

DEVELOPMENT CONSENT AUTHORITY DARWIN DIVISION

NORTHERN TERRITORY PLANNING SCHEME 2020

AGENDA ITEM: **1** MEETING DATE: 23/05/2025 FILE: PA2025/0110

APPLICATION PURPOSE:	Subdivision to create one lot for the purpose of a lease in excess of 12 years
SUBJECT SITE:	Lot 9198 (7) Ellengowan Dr, Brinkin, Town of Nightcliff
ZONE:	CP (Community Purpose]
SITE AREA:	38.07 ha
APPLICANT	Earl James and Associates Director – Kevin Dodd
PERSONS ON WHOSE BEHALF THE APPLICATION IS MADE	Landowner
LANDOWNER	Charles Darwin University
ANY PERSON WITH AN AGREEMENT TO ACQUIRE AN INTEREST IN THE LAND	Charles Darwin University Deputy Director Facilities Projects and Assets – Philip Joyce

1. PROPOSAL

The application seeks approval for the subdivision of land to create one lot for the purpose of a lease exceeding 12 years. The subject site, Lot 9198 (7) Ellengowan Drive, Brinkin, Town of Nightcliff, is zoned CP (Community Purpose) under the Northern Territory Planning Scheme 2020 (NTPS2020) and currently accommodates the Casuarina campus of Charles Darwin University (CDU). The proposed subdivision will enable Campus Living Villages (CLV), a provider of on-campus accommodation, to lease approximately 4.15 hectares of land from CDU for the ongoing maintenance and management of existing rooming accommodation (student accommodation) facility located on the northern part of the campus, adjacent to Brinkin residential estate. The proposed subdivision plan is presented below.

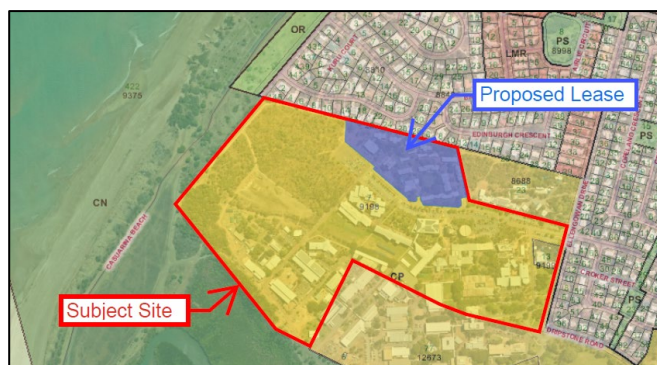


Figure 1: Proposed Subdivision Plan

A location plan is included at **Bookmark A** and a copy of the application is at **Bookmark B**.

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

Pursuant to Section 5 of the *Planning Act 1999* (the Act), land subject to the grant of a lease, licence or other rights to use or occupy a part of the land for a term of more than 12 years constitute a subdivision. The proposed development requires consent under Clause 1.8 (When development consent is required) of the NTPS2020 because the subdivision is identified as *Impact Assessable* development and requires consent under clause 1.8 (1)(c)(ii).

Zoning	Overlay	Consent required by virtue of Overlay Requirement	Development Requirements
Zone CP (Community Purpose)	3.2 CNV - Clearing of Native Vegetation 3.4 CR - Coastal Reclamation 3.6 LSF - Land Subject to Flooding 3.7 LSSS - Land Subject to Storm Surge 3.9 DHD - Darwin Harbour Dredging	No	Part 6: Subdivision and Consolidation Requirements

For such proposals, under Clause 1.10(4) of NTPS 2020, the consent authority must take into account all of the following:

- a) any 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;
- c) the guidance provided by the relevant zone purpose and outcomes in Part 4; and
- d) any component of the Strategic Framework relevant to the land as set out in Part 2.

Also, under Clause 1.10(5) of NTPS 2020, 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, and the considerations listed under clause 1.10(3) or 1.10(4).

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should approve the application subject to conditions on the development permit as detailed in section 9 of this report.

4. BACKGROUND

The proposed lease area is 4.15 hectares, located along the northern boundary of Lot 9198, adjacent to the residential neighbourhood within Zone LR (Low Density Residential) to the north. No easement has been identified within the area. The proposed lease area is currently used as the existing student accommodation of CDU, with direct vehicle and pedestrian access to the internal road network of the campus.

The subject lot has several permits from the 1990s. Due to the age of these permits, they're not considered relevant to understanding the site in relation to this application. The planning history for the subject site is shown in the table on the following page:

Permit Number	Approved Use	Date Approved
DP23/0158A	Variation to condition 1 of DP23/0158 for the purpose of changes to the design and layout of an existing tertiary education establishment (trade training centre)	23/11/2023
DP23/0158	Education establishment in a two storey building (trade training centre) within land subject to storm surge	14/07/2023
DP21/0158	Data centre	22/12/2021
DP21/0157	Subdivision to create one lot for the purpose of lease in excess of 12 years	01/06/2021
DP18/0246	Clearing of native vegetation	16/07/2018
DP11/0210B	Teaching facility - Australian Centre for Indigenous Knowledge and Education. 1&2 storey educational & administrative facility comprising teaching spaces, ceremonial & cultural spaces & academic & administrative office spaces	10/07/2015
DP11/0210A	Teaching facility - Australian Centre for Indigenous Knowledge and Education. 1&2 storey educational & administrative facility comprising teaching spaces, ceremonial & cultural spaces & academic & administrative office spaces.	12/03/2013
DP12/0478	Subdivision for a lease in excess of 12 years (2 lots)	07/09/2012
EDP12/0006	20 x 1 bedroom accommodation units in a 2 storey building	23/05/2012
DP10/0704A	Amendment to staging and landscaping of approved works	10/02/2012
DP11/0210	Education establishment - Australian Centre for Indigenous Knowledge and Education	30/03/2011
DP10/0704	Addition of 6 x 2 storey ancillary hostel accommodation buildings to an existing education establishment in two stages	22/10/2010
DP02/0236	Office building in 2 storeys	24/09/2002
DP00/0108A	Addition of amenities and alterations	05/05/2000
DP00/0108	Sports facility, medical clinic, licenced club and ancillary shop	21/03/2000
DP98/0207	Water tank and pump house	19/05/1998
DP97/0015A	Amended plans	04/02/1997
DP97/0015	Student accommodation	10/12/1996
DP96/0545	Stages 1&2 of NTU library	02/10/1996
DP95/0652	Science building	21/12/1995
DP94/0395	Teaching facility	15/12/1994
DV5115	Residential College	11/11/1993
DV5073	Arts/law building	08/10/1993
DV5072	Residential accommodation	08/10/1993
DV3964	Student's amenities building	08/10/1990

5. PUBLIC EXHIBITION

The application was placed on public exhibition for a period of two weeks. No submissions were received under section 49(1) of the *Planning Act 1999*. One late submission was received after the completion of the exhibition period and is therefore not considered a valid submission under Section 49 of the Act. The submission is included at **Bookmark D** and discussed further in section 7(t) of this report.

6. 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*

The NTPS2020 applies to the land and subdivision to create one lot for the purpose of a lease in excess of 12 years requires consent under Clause 1.8 (When development consent is required). It is identified as *Impact Assessable* under Clause 1.8(1)(c)(ii); therefore, strategic framework (Part 2 of the Scheme – Darwin Regional Land Use Plan 2015), and zone purpose and outcomes of Clause 4.22 (Zone CP - Community Purpose), Overlay Clauses 3.2 (CNV - Clearing of Native Vegetation), 3.4 (CR - Coastal Reclamation), 3.6 (LSF - Land Subject to Flooding), 3.7 (LSSS - Land Subject to Storm Surge), 3.9 (DHD - Darwin Harbour Dredging), and Clause 6.1 (Preliminary of Subdivision and Consolidation Requirements), need to be considered. A copy of technical assessment is at **Bookmark C**.

Part 2 (Strategic Framework)

The subject CDU campus site is considered under education facilities in the Darwin Regional Land Use Plan (DRLUP) 2015, which recognises future university initiatives and potential contribution to future regional growth and the required infrastructure. Subdivision of the land is not considered in the DRULP and, as such, is not considered contrary to it. The proposed subdivision is to facilitate leasing of land for student accommodation within the CDU campus, which directly responds to anticipated international student growth. This aligns with the key objectives of education facilities under the DRLUP 2015.

Part 3 (Overlays)

Overlays 3.2 (CNV - Clearing of Native Vegetation), 3.4 (CR - Coastal Reclamation), 3.6 (LSF - Land Subject to Flooding), 3.7 (LSSS - Land Subject to Storm Surge), and 3.9 (DHD - Darwin Harbour Dredging) are identified on site. The application seeks approval for a subdivision to create one lot for a lease exceeding 12 years. The proposed subdivision serves only an administrative purpose, and no vegetation clearing, coastal landfill, or dredging is proposed as part of the subdivision. The proposed lease area is not affected by the LSF (Land Subject to Flooding), PSSA (Primary Storm Surge Areas), or SSSA (Secondary Storm Surge Areas) overlays, so the related clauses do not apply.

