknowledge the submitter's comment regarding the height discrepancy as noted in the application report. The correct and proposed height of the building wall adjacent to the neighbour's boundary is 3.8m top of parapet wall. The proponent has since reduced the wall height closer to Unit 7 from 3.8m to 3m. The reduction in height and recessed building wall will minimise the visual bulk of the structure when viewed from Unit 7.

2. Setback

In addition to the reduction of wall height, part of the structure is recessed 600mm from the affected boundary to Unit 7. This includes the proposed gutters to collect stormwater and redirecting it to existing connection point on the development site.

3. Landscaping and Heat Gain

The proposed additional landscaping with potential growth of up to 3m in height will provide passive cooling effect and softening of the structure when viewed from Unit 7. It is confirmed that the proposed building wall does not cover the full length to Unit 7 boundary.

4. Fencing

It is confirmed that the proponent will not remove existing fence along the affected side boundary including the fence to Unit 7. All works will be carried out from within the subject development site.

Attached at **APPENDIX D** is the markup layout noting the proposed changes to the original layout.

Please not hesitate to contact us for any clarification.

Kind regards,

ISRAEL T KGOSIEMANG
BSc URP MPIA

☎ 0417 787 473

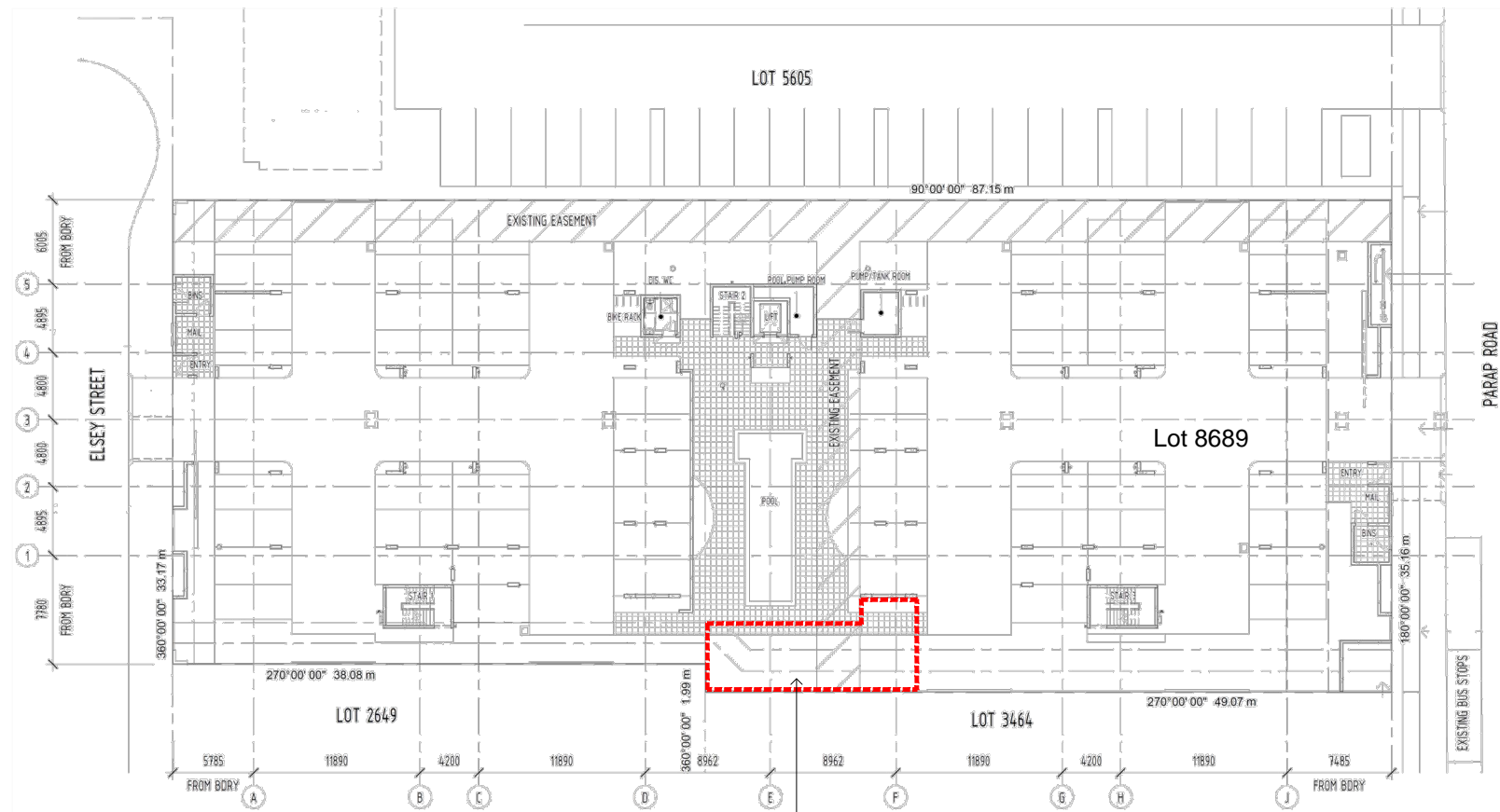
✉ israel.k@oneplanningconsult.com.au

✉ P.O.Box 42279, Casuarina NT 0811



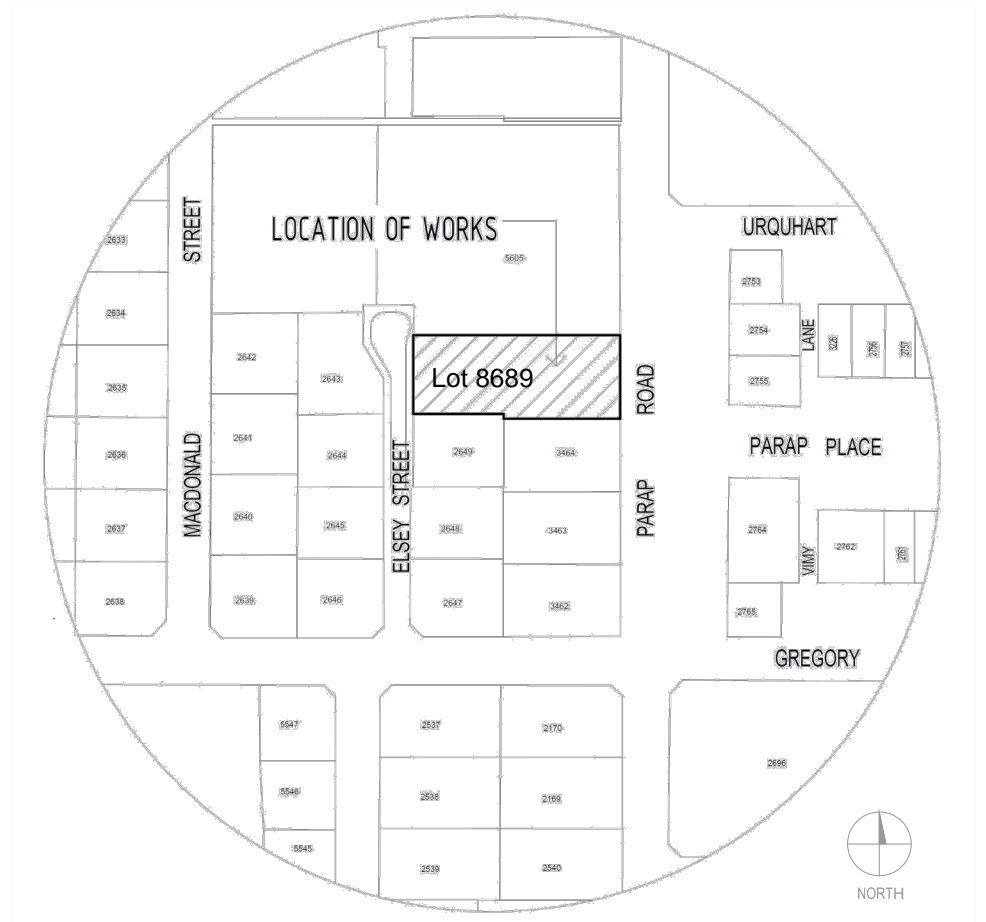
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SITE PLAN
1:250 @ A1, 1:500 @ A3

AREA OF PROPOSED WORKS

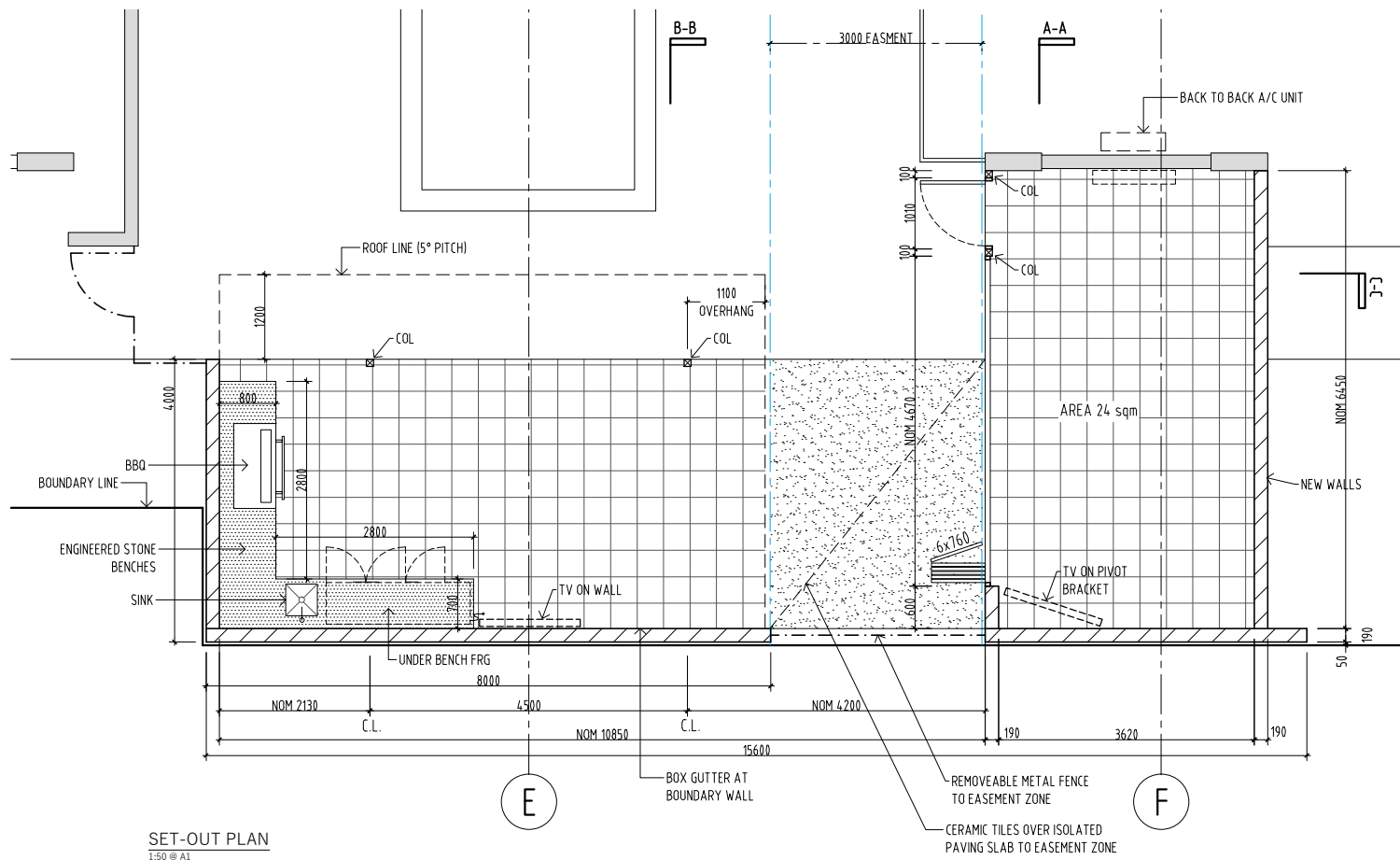
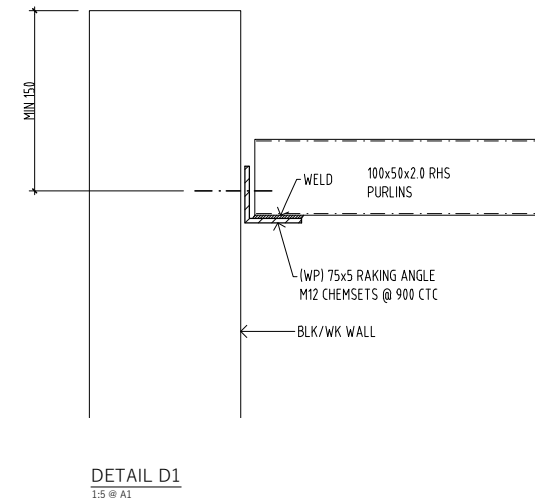
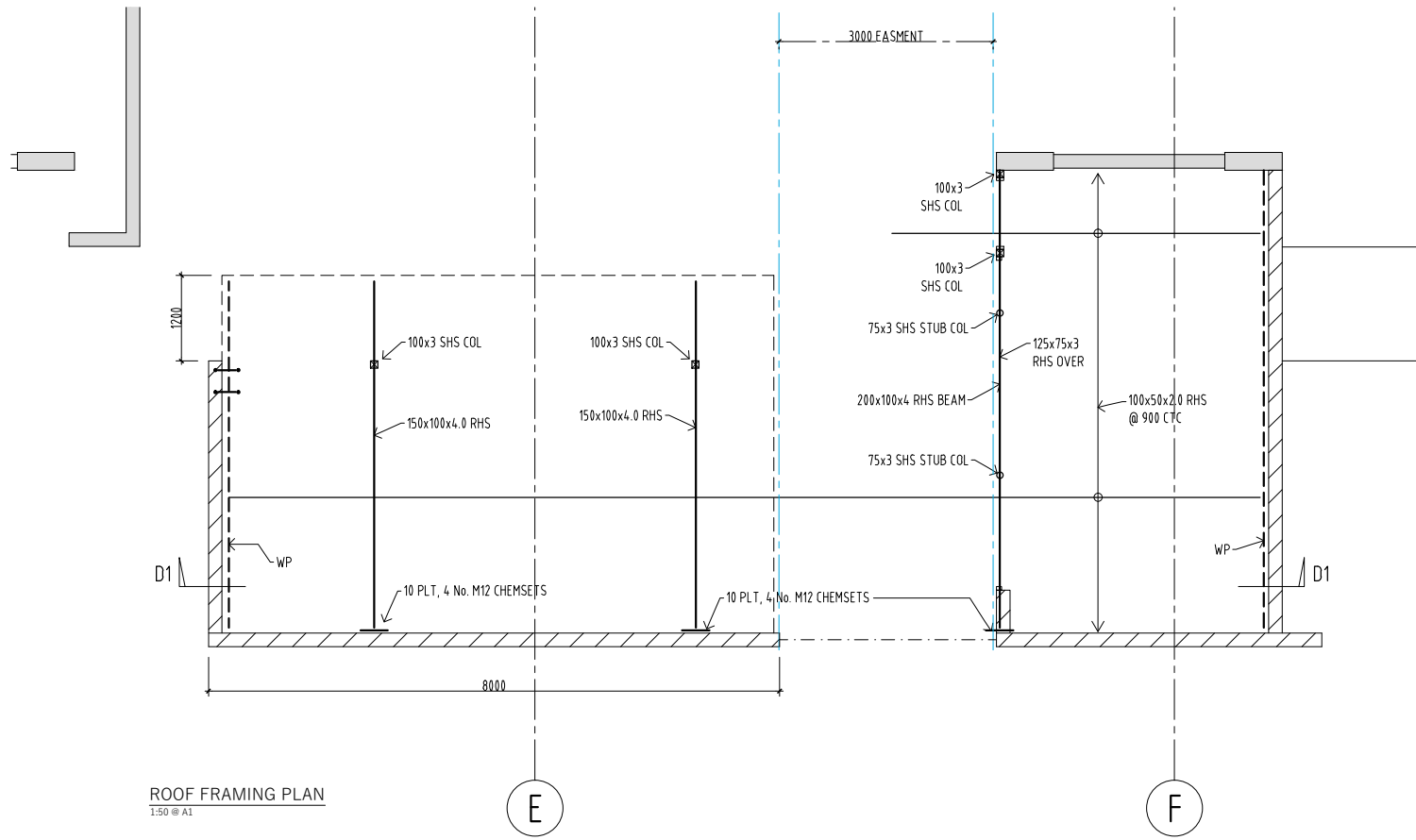


