NORTHERN TERRITORY OF AUSTRALIA

*Planning Act* 1999

Sections 53, 54 and 55

# DEVELOPMENT PERMIT

DP01/0162

## DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

| | |
|---|---|
| Lot No.: | LOTS 6604 & 6605 AND PART LOT 6590 |
| Town/Hundred: | TOWN OF DARWIN |
| Street Address: | MAVIE STREET |

Consent is hereby granted, pursuant to section 53(a) of the *Planning Act,* to the application for the purpose of a restaurant and offices in three storeys and a public parkland, subject to the conditions in the Schedule, specified under section 55 and for the reasons set out in the attached Statement of Reasons, given under section 54(1)(a) of the Act.

Dated this 14th day of May 2001

**F A FINCH**
Delegate
Development Consent Authority

# SCHEDULE OF CONDITIONS

Section 55 *Planning Act* 1999

## DEVELOPMENT PERMIT

DP01/0162

1. Works carried out under this permit shall be in accordance with drawing numbers 613-1, 613-2, 613-3, 613-4 and 613-5 and endorsed as forming part of this permit.

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

3. All areas set aside for landscaping on the endorsed plan shall be planted and continuously maintained to the satisfaction of the Chairman, Development Consent Authority.

4. All areas of the site which are not occupied by buildings, landscaping, car parking or driveways shall be maintained in a condition such that they will not cause detriment to the amenity of the locality by reason of appearance or the emission of dust, to the satisfaction of the Chairman, Development Consent Authority.

5. The kerb crossovers and driveways to the site approved by this Permit shall meet the technical standards of Darwin City Council.

6. Disused crossovers shall be removed, public footpaths/cycleways shall be provided, stormwater shall be collected and discharged into Council's drainage network, and reinstatement works completed, all to the requirements and satisfaction of the Director, Technical Services, Darwin City Council, at no cost to Council.

7. Car parking spaces and internal driveways shall be bituminous concrete or similar impervious sealing and line marked.

8. Sight lines shall be provided at the juncture between the means of ingress and egress to the site and the public street to the satisfaction of the Director, Technical Services, Darwin City Council. No fence, hedge or tree exceeding 0.6 metres in height shall be planted in front of the sight line.

**F A FINCH**
Delegate
Development Consent Authority

/45 /2001

120

This is the drawing referred to in Development Permit No. DP01/0162 issued by the Development Consent Authority on 14/1/01

F. A. FINCH
Delegate

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DESIGN DEVELOPMENT DRAWINGS ONLY - NOT FOR CONSTRUCTION

DARWIN WHARF

LIT ENTRY SIGN ON LOW WALL

REJUVENATE EXISTING LANDSCAPING - IN CONSULTATION WITH IPM / PEARLING MUSEUM

DISPLAY

LANDSCAPING

SHELTERED CARPARKS TYPICAL

35 CARPARKS
2.5 x 5.5m CARPARKS

SHELTERED CARPARKS TYPICAL

RUBBISH ENCL.

LOADING BAY

L'SCAPE

RESTAURANT

ENTRY

BALCONIES

LANDSCAPING

DISPLAY

PEAK HOUR PARKING

L'SCAPE

DROP OFF OR PEAK HOUR PARKING

PAVED OR CONCRETE PATH

SHELTER
SEATS & BIN

BALUSTRADE

BOARDWALK

The PUMPHOUSE
REFER TO FLOOR PLAN

DISPLAY

INDO PACIFIC MARINE

EXISTING GATE

EXISTING LEVEL - CHAINWIRE FENCE

NAUTICAL PARK

EXISTING BUILDING

EXISTING BUILDING

LANDSCAPED PARK

POSSIBLE FUTURE DEVELOPMENT

SHELTER
SEATS & BIN

DISPLAY

EXISTING ROCK ARMOURED WALL

SAFETY BARRIER - Nominal Precast post and galv. chain barrier.
Drainage kerb with intermittant grilled drainage outlet for for rubbish collection.

WALK THROUGH LINK TO FUTURE DEVELOPMENT SITES

SHELTER
SEATS & BIN

EXISTING BUILDING

Lot 6605
2680m²

Lot 6604
4000m²

SITE PLAN
Scale 1:250

DRAWING SCHEDULE

ARCHITECTURAL

1 SITE PLAN

2 LANDSCAPING PLAN

3 FLOOR PLANS

4 FLOOR PLAN, ELEVATIONS

5 ELEVATIONS, SECTIONS

## General Notes

1 Verify all dimensions at the site before commencing any on site works or fabrication.
2 Floor waste levels to be min 250mm above NS level at DRG
3 Wet area floors to be mosaic tiled or equal
Provide ceramic wall tiles around showers to min 1800 above shower floor level, and as splashbacks to basins, sinks and troughs. (Min 150 high)
4 All work/carpentry to be in accordance with any relevant Australian Standards prepared by the Standards Association of Australia.
5 Where OTC Standards are shown, these refer to the 'Deemed to Comply' standards prepared by the NT Dept. of Lands and Housing.
6 The contractor shall be responsible for the structure during erection and shall provide adequate propping and support.
7 Keep the site in a clean and tidy condition throughout construction & at the completion of work remove all litter & debris to the satisfaction of the principal.

## Glazing

1 Dimensions shown nominal size, the fabricator shall allow for tolerances to the door and window frames.
2 All window and sliding door frames, glazing, fixings and installation
to be designed and certified by the manufacturer as complying with AS 1288
3 Water penetration resistance test pressure 280pa
4 Ultimate design wind pressure for glazing (kpa):

Location in building (distance from external corner)
0-0.8m general
4.1 3.3

## Demolition

1 The builder shall be responsible for the structure when demolishing & during erection and shall provide adequate propping & support
2 Demolition works must not cause any damage to existing floor surfaces.
The builder shall provide protective floor coverings as necessary & reinstate any damage to floor surfaces caused by debris
3 The engineer must inspect all work prior to the removal of any props
4 Internal and external faces must be made good to match existing
5 Reinstate all finishes, skirtings and the like to original condition
6 The builder must arrange with the owner for appropriate times of work & for the removal of equipment and materials

## Termite Protection

1 To AS 3660.1 to be installed to manufacturers specification and NT regulations.
2 Provide 300 wide x 50mm concrete (mowing strip) protection around 'Part B' termite treatment areas.
3 Provide installation certificate in electr'o meter box.

## Disabled Access & Facilities.

This design is intended to comply with all BCA (Building Code of Australia), & AS1428 (disabled access and mobility standards). It does not, however, satisfy all possible requirements of the Anti - Discrimination Commission, which may lay discrimination complaints that are beyond the requirements of the building codes.


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PO Box 496, Nightcliff 0814.
ABN 51 083050924 ACN 083050924


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Project
**Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client
**PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
w/c 89 32 2704
f/c 89 32 3421

Drawing Title
**Site Plan**

Design Team: Dave Bennett, Danyel del Nido
Scale: as shown
Date: May 2001
Sheet: 1 of 2

JOB & DWG No.
**613-1**

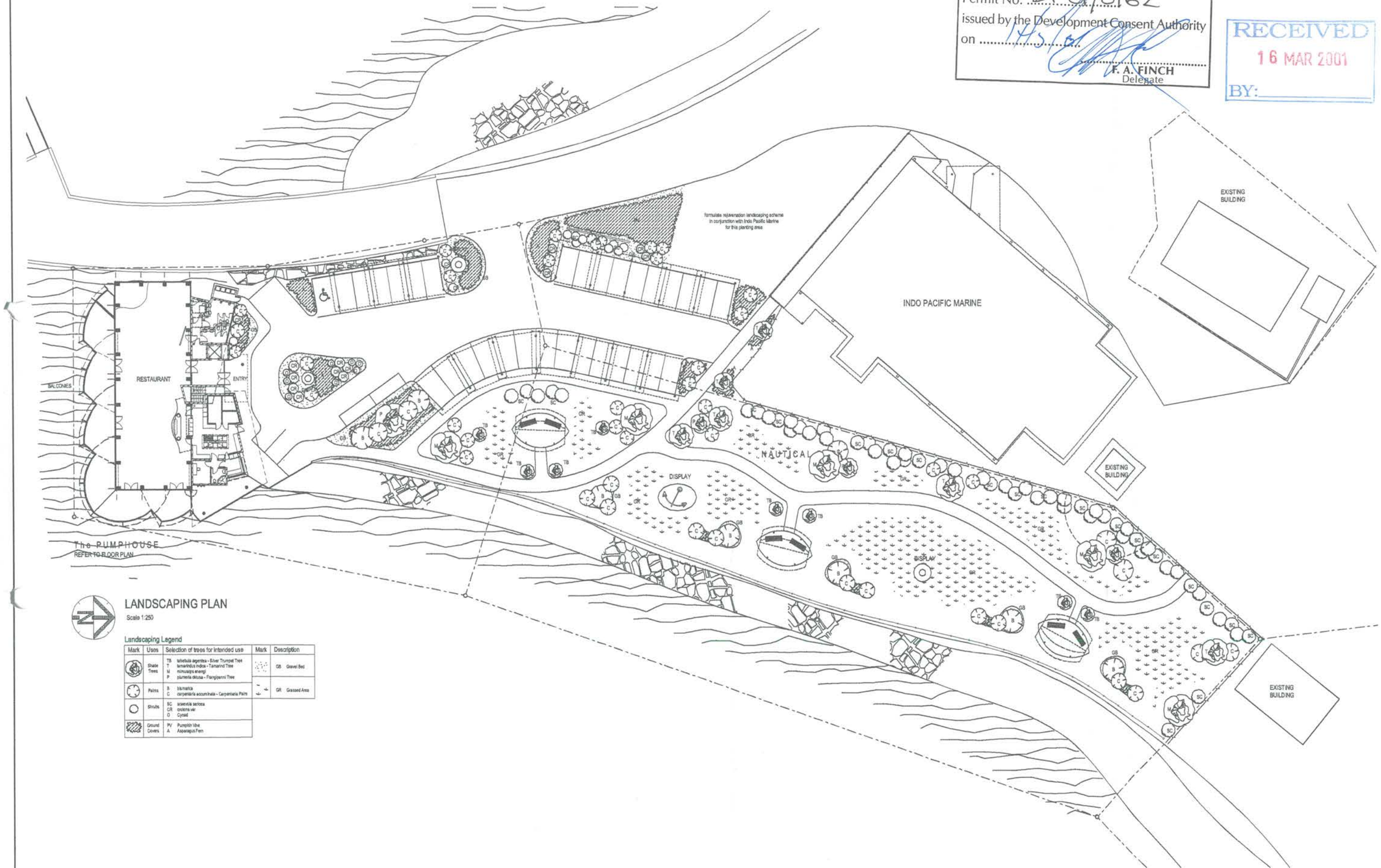
| Date | Rev | Amendments | Amend. |
|---|---|---|---|
| | | | - |

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F. A. FINCH
Delegate

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## LANDSCAPING PLAN

Scale 1:250

Landscaping Legend

| Mark | Uses | Selection of trees for intended use | Mark | Description |
|---|---|---|---|---|
| | Shade Trees | TB tabebuia argentea - Silver Trumpet Tree<br>T tamarindus indica - Tamarind Tree<br>M mimusops elengi<br>P plumeria obtusa - Frangipanni Tree | GB | Gravel Bed |
| | Palms | B bismarkia<br>C carpentaria accumbrata - Carpentaria Palm | GR | Grassed Area |
| | Shrubs | SC scaevola sericea<br>CR crotons var<br>O Cycad | | |
| | Ground Covers | PV Pumpkin Vine<br>A Asparagus Fern | | |

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ABN 51 083050024 ACN 083050024
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Member BDA of NT

Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
w/c 89 32 2704
fc 89 32 3401

Drawing Title: **Landscaping Plan**

Design Team: Dave Bennett, Daniel del Nido
Scale: as shown
Date: May 2001
Sheet: 2 of 2

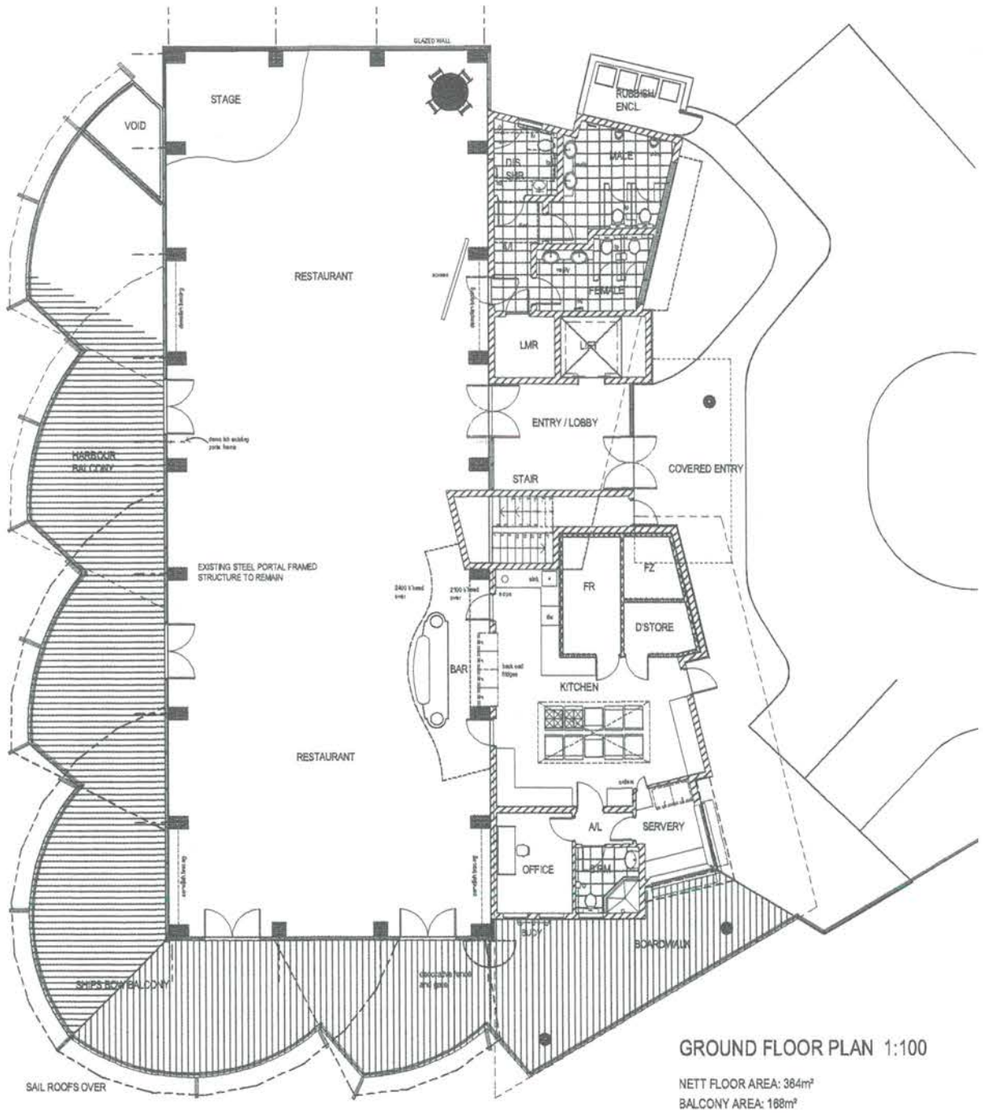
JOB & DWG No.: **613-2**

| Date | Rev | Amendments | Amend. |
|---|---|---|---|
| | | | - |

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F. A. FINCH
Delegate

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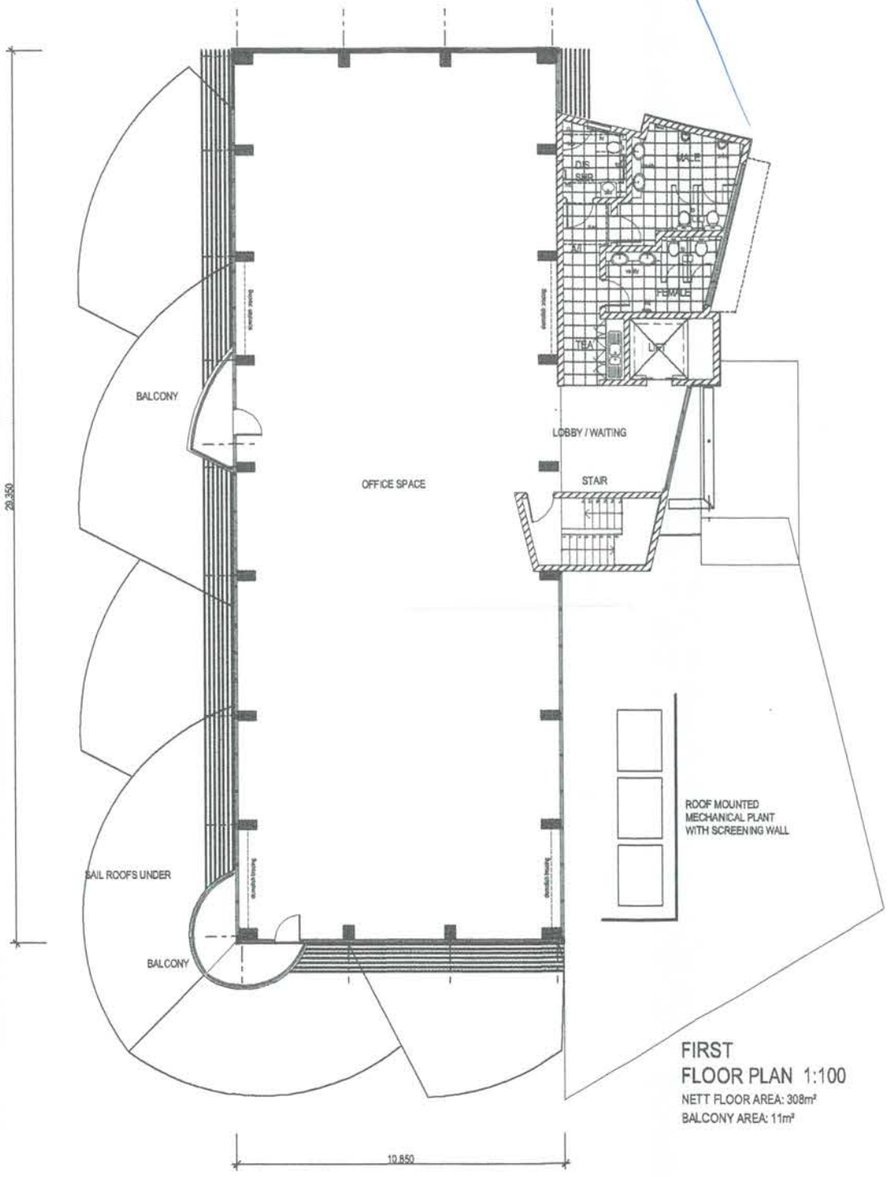



GROUND FLOOR PLAN 1:100

NETT FLOOR AREA: 384m²
BALCONY AREA: 188m²

TOTAL BUILDING AREAS

NETT FLOOR AREA:
290m² x 2 office stories + 384 ground floor = 980m²




FIRST
FLOOR PLAN 1:100

NETT FLOOR AREA: 308m²
BALCONY AREA: 11m²

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Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Allan
wk: 89 32 2704
fc: 89 32 3421