Part 4 (Zones and Assessment Tables)

The application is for subdivision with no new structures proposed, while it does not change the existing access to the established services and infrastructures. The sub-clause of relevance for this application is sub-clause 4 as it relates to subdivision, and the assessment notes that the appropriate level of services and infrastructure required under the sub-clause are provided for the subdivision, as the development on the land (rooming accommodation), already exists. It is noted that the comments received from the service authorities have also not raised any concerns with the proposed subdivision (refer discussion provided under 7(m)). The proposed subdivision serves only an administrative purpose and therefore will not compromise the purpose and outcomes of the zone.

Part 6 (Subdivision and Consolidation Requirements)

There are no specific subdivision requirements in Part 6 of the Scheme relating to the subdivision of land in Zone CP. The relevant zone purpose and outcomes and the Strategic Framework have been discussed above.

Overall, the proposal complies with the relevant requirements of the NTPS2020.

- (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. Additionally, the Department of Lands, Planning and Environment - Development Coordination, Rangelands Division did not identify any requirements.

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

No public submission was received under section 49(1) of the *Planning Act 1999* with respect to the proposal. One late submission was received outside the exhibition period and is discussed further in 51(1)(t) of this report.

- (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 application states: 'The merit of the proposal is that it will facilitate the ongoing management of student accommodation at Charles Darwin University.'

- (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**

The land is capable of supporting the proposed subdivision. The proposed lease area is built with existing student accommodation buildings, while no changes are proposed to the established use. Necessary infrastructure and reticulated services are available, and will be maintained to support the proposed subdivision. Additionally, the Department of Lands, Planning and Environment - Development Coordination, Rangelands Division 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**

No concerns have been raised by the City of Darwin.

Service Authority:

PWC (Power) – **Bookmark E2**

PWC (Power) has no objection to the proposal. It is clarified that servicing to the proposed lease lot is a matter between CDU and CLV, while a power clearance can be issued after required documents are received.

No comments were received from PWC (Water), Survey Land Records, and Development Coordination, Rangelands Division of Department of Land, Planning and Environment.

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

The proposed subdivision is to create one lot for the purpose of a lease in excess of 12 years intended for lease and management of the existing on-campus student accommodation. The subdivision will not alter the nature of the existing development within the subject land, including the extent or appearance of built form or the nature of the land use, servicing or access. The subject land already accommodates the development/use, and proposed leased parcel will not affect other lands. The subdivision serves only an administrative purpose and, therefore, will not impact the amenity of the area.

- (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;**

The subject site is not within a Restricted Water Extraction Area.

- (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)**

A statement has been provided confirming that no building will cease to comply with the *Building Act 1993* if the proposed development were to proceed (**Bookmark B4**).

(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*

One public submission was received from Margaret Clinch, Plan: the Planning Action Network, Inc., after the exhibition period had ended. The submission is summarised below, with a full copy included at **Bookmark D1**. Additional comments provided by the submitter after the lodgement of the original submission are included at **Bookmark D2**.

Submission received on 25/04/2025 (**Bookmark D1**) raised concerns regarding:

- Lack of detailed information is provided, making it difficult for the public to assess potential impacts on local residents and students
- The pink exhibition signs are poorly placed and difficult to read.
- the term 'Community Purposes' could encompass a wide range of undefined activities.

Submission received on 02/05/2025 (**Bookmark D2**) requested more information on:

- management of the land
- conditions of the proposed lease
- any construction to be carried out
- any new buildings to be owned and managed by the university
- any impact on neighbouring residential properties in Brinkin
- why residents in Brinkin are not informed and consulted
- is the university still available for walking exercise
- any noise created by the proposed lease
- any green space to be occupied if new buildings are proposed

DAS Comment:

While the concerns raised by the submitter are acknowledged, it is noted that the assessment of the proposal discussed previously under Section 51(1)(a) of the *Planning Act 1999* indicates that the proposal is considered to comply with each applicable requirement under the NTPS 2020. The proposed subdivision is not anticipated to result in any adverse impacts to existing or future amenity. The subdivision will not alter the nature of the existing development within the subject land, including the extent or appearance of built form or the nature of the land use, servicing or access. The subject land already accommodates the development/use, and proposed leased parcel will not affect other lands. No new construction is proposed as part of the subdivision works. The subdivision serves only an administrative purpose and, therefore, will not impact the amenity of the area.

In regard to the public notices, DAS notes that the public notice of the proposed development application complies with the requirements under Section 47 of the *Planning Act 1999*. Pink exhibition signs were placed within a reasonable distance from each public road frontage of the site, and were maintained for the full exhibition period. The information provided on the signages meets the standard of exhibition. Refer to photos of the exhibition signs at **Bookmark B5**.

Regarding detailed information of the application, it is noted that the proposed documents are available online or by contacting DAS during the two-week exhibition period. The website address and contact details are displayed on the exhibition signage. The Statement of Effect submitted by the applicant include detailed information about the proposed lease, and how the application addresses the purpose and outcomes of Zone CP (Community Purpose) under Clause 4.22 of the NTPS 2020, which addresses most of the submitter's concerns. The applicant will be available to respond to the submitter's queries at the hearing.

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 proposed development does not require the preparation of any environmental reports or impact statements under the *Environmental Protection Act 2019*.

7. RECOMMENDATION

That, pursuant to section 53(a) of the *Planning Act 1999*, the Development Consent Authority consent to the application to develop Lot 9198 (7) Ellengowan Dr, Brinkin, Town of Nightcliff for the purpose of subdivision to create one lot for the purpose of a lease in excess of 12 years, subject to the following conditions:

GENERAL CONDITIONS

1. The works carried out under this permit shall be in accordance with the drawing numbered 2025/0110/01 endorsed as forming part of this permit.
2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage and electricity facilities to the lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
Please refer to notations 1 for further information.
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. 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.

Notes

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@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. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5356. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

8. REASONS FOR THE RECOMMENDATION

1. Pursuant to section 51(1)(a) of the *Planning Act 1999*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates.

The NTPS2020 applies to the land and subdivision to create one lot for the purpose of a lease in excess of 12 years requires consent under Clause 1.8 (When development consent is required). It is identified as Impact Assessable under Clause 1.8(1)(c)(ii); therefore, strategic framework (Part 2 of the Scheme – Darwin Regional Land Use Plan 2015), and zone purpose and outcomes of Clause 4.22 (Zone CP - Community Purpose), Overlay Clauses 3.2 (CNV - Clearing of Native Vegetation), 3.4 (CR - Coastal Reclamation), 3.6 (LSF - Land Subject to Flooding), 3.7 (LSSS - Land Subject to Storm Surge), 3.9 (DHD - Darwin Harbour Dredging), and Clause 6.1 (Preliminary of Subdivision and Consolidation Requirements), need to be considered.

Part 2 (Strategic Framework)

The subject CDU campus site is considered under education facilities in the Darwin Regional Land Use Plan (DRLUP) 2015, which recognises future university initiatives and potential contribution to future regional growth and the required infrastructure. Subdivision of the land is not considered in the DRLUP and, as such, is not considered contrary to it. The proposed subdivision is to facilitate leasing of land for student accommodation within the CDU campus, which directly responds to anticipated international student growth. This aligns with the key objectives of education facilities under the DRLUP 2015.

Part 3 (Overlays)

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Part 4 (Zones and Assessment Tables)

The application is for subdivision with no new structures proposed, while it does not change the existing access to the established services and infrastructures. The sub-clause of relevance for this application is sub-clause 4 as it relates to subdivision, and the assessment notes that the appropriate level of services and infrastructure required under the sub-clause are provided for the subdivision, as the development on the land (rooming accommodation), already exists. It is noted that the comments received from the service authorities have also not raised any concerns with the proposed subdivision. The proposed subdivision serves only an administrative purpose and therefore will not compromise the purpose and outcomes of the zone.

Part 6 (Subdivision and Consolidation Requirements)

There are no specific subdivision requirements in Part 6 of the Scheme relating to the subdivision of land in Zone CP. The relevant zone purpose and outcomes and the Strategic Framework have been discussed above.

Overall, the proposal complies with the relevant requirements of the NTPS2020.

2. Pursuant to section 51(1)(j) of the *Planning Act 1999*, the consent authority must take into consideration 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.

The land is capable of supporting the proposed development. The proposed lease area is built with existing student accommodation buildings, while no changes are proposed to the established use. Necessary infrastructure and services are available, and will be maintained to support the proposed subdivision. Additionally, the Department of Lands, Planning and Environment - Development Coordination, Rangelands Division did not identify or raise any issues of concern in relation to land capability.

3. Pursuant to section 51(1)(n) of the *Planning Act 1999*, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.

The proposed subdivision is to create one lot for the purpose of a lease in excess of 12 years intended for lease and management of the existing on-campus student accommodation. The proposed use will maintain the established use of the land, while no construction work is involved in the application. No impacts on the existing and future amenity of the area are foreseen as a result of the proposed subdivision.

4. Pursuant to section 51(1)(t) of the *Planning Act 1999*, the consent authority must take into consideration the other matters it thinks fit.