LOCALITY PLAN
NTS

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PROJECT | Proposed Alterations & Additions
 | 33 Parap Rd Parap NT
 | Lot 8689 Town of Darwin
 CLIENT | K Clarke
 DRAWN | JL
 SCALE | AS SHOWN
 JOB No | KC027
 DWG No | A01

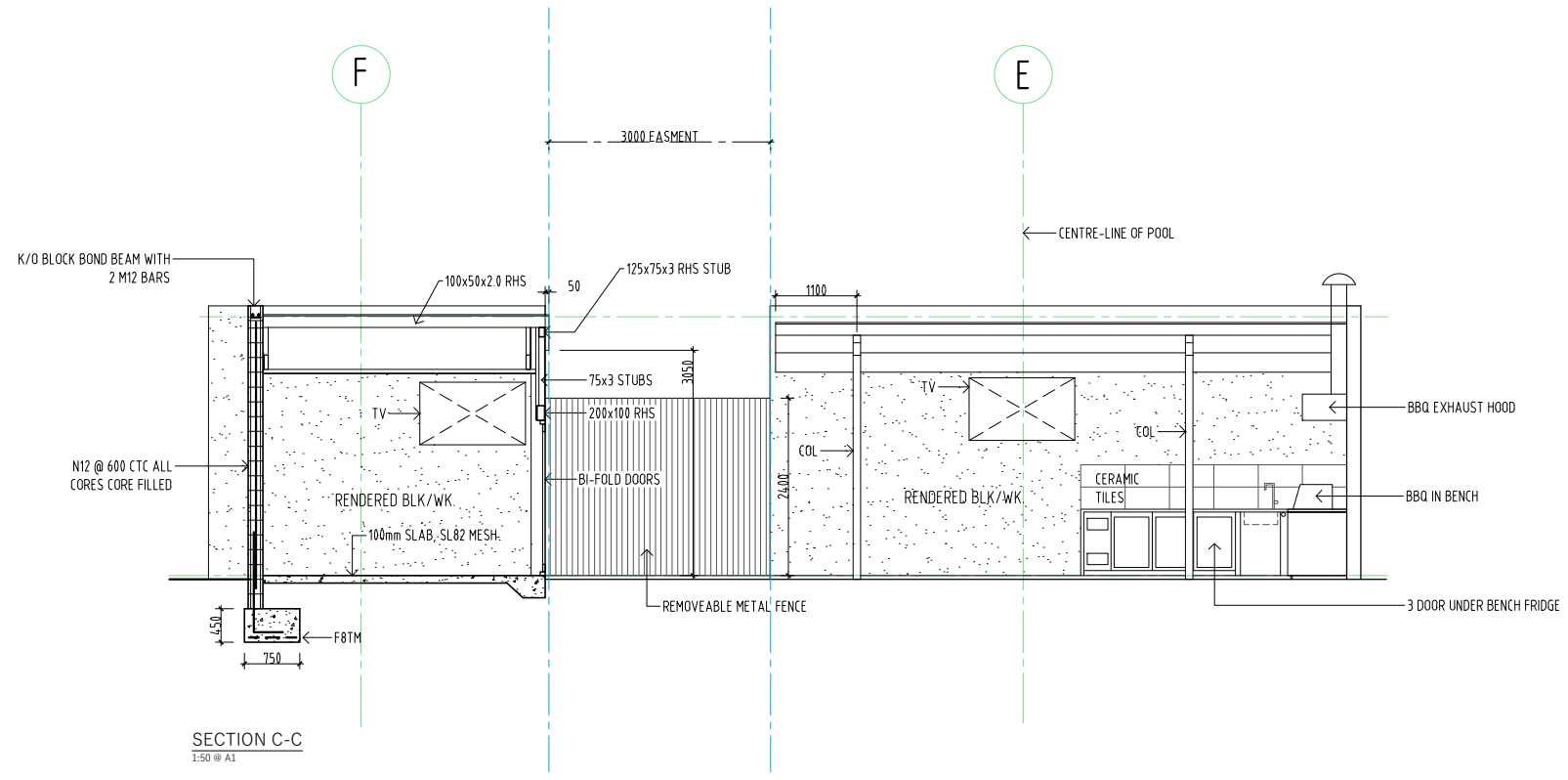
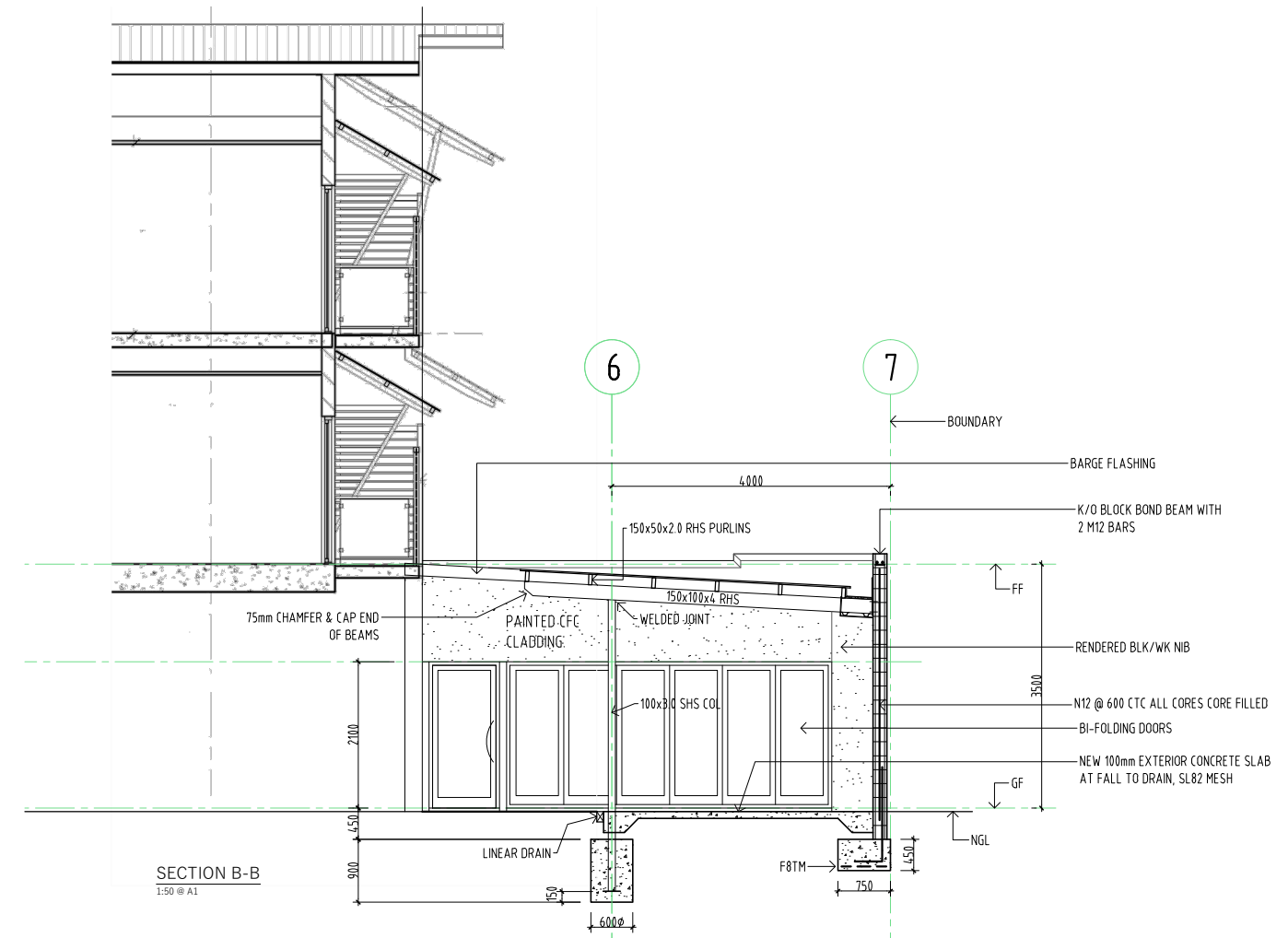
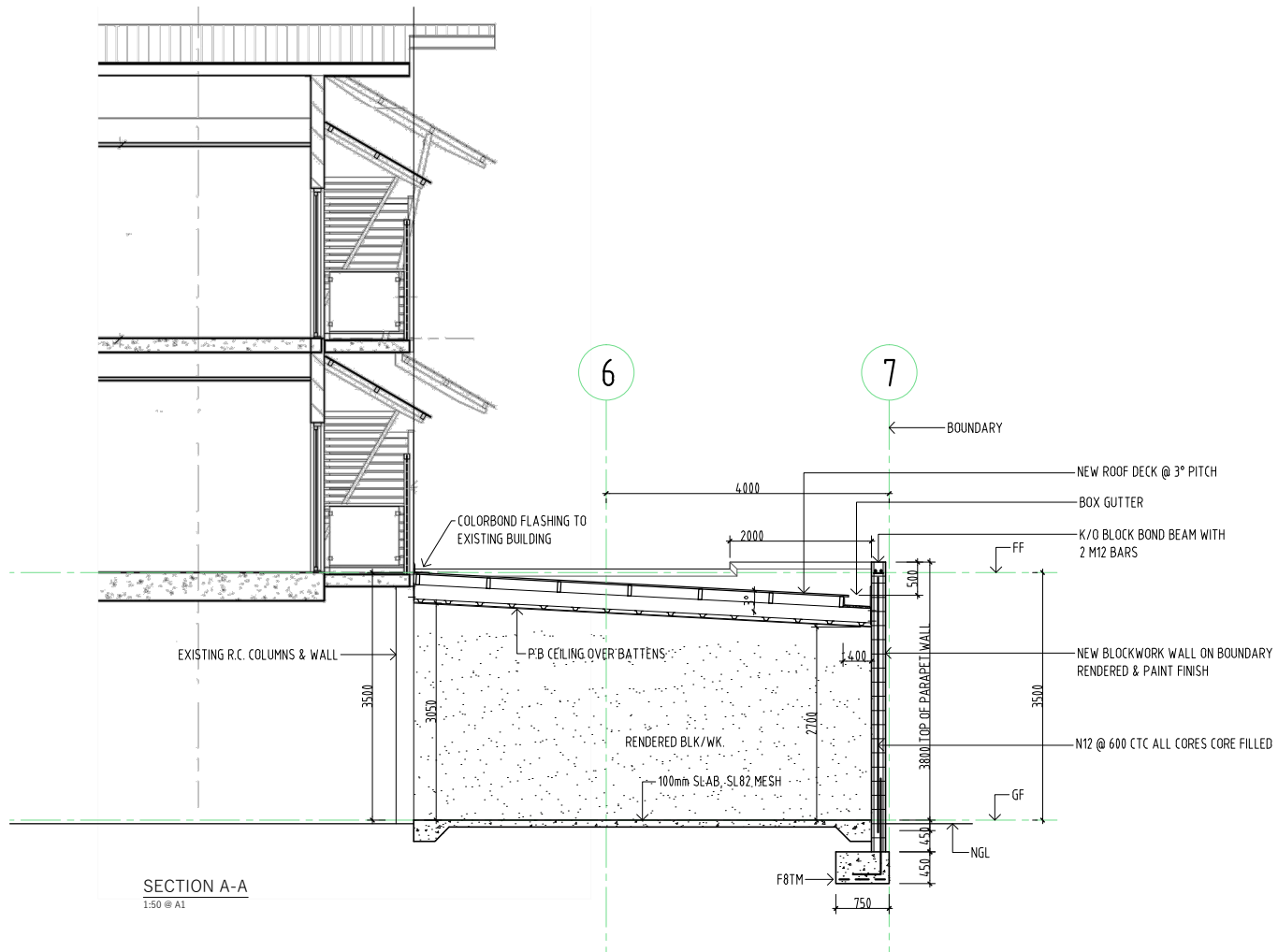
REV A 08.07.24 ISSUED FOR REVIEW
 REV B 30.08.24 LOT No.
 REV C 21.11.24 EASEMENT
 REV D 28.11.24 EASEMENT
 REV E 14.01.25 ROOF OVERHAND DELETED, ISSUED FOR CONSTRUCTION



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 | Lot 8689 Town of Darwin
 CLIENT | K Clarke
 DRAWN | JL
 SCALE | AS SHOWN
 JOB No | KC027
 DWG No | A02