Drawing Title: **Floor Plans**

Design Team: Dave Bennett, Daniel del Nido
Scale: as shown
Date: May 2001
Sheet: 3 of 7

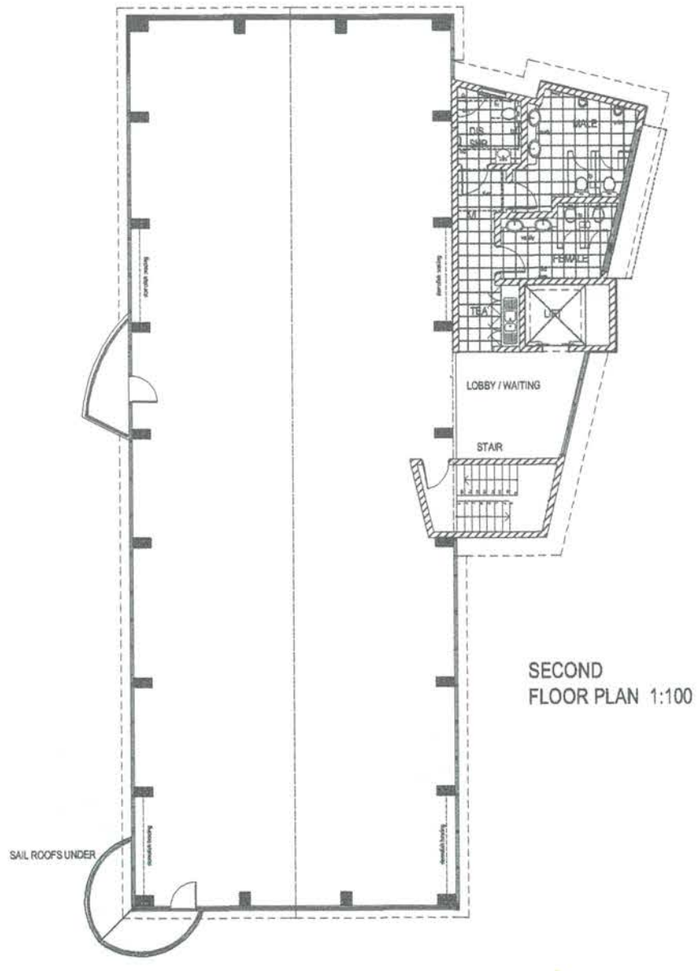
JOB & DWG No.: **613- 3**

| Date | Rev | Amendments | Amend. |
|---|---|---|---|
| | | | - |

This is the drawing referred to in Development Permit No. DP01/0162
issued by the Development Consent Authority
on 14/5/01
F. A. FINCH
Delegate



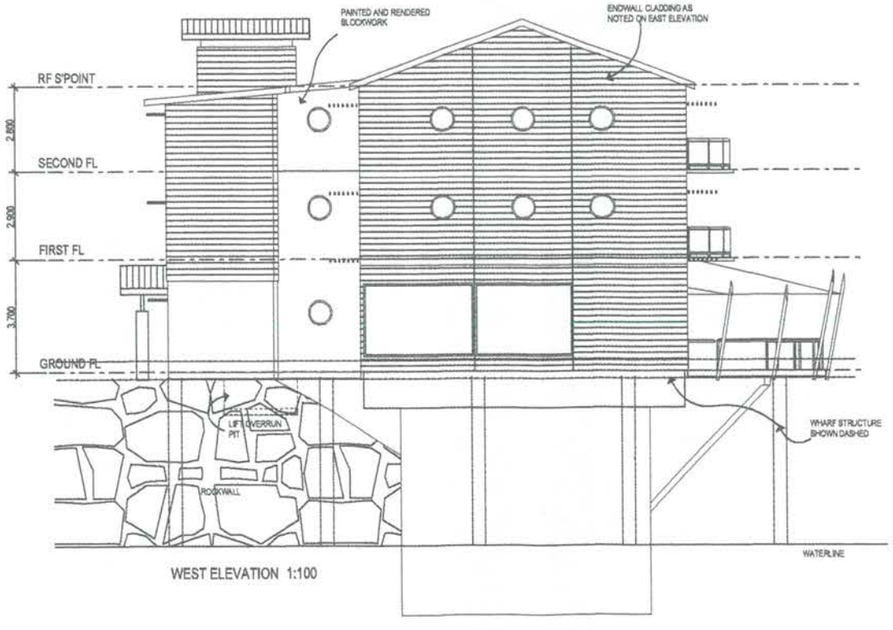
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BY:




SECOND
FLOOR PLAN 1:100




EAST ELEVATION 1:100




WEST ELEVATION 1:100

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ABN 51 083050924 ACN 083050924

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Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Allsen
w/c 89 32 2704
fc 89 32 3421

Drawing Title: **Floor Plans, Elevations**

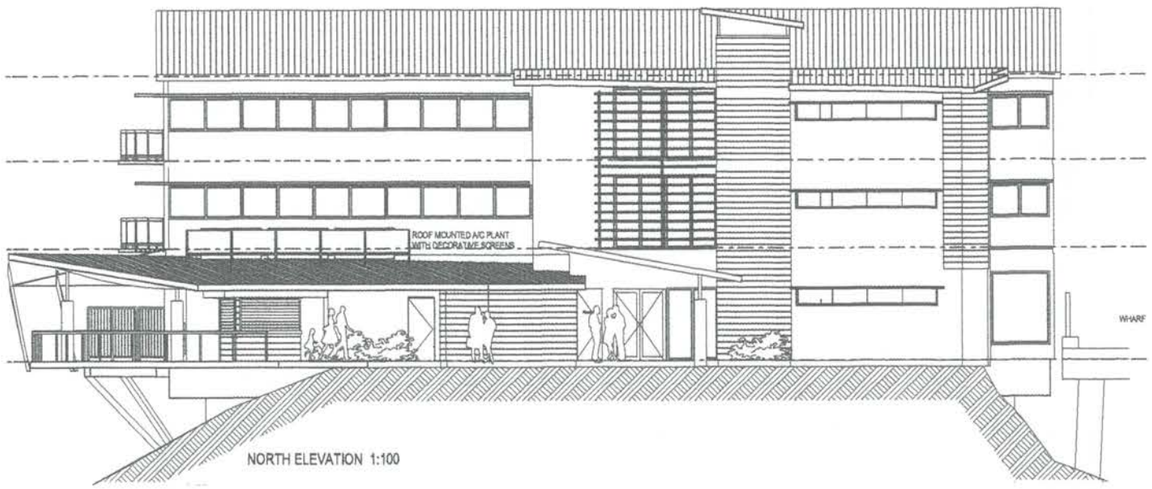
Design Team: Dave Bennett, Daniel del Nido
Scale: as shown
Date: May 2001
Sheet: 4 of 7

JOB & DWG No.: **613-4**

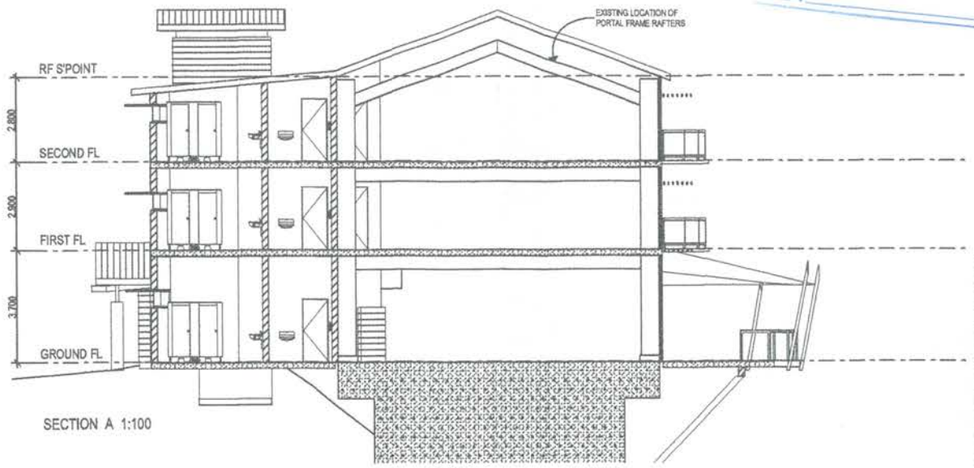
| Date | Rev | Amendments |
|---|---|---|

Amend. -

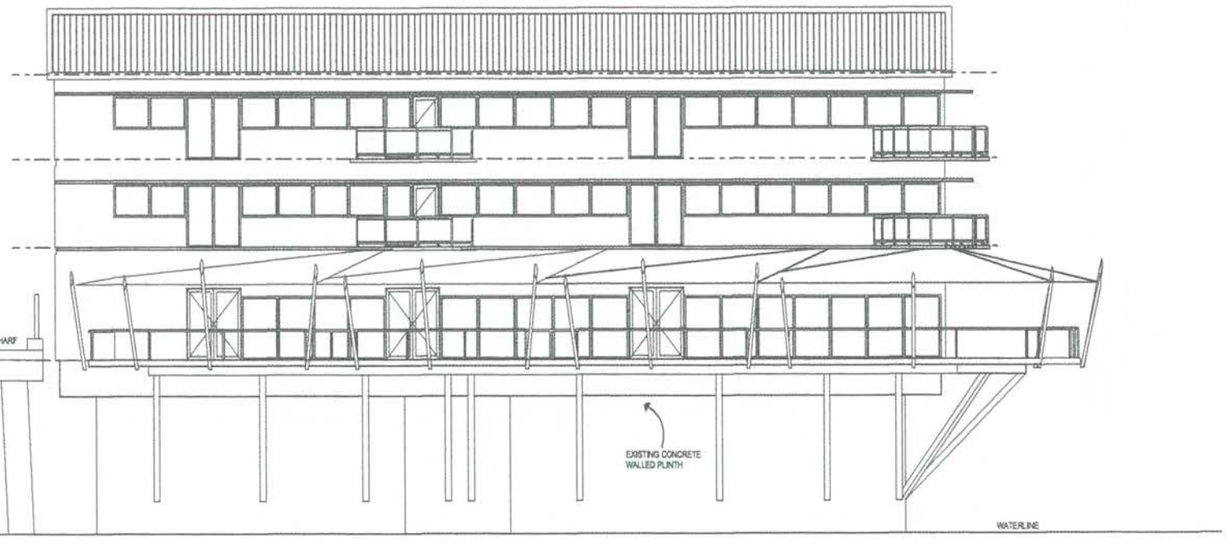
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BY:




NORTH ELEVATION 1:100




SECTION A 1:100




SOUTH ELEVATION 1:100

This is the drawing referred to in Development Permit No. DP01/0162 issued by the Development Consent Authority on 17/5/01

E.A. FINCH
Delegate

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Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Albon
wk: 89 32 2704
fc: 89 32 3421

Drawing Title: **Elevations, Sections**

Design Team: Dave Bennett, Daniel del Nido
Scale: as shown
Date: May 2001
Sheet: 5 of 7

JOB & DWG No.: **613-5**

| Date | Rev | Amendments |
|---|---|---|

Amend. -

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act* 1999

Section 57(3)

# VARIATION OF CONDITIONS

DP01/0162A

## DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

| | |
|---|---|
| Lot No.: | LOTS 6604 & 6605 |
| Town/Hundred: | TOWN OF DARWIN |
| Street Address: | MAVIE STREET |

Consent is hereby granted, pursuant to section 57(3) of the *Planning Act,* to vary a condition of Development Permit DP01/0162, the variation resulting in the development not being substantially different from the development originally permitted.

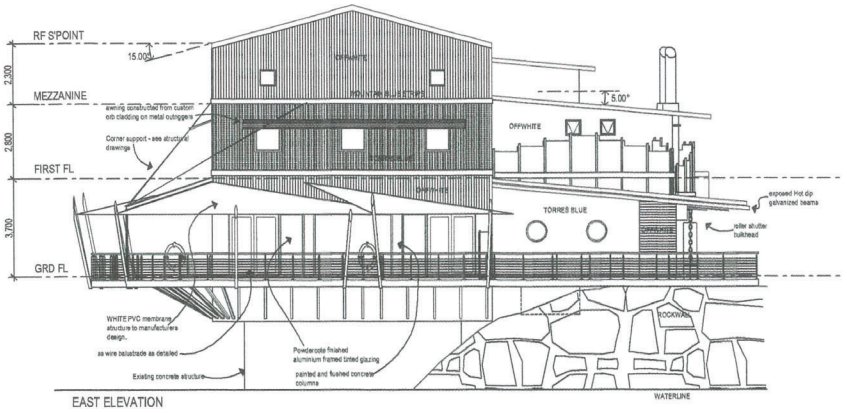
**Variation**

Reduce floors from three to two with mezzanine and convert office to restaurant in accordance with drawing numbers 613-1/A, 613-2/A, 613-3/A, 613-4/A and 613-5/A.

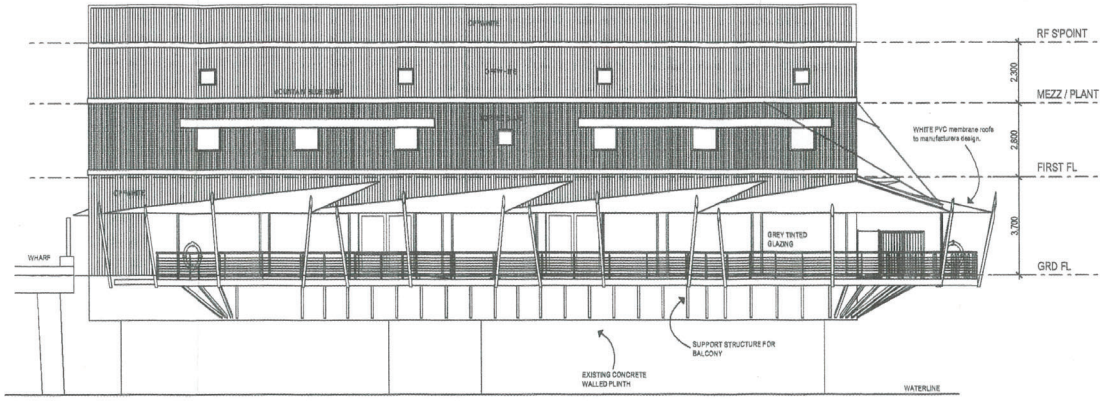
As provided for under section 3 of the Act and subject to the provisions of sections 58 and 59, this permit will lapse two years from the date of issue of the original permit. In all other respects Development Permit DP01/0162 remains unchanged.

Dated this 22nd day of October 2001

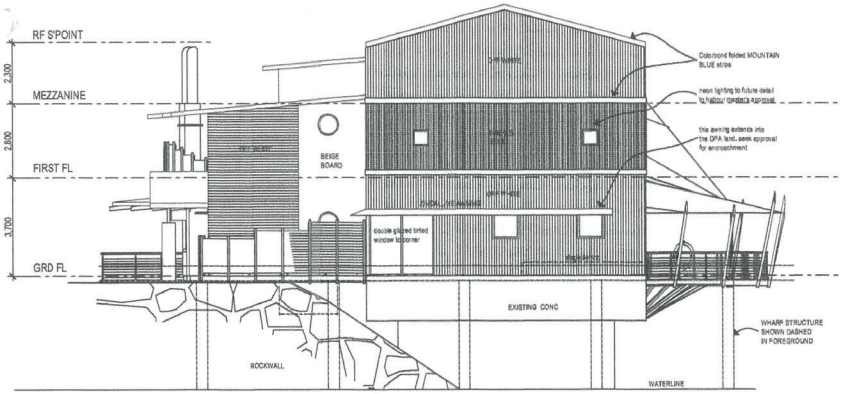
**F A FINCH**
Delegate
Development Consent Authority



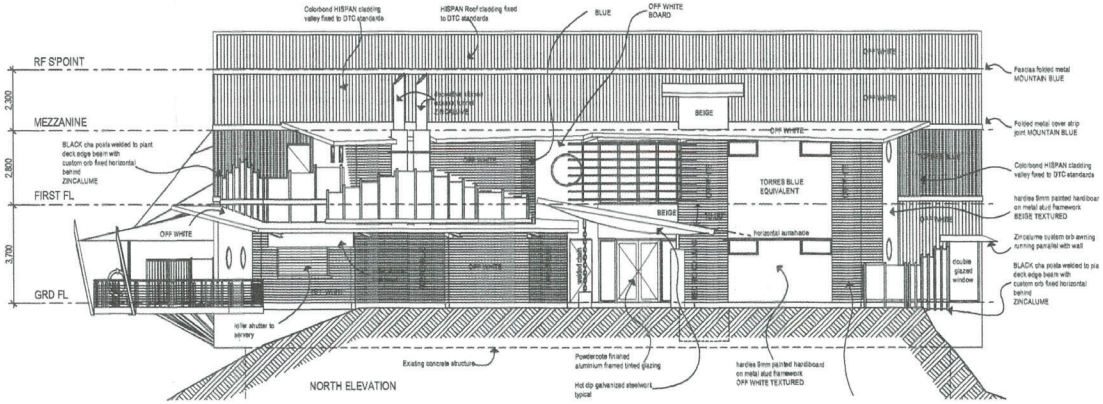

EAST ELEVATION



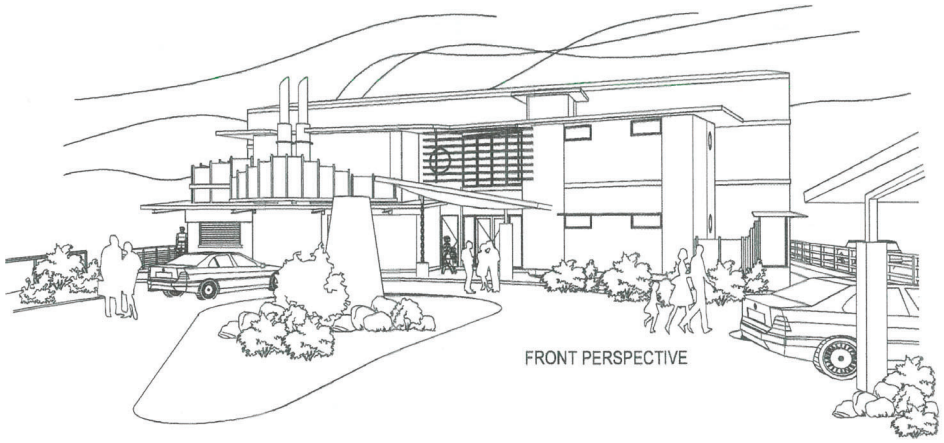

SOUTH ELEVATION



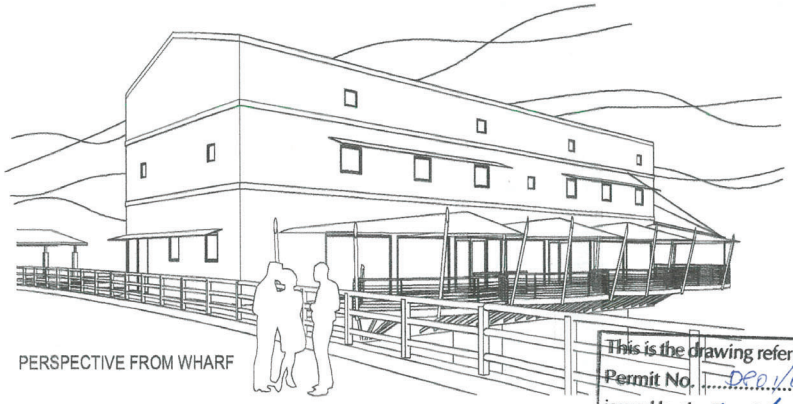

WEST ELEVATION




NORTH ELEVATION



FRONT PERSPECTIVE



PERSPECTIVE FROM WHARF

**PRELIMINARY DRAWINGS 1/10/01 - NOT FOR CONSTRUCTION**

This is the drawing referred to in Development Permit No. DP01/0162A issued by the Development Consent Authority on 22/10/01