One public submission was received from Margaret Clinch, Plan: the Planning Action Network, Inc., after the exhibition period had ended, with additional comments provided by the submitter after the lodgement of the original submission. The submissions are summarised below:

Submission received on 25/04/2025 raised concerns regarding:

- Lack of detailed information is provided, making it difficult for the public to assess potential impacts on local residents and students
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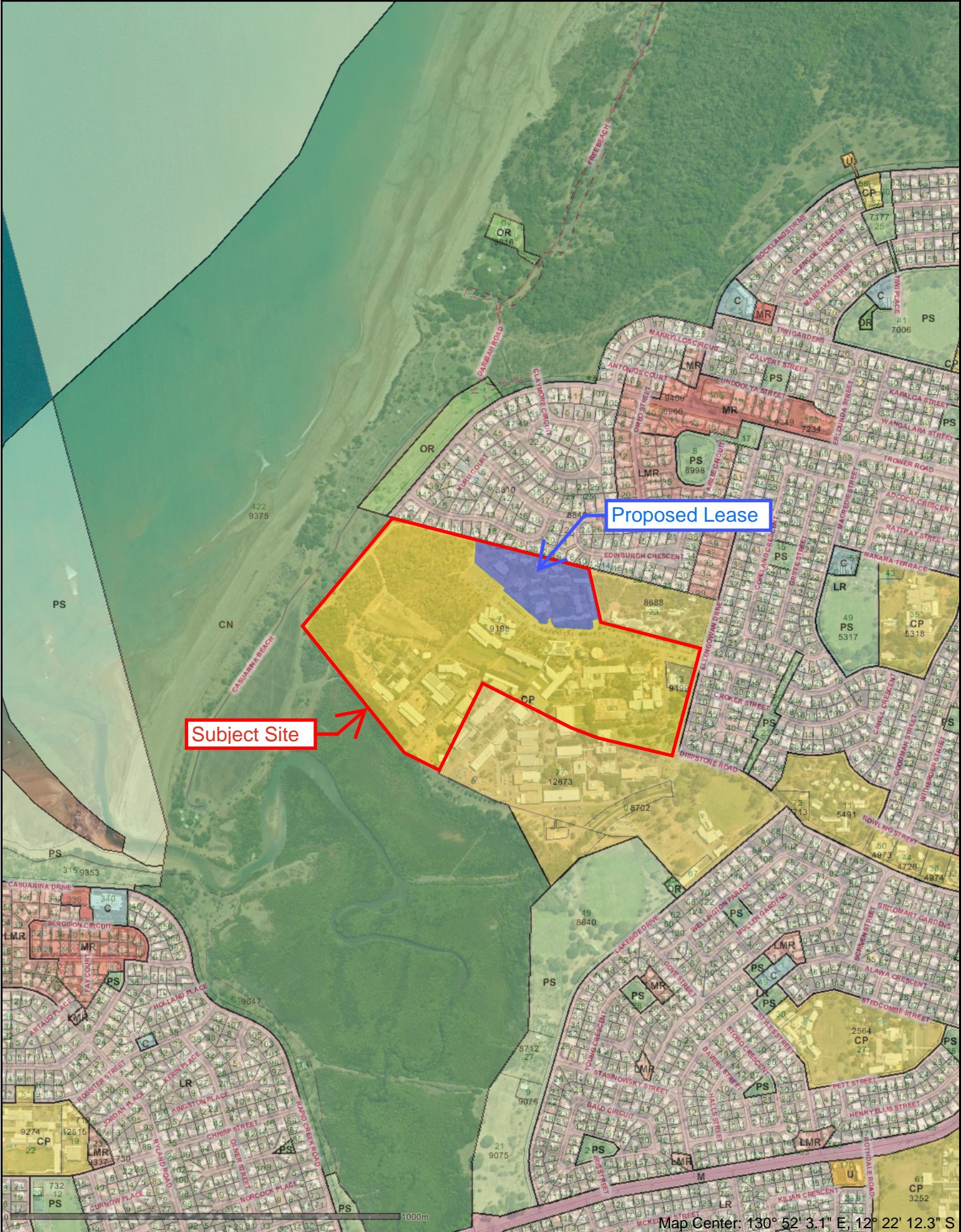
While the concerns raised by the submitter are acknowledged, it is noted that the assessment of the proposal discussed previously under Section 51(1)(a) of the *Planning Act 1999* indicates that the proposal is considered to comply with each applicable requirement under the NTPS 2020. The proposed subdivision is not anticipated to result in any adverse impacts to existing or future amenity. The subdivision will not alter the nature of the existing development within the subject land, including the extent or appearance of built form or the nature of the land use, servicing or access. The subject land already accommodates the development/use, and proposed leased parcel will not affect other lands. No new construction is proposed as part of the subdivision works. The subdivision serves only an administrative purpose and, therefore, will not impact the amenity of the area.

In regard to the public notices, DAS notes that the public notice of the proposed development application complies with the requirements under Section 47 of the *Planning Act 1999*. Pink exhibition signs were placed within a reasonable distance from each public road frontage of the site, and were maintained for the full exhibition period. The information provided on the signages meets the standard of exhibition.

Regarding detailed information of the application, it is noted that the proposed documents are available online or by contacting DAS during the two-week exhibition period. The website address and contact details are displayed on the exhibition signage. The Statement of Effect submitted by the applicant include detailed information about the proposed lease, and how the application addresses the purpose and outcomes of Zone CP (Community Purpose) under Clause 4.22 of the NTPS 2020, which addresses most of the submitter's concerns. The applicant will be available to respond to the submitter's queries at the hearing.

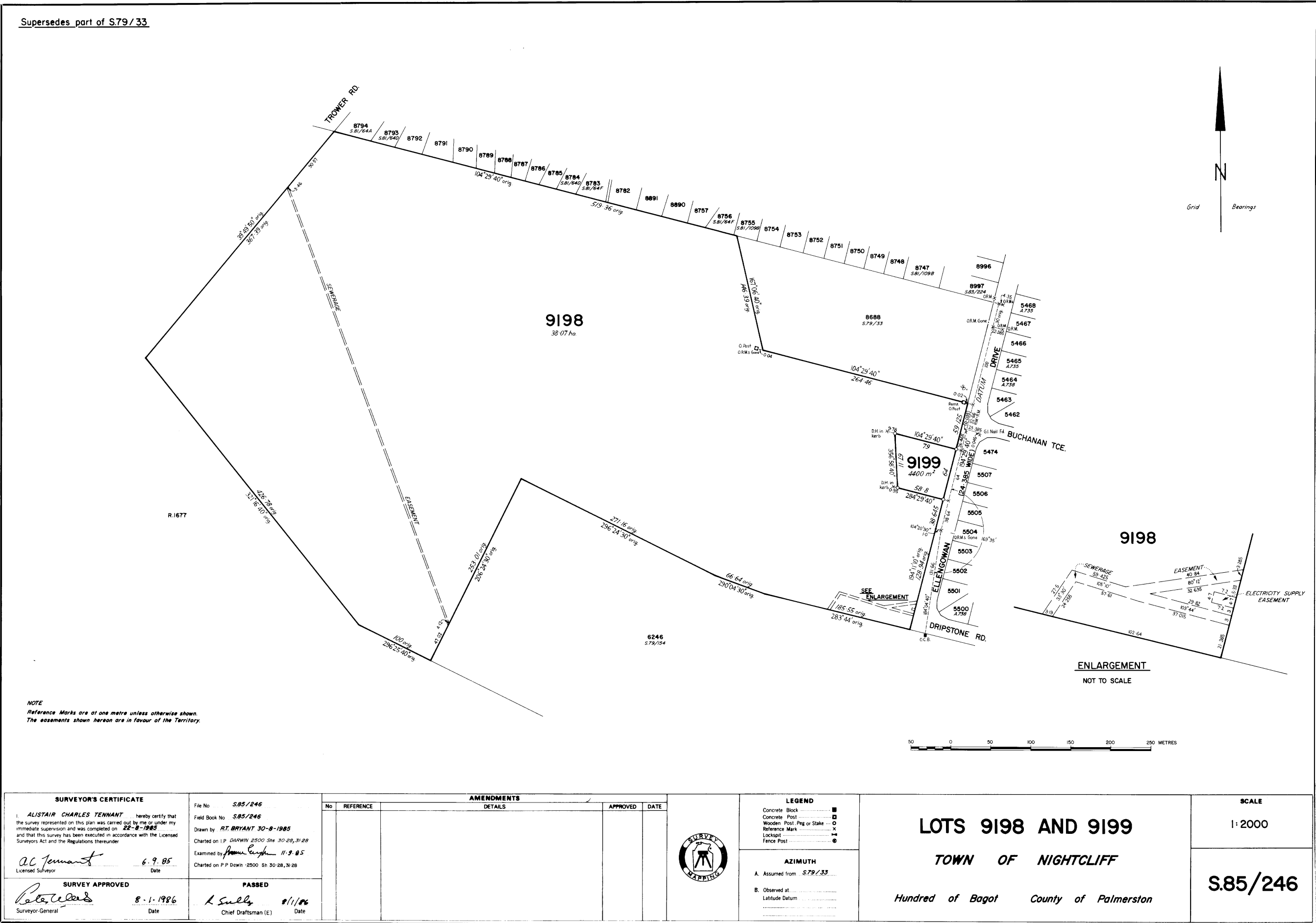
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**PLANNER - DARWIN
DEVELOPMENT ASSESSMENT SERVICES**



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Data for information purposes only - accuracy not guaranteed
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Lot 9198, Town of Nightcliff Development Application

PROPOSAL

Lot 9198, Town of Nightcliff (7 Ellengowan Drive, Brinkin) is owned by Charles Darwin University (CDU) and is the site of the CDU Casuarina campus.