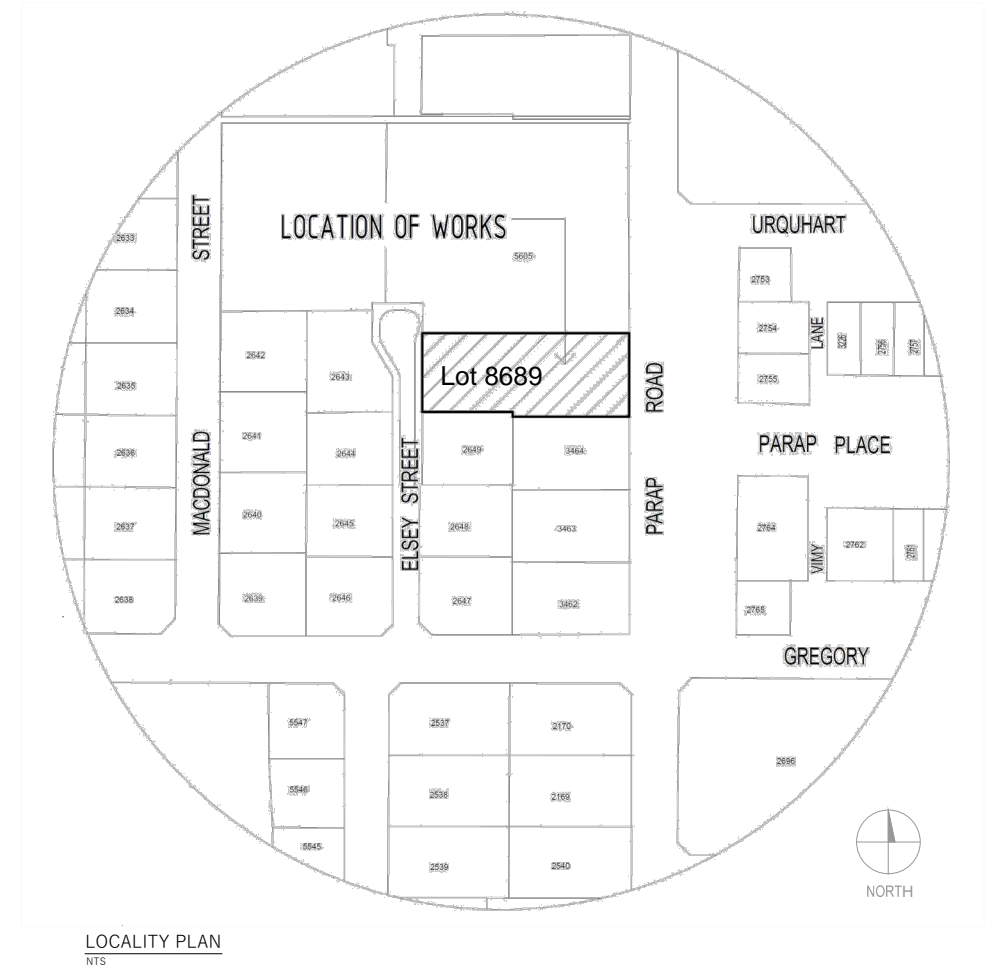
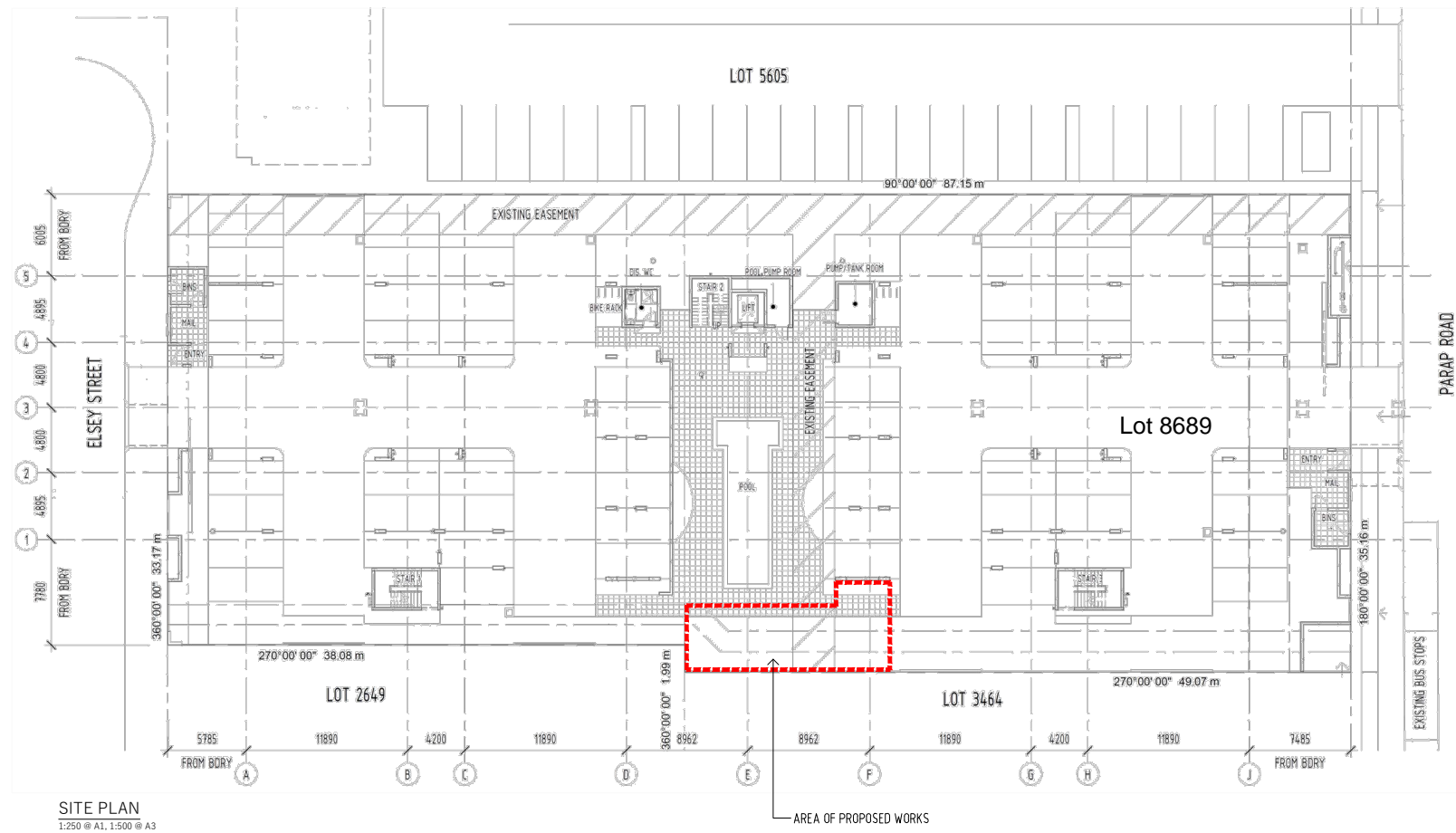
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 REV B 30.08.24 LOT No.
 REV C 21.11.24 EASEMENT
 REV D 28.11.24 EASEMENT
 REV E 14.01.25 ROOF OVERHAND DELETED, ISSUED FOR CONSTRUCTION



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PROJECT | Proposed Alterations & Additions
| 33 Parap Rd Parap NT
| Lot 8689 Town of Darwin
CLIENT | K Clarke
DRAWN | JL
SCALE | AS SHOWN
JOB No | KC027
DWG No | A03

REV A 08.07.24 ISSUED FOR REVIEW
REV B 30.08.24 LOT No.
REV C 21.11.24 EASEMENT
REV D 28.11.24 EASEMENT
REV E 14.01.25 ROOF OVERHAND DELETED, ISSUED FOR CONSTRUCTION



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PROJECT | Proposed Alterations & Additions
| 33 Parap Rd Parap NT
| Lot 8689 Town of Darwin

CLIENT | K Clarke

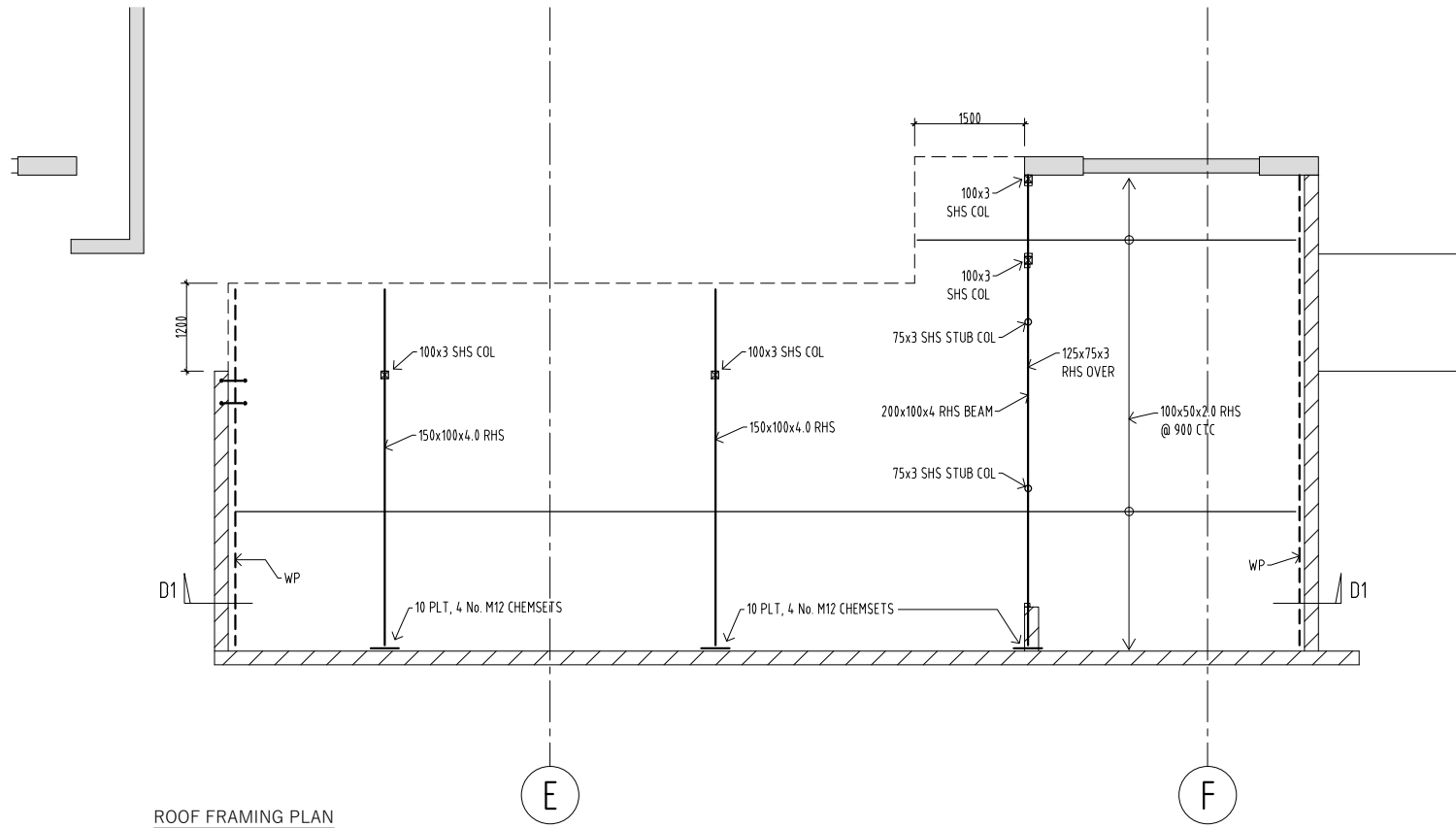
DRAWN | JL

SCALE | AS SHOWN

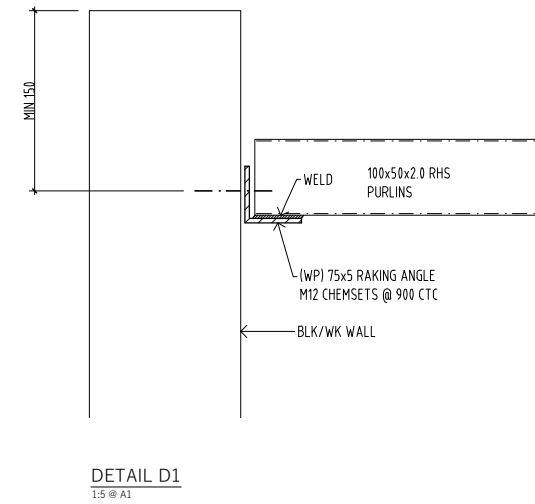
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DWG No | A01

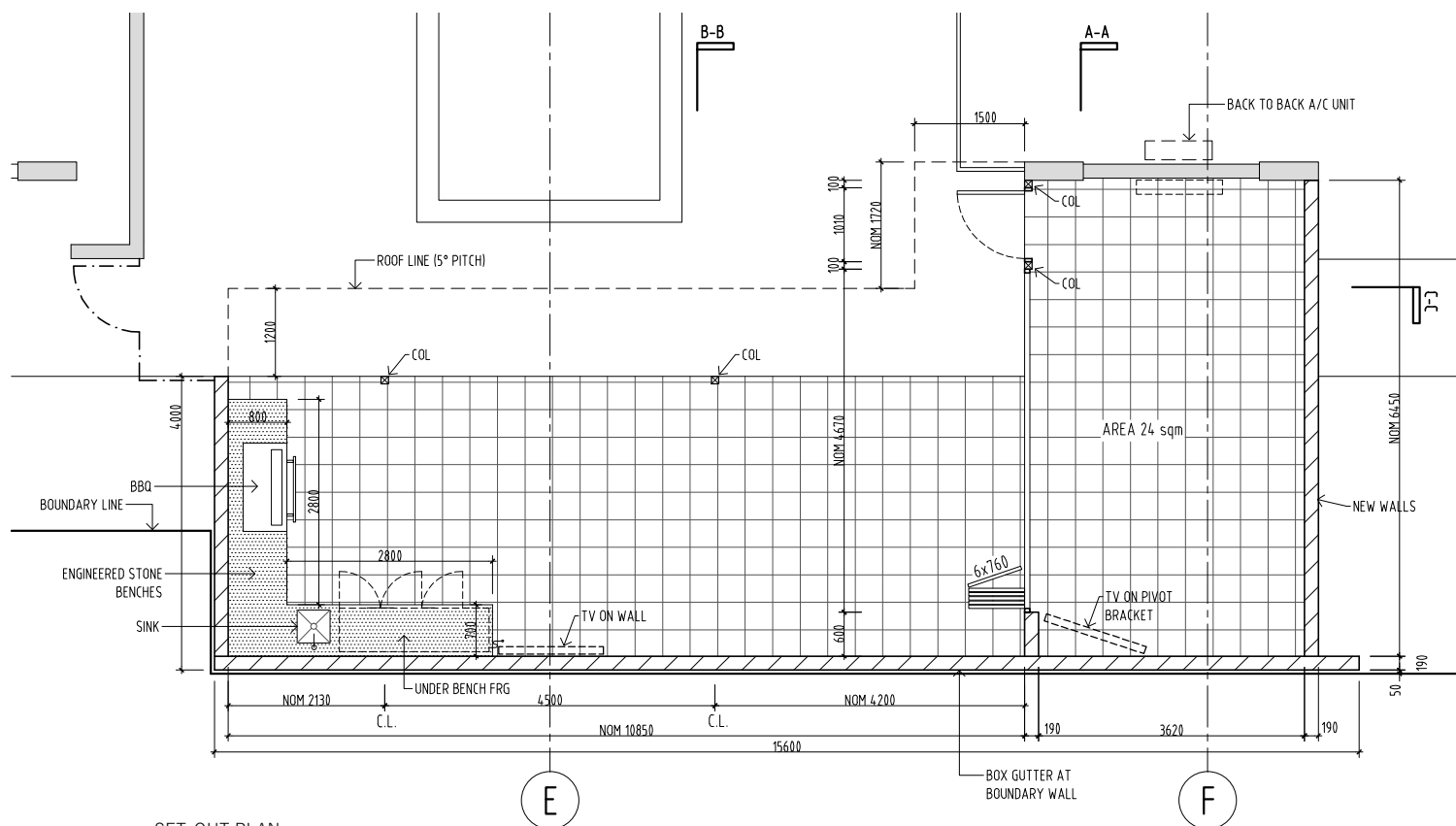
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REV B 30.08.24 LOT No.