F. A. FINCH
Delegate

BARSCALE

Scale: A1 = 1:100
A3 = 1:200

0 1 2 3 4 5 10 metres

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Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

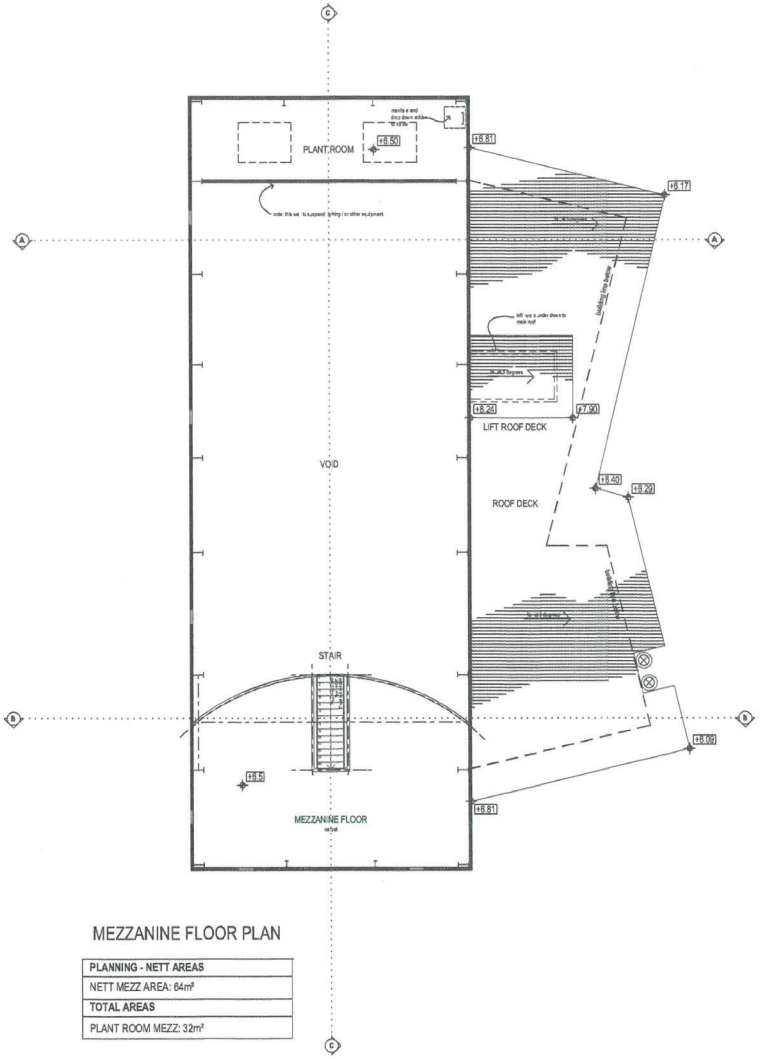
Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
w/c 89 32 2704
f/c 89 32 3421

Drawing Title: **Elevations, Perspectives**

Design Team: Dave Bennett, Daniel del Nido
Scale: refer barscale
Date: Oct 2001
Sheet: 5 of 7

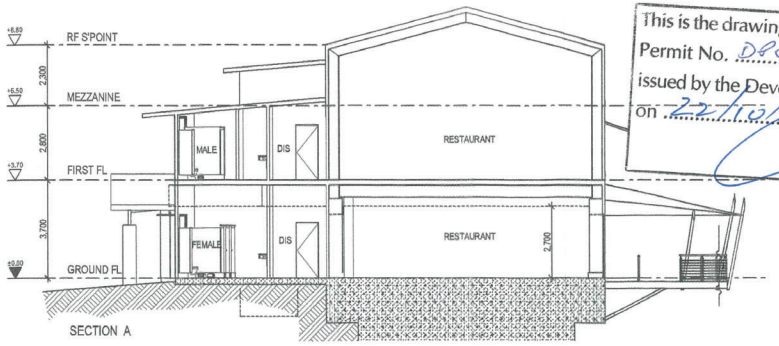
Job & DWG No.: **613-5**

| Date | Rev | Amendments | Comd. |
|---|---|---|---|
| | | | A |

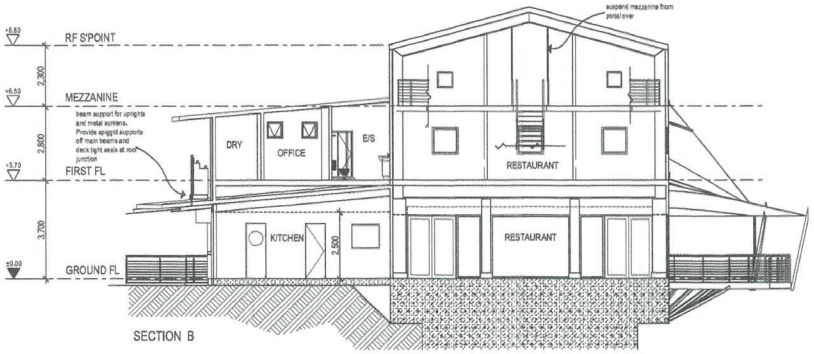



MEZZANINE FLOOR PLAN

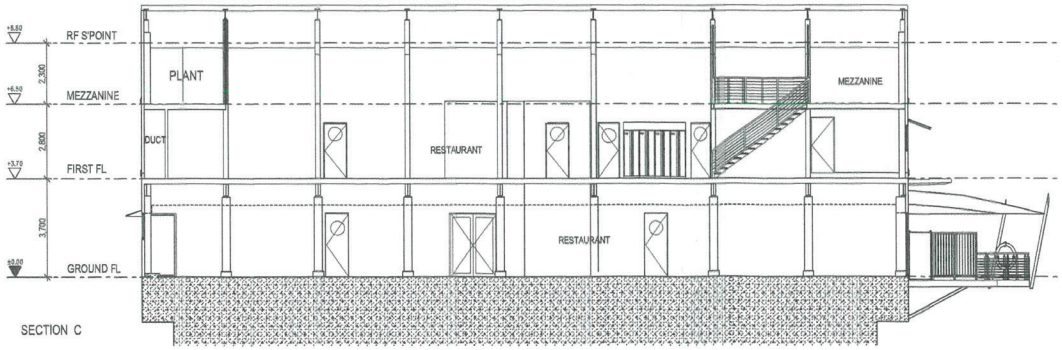
| PLANNING - NETT AREAS |
|---|
| NETT MEZZ AREA: 64m² |
| TOTAL AREAS |
| PLANT ROOM MEZZ: 32m² |




SECTION A




SECTION B




SECTION C

This is the drawing referred to in Development Permit No. DP01/0162 A issued by the Development Consent Authority on 22/10/01

F. A. FINCH
Delegate

PRELIMINARY DRAWINGS 1/10/01 - NOT FOR CONSTRUCTION

BARSCALE

0 1 2 3 4 5 10 metres

Scale: A1 = 1:100
A3 = 1:200

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ABN 51 083050024 ACN 083050024

CAL Accredited
Member BDA of NT

Project
**Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client
**PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
wk: 89 32 2794
fx: 89 32 3421

Drawing Title
**Mezzanine Plan, Sections**

Design Team: Dave Bennett, Damien del Nido
Scale: refer barscale
Date: Oct.2001
Sheet: 3 of 7

JOB & DWG No.
**613-4**

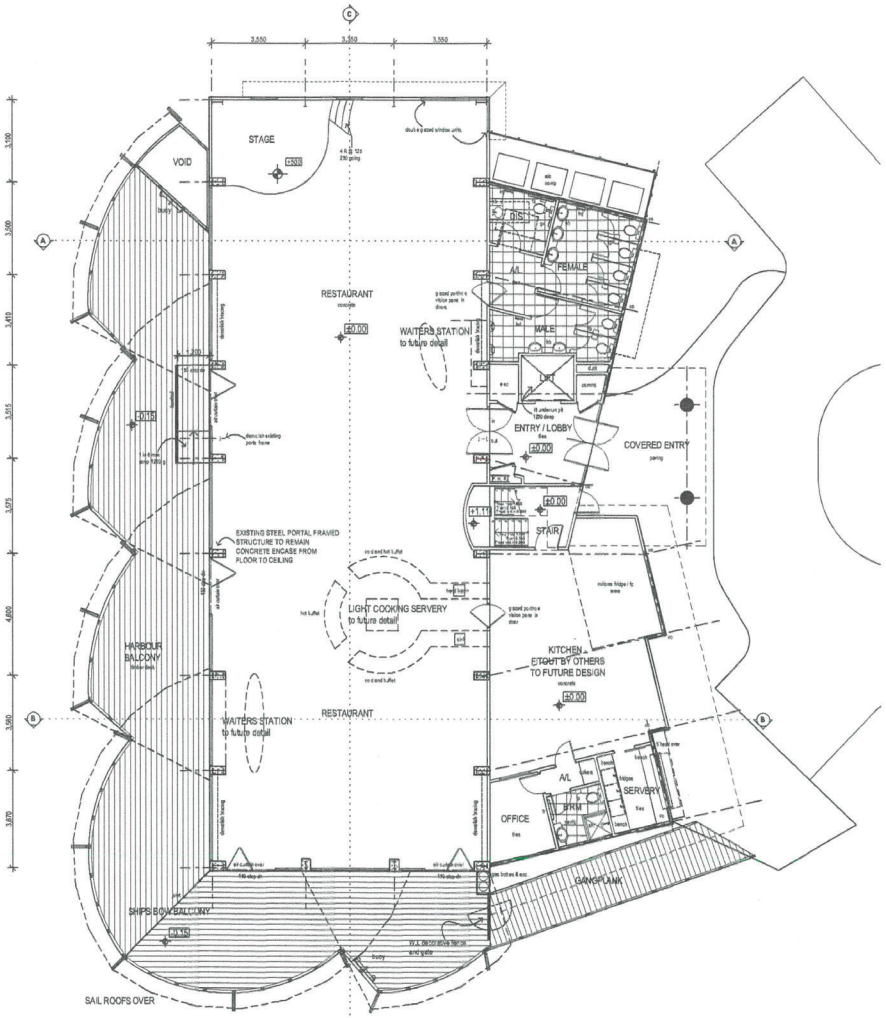
| Date | Rev | Amendments |
|---|---|---|

Amend.
A

15k

This is the drawing referred to in Development Permit No. DR01/0162A issued by the Development Consent Authority on 22/10/01

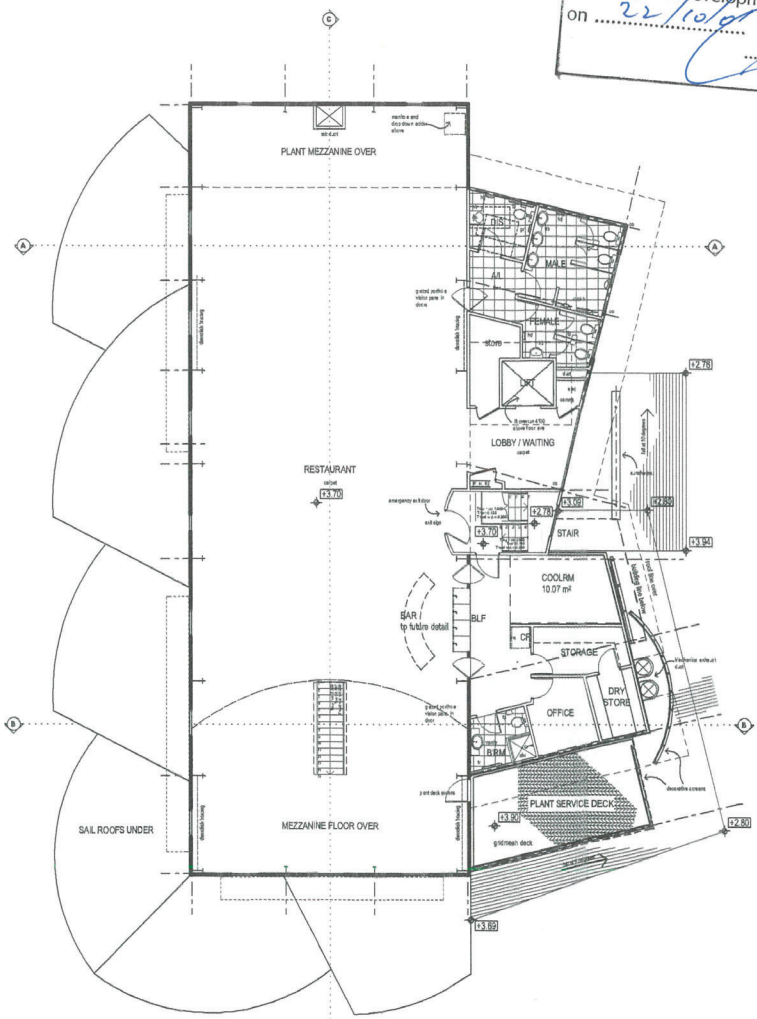
F. A. FINCH
Delegate




## GROUND FLOOR PLAN

| PLANNING - NETT AREAS |
|---|
| NETT FLOOR AREA: 374m² |
| BALCONY NETT AREA: 159m² |
| **TOTAL AREAS** |
| TOTAL FLOOR AREA: 445m² |
| TOTAL BALCONY / GANGPL AREA: 183m² |
| EXTERNAL PLANT DECK: 11m² |

| FULL BUILDING AREAS - SUMMARY |
|---|
| **PLANNING - NETT AREAS** |
| 374m² GRND + 342m² FIRST + 64m² MEZZ = 780m² |
| BALCONY AREA: 159m² |
| **TOTAL AREAS** |
| 445m² GRND + 416m² FIRST + MEZZ 64m² = 925m² |
| EXT PLANT DECKS: 23m² FIRST + 11m² GND = 34m² |
| PLANT ROOM MEZZ: 32m² |
| TOTAL BALCONY / GANGPL AREA: 183m² |




## FIRST FLOOR PLAN

| PLANNING - NETT AREAS |
|---|
| NETT FLOOR AREA: 342m² |
| **TOTAL AREAS** |
| TOTAL FLOOR AREA: 416m² |
| EXT PLANT DECK AREA: 23m² |

**PRELIMINARY DRAWINGS 1/10/01 - NOT FOR CONSTRUCTION**

BARSCALE

Scale: A1 = 1:100
A3 = 1:200

0 1 2 3 4 5 10 metres


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ABN 51 083650024 ACN 083650024


GAL Accredited | Member BDAofNT

Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
wk: 89 32 2704
fx: 89 32 3421

Drawing Title: **Ground and First Plans**

Design Team: Dave Bennett, Daniel del Nido
Scale: refer barscale
Date: Oct 2001
Sheet: 2 of 7

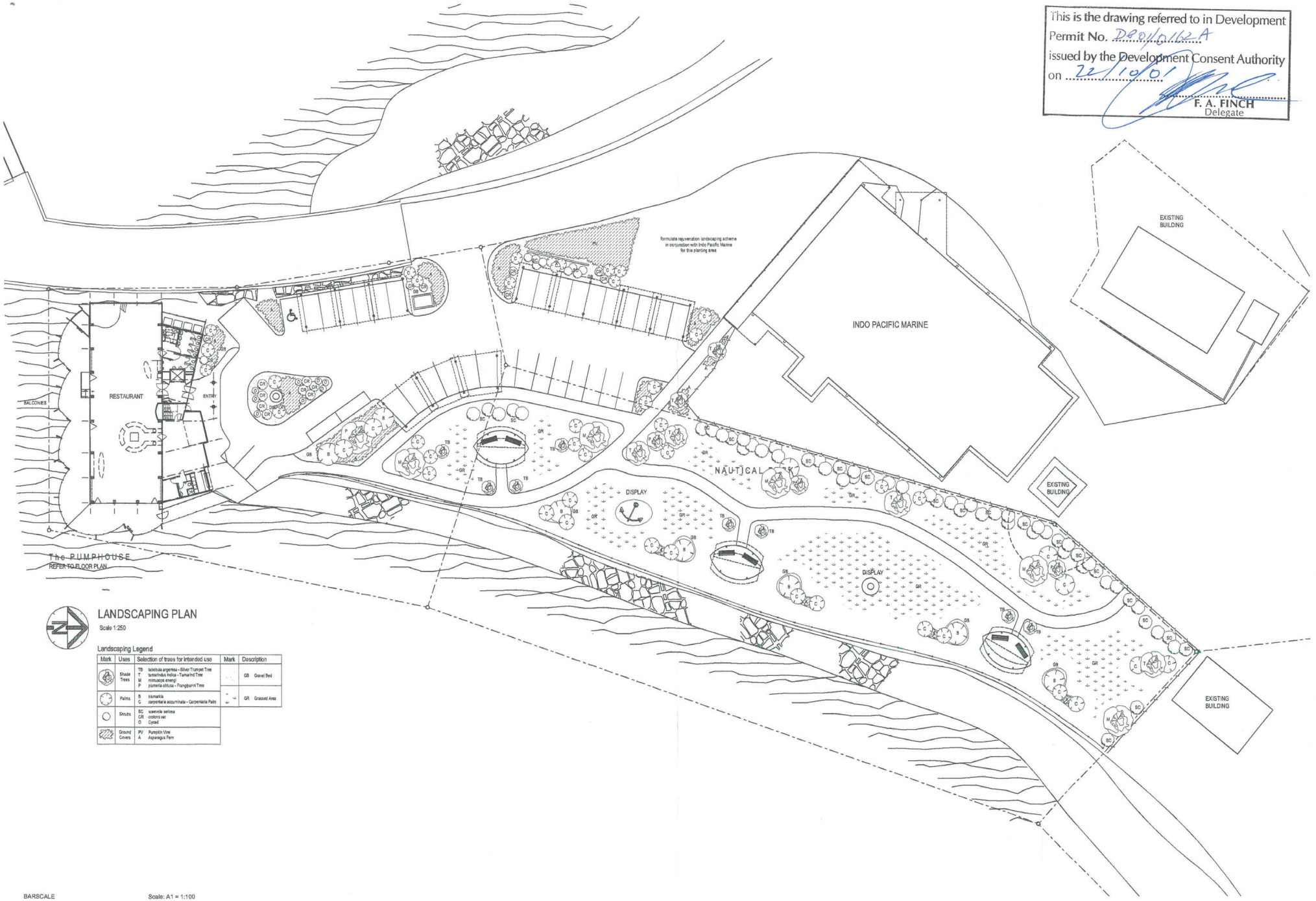
JOB & DWG No.: **613- 3**

| Date | Rev. | Amendments |
|---|---|---|

Amend. A

This is the drawing referred to in Development Permit No. D01/0162A issued by the Development Consent Authority on 22/10/01