The Casuarina campus incorporates student accommodation and CDU has entered into an agreement with Campus Living Villages to lease and manage the accommodation area.

Campus Living Villages (CLV) is one of the world's leading providers of on-campus accommodation, with over 20 years of experience funding, designing, developing and managing student accommodation.

The area to be leased, indicated on plan 25/13290/1, is adjacent to the northern boundary and is accessed directly from the campus' internal road network.

As the term of the proposed lease is in excess of 12 years, it is classed as a subdivision under the Planning Act and requires the approval of the Development Consent Authority.

Consequently, this application is seeking the approval of the Development Consent Authority (DCA) for the subdivision of Lot 9198, Town of Nightcliff in order to create one 'parcel' for the purpose of a lease in excess of 12 years



46(3)(a) – Compliance with the NT Planning Scheme

Property details:

Lot 9198, Town of Nightcliff

Title details: Volume 833 Folio 404

Survey Plan: S85/2467

Address: 7 Ellengowan Drive, Brinkin

Easements: Sewerage Easement to Power and Water Corporation

Lot Area: 38.07 hectares

Strategic Framework

The Darwin Regional Land Use Plan (DRLUP) applies to the subject land and identifies the land as Community/Government

The land has been developed in accordance the identified land use and the lease being proposed by the current application will not impact on the use.

No Sub Regional or Area Plans apply to Lot 9198.

Zoning

The subject land is zoned CP (Community Purpose) under the Northern Territory Planning Scheme (NTPS).

The purpose of zone CP is to *provide for community services and facilities, whether publicly or privately owned or operated, in locations that are accessible to the community that it serves.*

Zone Outcomes

1. *Community services and facilities such as medical clinic, place of worship, education establishment, emergency services facility, exhibition centre, residential care facility, community centre and childcare centre are established to meet the social, educational, spiritual, cultural or health needs of the community.*

The current application is consistent with the applicable strategic plans and is not proposing any change to the existing use.

2. *Development such as hospital, passenger terminal, place of assembly and recycling depot servicing the broader regional population may be established where they do not compromise the reasonable amenity of residential land in the locality.*

Not applicable.

3. *All development, including public infrastructure and outbuildings, is located, designed, operated and maintained to:*
 - (a) make a positive contribution to the locality by incorporating a high quality of built form and landscape design;*
 - (b) minimise unreasonable impacts to the amenity of surrounding premises and any residential land;*
 - (c) mitigate the potential for land use conflict with existing and intended surrounding development;*
 - (d) avoid adverse impacts on the local road network;*



- (e) provides safe and convenient pedestrian and bicycle access within the development and strong connections to external transport networks;*
- (f) avoid any adverse impacts on ecologically important areas; and*
- (g) allow passive surveillance of public spaces.*

The lease proposal does not involve any works.

4. *Subdivision provides the appropriate level of services and infrastructure including roads, pedestrian and cycle paths, reticulated electricity, water, and sewerage (where available), stormwater drainage and telecommunication infrastructure.*

No changes to the current access and servicing arrangements are required.

5. *Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.*

Not applicable.

Overlays

The Overlays in the NT Planning Scheme identify areas of land that have specific development requirements.

The Record of Administrative Interests advise that the following overlays apply to Lot 9198.

CR – Coastal Reclamation

The purpose of this Overlay is to *ensure that landfill of coastal areas does not adversely affect adjacent land or waters, or the quality of adjacent waters, and is suited to its intended purpose.*

The *Administration* section of this overlay advises that the placement of fill below the level of the highest astronomical tide requires consent.

The subdivision (lease) being proposed by the current application does not involve any coastal reclamation.

DHD - Darwin Harbour Dredging

The purpose of this Overlay is to *ensure dredging within Darwin Harbour does not degrade the environmental value of the harbour waters.*

No dredging is proposed or required by the current application.



LSSS – Land Subject to Storm Surge

The purpose of this Overlay is to *identify areas with a known risk of inundation from primary or secondary storm surges and ensure that development in these areas demonstrates adequate measures to minimise the associated the risk to people, damage to property and costs to the general community caused by storm surge.*

As indicated on the figure below, Primary and Secondary Storm Surge do affect part of Lot 9198, but not the area that is currently proposed for leasing.



CNV (Clearing of Native Vegetation)

The purpose of the CNV overlay is to *identify areas with limits to the clearing of native vegetation and ensure that clearing in these areas does not:*

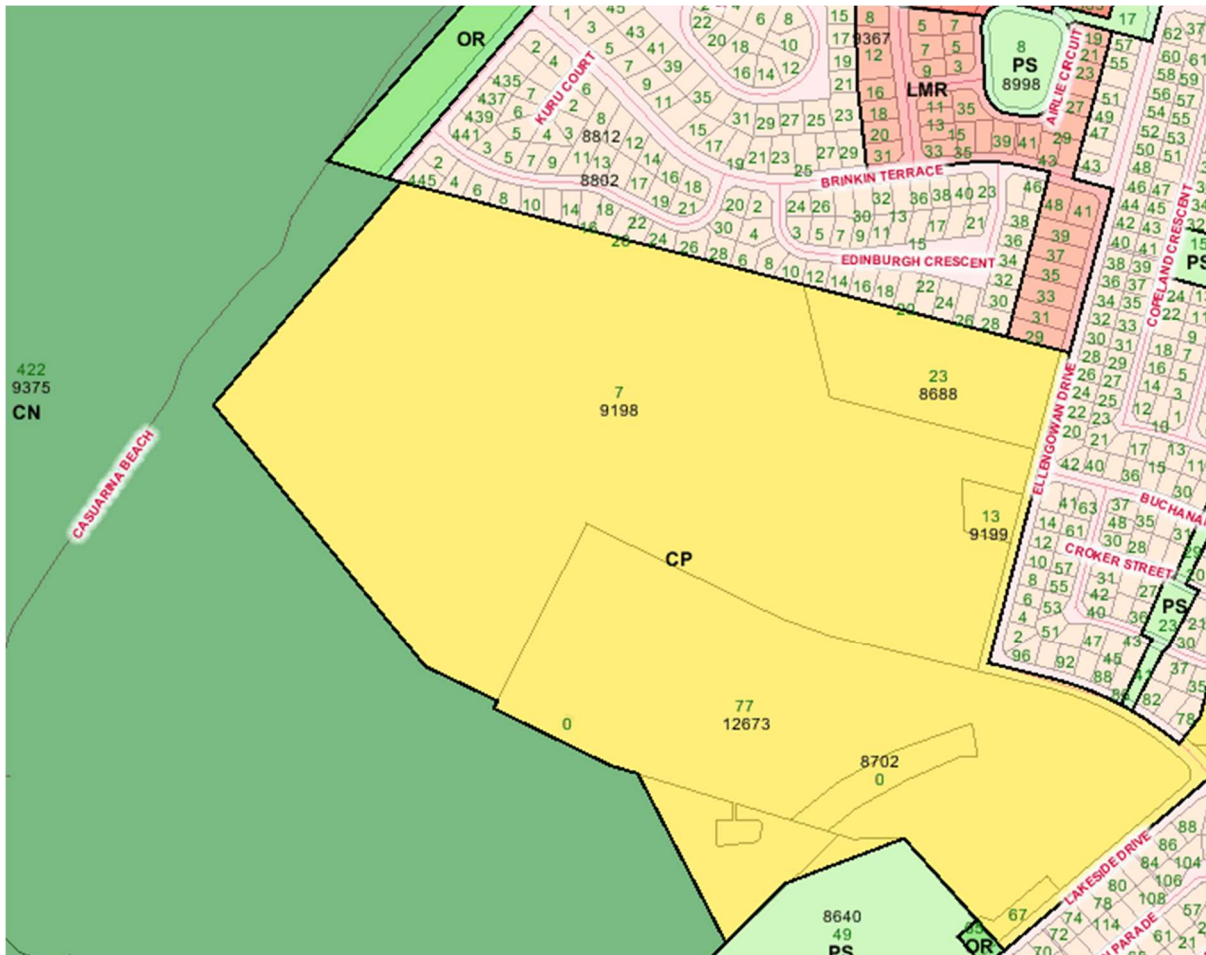
- a) *impact on the conservation values of land within Zone CN: or*
- b) *unreasonably contribute to environmental degradation of the locality.*

The lease being proposed by the current application will have no impact on native vegetation.

LSF (Land Subject to Flooding)

The purpose of the LSF overlay is to *Identify areas with a known risk of inundation from riverine flooding and ensure that development in these areas demonstrates adequate measure to minimise the associated risk to people, damage to property and costs to the general community.*

Whilst there may be some limited areas of Lot 9198 that could be subject to riverine flooding, it is certainly not the area that has been developed for student accommodation and that is the subject of the current lease proposal.



Existing zones

46(3)(b) – Compliance with an Interim Development Control Order

The Applicant is not aware of any Interim Development Control Orders applying to the subject land.