ROOF FRAMING PLAN
1:50 @ A1



DETAIL D1
1:5 @ A1

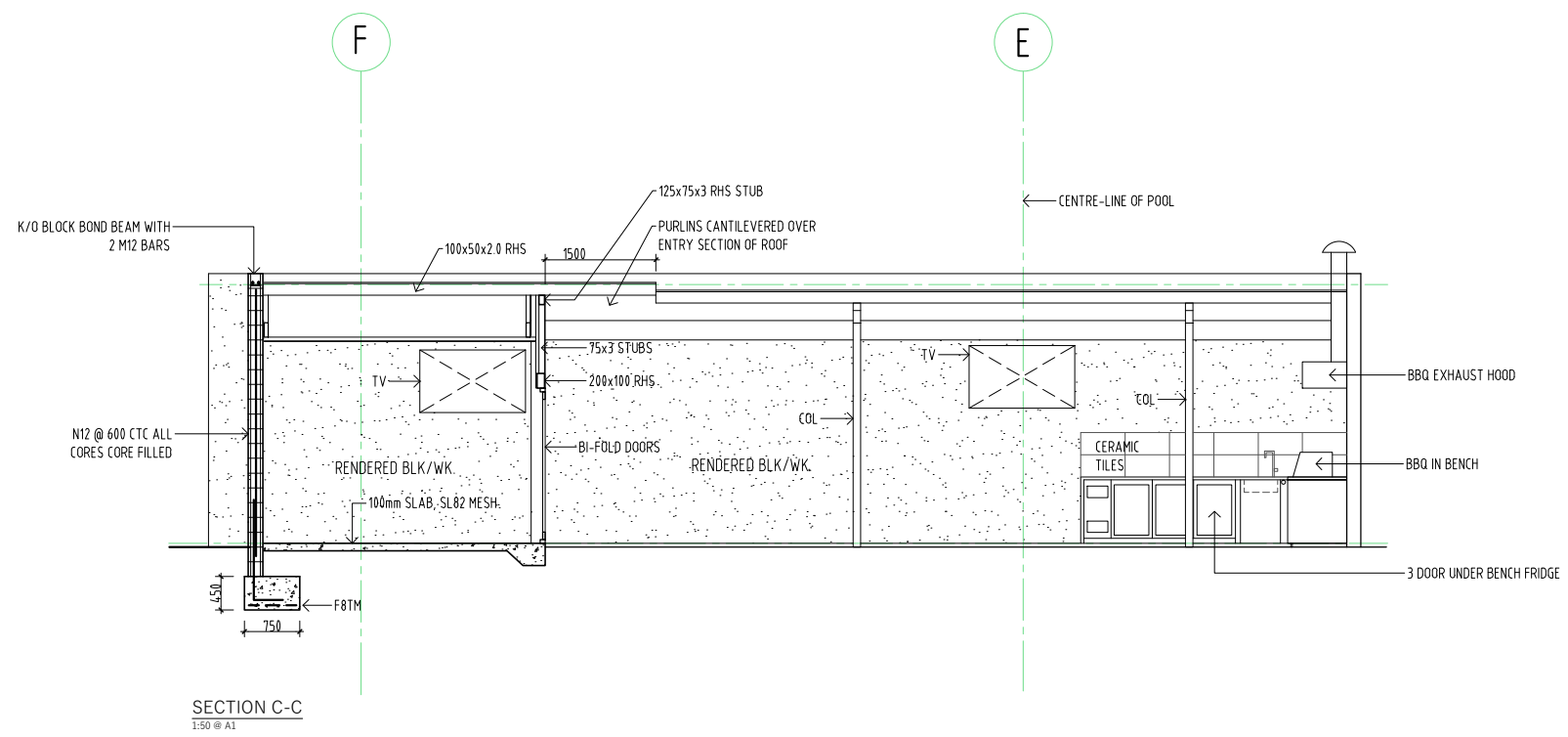
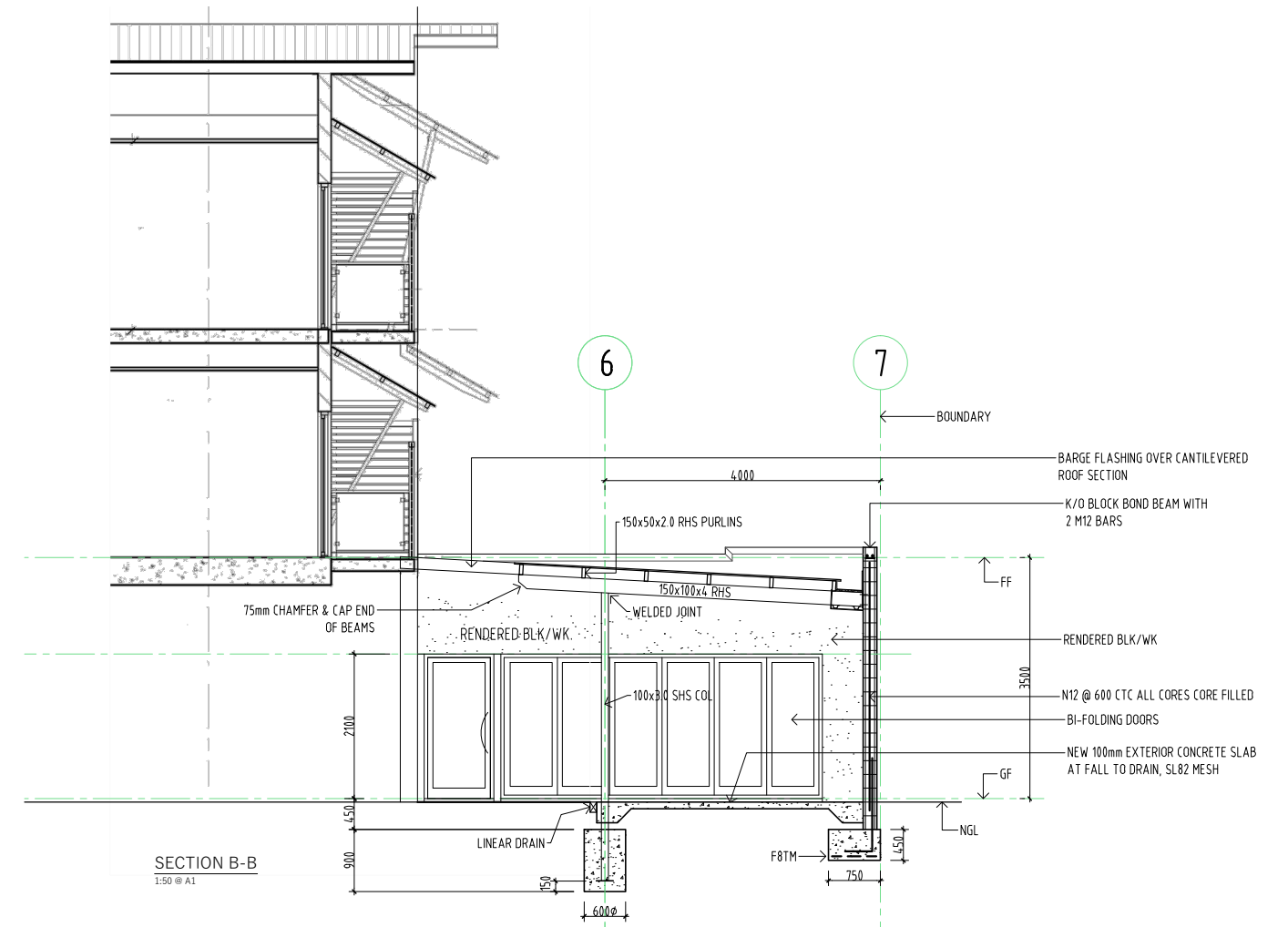
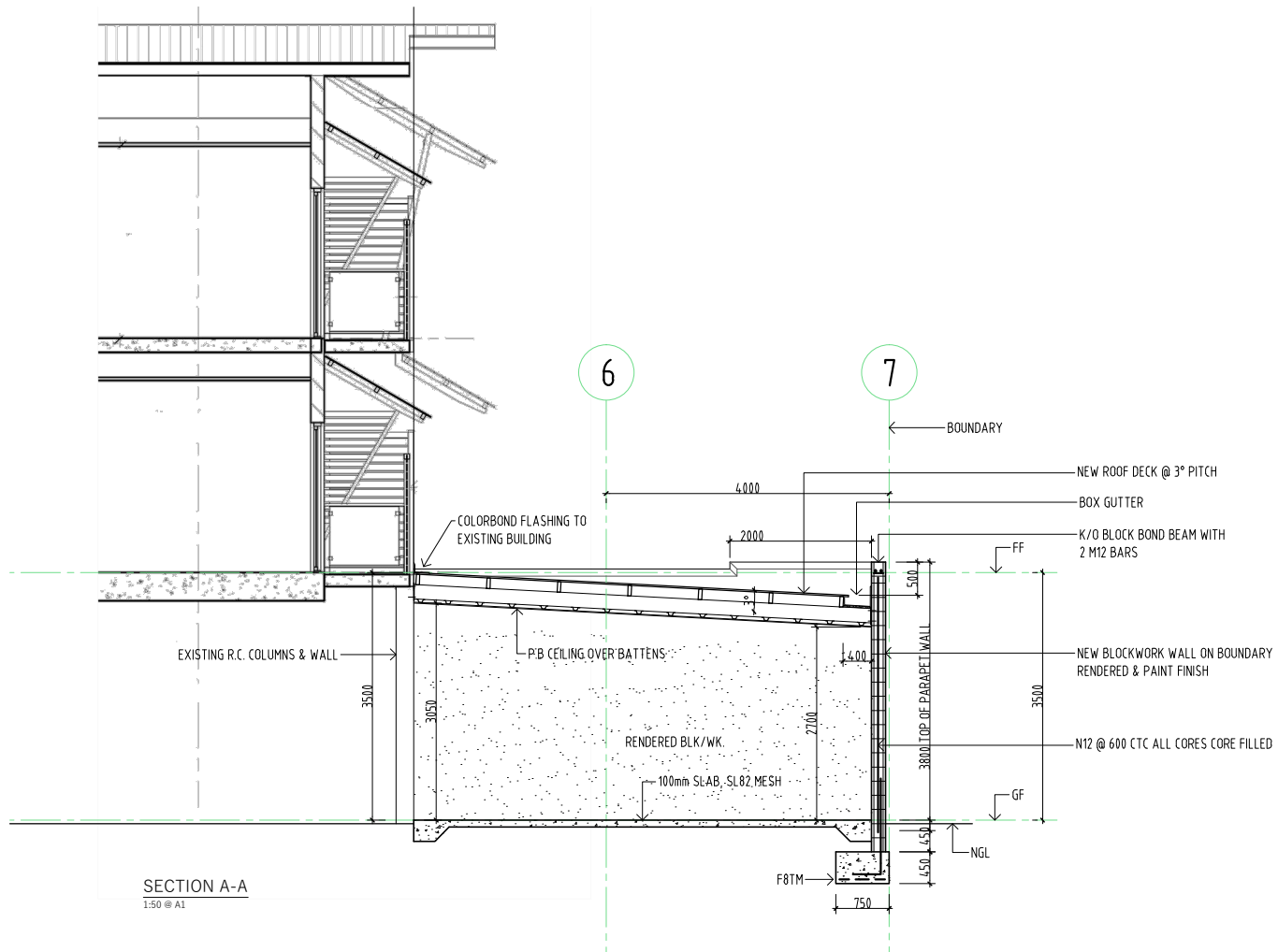


SET-OUT PLAN
1:50 @ A1

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PROJECT | Proposed Alterations & Additions
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 | Lot 8689 Town of Darwin
 CLIENT | K Clarke
 DRAWN | JL
 SCALE | AS SHOWN
 JOB No | KC027
 DWG No | A02

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 REV B 30.08.24 LOT No.

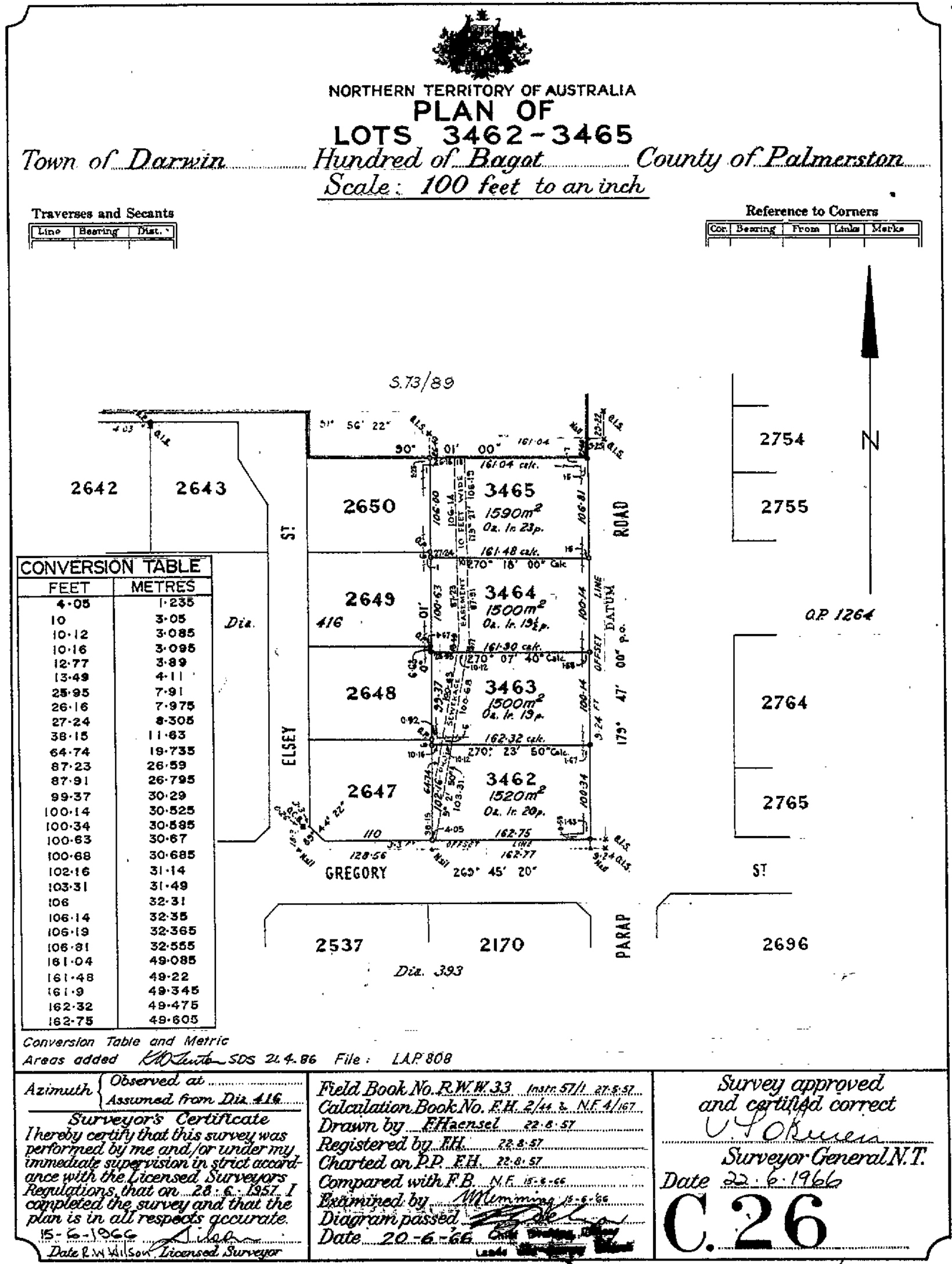


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 SCALE | AS SHOWN
 JOB No | KC027
 DWG No | A03

REV A 08.07.24 ISSUED FOR REVIEW
 REV B 30.08.24 LOT No.