F. A. FINCH
Delegate




## LANDSCAPING PLAN

Scale 1:250

Landscaping Legend

| Mark | Uses | Selection of trees for intended use | | Mark | Description |
|---|---|---|---|---|---|
| | Shade Trees | TB tabebuia argentea - Silver Trumpet Tree<br>T tamarindus indica - Tamarind Tree<br>M mimusops elengi<br>P plumeria obtusa - Frangipanni Tree | | GB | Gravel Bed |
| | Palms | B bismarkia<br>C carpentaria accuminata - Carpentaria Palm | | GR | Grassed Area |
| | Shrubs | SC scaevola sericea<br>CR codiaeum var<br>O Cycad | | | |
| | Ground Covers | PV Pumpkin Vine<br>A Asparagus Fern | | | |

BARSCALE

Scale: A1 = 1:100
A3 = 1:200

0 1 2 3 4 5 10 metres

PRELIMINARY DRAWINGS 1/10/01 - NOT FOR CONSTRUCTION

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Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
wk 89 32 2704
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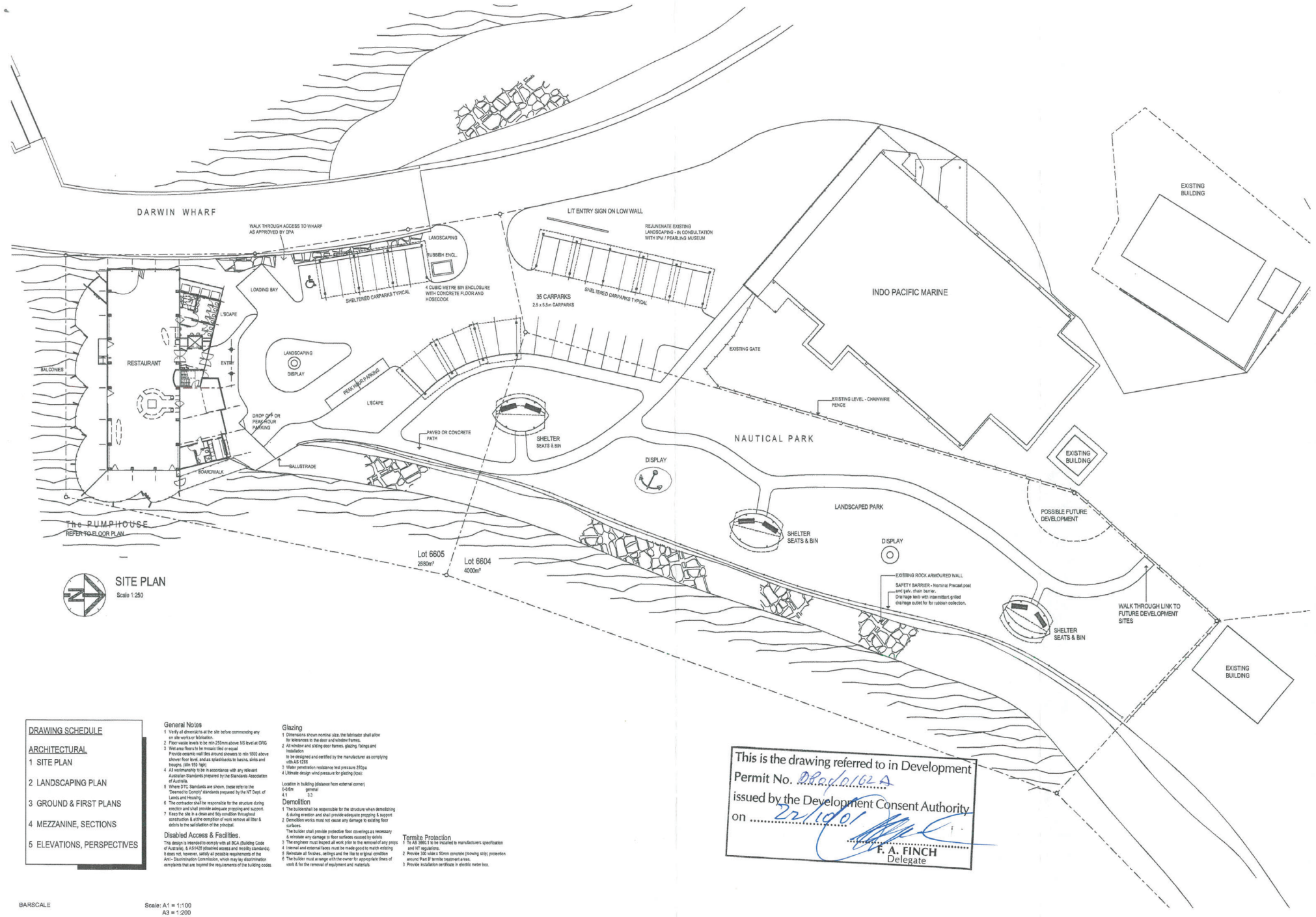
Drawing Title: **Landscaping Plan**

Design Team: Dave Bennett, Daniel del Nido
Scale: refer barscale
Date: Oct 2001
Sheet: 1 of 2

JOB & DWG No. **613-2**

Date | Rev | Amendments

Amend. A




SITE PLAN
Scale 1:250

PRELIMINARY DRAWINGS 1/10/01 - NOT FOR CONSTRUCTION

DRAWING SCHEDULE

ARCHITECTURAL

1 SITE PLAN
2 LANDSCAPING PLAN
3 GROUND & FIRST PLANS
4 MEZZANINE, SECTIONS
5 ELEVATIONS, PERSPECTIVES

**General Notes**

1 Verify all dimensions at the site before commencing any on site works or fabrication.
2 Floor waste levels to be min 250mm above NS level at ORG
3 Wet area floors to be mosaic tiled or equal
Provide ceramic wall tiles around showers to min 1800 above shower floor level, and as splashbacks to basins, sinks and troughs. (Min 150 high)
4 All workmanship to be in accordance with any relevant Australian Standards prepared by the Standards Association of Australia.
5 Where DTC Standards are shown, these refer to the 'Deemed to Comply' standards prepared by the NT Dept. of Lands and Housing.
6 The contractor shall be responsible for the structure during erection and shall provide adequate propping and support.
7 Keep the site in a clean and tidy condition throughout construction & at the completion of work remove all litter & debris to the satisfaction of the principal.

**Disabled Access & Facilities.**

This design is intended to comply with all BCA (Building Code of Australia), & AS1428 (disabled access and mobility standards). It does not, however, satisfy all possible requirements of the Anti - Discrimination Commission, which may lay discrimination complaints that are beyond the requirements of the building codes.

**Glazing**

1 Dimensions shown nominal size, the fabricator shall allow for tolerances in the door and window frames.
2 All window and sliding door frames, glazing, fixings and installation
to be designed and certified by the manufacturer as complying with AS 1288
3 Water penetration resistance test pressure 280pa
4 Ultimate design wind pressure for glazing (kpa):

Location in building (distance from external corner)

| 0-6.6m | general |
|---|---|
| 4.1 | 3.3 |

**Demolition**

1 The builder shall be responsible for the structure when demolishing & during erection and shall provide adequate propping & support
2 Demolition works must not cause any damage to existing floor surfaces.
The builder shall provide protective floor coverings as necessary & reinstate any damage to floor surfaces caused by debris.
3 The engineer must inspect all work prior to the removal of any props
4 Internal and external faces must be made good to match existing
5 Reinstate all finishes, ceilings and the like to original condition
6 The builder must arrange with the owner for appropriate times of work & for the removal of equipment and materials

**Termite Protection**

1 To AS 3660.1 to be installed to manufacturers specification and NT regulations.
2 Provide 300 wide x 50mm concrete (mowing strip) protection around Part B' termite treatment areas.
3 Provide installation certificate in electric meter box.

This is the drawing referred to in Development Permit No. DR01/0102A issued by the Development Consent Authority on 22/10/01
F. A. FINCH
Delegate

BARSCALE
Scale: A1 = 1:100
A3 = 1:200
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Member BDA of NT

Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
w/c 89 32 2794
fc 89 32 3421

Drawing Title: **Site Plan**

Design Team: Dave Bennett, Daniel del Nido
Scale: refer barscale
Date: Oct 2001
Sheet: 1 of 7

JOB & DWG No. **613-1**

Date | Rev | Amendments

Amend. A

01/2011
173

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act* 1999

Section 57(3)

# VARIATION OF CONDITIONS

DP01/0162B

## DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

| | |
|---|---|
| Lot No.: | LOTS 6604, 6605 & part lot 6590 |
| Town/Hundred: | TOWN OF DARWIN |
| Street Address: | MAVIE STREET |

Consent is hereby granted, pursuant to section 57(3) of the *Planning Act,* to vary a condition of Development Permits DP01/0162 and DP01/0162A, the variation resulting in the development not being substantially different from the development originally permitted.

**Variation**

Alterations to parking layout and public park design, in accordance with drawing number LCP01/E.

In all other respects Development Permits DP01/0162 and DP01/0162A remain unchanged.

**Base Period of Permit**

This permit does not extend the base period of the original permit.

Dated this 17th day of September 2002

**JOHN PINNEY**
Delegate
Development Consent Authority

This is the drawing referred to in Development Permit No. DP01/0162 B
issued by the Development Consent Authority
on 12 Sep 02
Delegate of Authority

RECEIVED
1 [illegible] 2002

WATER FEATURE IN ENTRY PLANTING BED
STANDARD VEHICLE PARKING BAYS
EXIT
ENTRY
STANDARD VEHICLE PARKING BAYS
SHADE TREES & SINGLE TRUNK PALMS ALONG REAR 1.8m WIDTH PAVED PATH
INDO PACIFIC MARINE
SCREENING SHRUBS ALONG REAR BOUNDARY
NEW CHAIN MESH FENCE TO REAR BOUNDARY
RAISED SEATING WALL PLANTING BEDS WITH SHADE TREES & GROUNDCOVERS
BALCONIES
EXISTING BUILDING
A1
MINI-BUS DISABLED PARKING REAR BUS EXIT
STANDARD VEHICLE PARKING
MINI-BUS & STANDARD VEHICLE DROP-OFF TO PARK AREA
3m WIDTH CONC. UNIT PAVED BROADWALK PATH ALONG EMBANKMENT
SAFETY FENCE ALONG TOP OF EMBANKMENT
RAISED SEATING WALL PLANTING BED WITH SHADE TREES & GROUNDCOVERS
EXISTING BUILDING
ROCK MULCH BETWEEN SAFETY FENCE AND EXISTING ROCK ARMOUR

LEGEND

Proposed Shade trees eg: Tamarindus indica(Tamarind), Peltophorum pterocarpus (Yellow flame), Plumeria obtusa(Frangipani) Delonix regia(Poinciana)

Proposed Feature palms eg; Roystonia regia(Cuban Royal), Ptyochosperma macarthurii(hurricane palm), Wodyetia bifurcata(Foxtail), Cyrtostachys lakka(Lakka), Chrysalidocarpus lutescens(Yellow Cane).

Proposed Screening shrubs eg: Durenta repens(Sky flower), Callistemon viminalis(weeping bottlebrush),Calliandra haematocephala(red powder puff)

Proposed Groundcovers eg: Zamia furfuracea(Zamia), Cycus revoluta(Cycad), Phyllanthus multiflorus(Green waterfall), Russellia equisetifolia(Firecraker) Bauhinia punctata(Butterfly).

Proposed crushed Riverstone/Rock mulch chips, Max. 10mm diam. forming braided wave shapes to surface.

Proposed Chain mesh fence to rear boundary on West.

Proposed Safety fence to top of embankment.

Proposed Litter Bins

Proposed overhead Park lighting

Proposed path bollard lighting

NOTES:

| NO. | AMENDMENTS | DATE | INIT. |
|---|---|---|---|
| A. | Vehicle parking,planting beds, paving, lights/bins/kerbs | 17/8/02 | kjk |
| B | Vehicle parking,planting beds, paving, lights/bins/kerbs | 26/8/02 | kjk |
| C | Vehicle parking,planting beds, paving, lights/bins/kerbs | 10/09/02 | kjk |
| D | Vehicle parking,planting beds, paving, lights/bins/kerbs | 11/09/02 | kjk |

NT LanDesign Pty Ltd
Landscape Architects
GPO BOX 1815
DARWIN, N.T. 0801
AUSTRALIA
ABN 80 092 219 488
PH (08) 89 41 3766
FAX (08) 89 41 3776

FOR
GRASS GROWERS N.T.
P.O. Box 39570
WINNELLIE NT 0821
Telephone : (08) 89 411954
Fax : (08) 89 811161

STOKES HILL WHARF-LANDSCAPE
PUMPHOUSE NAUTICAL PARK
DARWIN NT AUSTRALIA
LANDSCAPE CONCEPT PLAN

| | |
|---|---|
| SCALE | 1 : 500 |
| DATE | 11/09/02 |
| DESIGNED | KJK |
| DRAWN | KJK |
| CHECKED | |
| DRAWING No. | issue |
| LCP01 | E |

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act* 1999

Section 57(3)

# VARIATION OF CONDITIONS

DP01/0162C

## DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

| | |
|---|---|
| Lot No.: | LOTS 6604, 6605 & PART LOT 6590 |
| Town/Hundred: | TOWN OF DARWIN |
| Street Address: | MAVIE STREET |

Consent is hereby granted, pursuant to section 57(3) of the *Planning Act,* to vary a condition of Development Permit DP01/0162, DP01/0162A and DP01/0162B, the variation resulting in the development not being substantially different from the development originally permitted.

**Variation**

A change of use for the second storey from restaurant to hotel and building and site layout changes, in accordance with drawing numbers 719-2/AC, 719-3/AC, 719-4/AC, 719-5/AC, 719-6/AC, 719-7/AC and 01/0011A endorsed as forming part of this permit.

In all other respects Development Permit DP01/0162, DP01/0162A and DP01/0162B remains unchanged.

**Base Period of Permit**

This permit does not extend the base period of the original permit.

Dated this 12th day of March 2003

**JOHN PINNEY**
Delegate
Development Consent Authority

SCAEVOLA TACCADA

IPOMOEA PES-CAPRAE / CANARALIA ROSEA

TRANSITION KERB TO NIL HIEGHT OVER 1.0m

FLUSH KERB

SLOTTED KERB

KERB ONLY

7 SPACES @ 2.5m

6 SPACES @ 2.5m

2.0m WIDE - WHEELSTOPS TYPICAL

1.2m WIDE WHEELCHAIR CROSSING

MINIBUSES ONLY SIGN

GIVE WAY SIGN

CONTINUITY LINE

NO STANDING DROP OFF ONLY SIGN

LOADING BAY

WATER FEATURE

BOLLARD

MOUNTABLE KERB

RAMPED ACCESS TO BUILDING

PUMPHOUSE

2.5m X 2.5m SET DOWN AREA FOR GARBAGE BINS ( SCREENED )

MIMUSOPS

CYCADS

MARITIME ARTEFACT ( BOUY & CHAIN WITH DESCRIPTIVE PLAQUE )

MOUNTABLE KERB & GUTTER

600 WIDE CONCRETE INVERT

ACCESS GATE

3 SPACES @ 2.5m

9 SPACES @ 2.5m

PROPERTY BOUNDARY

LITTER TRAP FOR DETAILS REFER DRG C05

GROUTED STONE PICTHED DRAIN. MINIMUM 1% FALL TO EDGE OF SEAWALL. REFER TYPICAL DETAIL

EXISTING

FRANGAPANNI

PELTOPHORUM

GREVILLEA DRYANDRI

ACACIA GONUCARPA

FUTURE ACCESS EASEMENT

MATCH EXISTING KERB

CONSTRUCT GROUTED STONE PITCHING TO PROTECT SEWER PUMP STATION AS DIRECTED ON SITE.

HOLD LINE

EXISTING CONTINUITY LINE

DBL (100)

KERB & GUTTER

FOR CONTINUATION REFER DRG C03

This is the drawing referred to in Development Permit No. DP01/0162C issued by the Development Consent Authority on ...12 March 03...

Delegate of Authority

Drawing no. 01/0011A

# STOKES HILL PUMPHOUSE REDEVELOPMENT

## PUMPHOUSE CARPARK LANDSCAPING DETAILS

Greening Australia Northern Territory Inc.