46(3)(c) – Referral to the NT EPA

There is no requirement for the proposed development to be referred to the NT EPA under Part 4, Division 3 of the Environment protection Act 2019 and the proposed development has not been referred to the NT EPA under that legislation.

46(3)(d) – Merits of the proposed development

The merit of the proposal is that it will facilitate the ongoing management of student accommodation at Charles Darwin University.

46(3)(e) – The physical characteristics of the land

The physical characteristics of the land would have been considered prior to the approval and development of the campus accommodation.

The subject land does not have any physical characteristics that would make the creation of the proposed new lease parcel inappropriate.

46(3)(f) – Public facilities or open space

The proposal does not create a demand for any additional public facilities or open space.

46(3)(g) – Public utilities and infrastructure

The existing, student accommodation utilises the existing service connections to Lot 9198 and the internal reticulation.

No changes to the existing service connections are required due to the proposed lease.

The proposed lease parcel is accessed from an internal road network and the lease document will guarantee that the current access through Lot 9198 remains available for the lease area parcel.

46(3)(h) – Potential impact on the existing and future amenity of the area

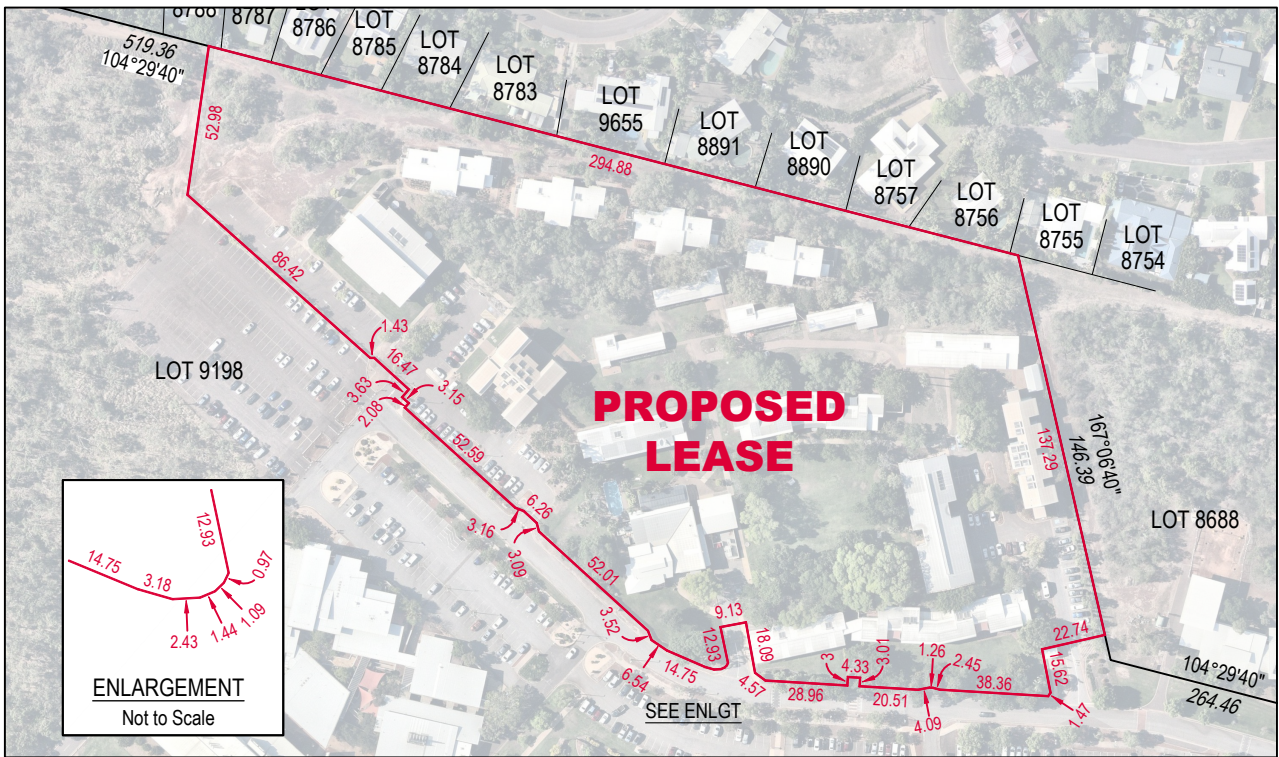
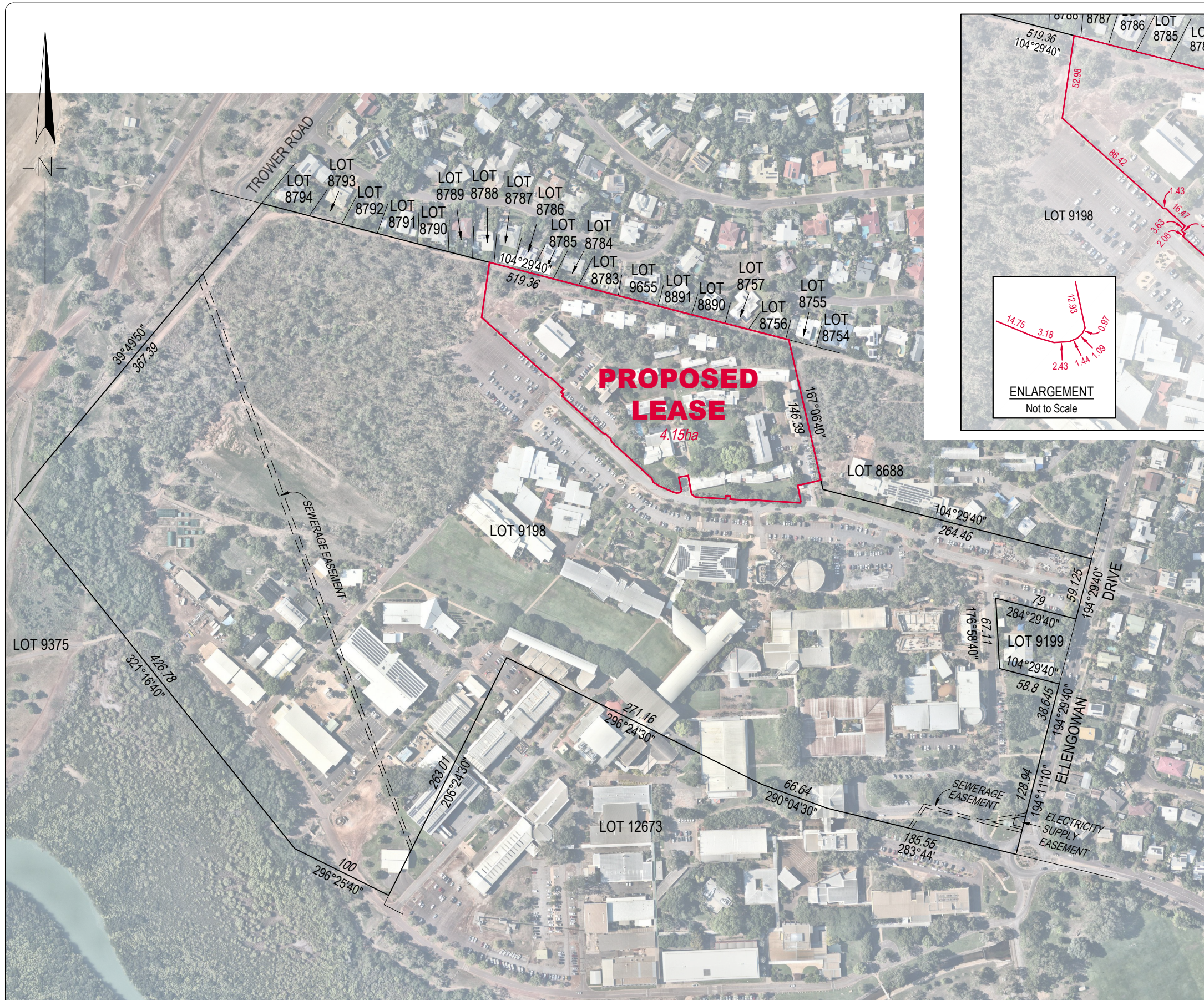
The proposal will have no impact whatsoever on the existing and future amenity of the area.

46(3)(j) – Benefit or detriment to the public interest

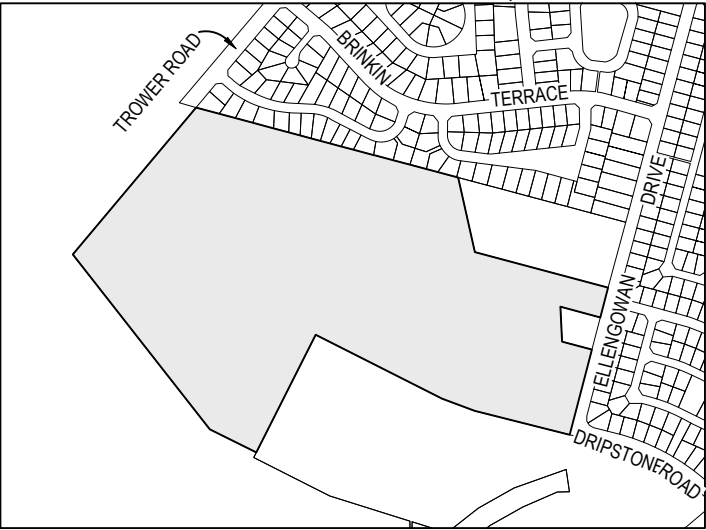
The proposal will benefit the public interest as it will facilitate the ongoing management of the student accommodation

46(3)(k) – Compliance with the Building Act

Attached to this application is confirmation from a building certifier that the proposed lease will not result in the existing buildings on the land ceasing to comply with building regulations.