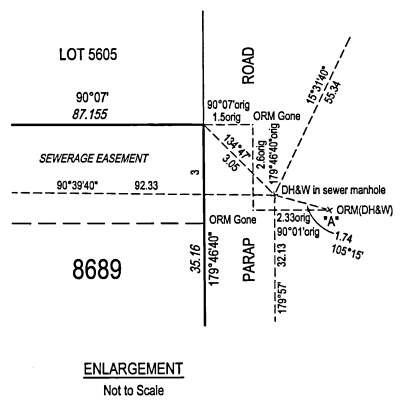
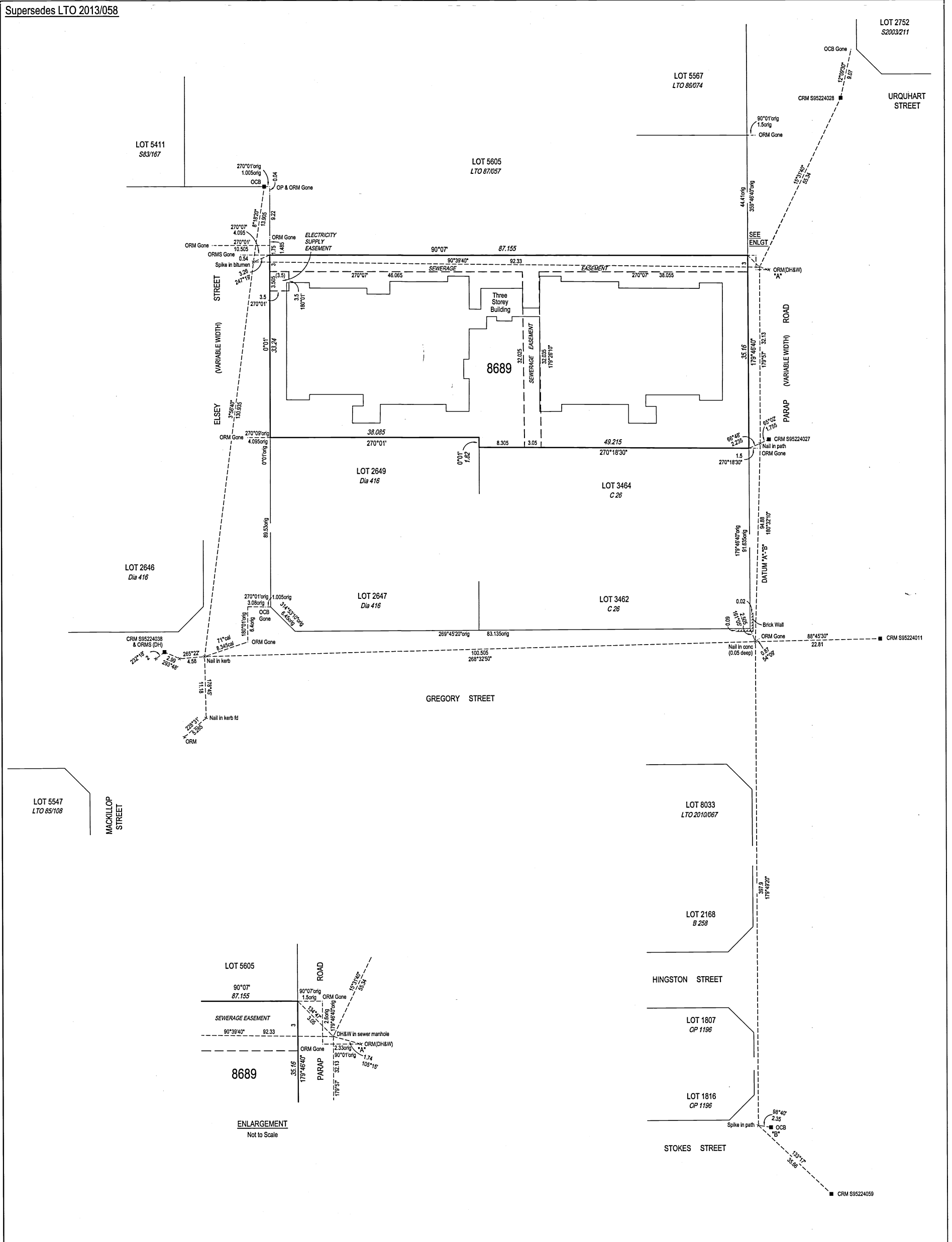
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COPY TO L.T.O 22.9.80

N/N 325



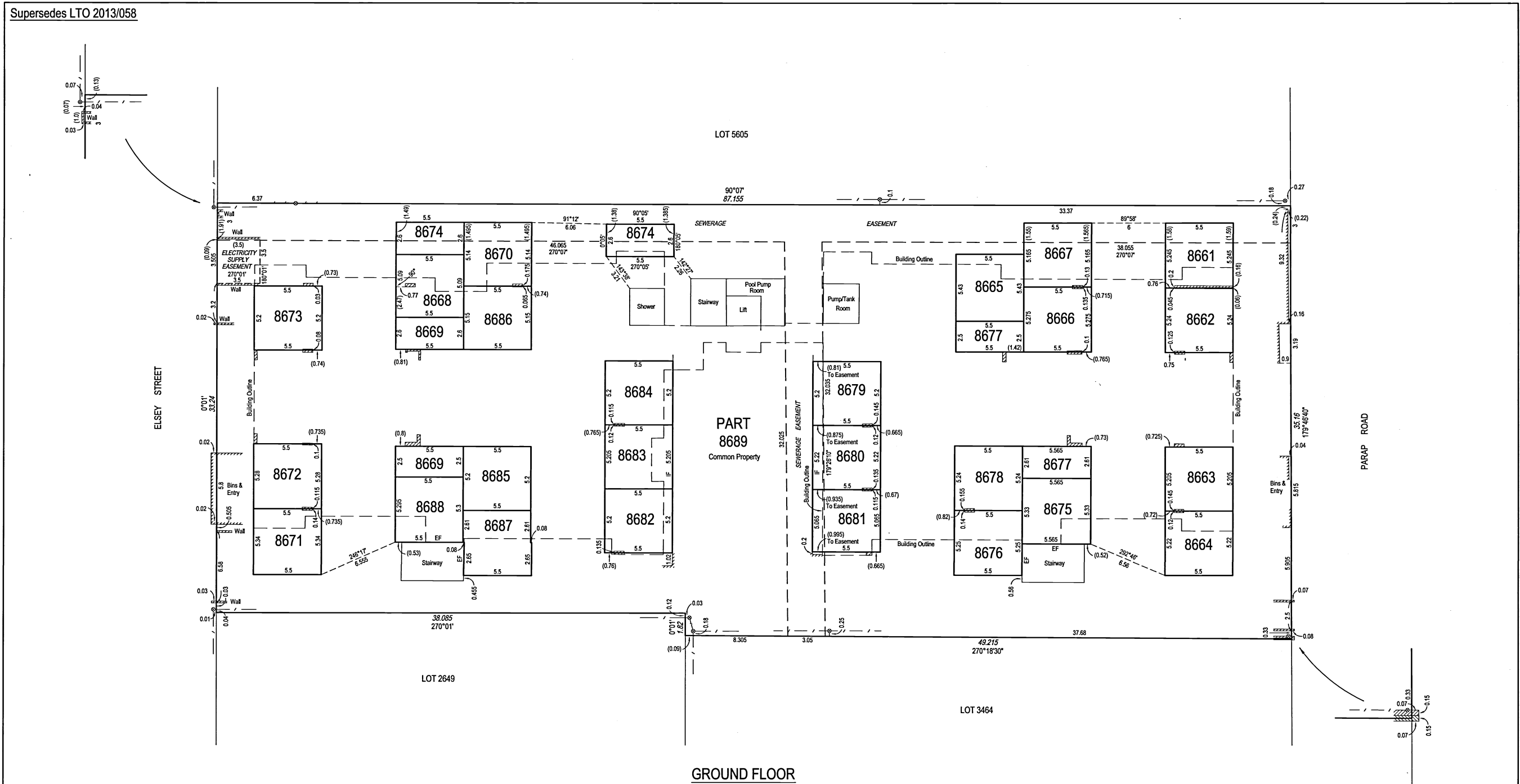


UNIT TITLES SUBDIVISION - UNIT TITLE SCHEMES ACT

<p>Richard David Pumell hereby certify that the survey represented on this plan was carried out by me or under my supervision and was completed on 20.06.13 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder.</p> <p><i>R. Pumell</i> 5/7/13 Licensed Surveyor Date</p>	<p>Note Unit 8689 is Common Property Electricity Supply Easement is in favour of the Power and Water Corporation, affects Unit 8689 (Common Property) and has a vertical limit of RL 18.8 AHD Sewerage Easement is in favour of the Power and Water Corporation and affects Unit 8689 (Common Property) AHD Level Datum vide CRM S95224028</p>	<p>Field Book UTS 2013/023</p>		<p>LEGEND</p> <ul style="list-style-type: none"> Concrete Post Concrete Block Peg or Wooden Post Reference Mark Lockspit Fence Post 	<p>UNITS 8661 TO 8689 SUBDIVISION OF LOT 8608 TOWN OF DARWIN</p>
		<p>Drawn Earl James & Associates (8718) 26.06.13</p> <p>Examined Earl James & Associates 04.07.13</p> <p>Map Reference</p>			

WARNING - Damaged or creased plan will be rejected.

Supersedes LTO 2013/058



8673 denotes Part Unit Numbering and are Carparking
 Unit 8689 is Common Property and has no upper or lower limits except where occupied by Units 8661 to 8688
 Electricity Supply Easement is in favour of the Power and Water Corporation, affects Unit 8689 (Common Property) and has a vertical limit of RL18.8 AHD
 Sewerage Easement is in favour of the Power and Water Corporation and affects Units 8661, 8667, 8670, 8674, 8679 to 8681 and 8689 (Common Property)
 Where no ceiling slab/roof structure exists, the upper horizontal boundary is 3 metres above the lower horizontal boundary
 czz denotes Structural Column
 EF denotes External Face of Wall
 IF denotes Internal Face of Wall

UNIT TITLES SUBDIVISION - UNIT TITLE SCHEMES ACT

Richard David Pumell
 I hereby certify that the survey represented on this plan was carried out by me or under my supervision and was completed on 20.06.13 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder.
R. Pumell 5/7/13
 Licensed Surveyor

SURVEY APPROVED
[Signature] 02/10/13
 Surveyor General

AMENDMENTS			
Reference	Details	Approved	Date

Field Book
 UTS 2013/023
 Drawn
 Earl James & Associates
 (8718) 26.06.13
 Examined
 Earl James & Associates
 04.07.13
 Map Reference

Grid

AZIMUTH
 Assumed from S86/263
 Observed at

LEGEND

- Concrete Post
- Concrete Block
- Peg or Wooden Post
- Reference Mark
- Locksplit
- Fence Post

UNITS 8661 TO 8689
 SUBDIVISION OF LOT 8608
 TOWN OF DARWIN

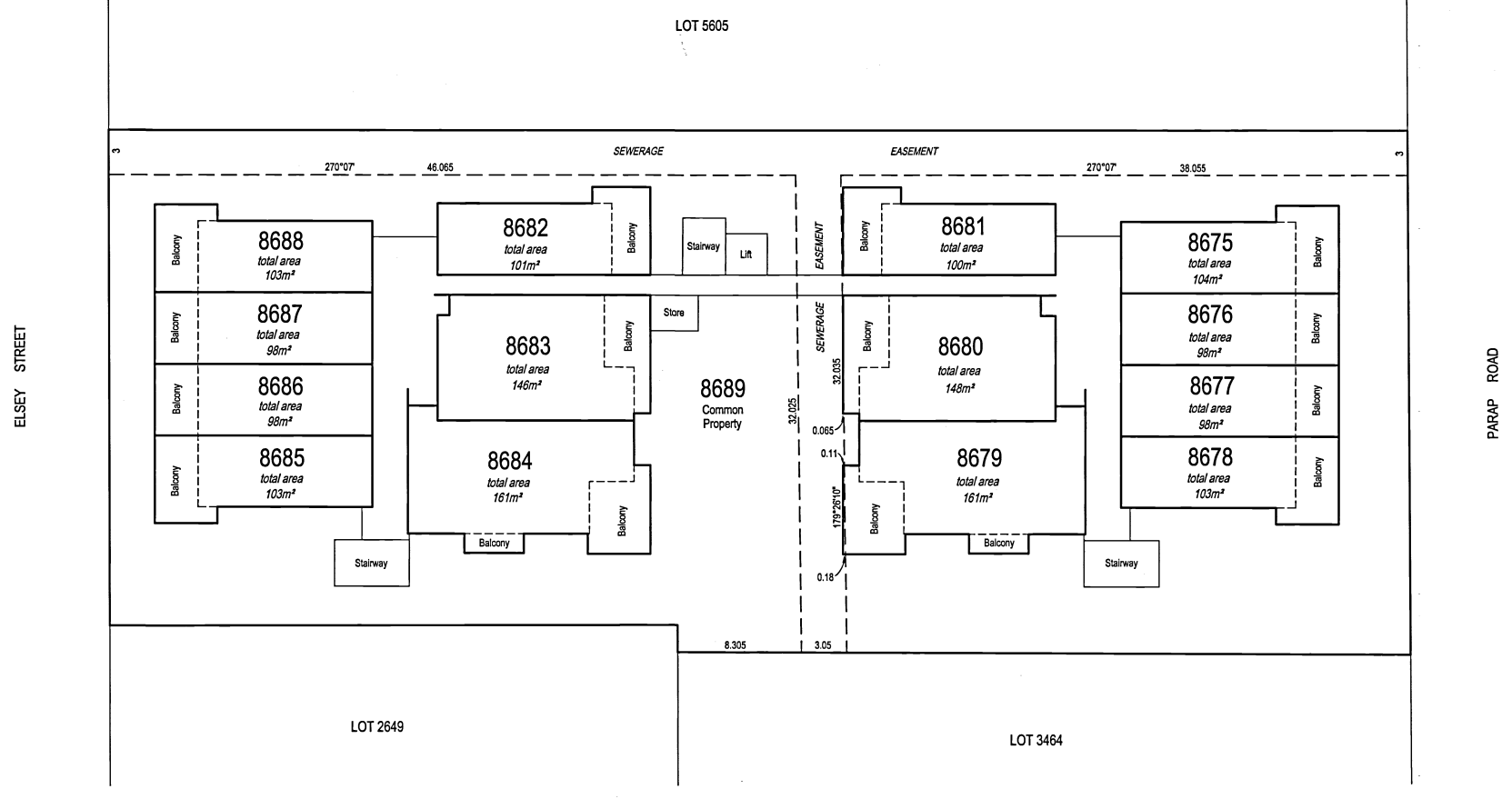
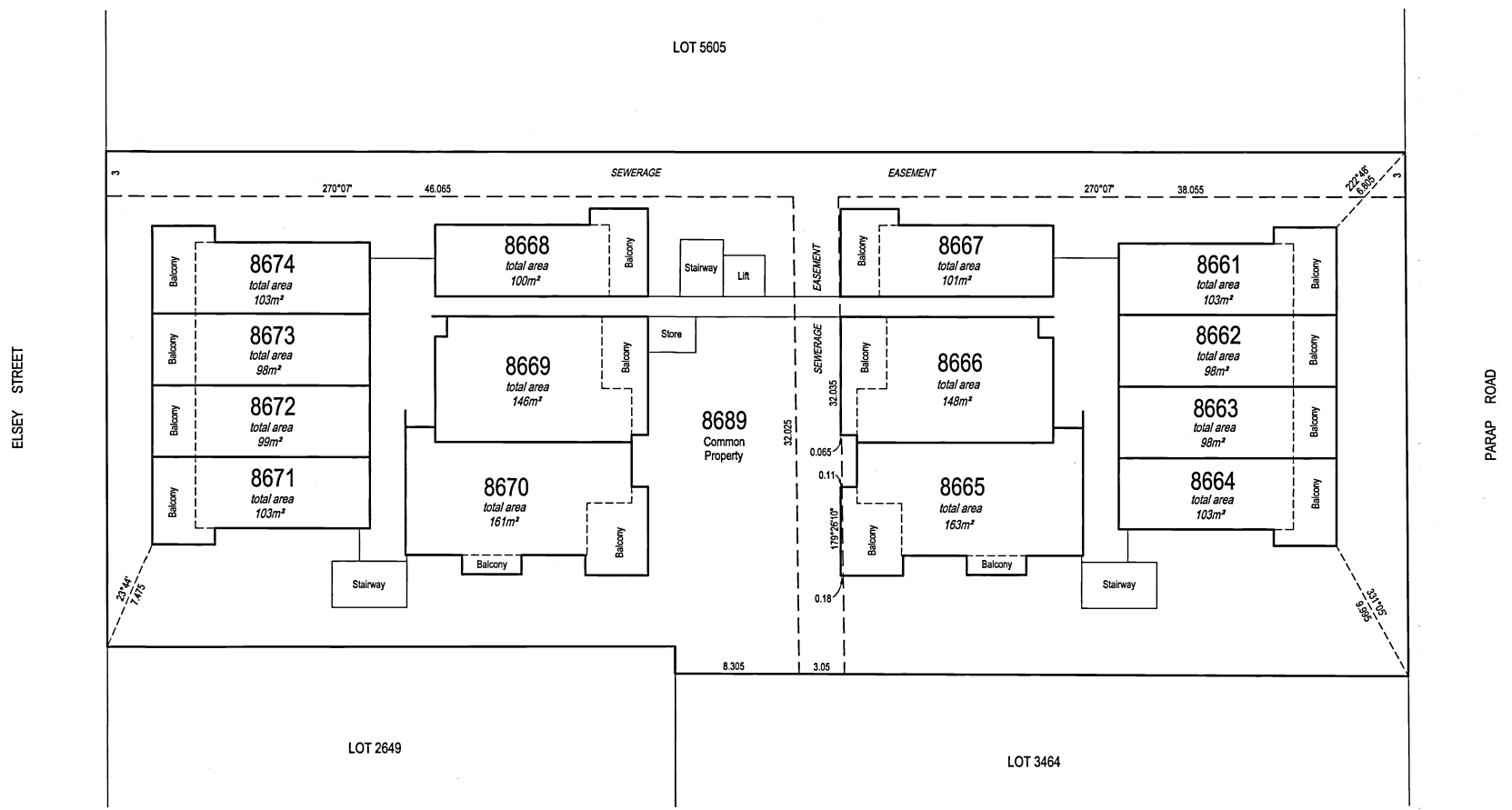
SCALE 1:150