This is the drawing referred to in Development Permit No. DP01/0162C issued by the Development Consent Authority on 12 Mar 03

Delegate of Authority

existing landscaping + new - see 01/0011A

# LANDSCAPING PLAN

Landscaping Legend

GROUND COVERS - COASTAL PLANTING

| Key | Plant Name | Colour of Flowers | Points |
|---|---|---|---|
| IP | Ipomoea pes-caprae ssp brasiliensis | Pink | Aboriginal use: roots cooked and eaten, heated leaves applied to painful stings, flowers said to be used on box jelly fish |
| OR | Canavalia rosea | Rose coloured | Aboriginal use: seed eaten only when cooked, poisonous when raw |
| SP | Sesuvium portulacastrum | Pink - Mauve | Very useful for coastal stabilization |
| EV | Euphorbia vachellii | White | |
| WYY | Ipomoea abrupta woody vine yam | White | Aboriginal use: roots are eaten |
| BA | Basis argricola (clumps / succulent) | Yellow - green | |
| PR | Propetargus rachiosus | Trailing fern | Aboriginal use: tools preperation used to treat diarrohea, stomach ache, sores and general sickness |

| Key | Plant Name | Height | Points |
|---|---|---|---|
| TN | Tacca leontoce laevate yam | 1.0right 1m | Aboriginal use: root and fruit eaten, assists in treatment of diarrohea |
| AS | Aerostichum speciosum | Clumping | The only fern found in association with mangroves |
| EL | Exocarpos latifolius | 3m | Aboriginal uses: crushed leaves treat sores, wood used in make woomerals, preperations of fruit and bark used as contraceptive |

SHRUBS - COASTAL PLANTING

| Key | Plant Name | Height | Colour of Flowers |
|---|---|---|---|
| AS | Abutilon indicum ssp albescens | 1-2 m | Yellow |
| BC | Breynia cernua | 1 - 3 m | |
| VR | Vitex rotundifolia | 10 - 50 cm | Purple |
| VTI | Vitex trifolia sub. trifolia | 0.5 - 3 m | Purple |
| CF | clerodendrum floribundum | 1.5 - 3m | Scented White |
| CI | clerodendrum inerme | 1.5 - 3m | Scented White |
| SE | Scaevola cercea | 2 - 3m | White |
| MA | Melaleuca/Hibiscus argentia | 1.5 - 3m | White |
| JA | Jasminum aenulum | 2 m | White |
| EP | Ervatamia cuneacens | 1-2 m | White |

Alternative Choices

| | | | |
|---|---|---|---|
| DA | Dracaena angustifolia | 1 - 5 m | Creamy green |
| OA | Orolon angularis | 2 - 3 m | |

TREES - COASTAL PLANTING

| Key | Plant Name | Height | Colour of Flowers | Points |
|---|---|---|---|---|
| | Cordia subcordata | 5 - 10 m | Orange | Seeds eaten - also good fire wood |
| | Corophe wala | 15 -20 m | | Aboriginal uses: fruit eaten and leaves used for shelter |
| | Thespesia populneides | 5 -8 m | Yellow | Aboriginal uses: wood used for spear shafts and fire sticks |
| | Casuarina equisetifolia | 10 -20 m | | Aboriginal uses: green cones quench thirst, soothes toothaches and is good kindling wood |
| | Peltophorum pterocarpum | 10 -15 m | Yellow | For coastal stabilisation plenty of moisture |
| | Pandanus species | 5 - 7 m | | Aboriginal uses: fruit kernels eaten raw or roasted medical usage and also used for medicinal purposes |
| | Rhizophore stylosa | 6 -12 m | | Aboriginal uses: infusion from inner bark used to treat ulcers and yaws |
| | Scheffera actinophylla | | Red | Stabilises sand dunes |
| | Melaleuca leucadendra | 10 -30 m | Cream | Strong wood never rots |

AS CONSTRUCTED ISSUED 10 FEB 2003

BARSCALE 1:100

Scale: A1 = 1:100
A3 = 1:200

0 1 2 3 4 5 10 metres

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CAL Accredited Member RDIA NT

Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
wk 89 32 2704
h 89 32 3421

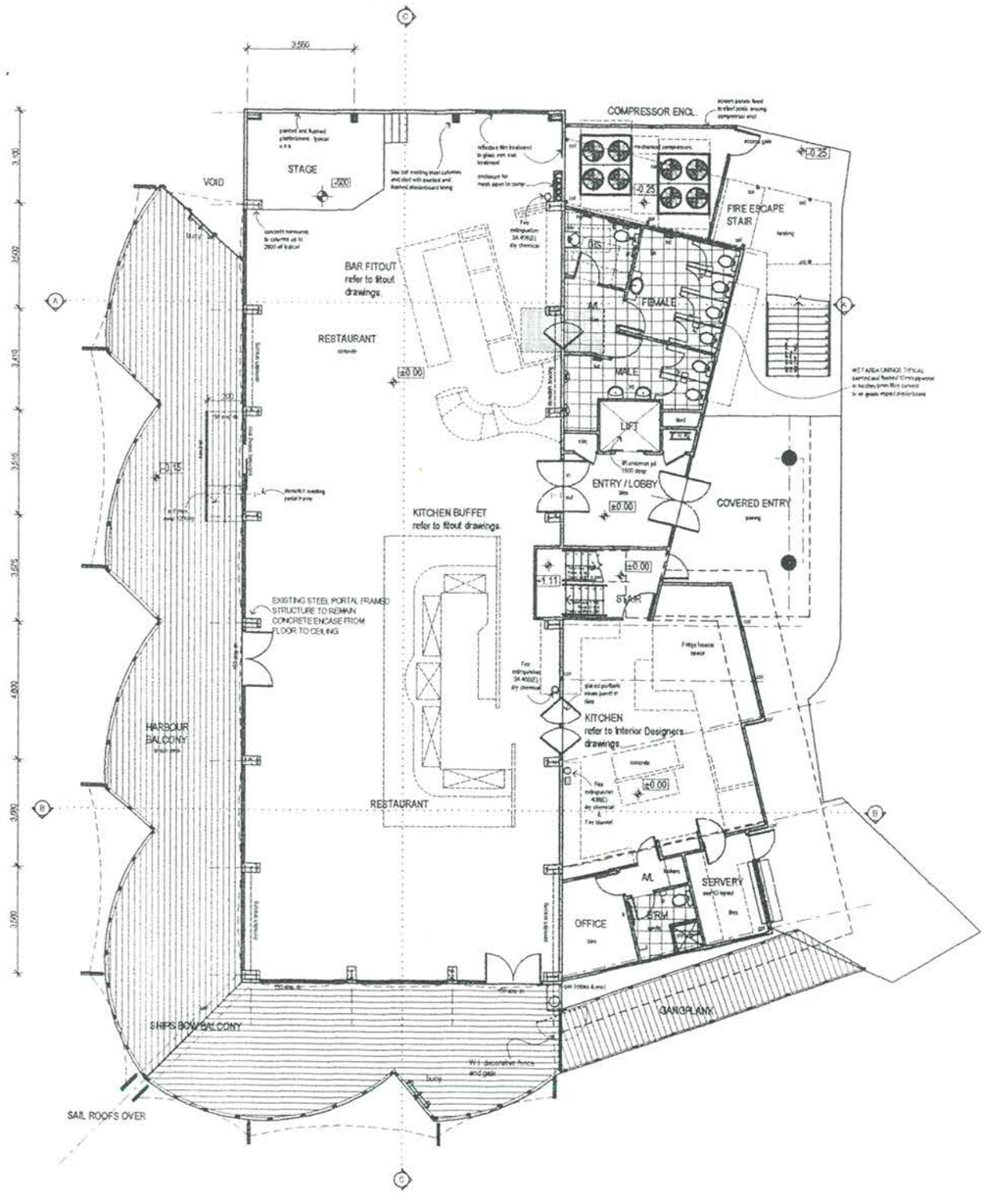
Drawing Title: **Landscaping Plan**

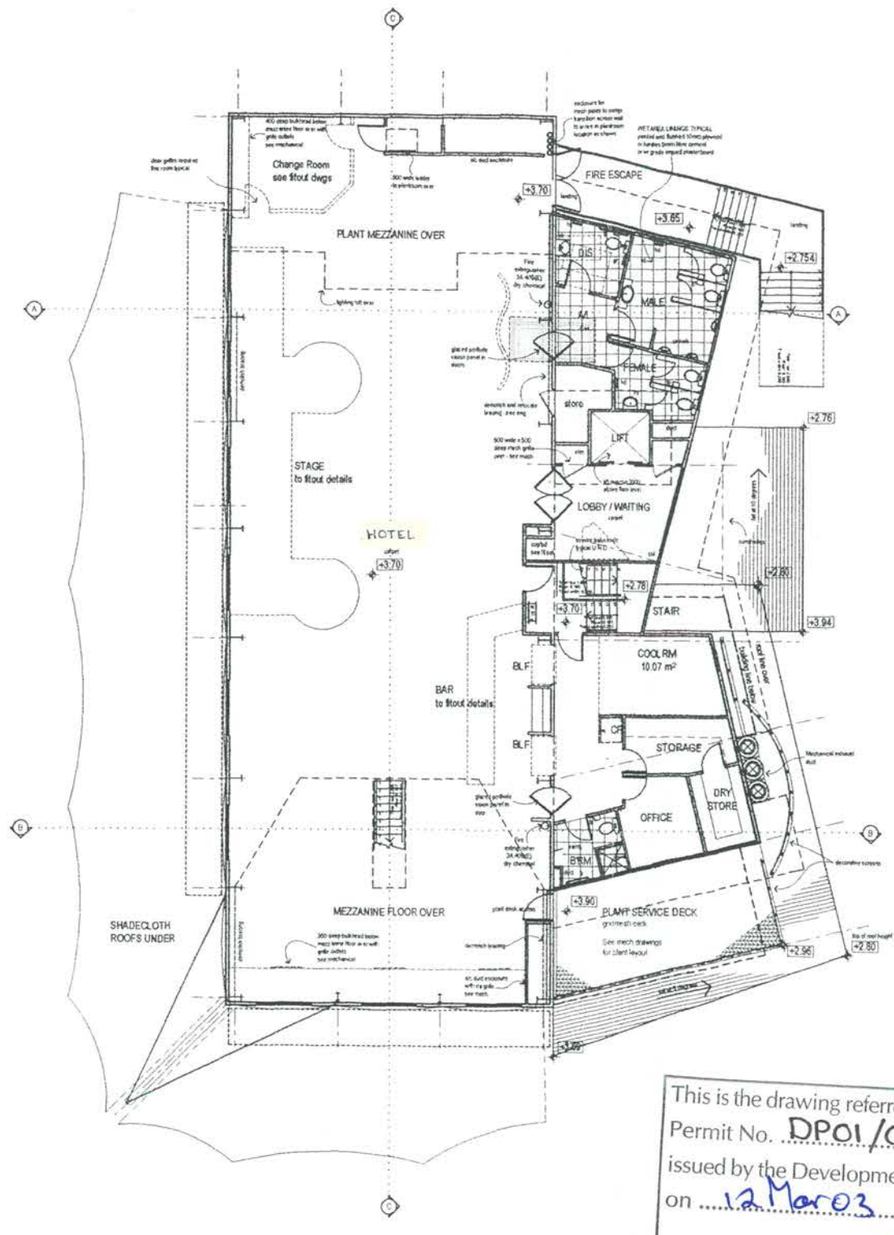
Design Team: Dave Bennett, Denial del Nido
Scale: refer barscale
Date: feb 2003
Sheet: 1 of 14

JOB & DWG No. **719- 2**

| Date | Rev | Amendments |
|---|---|---|
| 10 - 02 - 03 | AC | As Constructed Drawings |

Amend **AC**




## GROUND FLOOR PLAN

| PLANNING - NETT AREAS |
|---|
| NETT FLOOR AREA: 374m² |
| BALCONY NETT AREA: 159m² |
| TOTAL AREAS |
| TOTAL FLOOR AREA: 445m² |
| TOTAL BALCONY / GANGPL AREA: 183m² |
| EXTERNAL PLANT DECK: 11m² |

| FULL BUILDING AREAS - SUMMARY |
|---|
| PLANNING - NETT AREAS |
| 374m² GRND + 342m² FIRST + 64m² MEZZ = 780m² |
| BALCONY AREA: 159m² |
| TOTAL AREAS |
| 445m² GRND + 416m² FIRST + MEZZ 64m² = 925m² |
| EXT PLANT DECKS: 23m² FIRST + 11m² GND = 34m² |
| PLANT ROOM MEZZ: 32m² |
| TOTAL BALCONY / GANGPL AREA: 183m² |

## FIRST FLOOR PLAN

| PLANNING - NETT AREAS |
|---|
| NETT FLOOR AREA: 342m² |
| TOTAL AREAS |
| TOTAL FLOOR AREA: 416m² |
| EXT PLANT DECK AREA: 23m² |

This is the drawing referred to in Development Permit No. DP01/0162C issued by the Development Consent Authority on 12 Mar 03

Delegate of Authority

**AS CONSTRUCTED ISSUED 10 FEB 2003**

BARSCALE 1:100

Scale: A1 = 1:100
A3 = 1:200

0 1 2 3 4 5 10 metres

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Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
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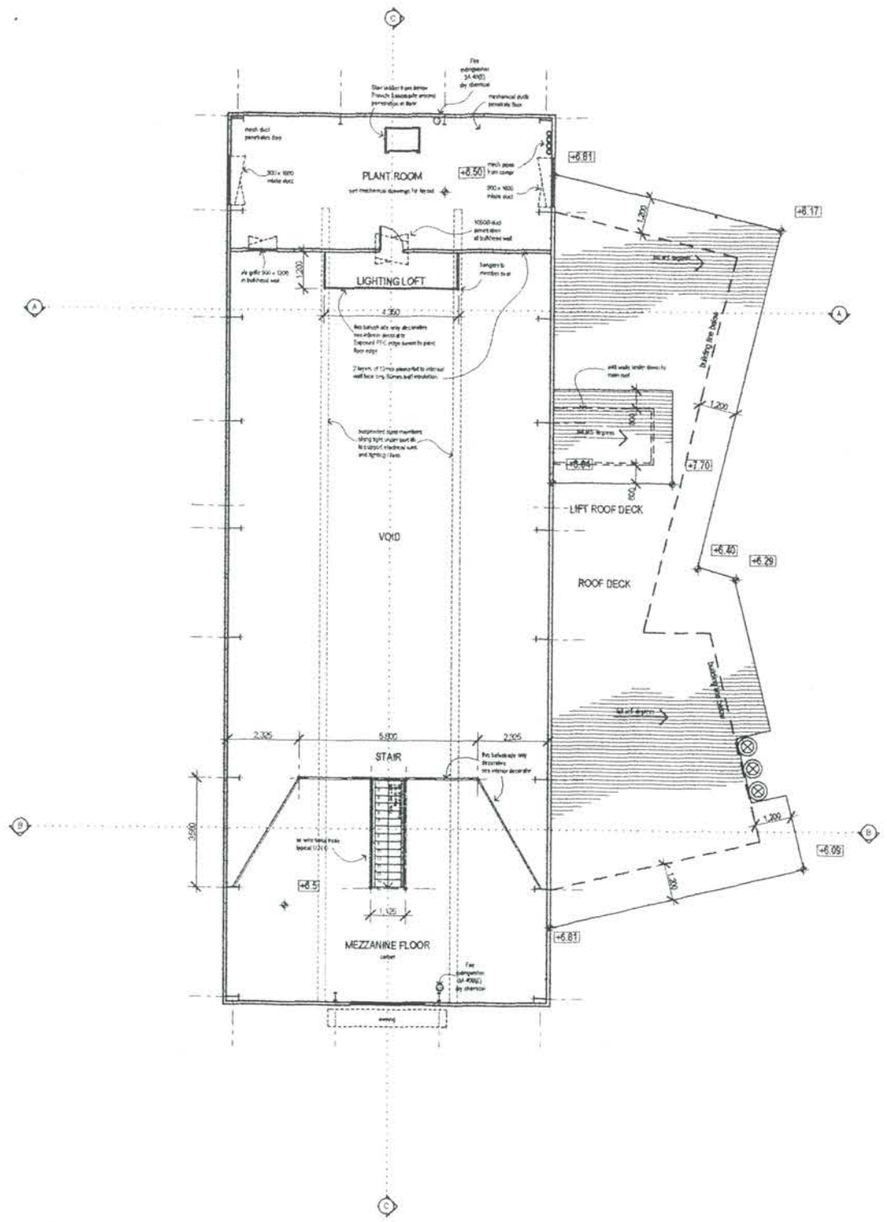
Drawing Title: **Ground and First Plans**

Design Team: Dave Bennett, Daniel del Nido
Scale: refer barscale
Date: feb 2003
Sheet: 2 of 14

JOB & DWG No. **719- 3**

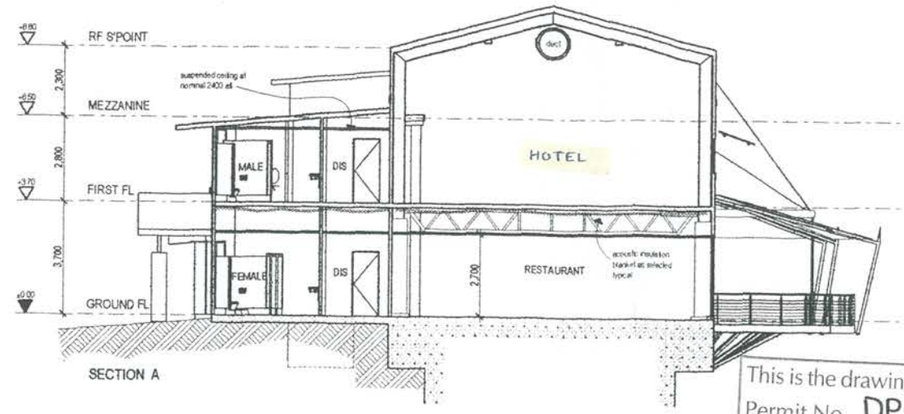
| Date | Rev | Amendments |
|---|---|---|
| 10 - 02 - 03 | AC | As Constructed Drawings |

Amend. **AC**

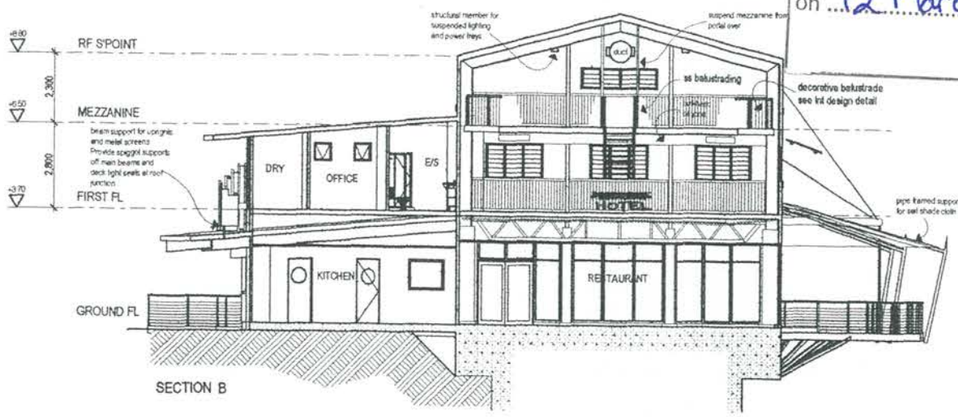



MEZZANINE FLOOR PLAN

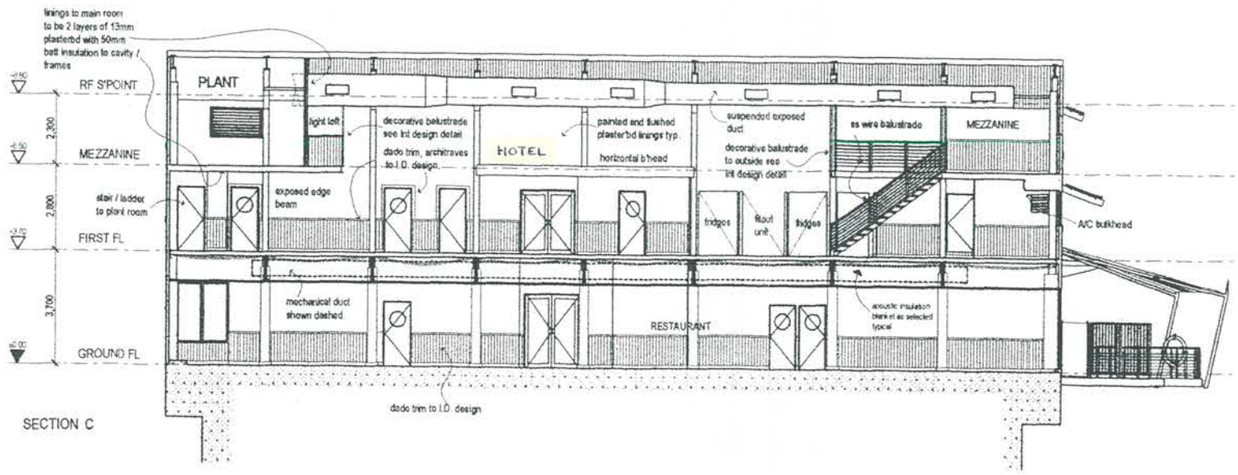
| PLANNING - NETT AREAS |
|---|
| NETT MEZZ AREA: 64m² |
| TOTAL AREAS |
| PLANT ROOM MEZZ: 32m² |