Note
Easements should be confirmed with the current Certificate of Title
Areas and dimensions (including easements) are subject to survey
Aerial image obtained from Nearmap, dated 30/09/2024
Aerial image is shown for background information only
and is not rectified or accurately positioned



LOCATION DIAGRAM
Not to Scale



eja
earl james & associates

SURVEY & PLANNING
CONSULTANTS
10 HARVEY STREET
DARWIN NT 0801
PH. (08) 8981 2494
FAX. (08) 8981 5205
darwin@eja.com.au
www.eja.com.au

**LOT 9198, TOWN OF NIGHTCLIFF
CHARLES DARWIN UNIVERSITY - CASUARINA CAMPUS**

DEVELOPMENT APPLICATION

Client: **CDU**

Scale: 1:4000 (A3)
Datum:
Licensed Surveyor:
Date:
Drawn by: LC
Date: 24/01/2025
Cad File: 13290-1
Drawing No:
25/13290/1

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 (please print)	<i>Earl James and Associates</i>	
Contact number:	Ph: 89812494	Mob: 0409 269 815
to lodge a development application under the <i>Planning Act 1999</i> over the property described as:		
LOT/ NT PORTION:	<i>Lot 9198</i>	
LOCATION/TOWN	<i>Town of Nightcliff</i>	
STREET ADDRESS:	<i>7 Ellengowan Drive, Brinkin</i>	
PROPOSED DEVELOPMENT:	<i>Application for lease of part of the land for a term in excess of 12 years</i>	

OWNERS SIGNATURE :	<i>Anthony W Hornby</i>	
NAME: (please print)	Anthony Hornby	
TITLE: (ie. company director/secretary)	Director Property and Facilities Charles Darwin University	
Contact number:	Ph: 8946 6181	Mob:
DATE:	19 / 02 / 2025	

OWNERS SIGNATURE :		
NAME (please print)		
TITLE: (ie. company director/secretary)		
Contact number:	Ph:	Mob:
DATE:	/ /	



Our ref: PS140826-20250219-BC-CDU Lease

Your ref: 13290

By email
kdodd@eja.com.au

19 February 2025

Kevin Dodd
Earl James & Associates

Dear Sir

CDU Casuarina Campus - Lot 9198 (7) Ellengowan Drive, Brinkin

This statement has been prepared to support the lodgement of an application for a lease in excess of 12 years to the Development Consent Authority.

A review of the proposed lease area plan (No. 25/13290/1) prepared by EJA, has been undertaken by a Building Certifier of WSP Australia Pty Ltd to verify what impact, if any, the proposed lease will have in respect to compliance with the *Building Act 1993*.

We advise that as a result of the lease in excess of 12 years, and in consideration of sections 46(k) and 46(l) of the *Planning Act 1999*, the existing buildings will not cease to comply with the *Building Act 1993*.

Should you have any queries please do not hesitate to contact our office on 8980 5900.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Dehne Tynan', written over a horizontal line.

Dehne Tynan
Associate Director & Senior Building Certifier







Technical Assessment PA2025/0110

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

Application No: PA2025/0110

Lot number: Lot 9198 (7) Ellengowan Dr, Brinkin

Town/Hundred: Town of Nightcliff

Zone: CP (Community Purpose)

Site Area: 38.07 hectares (area to be subdivided: 4.15 hectares)

Proposal: Subdivision to create one lot for the purpose of a lease in excess of 12 years

Plans used for assessment: Earl James & Associates Drawing No. 25/13290/1 dated 24 January 2025

Date assessment finalised: 30 April 2025

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

Zone CP (Community Purpose)				
Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Subdivision	Impact Assessable	3.2 CNV - Clearing of Native Vegetation 3.4 CR - Coastal Reclamation 3.6 LSF - Land Subject to Flooding 3.7 LSSS - Land Subject to Storm Surge 3.9 DHD - Darwin Harbour Dredging	2.0 Strategic Framework 4.22 Zone CP - Community Purpose	6.1 Preliminary of Subdivision and Consolidation Requirements

Clause 1.8(1)(c)(ii)

- (c) Impact Assessable – use and development that requires the exercise of discretion by the consent authority to determine if it is appropriate given the location of the site and the potential impacts on surrounding uses, and if it accords with the Strategic Framework.

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

- ii. it is for the subdivision of land other than that included at Clause 1.8(1)(b)(iii)

Clause 1.10 Exercise of Discretion by the Consent Authority

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

- (a) any 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;
- (c) the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and
- (d) any component of the Strategic Framework relevant to the land as set out in Part 2.

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.

2.0 Strategic Framework

The following is relevant to the subject site:

Darwin Regional Land Use Plan (DRLUP) 2015

Assessment

The plan provides a vision, goals and intended outcomes for the development of the Darwin Region, identifies regional opportunities and the intention for development into the medium and long term. The Land Use Structure on Page 13 of the DRLUP 2015 identifies the subject land as Community / Government (the CDU campus). The CDU site (on which the subdivision is proposed), is considered under education facilities in the plan (Page 28), which recognises future university initiatives and potential contribution to future regional growth and the required infrastructure.

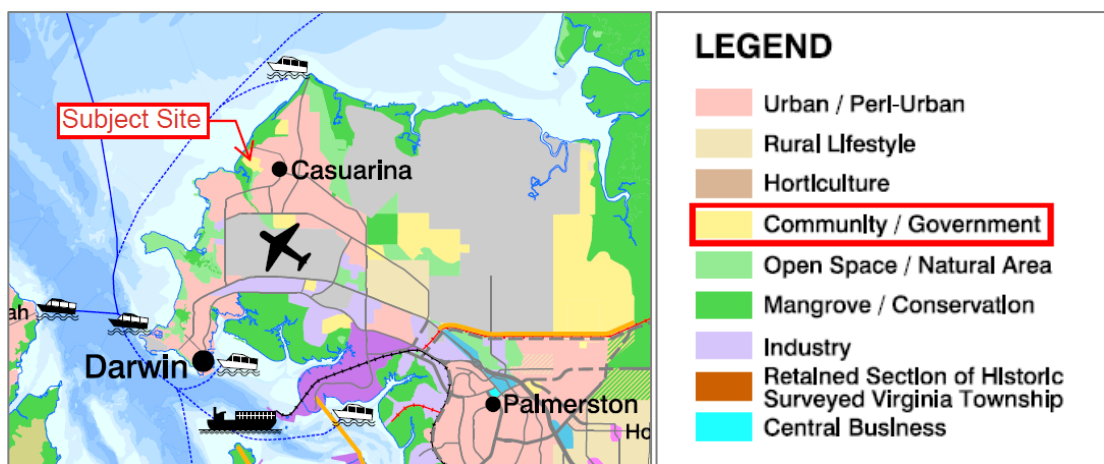


Figure 1: Land Use Structure Map

The proposed subdivision is to create one lot for the purpose of a lease in excess of 12 years intended to provide land for student accommodation within the CDU campus, which directly responds to anticipated international student growth. The proposal aligns with the key objectives of education facilities under the DRLUP 2015.

COMPLIES

3.2 CNV - Clearing of Native Vegetation

Purpose

Identify areas with limits to the clearing of native vegetation and ensure that clearing in these areas does not:

- (a) impact on the conservation values of land within Zone CN; or
- (b) unreasonably contribute to environmental degradation of the locality.

Administration

1. The clearing of native vegetation of more than one hectare in aggregate of land (including any area already cleared of native vegetation) within the area subject to the Clearing of Native Vegetation

Overlay requires consent. This Overlay applies to land within Zones RR, RL, R, H, A, CP, CN, RD, WM and Unzoned land.

2. Notwithstanding sub-clause 1, all clearing of native vegetation in Zone CN requires consent, other than as provided for by sub-clause 4.
3. The consent authority may consent to the clearing of native vegetation that is not in accordance with subclause 5 only if it is satisfied that it is consistent with the purpose of this requirements and is appropriate in the context of the site and the locality having regard to such matters as:
 - (a) the suitability of the site for the proposed use;
 - (b) the values associated with the environmental characteristics (as applicable);
 - (c) the significance, extent and likelihood of any potential environmental impacts; and
 - (d) the measures the application proposes will be implemented to mitigate any potential impacts.
4. This Overlay does not apply if the clearing of native vegetation is required or controlled under any Act in force in the Territory, or is for the purpose of:
 - (a) a firebreak as specified by the Bushfires Management Act 2016 or the Fire and Emergency Act 1996, up to 5m wide along a boundary of a lot having an area of 8ha or less, up to 10m wide on a lot having an area greater than 8ha unless otherwise specified by a Regional Fire Control Committee;
 - (b) an internal fence line up to 10m wide on a lot having an area greater than 8ha;
 - (c) a road to access the land or other land; or
 - (d) the maintenance and repair of public infrastructure.