0 3 6 9
 metres

UTS 2013/023B
 SHEET 2 OF 3

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Supersedes LTO 2013/058



8683 denotes Part Unit Numbering
 Sewerage Easement is in favour of the Power and Water Corporation and affects Units 8665, 8666, 8679, 8680 and 8689 (Common Property)
 Unit 8689 is Common Property and has no upper or lower limits except where occupied by Units 8661 to 8688
 The vertical boundaries of the Units are centreline of wall and edge of balcony unless otherwise shown
 The horizontal boundaries of Units 8661 to 8688 are the upper surface of the floor slab and the under surface of the ceiling slab/roof structure including structural beams

UNIT TITLES SUBDIVISION - UNIT TITLE SCHEMES ACT

Richard David Purnell I, Richard David Purnell, hereby certify that the survey represented on this plan was carried out by me or under my supervision and was completed on 20.06.13 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder. <i>R. Purnell</i> 5/7/13 Licensed Surveyor Date	Field Book UTS 2013/023 Drawn Earl James & Associates (8718) 25.05.13 Examined Earl James & Associates 04.07.13 Map Reference	 Grid Bearings Assumed from S88/263 Observed at	LEGEND Concrete Post □ Concrete Block ■ Peg or Wooden Post ○ Reference Mark x Locksplit ▶ Fence Post ⊙	UNITS 8661 TO 8689 SUBDIVISION OF LOT 8600 TOWN OF DARWIN SCALE 1:200 UTS 2013/023C SHEET 3 OF 3
	Northern Territory Government Department of Lands, Planning and the Environment SURVEY APPROVED Surveyor-General Date 02/10/13			

Land owner/s authorisation to lodge a development application under the Planning Act 1999

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 (please print)	Israel (One Planning Consult)	
Contact number:	Ph:	Mob: 0417787473
to lodge a development application under the <i>Planning Act 1999</i> over the property described as:		
LOT/ NT PORTION:	LOT 8689	
LOCATION/TOWN	TOWN OF DARWIN	
STREET ADDRESS:	33 PARAP ROAD	
PROPOSED DEVELOPMENT:	VERANDAH ADDITION TO AN EXISTING DEVELOPMENT WITH A REDUCED SIDE SETBACK	

OWNER'S SIGNATURE:	<u>John Robinson</u> <small>John Robinson (Sep 16, 2024 10:46 GMT+9.5)</small>	
FULL NAME: (please print)	John Robinson	
TITLE: (ie. company director/secretary)	DIRECTOR	
COMPANY NAME:	Body Corporate for Eley on Parap Unit Title Scheme (BC2013/042)	
Contact number:	Ph: 0419861030	Mob:
DATE:	16/09/2024	

OWNER'S SIGNATURE:	<u>John Robinson</u> <small>John Robinson (Sep 16, 2024 10:46 GMT+9.5)</small>	
FULL NAME: (please print)	John Robinson	
TITLE: (ie. company director/secretary)	DIRECTOR	
COMPANY NAME:	Body Corporate for Eley on Parap Unit Title Scheme (BC2013/042)	
Contact number:	Ph: 0419861030	Mob:
DATE:	16/09/2024	

Technical Assessment PA2024/0287

TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME 2020

Application No:	PA2024/0287
Lot number:	Unit 8689, Common Property, Eley On Parap, (33) Parap Rd, Parap
Town/Hundred:	Town of Darwin
Zone:	MR (Medium Density)
Site Area:	1440m ² (Parent Parcel Lot 8608: 2980m ²)
Proposal:	Communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary
Plans used for assessment:	Librio Associates PTY LTD Drawings No.KC027-A01 to A03 dated 30 August 2024
Date assessment finalised:	26 February 2025

The proposed development requires consent under the Northern Territory Planning Scheme 2020 as described in the below table:

Zone MR (Medium Density)				
Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Outbuilding (verandah and enclosed gym area) addition to existing dwelling-multiple	Merit Assessable	N/A	5.2.1 General Height Control 5.2.4 Vehicle Parking 5.2.6 Landscaping	5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.4 Extensions and Structures Ancillary to a Dwelling-group or Dwelling-Multiple Development 5.4.6 Private Open Space 5.4.7 Communal Open Space 5.4.8 Residential Building Design 5.4.17 Building Articulation 5.4.18 Fencing 5.4.19 Residential Plot Ratio

Clause 1.8(1)(b)(i)

(b) *Merit Assessable* – use and development that requires the exercise of discretion by the consent authority to ensure it can be established and operated in a way that does not impact on the **amenity** of the area and accords with the relevant zone purposes and outcomes.

Use and development of land requires **consent** and is *Merit Assessable* when any of the following apply:

- it is shown as Merit Assessable on the relevant assessment table in Part 4;

Clause 1.10 Exercise of Discretion by the Consent Authority

- In considering an application for consent for a use or development identified as Merit Assessable the consent authority must take into account all of the following:

- (a) the relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
- (b) any Overlays and associated requirements in Part 3 that apply to the land; and
- (c) the guidance provided by the relevant zone purpose and outcomes in Part 4 relevant to a variation of requirements in Parts 5 or 6.

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the consent authority.

4.4 Zone MR – Medium Density Residential

Zone Purpose

Provide for a range of mid-rise housing options close to community facilities, commercial uses, public transport or open space, where reticulated services can support medium density residential development.

Zone Outcomes

1. *Predominantly medium density residential developments generally not exceeding four storeys.*
2. *Home based businesses and dwellings-community residence are operated in a manner consistent with residential amenity.*
3. *Residential care facilities are of a scale and operated in a way that is compatible with the character and amenity associated with medium density residential development.*
4. *Non-residential activities, such as child care centre and community centre:*
 - (a) support the needs of the immediate residential community;*
 - (b) are of a scale and intensity compatible with the residential character and amenity of the area;*
 - (c) wherever possible, are co-located with other non-residential activities in the locality;*
 - (d) avoid adverse impacts on the surrounding road network; and*
 - (e) are managed to minimise unreasonable impacts on the amenity of surrounding residents.*
5. *Building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and to adjoining lots, and provides privacy and attractive outdoor spaces.*
6. *An efficient pattern of land use with all lots connected to reticulated services, integrated with existing transport networks and with convenient access to open space, community and educational facilities.*

Assessment

The proposed structure is at ground level addition to an existing 3-storey building, not exceeding four storeys.

Subclauses 2, 3, and 4 does not apply.

The proposed addition is situated along the southern side boundary of the lot, adjacent to the neighbouring MR zoned dwelling at Lot 3464. The proposal includes the addition of a BBQ area and gym for residents of the existing serviced apartments. While these amenities offer recreational benefits, they are also likely to generate noise and raise safety concerns, potentially disrupting the privacy and comfort of residents in neighbouring properties. **This does not comply with Outcome 5, where building design, site layout and landscaping is required to provide a sympathetic interface to the adjoining lots.**

The connection to reticulated services, access to transport networks and public facilities are not affected by this application.

DOES NOT COMPLY

5.2.1 General Height Control

Purpose

Ensure that the heights of buildings and structures are appropriate to the strategic and local context of the location and meet community expectations for development in the zone.

Administration

1. This clause does not apply if:
 - (a) The development is for the purpose of:
 - i. a telecommunications facility;
 - ii. a chimney, flag pole, aerial, antenna or lightning rod; or
 - iii. the housing of equipment relating to the operation of a lift; or
 - (b) an alternative height control is specified in clause 5.9 (Location specific development requirements).

2. The consent authority must not consent to a development in Alice Springs that is not in accordance with sub-clause 5.

3. The consent authority must not consent to a development on land in Zone MR abutting land in Zone LR that is not in accordance with sub-clause 6.

4. Except as set out in sub-clause 3, the consent authority may consent to a development that is not in accordance with sub-clause 6 if it is satisfied the building height is consistent with the intended character and amenity of the area, having regard to:
 - (a) the heights of other buildings in the immediate vicinity; and
 - (b) measures taken to mitigate potential impacts (such as unreasonable overshadowing, or overlooking of dwellings and private open space) on abutting properties.

Requirements

5. The building height of a development in the Municipality of Alice Springs is not to exceed:
 - (a) the maximum building height for the zone and use as specified in table A to this clause; or
 - (b) two storeys to a maximum of 8.5m if the zone and use is not included in table A to this clause.

6. The building height in all other areas is not to exceed:
 - (a) the maximum building height for the zone and use as specified in table B to this clause; or
 - (b) two storeys to a maximum of 8.5m if the zone and use is not included in table B to this clause.

Table B to clause 5.2.1: Height control outside Alice Springs		
Zone	Use	Maximum building height above ground level
MR	Development on a site in zone MR abutting a site in Zone LR	3 storeys

Assessment

The proposed verandah does not exceed the approved height of the existing 3-storey building.

COMPLIES

5.2.4 Vehicle Parking

5.2.4.1 Car Parking Spaces

Purpose

Ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a site.

Administration

1. This clause does not apply where alternative car parking space requirements are established under clause 5.9 (Location specific development requirements).
2. The consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied a reduction of the number of car parking spaces is appropriate with regard to:
 - (a) the zoning of the land, the use or development or proposed use or development of the land, and the possible future use or development of the land;
 - (b) the provision of car parking spaces in the vicinity of the land;
 - (c) the availability of public transport in the vicinity of the land; and
 - (d) the potential impact on the surrounding road network and the amenity of the locality and adjoining property;

or if the use or development relates to a heritage place and the Minister responsible for the administration of the Heritage Act 2011 supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place.
3. The consent authority may require the provision of car parking spaces for any ancillary use or development in addition to that specified for the primary use or development in the table to this clause.

Requirements

4. Use and development is to include the minimum number of car parking spaces specified in the table to this clause (rounded up to the next whole number).

Table to Clause 5.2.4.1: Minimum number of required parking spaces	
Use or Development	Minimum Number of Car Parking Spaces Required
Dwelling-multiple	2 per dwelling

Assessment

The application does not include any new dwelling, thus no additional car parking spaces are required.

NOT APPLICABLE

5.2.4.2 Layout of car parking areas

Purpose

Ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose.

Administration

1. *This clause does not apply to a car parking area where the car parking is required in association with a dwelling-single, dwelling-independent or a home based business.*
2. *A car parking area may be used for the purpose of a market if:
(a) a market is Permitted in the zone; and
(b) the market operates outside of the operating hours of the use for which the car parking area is established.*
3. *The consent authority may consent to a car parking area that is not in accordance with sub-clause 6 if it is satisfied that the non-compliance will not unreasonably impact on the amenity of the surrounding locality.*
4. *The consent authority may consent to a car parking area that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design and construction is safe and functional with regard to the location of the development.*
5. *The consent authority may consent to a car parking area that is not in accordance with sub-clause 9 if it is satisfied that the non-compliance will not result in adverse impacts on the local road network or internal functionality of the car parking area.*

Requirements

6. *A car parking area is to:
(a) be not less than 3m from any lot boundary abutting a road; and provide landscaping to the setback area to a minimum depth of 3m immediately adjacent to any lot boundary abutting a road, using species designed to lessen the visual impact of the car parking area when viewed from the road.*
7. *A car parking area is to be constructed and maintained to be:
(a) of a suitable gradient for safe and convenient parking; and
(b) sealed and well drained in urban areas, or dust suppressed in non-urban areas.*
8. *The layout of a car parking area is to:
(a) be functional and provide separate access to every car parking space;
(b) allow a vehicle to enter from and exit to a road in a forward gear;
(c) be in accordance with the dimensions set out in the diagram to this clause; and
(d) ensure parking spaces at the end of and perpendicular to a driveway are 3.5m wide or so that the driveway projects 1m beyond the last parking space.*
9. *The number of access points to the road is to be limited, and access points to car parking areas are to:
(a) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and
(b) maximise sight lines for drivers entering or exiting the car parking area.*

Assessment

The proposed addition does not create additional car parking spaces, and does not amend the existing car parking layout, thus this clause does not apply.

NOT APPLICABLE

5.2.6 Landscaping

5.2.6.1 Landscaping in Zones other than Zone CB

Purpose

Ensure appropriate landscaping that is attractive, water efficient and contributes to a safe environment, is provided to development to enhance the streetscape and overall amenity of the locality.

Administration

1. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
2. The consent authority may consent to landscaping that is not in accordance with sub-clauses 5, 6 and 7 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.

Requirements

3. Where landscaping is required by this Scheme it should be designed so that:
 - (a) planting is focused on the area within the street frontage setbacks side setbacks, communal open space areas and uncovered car parking areas;
 - (b) it maximises efficient use of water and is appropriate to the local climate;
 - (c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;
 - (d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;
 - (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;
 - (f) the layout and choice of plants permits surveillance of public and communal areas; and
 - (g) it facilitates on-site infiltration of stormwater run-off.
4. The quality and extent of the landscaping consented to must be maintained for the life of the development.
5. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.
6. In Zones LI, GI and DV all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.
7. In Zones MR and HR, side and rear setbacks are to include planting to the length of the setback of no less than 2m deep, except for areas that are used for private open space.

Assessment

The application does not significantly reduce the existing landscaping approved by DP16/0089 issued on 19 august 2016. Compliance with subclauses 3 to 5 will not be affected.

Subclause 6 does not apply.

The proposal does not comply with subclause 7, which **requires landscaping at least 2m deep along the side and rear setbacks. The proposed addition has a setback of 0.6m to the southern side boundary**, and the area is not used as private open space.

DOES NOT COMPLY

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

Purpose

Ensure that residential buildings and ancillary structures are located in a manner that:

- (a) is compatible with the streetscape and surrounding development including residential buildings on the same site;
- (b) minimises adverse effects of building massing when viewed from adjoining land and the street;
- (c) avoids undue overlooking of adjoining properties; and
- (d) facilitates breeze penetration through and between buildings.

Administration

1. This clause does not apply in Zones CB, LI, GI and DV.
2. In this clause:
 - (a) an ancillary structure includes an outbuilding (excluding shade sails), balcony, portico and the like, which may or may not include external walls; and
 - (b) for all developments except dwellings-multiple in Zone MR or HR, where a lot has a boundary with a public street from which vehicular access to the lot is restricted by the controlling Agency or local government council, this boundary shall be considered a side or rear lot boundary for the purpose of calculation of the building setback.
3. The consent authority may consent to a development that is not in accordance with sub-clause 6-8 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.
4. If a building setback plan in Schedule 9 does not establish a specific setback to a nominated boundary, residential buildings and ancillary structures are to be set back from that boundary in accordance with sub-clause 6(a) or clause 5.4.3.3 as appropriate.
5. Despite sub-clause 6 sheds in Zones other than H, A, RR, RL and R may have a nil setback to the side and rear boundaries provided it is
 - (a) 6m or more from the primary street and 2.5m or more from a secondary street when measured to the wall of the shed or where there is no wall, the outer face of any column;
 - (b) has a cumulative floor area of 15m² or less;
 - (c) is 2.5m or less in height;
 - (d) has no openings in walls that are less than 1.5m from a lot or unit title; and
 - (e) does not discharge rainwater on an adjacent lot or unit title.