SECTION A




SECTION B




SECTION C

This is the drawing referred to in Development Permit No. DP01/0162C issued by the Development Consent Authority on 12 Mar 03

Delegate of Authority

AS CONSTRUCTED ISSUED 10 FEB 2003

BARSCALE 1:100

0 1 2 3 4 5 10 metres

Scale: A1 = 1:100
A3 = 1:200

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Project
**Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client
**PUMPHOUSE Pty Ltd**
Contact Amanda Aiken
ph 89 30 2704
fx 89 30 3421

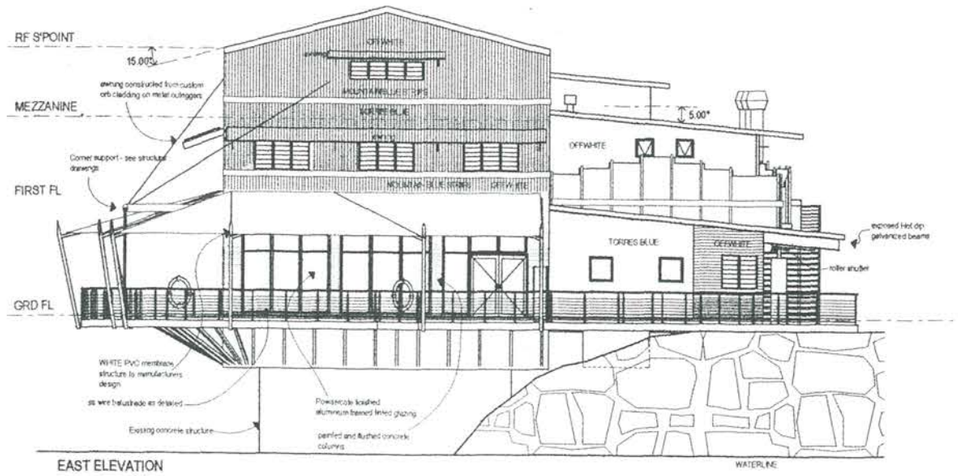
Drawing Title
**Mezzanine Plan, Sections**

Design Team: Dave Bennett, Daniel del Nido
Scale: refer barscales
Date: feb 2003
Sheet: 4 of 14

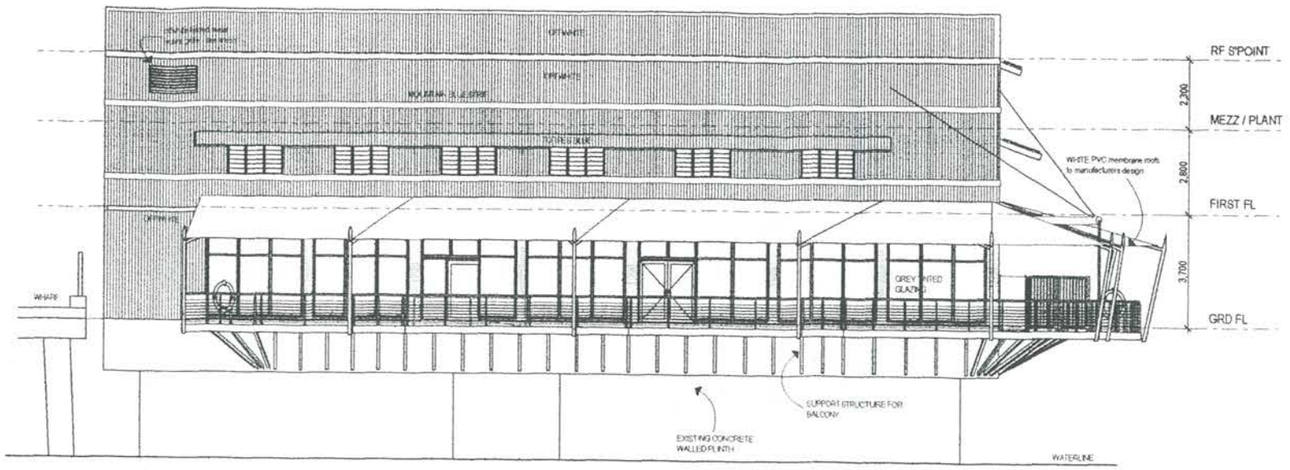
JOB & DWG No.
**719- 4**

| Date | Rev | Amendments |
|---|---|---|
| 10 - 02 - 03 | AC | As Constructed Drawings |

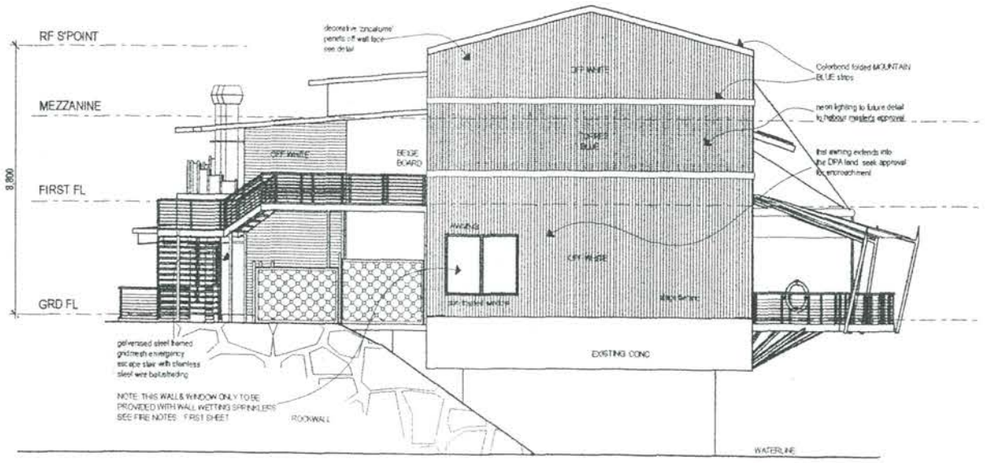
Amend
**AC**



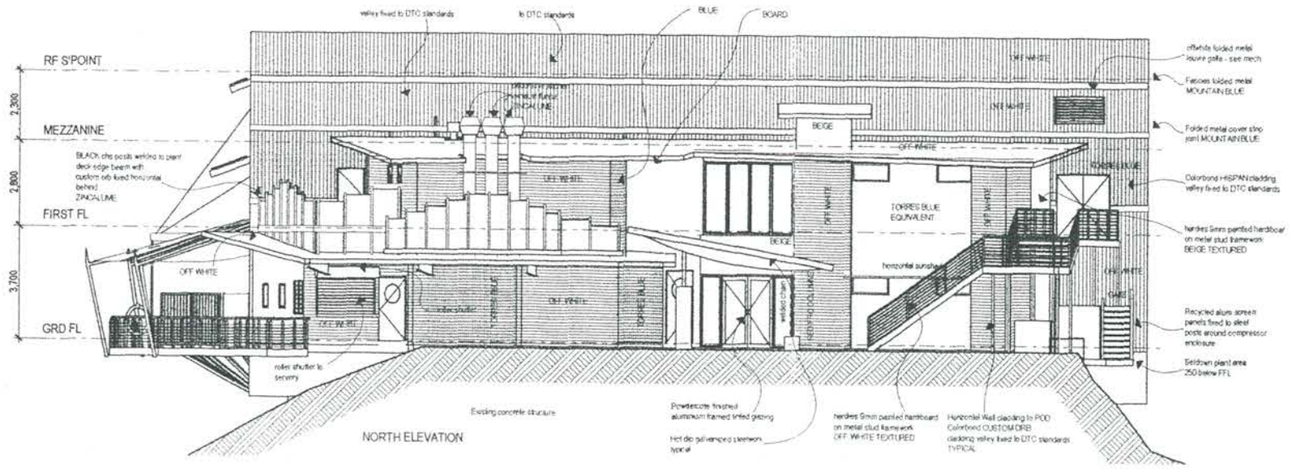

EAST ELEVATION




SOUTH ELEVATION




WEST ELEVATION




NORTH ELEVATION

This is the drawing referred to in Development Permit No. DP01/0162C
issued by the Development Consent Authority
on 12 Mar 03
Delegate of Authority

AS CONSTRUCTED ISSUED 10 FEB 2003

BARSCALE 1:100

Scale: A1 = 1:100
A3 = 1:200

0 1 2 3 4 5 10 metres

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CA Accredited
Member BDA of NT

Project
**Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client
**PUMPHOUSE Pty Ltd**
Contact Amanda Aitken
ph 8930 3704
fx 8930 3421

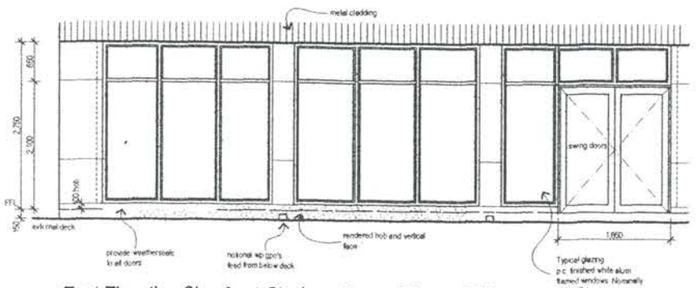
Drawing Title
**Elevations, Perspectives**

| | |
|---|---|
| Design Team | Dave Bennett, Daniel del Nico |
| Scale | refer bar scale |
| Date | feb 2003 |
| Sheet | 5 of 14 |

JOB & DWG No
**719 - 5**

| Date | Rev | Amendment |
|---|---|---|
| 10 - 02 - 03 | AC | As Constructed Drawings |

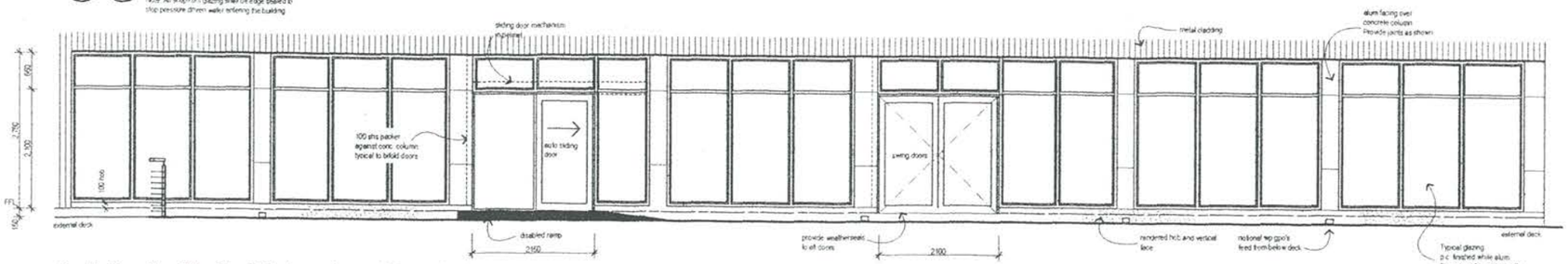
Amend
**AC**




East Elevation Shopfront Glazing - Ground Floor 1:50

(SF) (BF) Shop front glazing and Bifold Doors

Note: All shopfront glazing shall be edge sealed to stop pressure driven water entering the building




South Elevation Shopfront Glazing - Ground Floor 1:50

(SF) (BF) Shop front glazing and Bifold Doors

| Designation | Window Elevation | Description |
|---|---|---|
| W1 | | Powdercote finished aluminium framed windows with fixed glass panels. Provide solar tinting to inside of glass. Provide blind sunshading device to inside tenancy. |
| W2 | | Powdercote finished aluminium framed windows with fixed glass panels. Provide solar tinting to inside of glass. |
| W3 W4 SIMILAR | | as per 'W2' |
| WL | | Powdercote finished aluminium framed louvre windows |
| W5 | | Powdercote finished aluminium framed windows with fixed glass panels. Provide solar tinting to inside of glass. Provide handrail similar to 'DW1' to inside of frame. |
| W6 | | Powdercote finished aluminium framed awning windows with insect screens. Alternative. Louvre window. |

Window Schedule

Scale 1:50

Note

For window dimensions, refer to dimensioned plan & read in conjunction with Door / Window Key

| Designation | Door Elevation | Description |
|---|---|---|
| DW1 | | Powdercote finished aluminium framed glazed door with fixed glass sidelights. Provide solar tinting. Door fitted with public safety hardware and closing devices. ss pipe door push device as shown. (both sides) |
| D1 D9 | | Powdercote finished aluminium framed door. Door fitted with public safety hardware and closing device. S.C. W.R. door with one way vision panel as shown. Provide ss kickplate to inside face. Commercial grade ss door hardware. 'D9' to have two opening leaves upper and lower to enable the top leaf to be open while the servery is working. Provide door latches to hold in position. |
| RG | | Colorbond finished roller grille installed to dtc standards. Provide pc finished alum frame to opening. |
| D3 D7 D8 | | P.M. folded door frame with paint finish. S.C. door paint finish with vision panel as shown. Provide door close device and ss kick plates each side of door. Dual swing hinges where shown. Commercial grade ss door hardware. 'D7' to have one way vision panel and one way locking device. 'D8' NOT USED. 'D9' NOT USED |
| D4 D5 | | P.M. folded door frame with paint finish. S.C. door paint finish. Provide door close device and ss kick plates each side of door. Commercial grade ss door hardware. Provide door signage to BCA standards where required. EG: Disabled / Male / Female / Fire hose reel. D5 no door closer. |
| D6 | | Similar to 'DW1' |
| D10 | | P.M. folded door frame with paint finish. S.C. door paint finish. Commercial grade ss door hardware |
| D11 | | P.M. folded door frame with paint finish. S.C. door paint finish with vision panel as shown. Provide door close device and ss kick plates each side of door. Dual swing hinges. Commercial grade ss door hardware |

Door Schedule

BARSCALE 1:100

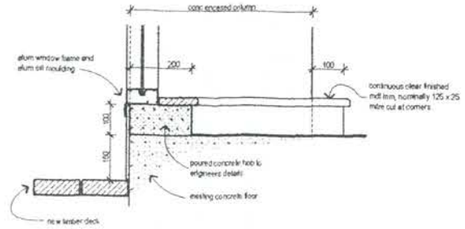
Scale 1:50

Scale: A1 = 1:100
A3 = 1:200

Note

For door dimensions, refer to dimensioned plan

0 1 2 3 4 5 10 metres




Typical window hob detail 1:10

## Notes

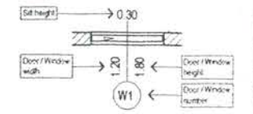
1. Read this drawing inconjunction with the dimentioned layouts where the door and windows have designation numbers.
2. Dimensions shown nominal size. the fabricator shall allow for tolerances to the door and window frames.
3. All glazing shall be grey glass - solar tinting where noted.
4. All external doors shall be provided with weatherseals typical.
5. Refer to the mechanical engineers drawings for door grilles which have not been shown on this schedule.
6. All window and sliding door frames, glazing, fixings and installation to be designed and certified by the manufacturer as complying with AS 1288
7. Water penetration resistance test pressure 280pa
   Ultimate design wind pressure for glazing (kpa)

   Location in building (distance from external corner)

| 0-0.6m | general |
|---|---|
| 4.1 | 3.3 |

## Door / Window Key:

N.T.S. refers dimensioned layout




This is the drawing referred to in Development Permit No. DP01/0162C issued by the Development Consent Authority on 12 Mar 03

Delegate of Authority

AS CONSTRUCTED ISSUED 10 FEB 2003


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CAL Accredited Member BDA of NT

Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aitken
wk 89 32 2704
fx 89 32 3421

Drawing Title: **Glazing Details**

Design Team: Dave Bennett, Daniel del Nido
Scale: refer bar scale
Date: feb 2003
Sheet: 6 of 14

JOB & DWG No: **719- 6**

| Date | Rev | Amendments | Amend |
|---|---|---|---|
| 10 - 02 - 03 | AC | As Constructed Drawings | AC |

NORTHERN TERRITORY OF AUSTRALIA

*Planning Act - section 57(3)*

# VARIATION PERMIT

**PERMIT NUMBER : DP01/0162D**

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

Parcel No: LOTS 6604, 6605 & PART LOT 6590
Town/Hundred: TOWN OF DARWIN
Street Address: MAVIE STREET, STOKES HILL WHARF

**APPROVED VARIATION**

A change of use of the second storey (first floor) from hotel to licenced club in accordance with drawing numbers 719 -1 (site plan) and 719 - 3 endorsed as forming part of this permit.

**REASONS FOR THE DECISION**

This variation does not result in the development being substantially different from the development originally permitted and all other conditions of the original permit remain applicable.

**BASE PERIOD OF THE PERMIT**

This permit does not extend the base period of the original permit.

**JOHN PINNEY**
Delegate
Development Consent Authority

17/10/2003

265

NOT PART OF THIS PERMIT.

This is the drawing referred to in Development Permit No. DP01/0162 D
issued by the Development Consent Authority
on 17 Oct 03
Delegate of Authority

DARWIN WHARF

REJUVENATE EXISTING LANDSCAPING - IN CONSULTATION WITH MAAM PEARLING MUSEUM

INDO PACIFIC MARINE

EXISTING BUILDING

BALCONIES

RESTAURANT

ENTRY

FOUNTAIN

LANDSCAPING

CARPARKING

DISPLAY

EXISTING LEVEL - CHAINMAIL FENCE

NAUTICAL PARK

EXISTING ROCK ARMOURED WALL

PAVING OR CONCRETE

BARORALY

The PUMPHOUSE
REFER TO FLOOR PLAN

Lot 6605
2580m²

Lot 6604
4900m²

EXISTING BUILDING

SITE PLAN
Scale 1:250

NOT PART OF THIS PERMIT.