Editor's note: examples of legislation that may have effect under subclause 4 may include Territory Parks and Wildlife Conservation Act 1976, the Mining Management Act 2001, the Pastoral Land Act 1992, and the Environment Protection and Biodiversity Conservation Act 1999 (Cth).

Requirements

5. The clearing of native vegetation is to:
 - (a) avoid impacts on environmentally significant or sensitive vegetation;
 - (b) be based on land capability and suitability for the intended use;
 - (c) avoid impacts on drainage areas, wetlands and waterways;
 - (d) avoid habitat fragmentation and impacts on native wildlife corridors; and
 - (e) avoid impacts on highly erodible soils.
6. An application for the clearing of native vegetation is to demonstrate consideration of the following:
 - (a) the Land Clearing Guidelines (as amended from time to time) by the agency responsible for natural resources and the environment;
 - (b) the presence of threatened wildlife as declared under the Territory Parks and Wildlife Conservation Act 1976;
 - (c) the presence of sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation;
 - (d) the presence of essential habitats, within the meaning of the Territory Parks and Wildlife Conservation Act 1976;
 - (e) the impact of the clearing on regional biodiversity;
 - (f) whether the clearing is necessary for the intended use;
 - (g) whether there is sufficient water for the intended use;

- (h) *whether the soils are suitable for the intended use;*
- (i) *whether the slope is suitable for the intended use;*
- (j) *the presence of permanent and seasonal water features such as billabongs and swamps;*
- (k) *the retention of native vegetation adjacent to waterways, wetlands and rainforests;*
- (l) *the retention of native vegetation buffers along boundaries;*
- (m) *the retention of native vegetation corridors between remnant native vegetation;*
- (n) *the presence of declared heritage places or archaeological sites within the meaning of the Heritage Act 2011; and*
- (o) *the presence of any sacred sites within the meaning of the NT Aboriginal Sacred Sites Act 1989.*

Editor's Note: [Schedule 2 \(Definitions\)](#) includes a number activities that are not considered clearing of native vegetation.

Assessment

The application is for subdivision to create one lot for the purpose of a lease in excess of 12 years, with no clearing of vegetation proposed as part of the application.

NOT APPLICABLE

3.4 CR - Coastal Reclamation

Purpose

Ensure that landfill of coastal areas does not adversely affect adjacent land or waters, or the quality of adjacent waters, and is suited to its intended purpose.

Administration

1. *The placement of fill material below the level of the highest astronomical tide requires consent.*
2. *This overlay does not apply to unzoned land.*
3. *The consent authority in considering an application for coastal landfill must have regard to the advice of the agency responsible for natural resources and the environment.*

Requirements

4. *An application for the placement of fill material is to demonstrate how the fill material will:*
 - (a) *suit the future use of the reclaimed land;*
 - (b) *minimise the impact of fill works on adjoining land and waters;*
 - (c) *provide appropriate edge treatment of the fill in order to prevent future erosion and siltation of adjacent waters; and*
 - (d) *prevent the formation of acid sulphate leachates.*

Assessment

The proposed subdivision to create one lot for the purpose of a lease in excess of 12 years does not involve any landfill of coastal areas.

NOT APPLICABLE

3.6 LSF - Land Subject to Flooding

Purpose

Identify areas with a known risk of inundation from riverine flooding and ensure that development in these areas demonstrates adequate measure to minimise the associated risk to people, damage to property and costs to the general community.

Administration

1. *Land subject to this Overlay is to be used or developed only with consent.*
2. *This Overlay does not apply to:*
 - (a) *outbuildings and extensions to existing dwellings; and*
 - (b) *extensions to existing commercial or industrial buildings;*
 - (c) *any use that complies with Clause 5.5.1 (Interchangeable Use and Development in Specific Zones);*
which, but for this Overlay, would not require consent; or
 - (d) *unzoned land.*
3. *This overlay does not apply to the use and development of land for dwellings-group or dwellings-multiple when the land is subject to Overlay 3.11 RCFR (Rapid Creek Flood Response).*
4. *In this Overlay:*
 - (a) *“flood level” means the water level associated with a 1.0% AEP flood event or where that level cannot be determined, the level determined by the Controller of Water Resources within the meaning of the Water Act 1992;*
 - (b) *“AEP” means Annual Exceedance Probability, which is the likelihood, in percentage terms, of a flood of a given size occurring in a specified area in any one year;*
 - (c) *“DFE” means Defined Flood Event, which:*
 - i. *in an area subject to a floodplain management plan that defines a flood event, is as specified in that plan; or*
 - ii. *if there is no floodplain management plan that defines a flood event for an area, is the 1% AEP flood event;*
 - (d) *“DFA” means Defined Flood Area, which is the area that is inundated by the DFE as defined on mapping produced by the NT Government.*
5. *The consent authority may consent to a use or development that is not in accordance with sub-clause 6 only if it is satisfied that the application demonstrates that there is no increased risk to people and property including adjoining property, or increased cost to the community.*

Requirements

6. *In a DFA:*
 - (a) *the storage or disposal of environmentally hazardous industrial material and the development of fuel depots should be avoided;*
 - (b) *the minimum floor level of habitable rooms should be 300mm above the flood level for the site; and*
 - (c) *the use of fill to achieve required floor levels should be avoided.*

Assessment

The proposed lease area is not subject to the LSF overlay, thus the clause does not apply.

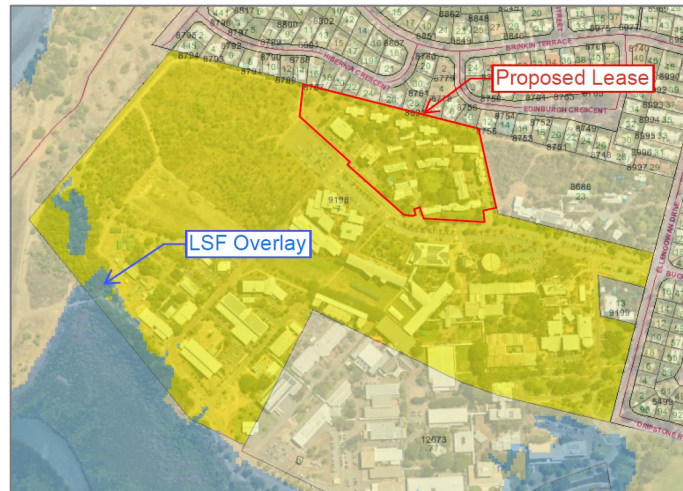


Figure 2: LSF Overlay Map

NOT APPLICABLE

3.7 LSSS - Land Subject to Storm Surge

Purpose

Identify areas with a known risk of inundation from primary or secondary storm surges and ensure that development in these areas demonstrates adequate measures to minimise the associated the risk to people, damage to property and costs to the general community caused by storm surge.

Administration

1. This Overlay applies to land subject to the PSSA and/or the SSSA.
2. This Overlay does not apply to:
 - (a) outbuildings and extensions to existing dwellings;
 - (b) extensions to existing commercial or industrial buildings;
 - (c) a use or development within the SSSA that would otherwise be Permitted, and complies with the requirements of Part 5;
 - (d) unzoned land; or
 - (e) any use or development within a PSSA or SSSA that complies with Clause 5.5.1 (Interchangeable Use and Development in Specific Zones) which but for this Overlay, would not require consent.
3. This overlay does not apply to the use and development of land for dwellings-group or dwellings-multiple when the land is subject to Overlay 3.11 RCFR (Rapid Creek Flood Response).
4. In this Overlay:
 - (a) "AEP" means Annual Exceedance Probability, which is the likelihood, in percentage terms, of inundation by storm surge;
 - (b) "PSSA" means Primary Storm Surge Areas, which are those coastal areas within a 1% AEP of

- inundation by storm surge as defined on mapping produced by the NT Government;
- (c) "SSSA" means Secondary Storm Surge Areas, which are those coastal areas adjacent to the PSSA with a 0.1% AEP of inundation by storm surge as defined on mapping produced by the NT Government; and
 - (d) "storm surge" means the elevation in sea level which accompanies the movement of a cyclone particularly near, or over, a coastline, attributed to a cyclone's intensity and wind stress build-up.

5. Land within the PSSA is to be used or developed only with consent.
6. The consent authority may consent to a use or development within the PSSA that is not in accordance with sub-clauses 8-10 only if it is satisfied that the application demonstrates that there is no increased risk to people and property, including adjoining property.
7. The use or development of land within the SSSA should have regard to sub-clauses 9 and 10.

Requirements

8. Development in the PSSA should be limited to uses such as open space, recreation, non-essential public facilities (wastewater treatment works excepted) and short-stay tourist camping/ caravan areas.
9. Development within the SSSA should be confined to those uses permitted in the PSSA as well as industrial and commercial land uses.
10. Residential uses, strategic and community services (such as power generation, defence installations, schools, hospitals, public shelters and major transport links) should be avoided in the PSSA and the SSSA.

Assessment

The proposed lease area is not subject to the PSSA and SSSA overlay, thus the clause does not apply.