Requirements

6. Subject to clause 5.2.7, building setbacks of residential buildings and ancillary structures are to be set back from lot boundaries in accordance with:
 - (a) the relevant table to this clause; or
 - (b) any setbacks established in a building setback plan that is included in Schedule 9.

7. Where a zero or 300mm setback is identified on a building setback plan in Schedule 9, a zero or 300mm setback can only be established to the boundary nominated on the setback plan.
8. Unless detailed in a table to this clause or within a building setback plan in Schedule 9, no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum building setbacks (subject to the Building Code of Australia) from the lot boundaries.

Table B to Clauses 5.4.3: Minimum building setbacks for residential buildings, ancillary structures and balconies in Zones MR and HR		
Lot Boundary	Minimum Setback for first four storeys above ground level	Minimum setback for roofline
Primary street frontage	6m for residential buildings and ancillary structures 3m for balconies	2.1m - provided that no supporting member is located within 6m of the boundary
Secondary street frontage	4.5 m for residential buildings and ancillary structures 1.5m for balconies	2.1m - provided that no supporting member is located within 4.5m of the boundary
Side and rear lot boundaries	3m for residential buildings, ancillary structures and balconies	2.1m

Assessment

The proposed addition has 0.6m setback to the southern boundary of the lot, which does not comply with the minimum setback of 3m for side lot boundaries.

All other proposed setbacks are complied with the requirements.

DOES NOT COMPLY

5.4.4 Extensions and Structures Ancillary to a Dwelling-group or Dwelling-Multiple Development

Purpose

Ensure an extension or ancillary structure that is ancillary to an existing dwelling-group or dwelling-multiple responds to the streetscape and surrounding development.

Administration

1. An extension to an existing dwelling-group or dwelling-multiple, or addition of an ancillary structure, is Permitted without consent if it complies with sub-clause 2.

Requirements

2. An extension or ancillary structure to a dwelling-group or dwelling- multiple is:
 - (a) to comply with the requirements of Parts 5 and 6 of the Planning Scheme;
 - (b) to be contained wholly within the respective unit title and not on or over a registered easement;
 - (c) to be of a scale and design compatible with the existing dwellings and the streetscape and surrounding development including residential buildings on the same site;
 - (d) not to result in:
 - i. the creation of a habitable area capable of separate occupancy;

- ii. *an additional storey; or*
- iii. *an increase in the maximum height of the development; and*
- (e) *to include adequate measures to prevent the discharge of concentrated stormwater onto an adjacent lot or unit title.*

Assessment

The exemption under this clause is not applicable as the proposal does not comply with subclause 2(a).

NOT APPLICABLE

5.4.6 Private Open Space

5.4.6.2 Private Open Space for Dwelling-multiple

Purpose

Ensure dwellings include private open space that enhances the function of the dwelling and are:

- (a) *of an adequate size to provide for outdoor living; and*
- (b) *appropriately sited to provide outlook for the dwelling.*

Administration

1. *The consent authority may consent to dwellings-multiple comprising of serviced apartments in Zone TC that is not in accordance with sub-clauses 3-5 if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.*
2. *The consent authority may consent to dwellings-multiple, other than dwellings-multiple comprising of serviced apartments in Zone TC, that is not in accordance with sub-clauses 3-5 if it is satisfied the development is consistent with the purpose of this clause.*

Requirements

3. *Each dwelling-multiple is to have at least one area of private open space that:*
 - (a) *is a minimum area of 12m² with no dimensions less than 2.8m;*
 - (b) *is directly accessible from the main living area or dining area of the dwelling to enable an extension of the function of the dwelling;*
 - (c) *is located to provide views from the dwelling to open space and natural features of the site or locality.*
4. *Where private open space is adjacent to communal open space, direct access is to be provided from the private open space to the communal open space, with a delineation between each area.*
5. *Where the private open space is at ground level and not adjacent to communal open space, it should be:*
 - (a) *fenced to a maximum height of 1.8m providing a visual barrier to adjoining dwellings;*
or
 - (b) *planted with dense vegetation which will provide a visual barrier to 1.8m to adjoining to adjoining dwellings within two years of planting.*

Assessment

The proposed structure is within the existing communal open space, while no new dwelling is included in the application, thus the clause does not apply to the proposal.

NOT APPLICABLE

5.4.7 Communal Open Space

Purpose

Ensure that suitable areas for communal open space are provided for dwellings-multiple, residential care facilities and rooming accommodation.

Administration

1. *This clause does not apply to dwelling-multiple where each dwelling has direct and independent access to private open space at ground level.*
2. *The consent authority may consent to a dwelling-multiple comprising serviced apartments in Zone TC that is not in accordance with sub-clauses 5 and 6 only if it is satisfied it is consistent with the purpose of this clause and that the private open space associated with each dwelling provides appropriate opportunities for outdoor activities.*
3. *The consent authority may consent to a development in Zone C or Zone CB that is not in accordance with sub-clauses 5 and 6 if appropriate recreational space for the occupants of the development is provided, having regard to the following matters:*
 - (a) *whether the communal open space has usable dimensions and is of a sufficient size for the density of the development;*
 - (b) *the development is in proximity to adequate public open space or sufficient amenities; and*
 - (c) *whether there is an appropriate increase in private open space provided (over that which is required by Clause 5.4.6), for each dwelling in the development.*
4. *For zones and uses not covered by sub-clauses 2 and 3, the consent authority may consent to a development that is not in accordance with sub-clauses 5 and 6 if it is satisfied the communal open space has usable dimensions and is of a sufficient size for the development.*

Requirements

5. *A minimum of 15% of the site, being not less than 6m wide at any point, is to be communal open space.*
6. *Communal open space is to be designed to:*
 - (a) *be clearly delineated from private and public open space;*
 - (b) *maintain reasonable privacy of nearby dwellings;*
 - (c) *provide recreational facilities for occupants; address the projected needs of children;*
 - (d) *include landscaping and shade where located outdoors;*
 - (e) *minimise safety issues, including through lighting and passive surveillance;*
 - (f) *minimise the effects of any on-site traffic circulation and car parking areas; and*
 - (g) *be capable of efficient maintenance and management.*

Assessment

The proposed use does not significantly reduce the existing communal open space, and the structures will continue to be accessible to tenants on site.

The proposed structure is clearly delineated from private and public open space.

Privacy is maintained with solid wall between proposed structure and adjacent property.

The proposed outbuilding is for communal use of the residents on site, including a gym and a BBQ area, addressing the recreational needs of occupants.

The application does not change the existing approved landscaping arrangement.

The proposal does not create any safety issues.

Existing on-site traffic circulation and car parking areas are not affected.

The proposed facility will be managed and maintained to address the needs of the tenants.

COMPLIES

5.4.8 Residential Building Design

5.4.8.2 Building Design for Dwelling-multiple

Purpose

Promote site-responsive design of dwellings-multiple that provides a sympathetic interface with the streetscape and surrounding dwellings, is climatically appropriate and provides a pleasant living environment for the occupants.

Administration

1. *A development application must, in addition to the matters described in sub-clauses 8-15, demonstrate consideration of and the consent authority is to have regard to the Community Safety Design Guide in Schedule 5.*
2. *The consent authority may consent to a development that is not in accordance with sub-clauses 8-9 if it is satisfied that it is consistent with the purpose of the clause.*
3. *The consent authority may consent to a development that is not in accordance with sub-clause 10 if it is satisfied that the development facilitates safe and convenient pedestrian movement through the site.*
4. *The consent authority may consent to a development that is not in accordance with sub-clause 11 if it is satisfied that all reasonable measures have been taken to mitigate potential noise impacts on habitable rooms within the site.*
5. *The consent authority may consent to a development that is not in accordance with sub-clause 12 if it is satisfied that car parking areas, services and utilities, and bin storage areas are appropriately concealed or integrated into the development to minimise visual impacts.*
6. *The consent authority may consent to a development that is not in accordance with sub-clauses 13 and 14 if it is satisfied that the balcony design allows for sufficient breeze penetration and limits the appearance of building massing when viewed from the public domain.*

7. *The consent authority may consent to a development that is not in accordance with sub-clauses 15 if it is satisfied the development prevents run-off from balconies to adjoining private open space, communal open space and dwellings below.*

Requirements

8. *Doors and openable windows are to provide natural cross ventilation opportunities to habitable rooms.*
9. *Building design is to minimise the expanse of blank walls facing the street and public open spaces and limit external finishes that could cause nuisance to residents or the general public, such as materials that would result in excessive reflected glare.*
10. *Development is to provide legible entry points and clear and direct pathways for pedestrians from the street and to all buildings on the site.*
11. *Development is to minimise the transmission of noise and exhaust from services by:*
 - (a) *locating lift shafts away from habitable rooms, or by using other noise attenuation measures; and*
 - (b) *locating air conditioner plants away from openings in habitable rooms.*
12. *Development is to include screening to:*
 - (a) *car parking areas at or above ground level (excluding access points) to the public domain, using materials that have a maximum visual permeability of 50%;*
 - (b) *services and utilities (such as servicing ducts and air conditioning units) to the public domain and neighbouring properties, using materials that have a maximum visual permeability of 50%; and*
 - (c) *bin storage areas to the public domain, using solid materials and/or landscaping.*
13. *Balconies are to provide at least:*
 - (a) *One side without an external wall; and*
 - (b) *One side without an external wall for more than 50% of the length of that side.*
14. *Full-height privacy screening on balconies is not to exceed 25% of the length the balcony that faces a street.*
15. *Buildings are to provide internal drainage of balconies.*

Assessment

The proposed structure is small in scale, while its doors and openings facilitate natural cross-ventilation throughout the proposed outbuilding.

No habitable rooms are proposed in the application. Subclauses 8 and 11 are not applicable.

No blank wall or reflected surface is proposed facing the street or public open spaces.

The existing entry points and the pathways are not amended in the proposal.

No changes are made to car parking areas, services and utilities, or bin storage areas.

No amendment is proposed to the existing balconies. Subclause 13 to 15 do not apply.

COMPLIES

5.4.17 Building ArticulationPurpose

Ensure that residential buildings mitigate the perception of building mass and bulking when viewed from adjoining properties and the street, and provide opportunities for cross-ventilation within building design.

Administration

1. This clause applies to all sides of residential buildings that are longer than 15m, except the ground floor of buildings in Zone CB.
2. The consent authority may consent to a development that is not in accordance with sub-clause 4 only if it is satisfied it is consistent with the purpose of this clause.
3. The length of the building excludes verandahs, balconies, porches and carports integrated into the residential building design.

Requirements

4. A step or recess to the building line of no less than 1m by 1m is required for every 15m of building length, or part thereof.

Assessment

The proposed outbuilding is 15.6m long, with a 3.04m long tiled area without solid wall proposed between two main structures.

COMPLIES

5.4.18 Fencing**5.4.18.1 Fencing in Zones MR and HR**Purpose

Promote fencing in medium and high density areas that provides a positive interface with the public domain, while allowing necessary privacy for residents and neighboring properties.

Administration

1. The consent authority may consent to a use or development that is not in accordance with sub-clause 4 if it is satisfied the fence enhances the streetscape and allows for passive surveillance to the public domain.
2. The consent authority may consent to a use or development that is not in accordance with sub-clause 5 if it is satisfied the fencing provides sufficient sightlines for pedestrian and cyclist safety.
3. The consent authority may consent to a use or development that is not in accordance with sub-clause 6 if it is satisfied the development protects the privacy of adjacent lower density

residential development.

Requirements

4. *All fences adjacent to road boundaries or boundaries adjoining public open space are to be constructed so that:*
 - (a) *the maximum height is 2m above ground level measured at the relevant site boundary;*
 - and*
 - (b) *the area of materials that is not visually permeable does not exceed an area equivalent to the length of the site boundary (excluding driveways) multiplied by 1.2m.*
5. *Fencing within 1.5m of driveways, pedestrian entries, and street corners is to be visually permeable above 0.6m (unless there is truncation provided within these areas to the same distance).*
6. *Where the development abuts land in Zones LR or LMR, development is to provide a solid screen fence to a minimum height of 1.8m to that boundary.*

Assessment

Considering the proposed outbuilding is located along southern side boundary, with no structures located adjacent to road boundaries or boundaries adjoining public open space, close to driveways, pedestrian entries, and street corners, or abutting land in Zones LR or LMR, subclauses 4 to 6 do not apply.

There is no significant changes proposed to the existing fencing arrangement on site. A solid wall is proposed along the southern side boundary to increase privacy between adjacent property, while a removeable metal fence is proposed for access to the easement zone. The applicant has suggested that a solid fencing can be provided considering the concerns from abutting lot (Unit 7/31 Parap Road).

COMPLIES

5.4.19 Residential Plot Ratio

Purpose

To encourage varied built form outcomes in higher density zones that are consistent with the anticipated character of the area.

Administration

1. *The consent authority may consent to a use or development that is not in accordance with sub-clauses 3 and 4 if it is satisfied the design response mitigates the appearance of visual bulk to the street and neighbouring properties, having regards to matters such as the articulation of the building and setbacks of the development.*
2. *The residential plot ratio in Table A does not apply to dwellings at ground level in Zones MR or HR.*
3. *This clause does not apply where an alternative residential plot ratio is established under Clause 5.9 (Location specific development requirements).*

Requirements

4. *The maximum residential plot ratio for development consisting of dwellings-multiple and/or*

rooming accommodation in Zones MR, HR and C is to be determined in accordance with Table A.

5. The maximum residential plot ratio for development consisting of rooming accommodation in Zone TC is to be determined in accordance with Table B.

<i>Table A to Clause 5.4.20: Residential plot ratio for dwellings-multiple and/or rooming accommodation in Zones MR, HR and C</i>	
<i>Zone</i>	<i>Residential Plot Ratio</i>
<i>MR other than in the municipality of Alice Springs</i>	<i>1.3:1</i>

Assessment

Pursuant to Subclause 2, Table A does not apply to dwellings at ground level in Zones MR. The proposed outbuilding is a structure at ground level ancillary to existing dwelling-multiple, thus this clause does not apply.

NOT APPLICABLE

Mr Amit Magotra
Manager Urban Planning
Department of Infrastructure, Planning & Logistics
GPO Box 1680
DARWIN NT 0801

Please Quote: PA2024/0287

11 October 2024

Dear Mr Magotra

Parcel Description: **Unit 8689 Town of Darwin
33 Parap Road, Parap**

Proposed Development: **Communal space additions (verandah and enclosed
gym area) to an existing dwelling-multiple with a
reduced building setback to the side boundary**

Thank you for the development application referred to this office 27 September 2024, concerning the above.

The following issues are raised for consideration by the Development Consent Authority (Authority):

i). **City of Darwin requests that should a development permit be issued, that the following be provided as conditions precedent:**

a). **Stormwater**

City of Darwin requests that the Authority require an engineered plan completed by a suitably qualified civil engineer. The plan is to demonstrate the on-site collection of stormwater, surface levels and its discharge into the local underground stormwater drainage system be submitted to, and be approved by City of Darwin, prior to the stormwater condition precedent being cleared.

The plan shall include details of site levels, City of Darwin's stormwater drain connection point/s and connection details.