AS CONSTRUCTED ISSUED 10 FEB 2003

DRAWING SCHEDULE

ARCHITECTURAL

| | |
|---|---|
| 1 | SITE PLAN |
| 2 | LANDSCAPING PLAN |
| 3 | GROUND & FIRST PLANS |
| 4 | MEZZANINE, SECTIONS |
| 5 | ELEVATIONS |
| 6 | GLAZING DETAILS |
| 7 | SAIL DETAILS |
| 8 | CEILING PLANS |
| 9 | DETAILS |
| 10 | SETOUT GRND 1:50 |
| 11 | SETOUT FIRST 1:50 |
| 12 | SETOUT MEZZ 1:50 |
| 13 | DETAILS |

### General Notes

1 Verify all dimensions at the site before commencing any on site works or fabrication
2 Floor vanity levels to be min 250mm above NS level at DPC
3 All at all as floors to be mosaic tiled or equal
Provide ceramic wall tiles around showers to min 1800 above shower floor level and as splashbacks to basins, sinks and troughs (Min 150 high)
4 All workmanship to be in accordance with any relevant Australian Standards prepared by the Standards Association of Australia
5 Where DTC Standards are shown, these refer to the 'Command by Example' standards prepared by the NT Dept. of Lands and Housing
6 The contractor shall be responsible for the structure during erection and shall provide adequate propping and support
7 Keep the site in a clean and tidy condition throughout construction & at the completion of work remove all litter & debris to the satisfaction of the principal

### Disabled Access & Facilities

This design is intended to comply with all BCA (Building Code of Australia) & AS1428 (disabled access and mobility standards) it does not however satisfy all possible requirements of the Anti - Discrimination Commission which may say discrimination complaints that are beyond the requirements of the building codes

### Fire Protection

1 Wooden wall (adjacent jetty) requires wall wetting sprinklers
Additionally any windows on this wall require sprinkler protection
2 Portable fire extinguishers noted on 1:100 floor plans
3 No smoke detection system required

### Termite Protection

1 To AS 3660.1 to be installed to manufacturers specification and NT regulations
2 Provide 300 wide x 50mm sarcperm trenowing strips protection around Post & termite treatment areas
3 Provide installation certificate in electric meter box

### Demolition

1 The builder shall be responsible for the structure when demolishing & during erection and shall provide adequate propping & support
2 Demolition works must not cause any damage to existing floor surfaces
The builder shall provide protective floor coverings as necessary & reinstate any damage to floor surfaces caused by debris
3 The engineer must inspect all work prior to the removal of any props
4 Internal and external faces must be made good to match existing
5 Reinstate all finishes, ceilings and the like to original condition
6 The builder must arrange with the owner for appropriate times of work & for the removal of equipment and materials

BARSCALE 1:100

0 1 2 3 4 5 10 metres

Scale: A1 = 1:100
A3 = 1:200


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ABN 51 553956924 NCN 63956924


Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Allen
ph 89 32 2764
fx 89 32 3421

Drawing Title: **Site Plan**

Drawing No: **719- 1**

Issue: 10 - 02 - 03 AC 4d Constructed Drawings

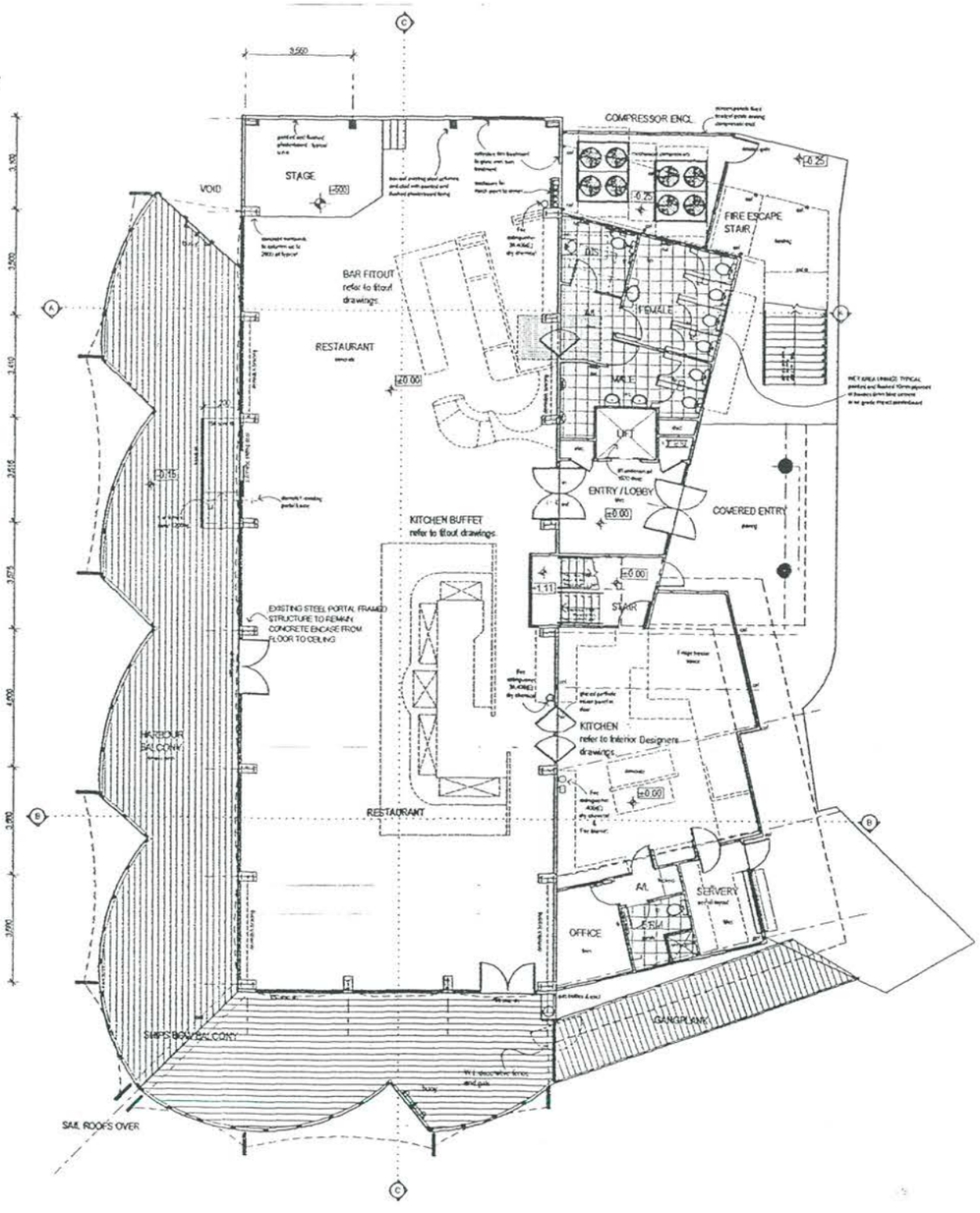
Issued: **AC**

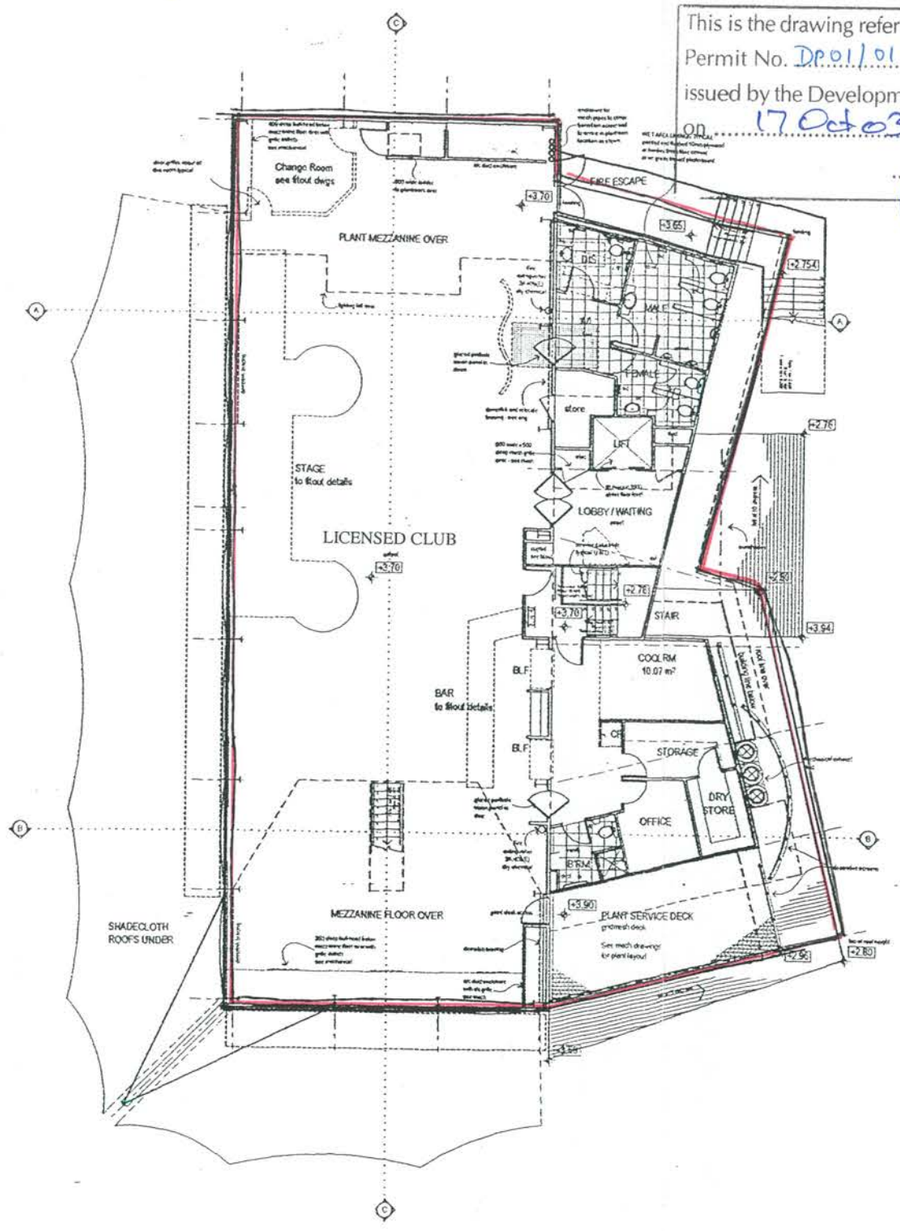
200/6605/001/01
8-4-03 Ref No. 717

264

This is the drawing referred to in Development Permit No. DP01/0162D issued by the Development Consent Authority on 17 Oct 03

Delegate of Authority




## GROUND FLOOR PLAN

| PLANNING - NETT AREAS |
|---|
| NETT FLOOR AREA: 374m² |
| BALCONY NETT AREA: 159m² |
| TOTAL AREAS |
| TOTAL FLOOR AREA: 445m² |
| TOTAL BALCONY / GANGPL AREA: 183m² |
| EXTERNAL PLANT DECK: 11m² |

| FULL BUILDING AREAS - SUMMARY |
|---|
| PLANNING - NETT AREAS |
| 374m² GRND + 342m² FIRST + 64m² MEZZ = 780m² |
| BALCONY AREA: 159m² |
| TOTAL AREAS |
| 445m² GRND + 416m² FIRST + MEZZ 64m² = 925m² |
| EXT PLANT DECKS: 23m² FIRST + 11m² GND = 34m² |
| PLANT ROOM MEZZ: 32m² |
| TOTAL BALCONY / GANGPL AREA: 183m² |

## FIRST FLOOR PLAN

| PLANNING - NETT AREAS |
|---|
| NETT FLOOR AREA: 342m² |
| TOTAL AREAS |
| TOTAL FLOOR AREA: 416m² |
| EXT PLANT DECK AREA: 23m² |

BARSCALE 1:100

0 1 2 3 4 5 10 metres

Scale: A1 = 1:100
A3 = 1:200


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37 Forester Street, Rapid Creek
PO Box 490, Leanyer NT 0814
ABN 51 013 260 224 ACN 013 013 224


Project: **Proposed Development of the 'Pumphouse' Stokes Hill Wharf**

Client: **PUMPHOUSE Pty Ltd**
Contact: Amanda Aiken
ph 89 32 2704
fx 89 32 3421

Drawing Title: **Ground and First Plans**

Design Team: Dave Bennett, Daniel del Nido
Scale: as per barscale
Date: feb 2003
Sheet: 2 of 14

JOB & DWG No.: **719- 3**

| Date | Rev | Amendments |
|---|---|---|
| 10 - 02 - 03 | AC | As Constructed Drawings |

Amend. **AC**

**AS CONSTRUCTED ISSUED 10 FEB 2003**

**NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act 1999 - sections 54 and 55*

## DEVELOPMENT PERMIT

DP22/0145

## DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 07495
Town of Darwin
39 STOKES HILL RD, DARWIN CITY

## APPROVED PURPOSE

To use and develop the land for the purpose of a bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge, in accordance with the attached schedule of conditions and the endorsed plans.

## VARIATIONS GRANTED

Clause 5.3.7 (End Of Trip Facilities In Zones HR, CB, C, SC AND TC) of the Northern Territory Planning Scheme 2020.

## BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the *Planning Act 1999*, this permit will lapse two years from the date of issue.

Suzanne Philip
2022.06.21
14:33:28
+09'30'

**SUZANNE PHILIP**
Delegate
Development Consent Authority
21 June 2022

**DEVELOPMENT PERMIT**

DP22/0145

## SCHEDULE OF CONDITIONS

### CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), the applicant/land owner must provide written confirmation from a suitably qualified person that bar-small will be constructed to withstand the effects of a primary storm surge event.

2. Prior to the commencement of works (including site preparation), a traffic impact assessment report is to be prepared by a suitably qualified traffic engineer with attention to the modelling of the adjacent road and roundabout at Stokes Hills Road and identifying any necessary upgrades to the surrounding street network to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.

3. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Darwin Waterfront Corporation stormwater drainage system shall be submitted to and approved by the Darwin Waterfront Corporation, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

### GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings numbered 2022/0130/01 to 2022/0130/05 endorsed as forming part of this permit.

5. All works recommended by the traffic impact assessment are to be completed to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.

6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage, electricity and telecommunication networks to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.

7. 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.

8. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin Waterfront Corporation, to the satisfaction of the consent authority.

9. 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.

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

11. Before the occupation of the development starts, the area(s) 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 parking spaces, access lanes and driveways must be kept available for these purposes at all times

12. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street, in accordance with the requirements of Darwin Waterfront Corporation, to the satisfaction of the consent authority.

13. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

**NOTES**

1. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the *Northern Territory Building Act 1993* before commencing any demolition or construction works.

2. The development and use hereby permitted must be in accordance with Northern Territory legislation including (but not limited to) the *Building Act 1993*, the *Public and Environmental Health Act 2011* and the *Food Act 2004.*

3. 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.

4. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

This document contains drawing numbers:
2022/0130/01 to 2022/0130/05

Referred to in Permit No: DP22/0145

Issued by the consent authority on: 21 June 2022

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

Suzanne Philip
2022.06.21
14:34:22
+09'30'

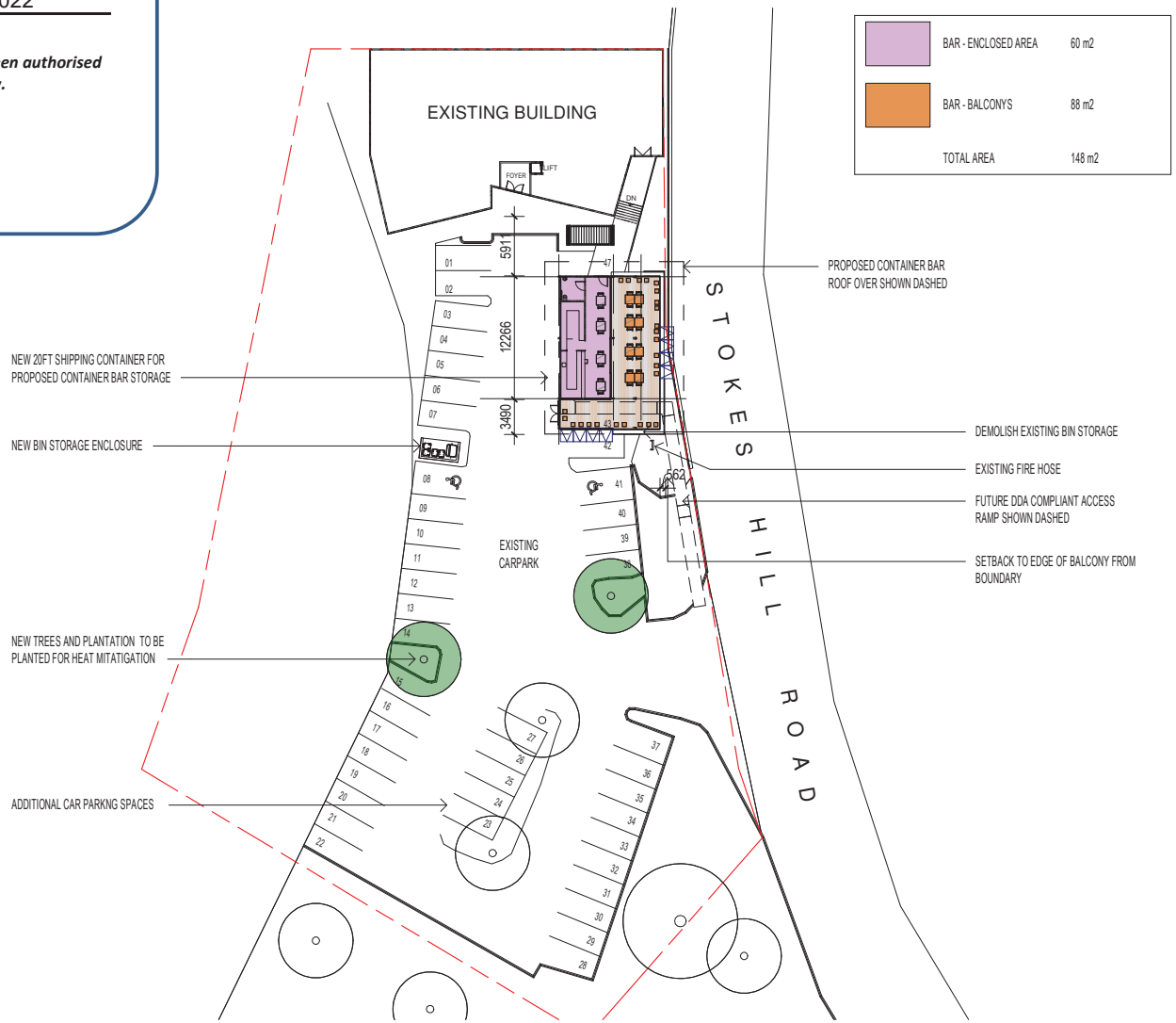
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Drawing number 2022/0130/01

Referred to in Permit No: DP22/0145

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1 SITE PLAN - PROPOSED CONTAINER BAR
1 : 500