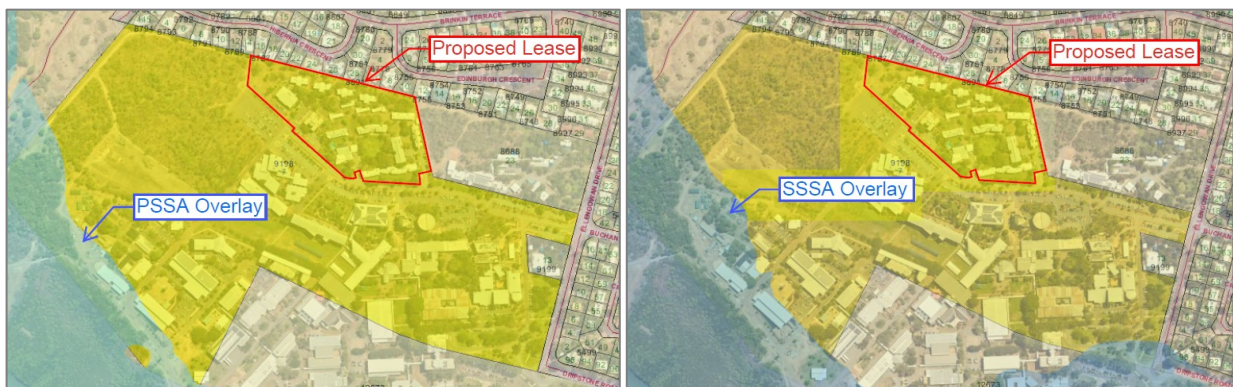


Figure 3: PSSA and SSSA Overlay Map

NOT APPLICABLE

3.9 DHD - Darwin Harbour Dredging

Purpose

Ensure dredging within Darwin Harbour does not degrade the environmental value of the harbour waters.

Administration

1. *The Darwin Harbour Dredging Overlay applies to the seabed within Darwin Harbour, being the waters south of a straight line between Charles Point and Gunn Point.*
2. *Dredging of the seabed within the Darwin Harbour Dredging Overlay requires consent.*
3. *The consent authority in considering an application for dredging must have regard to the advice of the agency responsible for natural resources and the environment.*

Requirements

4. *An application for dredging is to demonstrate consideration of the Guidelines for the Environmental Assessment of Marine Dredging in the Northern Territory (as amended from time to time) produced by the NT Environmental Protection Authority.*

Assessment

No dredging is proposed in the application, thus this clause does not apply.

NOT APPLICABLE

4.22 Zone CP - Community Purpose

Zone Purpose

Provide for community services and facilities, whether publicly or privately owned or operated, in locations that are accessible to the community that it serves.

Zone Outcomes

1. *Community services and facilities such as medical clinic, place of worship, education establishment, emergency services facility, exhibition centre, residential care facility, community centre and childcare centre are established to meet the social, educational, spiritual, cultural or health needs of the community.*
 2. *Development such as hospital, passenger terminal, place of assembly and recycling depot servicing the broader regional population may be established where they do not compromise the reasonable amenity of residential land in the locality.*
 3. *All development, including public infrastructure and outbuildings, is located, designed, operated and maintained to:*
 - (a) *make a positive contribution to the locality by incorporating a high quality of built form and landscape design;*
 - (b) *minimise unreasonable impacts to the amenity of surrounding premises and any residential land;*
 - (c) *mitigate the potential for land use conflict with existing and intended surrounding*
-

- development;
 - (d) *avoid adverse impacts on the local road network;*
 - (e) *provides safe and convenient pedestrian and bicycle access within the development and strong connections to external transport networks;*
 - (f) *avoid any adverse impacts on ecologically important areas; and*
 - (g) *allow passive surveillance of public spaces.*
4. *Subdivision provides the appropriate level of services and infrastructure including roads, pedestrian and cycle paths, reticulated electricity, water, and sewerage (where available), stormwater drainage and telecommunication infrastructure.*
 5. *Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.*

Assessment

The application does not change the existing access to the established services and infrastructures.

Clauses 1, 2, 3, and 5 do not apply.

COMPLIES

6.1 Preliminary of Subdivision and Consolidation Requirements

1. *Unless otherwise specified by the Act, Regulations or the provisions of Part 1 of this Scheme the subdivision and consolidation of land requires consent.*

Editor's note: Zones not mentioned in this Part do not have minimum subdivision requirements, and should respond to the relevant zone purpose and outcomes and the Strategic Framework.

Assessment

There are no specific subdivision requirements in Part 6 of the Scheme relating to the subdivision of land in Zone CP (Community Purpose). The relevant zone purpose and outcomes and the Strategic Framework have been discussed above.

COMPLIES

From: [Margaret Clinch](#)
To: [Das NTG](#)
Subject: PA2015/0110- Lot 09198 - Town of Nightcliff - Subdivision Ellengowan Drive. Charles Darwin Univerity Casuarina Campas
Date: Saturday, 26 April 2025 12:19:24 AM

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.

25.4.2025

Development Assess Services,

Department of Lands, Planning and Environment.

Dear Sir/ Madam,

This submission relates to the above mentioned Lot 09198.

It is an application for a lease of the land which is part of the university campus

There is very little information by which the public can understand the impact, on residents and students, and also the purple indicator has been laced in such a way that people could read it.

Community Purposes has can have a whole range of meanings.

M A CLINCH
margaret.clinch@bigpond.com

(initial email address problem)

Please acknowledge.

—

From: [Margaret Clinch](#)
To: [Das NTG](#)
Cc: [margaret.Clinch](#)
Subject: PA2015/0110-Lot 09198 - Town of Nightcliff- Ellengowan Drive, Charles Darwin University, Casuarina Campus.
Date: Friday, 2 May 2025 12:30:28 PM

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.

2.5.2025

Development Assessment Services,
Department of Lands, Planning and Environment

Dear Sir/Madam,

This submission relates to PA2015/0110.

It follows on from my email dated 25.4.2025 concerning the application by surveyors Earl James and Associates to arrange a lease of part of the area of land held by the Charles Darwin University campus.

The application was for the lease of a lot from this land for a period of time which is greater than usual, without detailed limitation, and for what purpose.

There is very little information supplied by which the public could understand the impact this change would have on students and residents.

The pink public notification boards were again placed in a

way
that very few people, including neighbours, and residents
living
in the suburb of Brinkin could see and read them.

More information is needed in such a circumstance:

1. This government land was provided specifically for the university.

It should not be split up now. Will the university continue to manage it ?

If so, in what way ?

2. What are the proposed conditions of this lease ? There are many kinds of leases, eg. Telstra Towers.

3. Will more buildings be built on the leased lot ?

4. Would any new buildings be owned, managed maintained by the university.

5. As homes in the suburb of Brinkin back onto the Charles Darwin University fence, will those homes be affected in any way ?

6. Residents in Brinkin should be letterboxed, and consulted about any possible impacts.

7. Many people use the university for walking exercise. Will this be able to continue ?

8. Will there be noise created by the proposed lease ?

9. If more student housing is to be built, should it be

elsewhere, eg. areas near Lakeside Drive,
where there were previously residence buildings. It would
be unfortunate to use up the
Green sward beyond the Library building.

10. Many new buildings, and even features, like the
Chinese Garden, have been built over the years
within the grounds of the CDU Campus.

Why is it necessary to lease now, and break up the land for
the Student Residences ?

What control could there be, outside CDU management ?

Please acknowledge,

Regards,

M A CLINCH

Margaret.Clinch@bigpond.com

PLan: the Planning Action Network, Inc.

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

Please Quote: PA2025/0110

25 April 2025

Dear Mr. Magotra

Parcel Description: Lot 9198 Town of Nightcliff
7 Ellengowan Drive, Brinkin

Proposed Development: Subdivision to create one lot for the purpose of a lease in excess of 12 years

Thank you for the development application referred to this office 11 April 2025 concerning the above.

City of Darwin has no concerns regarding this development application in relation to matters under the responsibility of the 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 faithfully

Alice Percy

ALICE PERCY
GENERAL MANAGER INNOVATION



Phone 1800 245 092

Web powerwater.com.au

Record No: D2025/153349

Container No: NE550/9198-2

Your Ref: PA2025/0110

LINGYI Kong
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear LINGYI

Re: Lot 9198 (Charles Darwin University, CDU) (7) Ellengowan Drive Town of Nightcliff

In response to your letter of the above proposal for the purpose of subdivision to create one lot for the purpose of a lease in excess of 12 years for the Campus Living Villages (CLV), Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. PWC has no objection to the proposed subdivision to create one lot for a lease in excess of 12 years.
2. Power servicing to the proposed lease lot is a matter between CDU (high voltage customer) and the CLV client.
3. PWC will be able to issue a power clearance for the subdivision process after receiving:
 - Copy of the Development Permit;
 - Copy of survey plan showing actual new lot number; and
 - CDU or Certified Electrical Consultant's signed letter confirming that all existing 11kV high voltage and low voltage electrical installations to the CLV comply to AS-3000 Wiring Rules, AS-2067 for substations and high voltage installations exceeding 1kV ac and other associated published Australian Standards.

If you have any further queries, please contact the undersigned on 8924 5729 or email:

PowerDevelopment@powerwater.com.au

Yours sincerely



Caesar Yik
A/Manager Distribution Development

14 April 2025