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

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



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

If you require any further information in relation to this application, please feel free to contact City of Darwin's Innovation Team on 8930 0300 or darwin@darwin.nt.gov.au

Yours sincerely

Alice Percy

ALICE PERCY
GENERAL MANAGER INNOVATION



Phone 1800 245 092

Web powerwater.com.au

Record No: D2024/375173

Container No: NE200/8689

Your Ref: PA2024/0287

LINGYI Kong
Development Assessment Services
GPO Box 1680
Darwin NT 0810

Dear LINGYI

Re: Unit 8689 (Common Property) 33 Parap Road Parap Town of Darwin

In response to your letter of the above proposal for the purpose of communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary, Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. The proponent (Boby Corporate – Elsey On Parap) shall engage a licensed electrician to install any applicable electrical installations for the proposed verandah and enclosed gym area in accordance with PWC's current NP018 Service and Installation Rules 2024 and NP010 Meter Manual.

If you have any further queries, please contact Andrew Venhuizen, Senior Customer Connections Officer on 8924 5700.

Yours sincerely



Thanh Tang
Manager Distribution Development

03 October 2024

From: israel.k@oneplanningconsult.com.au
To: [Lingyi Kong](#)
Subject: FW: Revised design for Proposed Development - PA2024/0287 - Unit 8689 Town of Darwin - 33 Parap Road Parap
Date: Wednesday, 22 January 2025 1:02:42 PM
Attachments: [image004.png](#)
[image011.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image001.png](#)
[APPENDIX A - Drawings - Revised 25.pdf](#)

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Hi Lingyi,

We finally received clearance approval from PWC (Water) following the revision of plans as per the attached.


Please note the email below confirming approval.

Kind regards,

ISRAEL T KGOSIEMANG
BSc. URP MPIA

☎ 0417 787 473
✉ israel.k@oneplanningconsult.com.au
✉ PO.Box 42279, Casuarina NT 0811



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From: Jeffrey Lohman <Jeffrey.Lohman@powerwater.com.au>
Sent: Wednesday, 22 January 2025 12:27 PM
To: israel.k@oneplanningconsult.com.au
Cc: kevin@ktcbuild.com; PropertyandEasements PWC <PropertyandEasements.PWC@powerwater.com.au>; Henri Susanto <Henri.Susanto@powerwater.com.au>
Subject: Re: Revised design for Proposed Development - PA2024/0287 - Unit 8689 Town of Darwin - 33 Parap Road Parap

Good Afternoon Israel

Thank you for your patience regarding the development proposal for Lot 8689 (33) Parap Road, Parap

PWC Demand and Development and PWC Sewer Operations have no objections to the revised proposed Design, provided that there is "NO" encroachment within the PWC Sewerage Easement on Lot 8689 (33) Parap Road, Parap

Regards
Jeff

Please keep in mind that we are currently experiencing high levels of customer requests and this process may take a little longer than usual. We are doing our very best and appreciate your understanding and patience at this time.

Jeff Lohman

Service Development Liaison
Officer
Customer Strategy and Regulation
T 08 8995 5833 M 0419 505 367
Jeffrey.Lohman@powerwater.com.au

PowerWater

powerwater.com.au

Power and Water Corporation
Building 6, Ben Hammond Complex,
Illiffe Street Woolner
PO Box 37471, Winnellie NT 0821



Container No: LD200/8689

DLPE - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Lingyi,

**RE: PA2024/0287 - Unit 8689 Town of Darwin - Common Property - Elsey On Parap 33 Parap Road
Parap - Verandah and enclosed gym area**

In response to the above proposal for development application purposes, Power and Water Corporation (Water Services) advise the following with reference to water and sewer enquiries:

1. Power and Water are unable to support the proposed above mentioned development application at this time, however Power and Water will reconsider the development application subsequent to the developer addressing Power and Water's concerns detailed below.
2. The existing sewerage easement within Lot 8689 is still required. Structures must not be located on or over a water supply or sewerage easement, or where no easement exists (such as within a road) within 1.5 metres of the centreline of water and/or sewer main infrastructure.
3. The development application, on drawing No/s. A01 to A03, indicates there is a proposed concrete slab, blockwork, roof, footings over the easement. Power and Water has not issued an approval for the proposed encroachment and the developer will need to remove the encroachment from the design OR urgently seek Power and Water's approval.

If you have any further queries, please contact the undersigned on 8995 5884, or email waterdevelopment@powerwater.com.au

Yours sincerely,

Louise Leyson
Services Development

11th October 2024

cc: Israel-Tshepo Kgosiemang
email: israel.k@oneplanningconsult.com.au

Submission – Development Application PA2024/0287 - Communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary – Unit 08689 Town of Darwin 33 Parap Road, Parap

I am the owner of unit 7/31 Parap Road, Parap and I am writing this submission objecting to the proposed development of a communal room and verandah, with kitchen facilities (BBQ etc) at 33 Parap Road Parap, as it directly and negatively impacts on my property.

The proposed location of the structure outlined in the application is on the boundary adjoining my property.

I strongly object to the proposed structure on the boundary line for the following reasons:

- It is not in line with 5.2.7 of the NT Planning Scheme Part 5 Development Requirements - Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR, as there is no set back of 3 metres from the boundary line;
- set back requirements have been established to:
 - respect property boundaries;
 - maintain access and visibility; and
 - fire safety considerations;
- the gutters and eaves of the proposed structure encroach more than 0.9 metres into the minimum set back of 3 metres;
- the development application Statement of Effect incorrectly states *“the proposed wall is 3.5m in height along the boundary and affects only 19.5% of the side boundary. Furthermore, the affected portion is located at the rear corners to adjoining properties with dense vegetation”*.

The properties adjoining the boundary consist of 6 x 2 storey townhouses with individual yards at 31 Parap Road and a sole elevated property at 6 Elsey St, Parap. The proposed structure appears to extend 100% of the length of the adjoining boundary with 7/31 Parap Road and a very small portion of the corner boundary with 6 Elsey St, Parap.

The vegetation along the boundary/fence line at 7/31 Parap Road is not dense.

The drawings (Appendix A of the application) show the parapet wall on the boundary to be 3.8 metres in height, not the 3.5 metres recorded throughout the application’s Statement of Effect nor the approximately 3.6 metres recorded on page 4 of the statement;

- the development application Statement of Effects incorrectly states *“There are no significant changes to existing fencing arrangements on site. The proposed structure adds to privacy screening and fencing to the development.”*

There is existing fencing at 7/31 Parap Road at a height of 1.8m consisting of cyclone mesh and split panels. If the proposed structure is to be built on the boundary it would replace that fencing and extends the height considerably;

- the proposed structure errs from the building design impacting on building mass at 33 Parap Road, when viewing from 7/31 Parap Road, changing the overall landscape, which currently includes a setback with vegetation on both sides of the boundary;
- aesthetically, a concrete wall of 3.8m across the full boundary of 7/31 Parap Road will be an imposing and unattractive structure, with no set back to offset its effect, which will negatively impact on the value of 7/31 Parap Road;

Submission – Development Application PA2024/0287 - Communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary – Unit 08689 Town of Darwin 33 Parap Road, Parap

- the proposed structure will adjoin the small rear courtyard area of 7/31 Parap Road, with the wall creating an imposing structure of enclosure in this space;
- concrete retains and reflects heat, which will impact on the existing boundary vegetation and the ability to grow vegetation against the boundary in the future;
- construction to build the proposed structure will negatively impact on the existing vegetation at 7/31 Parap Road;
- access will be required to the yard at 7/31 Parap Road during construction resulting in considerable impact and impost;
- given the size and location, the structure will impact ground level airflow through the properties;
- a wall on the boundary creates issues with maintenance of the structure, particularly if there is structural issues;
- the proposed structure will be slightly less than 2.9 metres from the small verandah in the courtyard which is attached to the residence at 7/31 Parap Road, considerably close resulting in increased and unnecessary safety risks;
- the proximity of the proposed structure and its intended use for social gatherings in a complex providing serviced accommodation (28 units) will increase noise in the location, with the design (it is not an enclosed structure) doing little to prevent noise carriage in an open space with buildings on both sides where noise carriage is already experienced when residents are socialising on balconies and in the common pool area; and
- the structure is proposed to be built over a sewerage easement resulting in inaccessibility from that side and I have concern that of the property increasing likelihood of accessing the easement from 7/31 Parap Road Parap, if the affected area is closer to the southern boundary.

I would support the proposed structure being built with a 3m set back from the adjoining boundary, in line with NT Planning Scheme requirements. While this will still result in an imposing structure the effect is offset with distance and vegetation, similarly noise carriage will be offset with distance. The distance will also remove any issues in respect of ground level airflow, property boundaries, maintenance access and visibility and safety considerations.

I would also be happy to engage further in relation to the proposed development.



Emma Clee

billieelee@hotmail.com

From: [Emma Clee](#)
To: [Lingyi Kong](#)
Subject: TRM: Re: PA2024/0287 - Further information submitted by applicant
Date: Monday, 24 February 2025 10:10:39 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Lingyi,

Thank you for providing the updated drawings and applicant response to the previous concerns raised. While the applicant has amended the proposed structure resulting in two separate structures proposed with a tiled area in between (across the no build area above an easement) and 1 of the 2 structures' height reduced to 3m with setback of 600 mm (60 cm) from the adjoining boundary line with 7/31 Parap Road the applicant has not sufficiently addressed the concerns raised and the proposed structure is not compliant with the NT Planning Scheme 2020.

I am seeking the below is considered alongside my previous submission. The below points are in response to the updated information submitted by the applicant demonstrated in 'Further Information - PA2024_0827 - DCA' and 'Appendix D - Mark Up Drawings'.

- The 'Appendix D - Mark Up Drawing' submitted by the applicant shows the adjoining boundary line between 7/31 Parap Road and 33 Parap Road (Elsey on Parap Serviced Apartments) to be 5200mm (5.2m) in length, and where 1 of the 2 structures is proposed to be located. This information is erroneous. The adjoining boundary line between 7/31 Parap Road and 33 Parap Road extends the distance to and abuts with 6 Elsey St, Parap. As such the adjoining boundary extends the full distance of the proposed development/ works, including both proposed structures. I am unclear how the applicant or its representative 'One Planning Consult' is not aware of this, given site access in which the adjoining boundary line is accessible.
- The document 'Further Information - PA2024_0827 - DCA' records *"part of the structure is recessed 600mm from the affected boundary to Unit 7. This includes the proposed gutters to collect stormwater and redirecting it to existing connection point on the development site."* I do not believe this statement to be accurate given the drawings in 'Appendix D - Mark Up Drawings' show the 600mm to be calculated off the wall of the proposed structure and the gutters from the proposed structure extend 125mm from the wall. As such the setback inclusive of proposed gutters is 475mm (47.5cm).
- The document 'Further Information - PA2024_0827 - DCA' records under point 3 "It is confirmed that the proposed building wall does not cover the full length to Unit 7 boundary." As outlined in point 1 this statement is incorrect, as the adjoining boundary line between 7/31 Parap Road, Parap and 33 Parap Road, Parap does in fact extend the full distance of both of the 2 proposed structures. This should be confirmed through Lands and Planning/ DLI records (for additional information the complex at 31 Parap Road contains 6 townhouses (1/31; 2/31; 3/31; 4/31; 5/31; 7/31), with 7/31 Parap Road the result of rezoning the 6th townhouse with the adjoining parcel of land).
- The document 'Further Information- PA2024_0827 - DCA' records *"It is confirmed that*

the proponent will not remove existing fence along the affected side boundary including the fence to Unit 7. All works will be carried out from within the subject development site." This statement does not appear to be correct. There is existing fencing extending the full distance of the adjoining boundary between 7/31 Parap Road, Parap and 33 Parap Road, Parap (a combination of cyclone mesh fencing at 1.8m and panel fencing at 1.8m). 'Appendix D - Mark Up Drawing' shows 1 of the 2 proposed structures to be built on the boundary line where there is existing fencing, and the proposed 'removal metal fence' is in line with the wall of the proposed structure and the existing panel fencing that is proposed not to be removed (due to set back of 60cm, against the second structure). Based on this it would be accurate to state that the proponent will be required to remove and modify the existing fence along the affected side boundary as part of the proposed development/ works. This has a significant impact on the adjoining property at 7/31 Parap Road Parap, that I own.

- The amended drawings and updated information provided by the applicant does not adequately address the concerns raised in my submission and still results in the application not being compliant with provisions of the NT Planning Scheme 2020 as outlined below:
 - 4.4.5 "Building design, site layout and landscaping provide a sympathetic interface to the adjoining public spaces and to adjoining lots, and provides and privacy and attractive outdoor spaces" - this clause is not met with the impact of the structure outlined in my original submission (including proximity, noise carriage, design and imposing nature of the structure, decrease in property value). The proposed amendment reducing the height of only 1 structure to 3m, with a setback of 47.5/60cm does not address both structures proposed to be built on the adjoining fence line between 7/31 Parap Road, Parap and 33 Parap Road Parap. Additionally, a setback of 47.5/60cm does little to address the concerns raised and their impact.
 - 5.2.6 Landscaping - the proposed development removes the existing landscaping under this clause at 33 Parap Road Parap and impacts on the existing landscaping at 7/31 Parap Road Parap. The proposed development is not in line with clause 5.2.6.1.7, which requires landscaping set back to at least 2 metres.
 - The proposal to have landscaping for the purposes outlined by the applicant in an area the width of 60cm between and abutting a metal panel fencing at a height of 1.8m and a concrete structure at a height of 3m (which retains heat), that will grow up to a height of 3m and which can be appropriately maintained by the applicant, with no overhanging or protruding foliage impacting on 7/31 Parap Road, does not really appear achievable/ feasible.
 - 5.4.3 Minimum Set Backs - the application does not comply with this clause and requirement to have a minimum set back of 3 metres. Additionally, the application is not in line with the purpose of this clause and has a significant impact on the adjoining property at 7/31 Parap Road, Parap.
 - 5.4.18 - Fencing. The application is not compliant section 6 of this clause, with no solid fencing provided for the proposed development. Noting development that is abutting the adjoining fence line is not supported, nor compliant with the NT Planning Scheme 2020.

Please let me know if you need any clarification on the above information and thank you for providing details of the upcoming meeting on 7 March 2024.

Kind regards,

Emma

From: Lingyi Kong <Lingyi.Kong@nt.gov.au>
Sent: Monday, 24 February 2025 9:34 AM
To: billiecleee@hotmail.com <billiecleee@hotmail.com>
Subject: PA2024/0287 - Further information submitted by applicant

Good Morning Ms Clee,

Please see attached information provided by the applicant of development application PA2024/0287 for the purpose of communal space additions (verandah and enclosed gym area) to an existing dwelling-multiple with a reduced building setback to the side boundary at Unit 8689, Common Property, Elsey On Parap, (33) Parap Rd, Parap, Town of Darwin.

Noting the above, the application will proceed to a public hearing of the Development Consent Authority. You will receive an invitation to attend the meeting a couple of days prior to the scheduled meeting date, where you may address the Authority regarding your submission.

Please let me know if you have any questions.

Regards,

Lingyi Kong

Planner
Development Assessment Services
Department of Lands, Planning and Environment
Northern Territory Government

Level 1, Energy House, 18-20 Cavenagh Street, Darwin
GPO Box 1680, Darwin NT 0800

P: +61 8 8999 6254



Please note:

The last advertisement of development applications for 2024 will be published online on Friday 6 December 2024.

For planning scheme amendments, rezonings, concurrent applications and designated developments (prescribed by section 7 of the Planning Regulations 2000), the last advertisement for 2024 will be published online on Friday 22 November 2024 (as a 28 day exhibition period is required).

The first advertisement for all applications for 2025 will be published online Friday 10 January 2025. Development application lodgements need to be received 10 days prior to make the above final/first advertising dates.