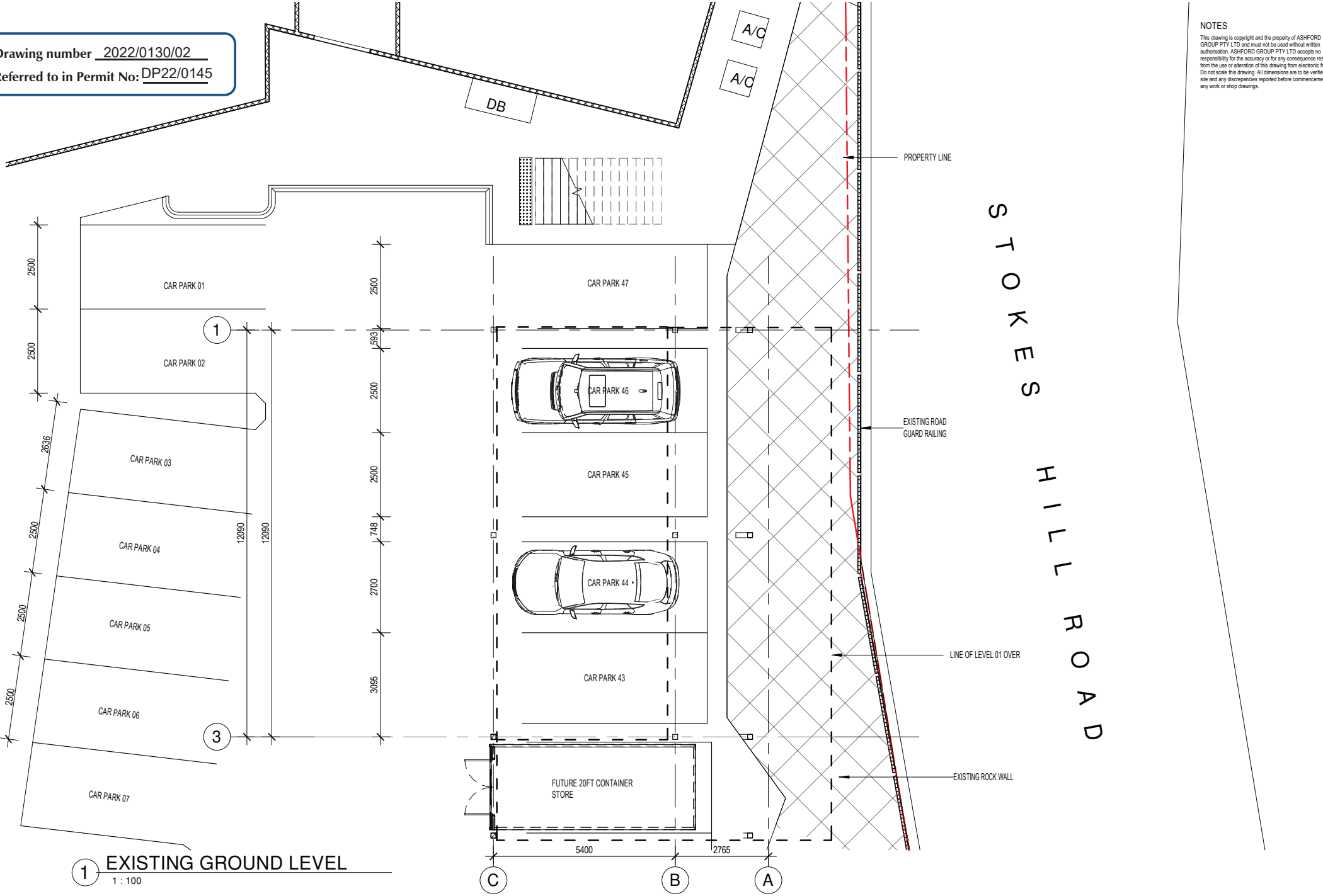
ASHFORD ARCHITECTS
ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
P: 08 8941 7552 | M: 0413 316 562 | E: randal@ashfordarchitects.com.au
A: 24/90 Frances Bay Drive. Tipperary Waters 0820 | GPO Box 2643 Darwin City 0801

PROPOSED SHIPPING CONTAINER BAR
39 STOKES HILL RD, DARWIN

| | | | | |
|---|---|---|---|---|
| DRAWING TITLE: MASTER SITE PLAN | | | | |
| PROJECT NAME: PROPOSED SHIPPING CONTAINER BAR | | CLIENT NAME: AMDC | | |
| PROJECT NUMBER: RA2151 | SCALE: 1 : 500 | NUMBER: A02 | DATE: 22.12.21 | REV C |

Drawing number 2022/0130/02

Referred to in Permit No: DP22/0145




1 EXISTING GROUND LEVEL
1 : 100

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PROPOSED SHIPPING CONTAINER BAR

39 STOKES HILL RD, DARWIN

DRAWING TITLE: GROUND FLOOR PLAN

PROJECT NAME: PROPOSED SHIPPING CONTAINER BAR

CLIENT NAME: AMDC

PROJECT NUMBER: RA2151

SCALE: 1 : 100

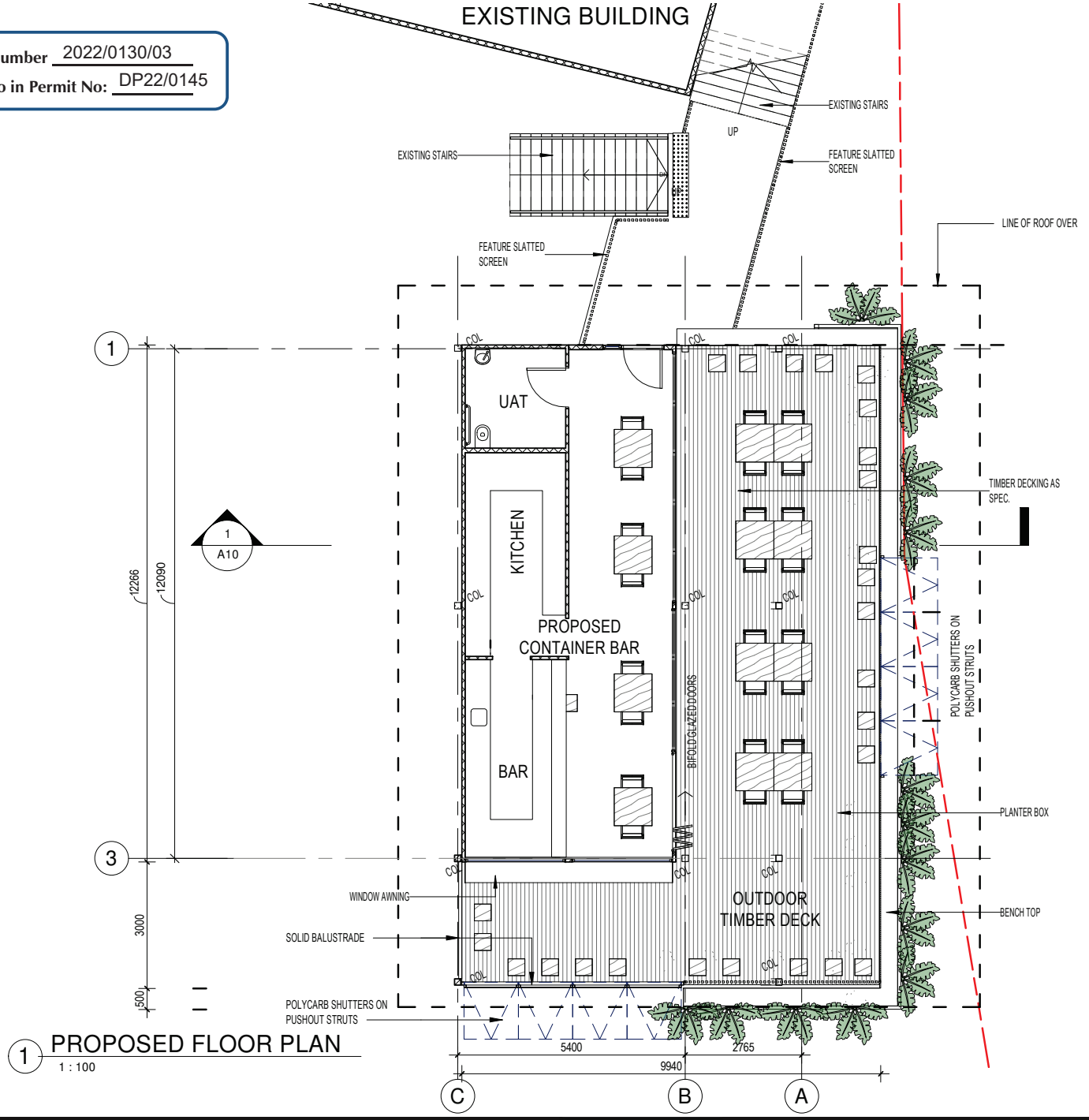
NUMBER: A03

DATE: 06/10/21

REV C

Drawing number 2022/0130/03

Referred to in Permit No: DP22/0145




1 PROPOSED FLOOR PLAN

1 : 100

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ASHFORD ARCHITECTS

ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION

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A: 24/90 Frances Bay Drive. Tipperary Waters 0820 | GPO Box 2643 Darwin City 0801

PROPOSED SHIPPING CONTAINER BAR

39 STOKES HILL RD, DARWIN

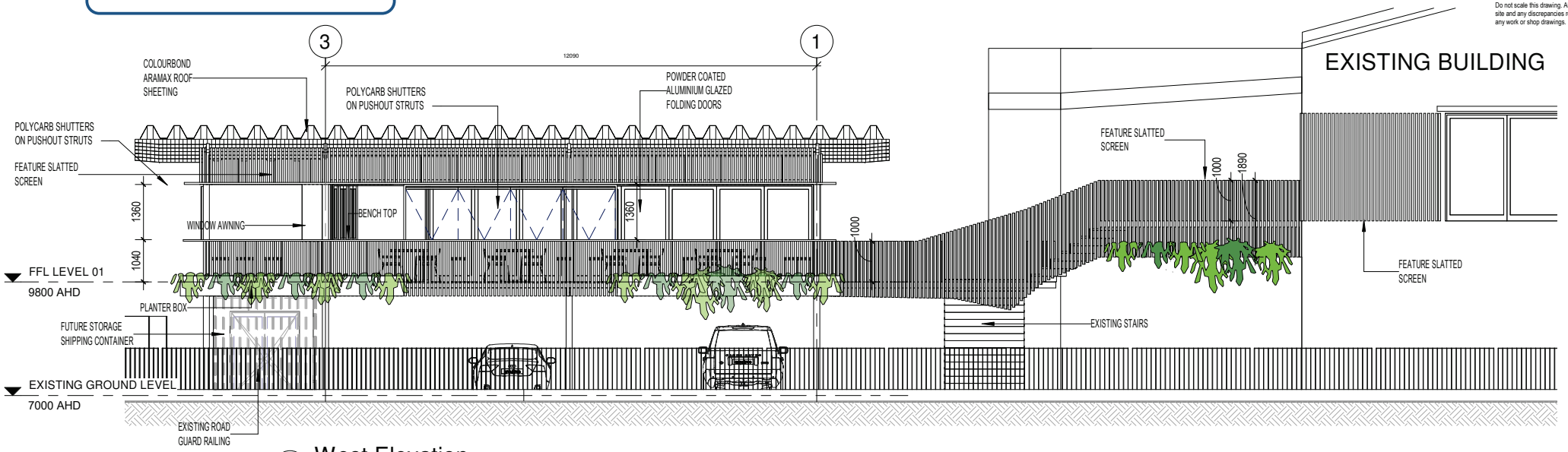
| | | | | |
|---|---|---|---|---|
| DRAWING TITLE: LEVEL 1 PLAN | | | | |
| PROJECT NAME: PROPOSED SHIPPING CONTAINER BAR | | CLIENT NAME: AMDC | | |
| PROJECT NUMBER: RA2151 | SCALE: 1 : 100 | NUMBER: A04 | DATE: 06/11/21 | REV C |

Drawing number 2022/0130/04

Referred to in Permit No: DP22/0145

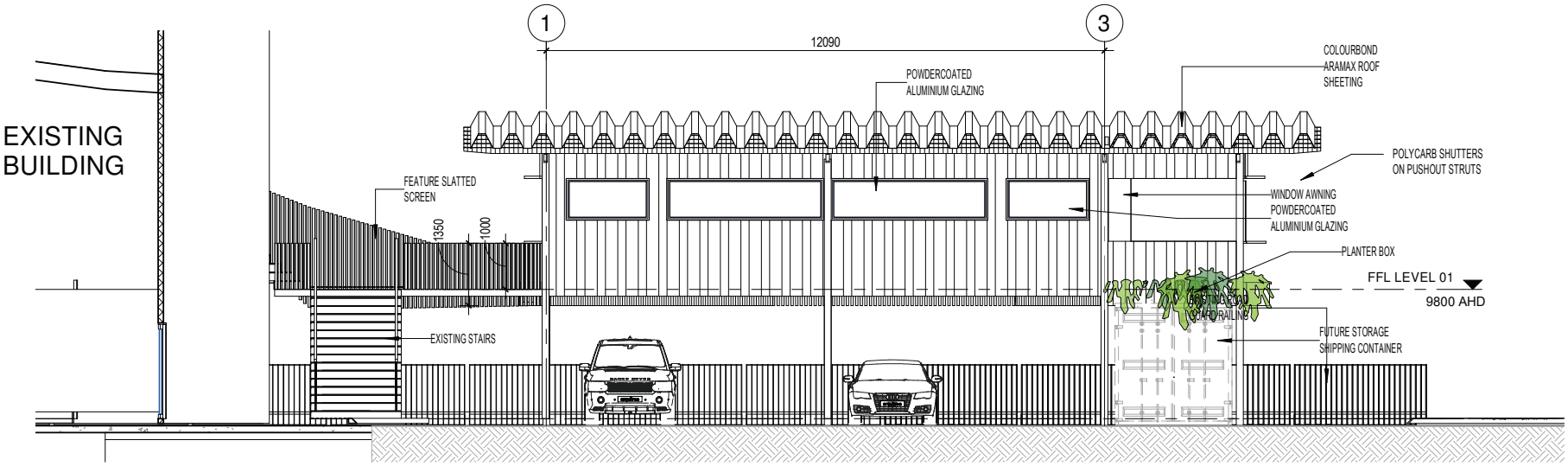
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1 West Elevation

1 : 100




2 East Elevation

1 : 100

ASHFORD ARCHITECTS

ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION

P: 08 8941 7552 | M: 0413 316 562 | E: randal@ashfordarchitects.com.au

A: 24/90 Frances Bay Drive. Tipperary Waters 0820 | GPO Box 2643 Darwin City 0801

PROPOSED SHIPPING CONTAINER BAR

39 STOKES HILL RD, DARWIN

DRAWING TITLE: ELEVATIONS EAST/WEST

PROJECT NAME: PROPOSED SHIPPING CONTAINER BAR

CLIENT NAME: AMDC

PROJECT NUMBER: RA2151

SCALE: 1 : 100

NUMBER: A07

DATE: 06/11/21

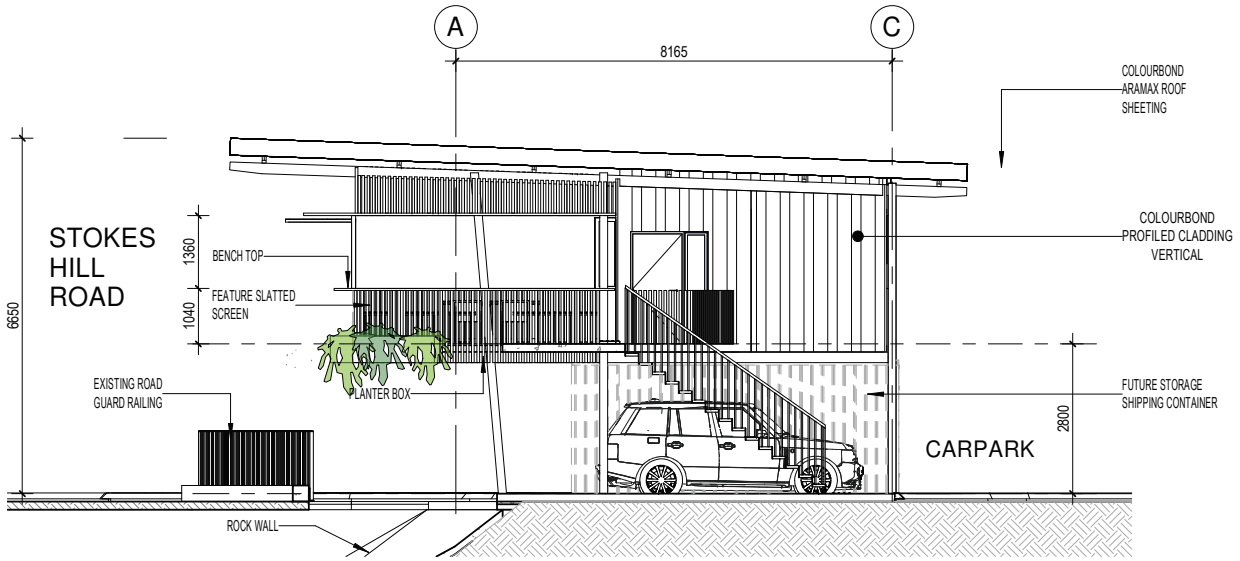
REV C

Drawing number 2022/0130/05

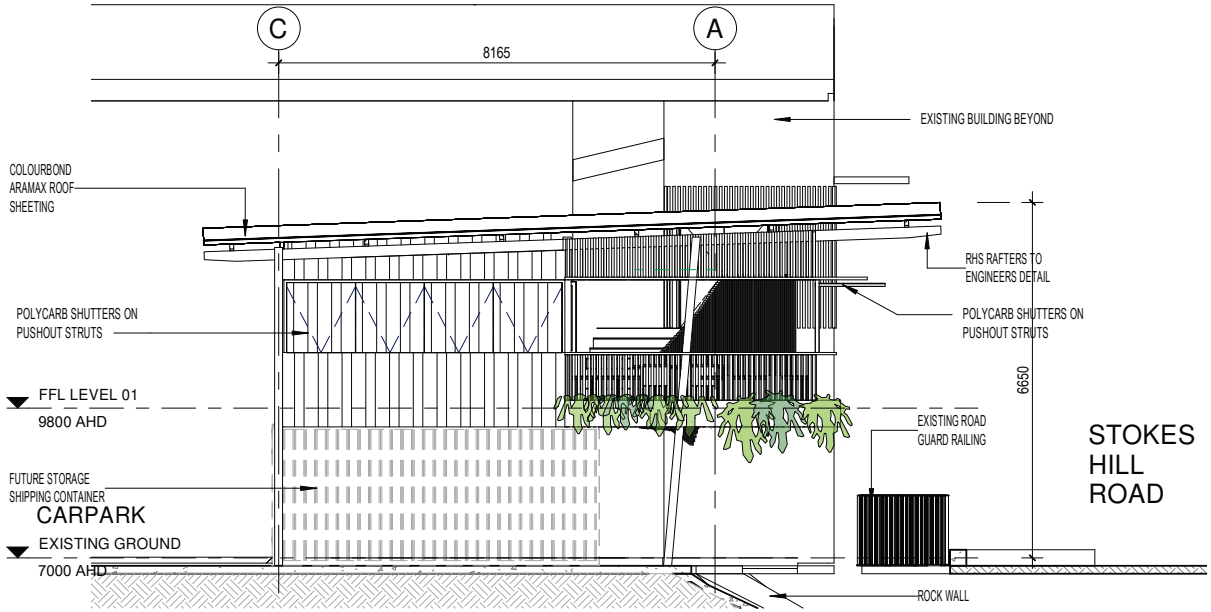
Referred to in Permit No: DP22/0145

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1 South Elevation
1 : 100




2 North Elevation
1 : 100

ASHFORD ARCHITECTS

ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION

P: 08 8941 7552 | M: 0413 316 562 | E: randal@ashfordarchitects.com.au

A: 24/90 Frances Bay Drive. Tipperary Waters 0820 | GPO Box 2643 Darwin City 0801

PROPOSED SHIPPING CONTAINER BAR

39 STOKES HILL RD, DARWIN

DRAWING TITLE: ELEVATIONS NORTH/SOUTH

PROJECT NAME: PROPOSED SHIPPING CONTAINER BAR

CLIENT NAME: AMDC

PROJECT NUMBER: RA2151

SCALE: 1 : 100

NUMBER: A08

DATE: 06/11/21

REV C

# *Development Consent Authority*
Northern Territory

GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6046
Facsimile No: (08) 8980 0700


In reply please quote: PA2022/0130

Mr Gerard Rosse
Cunnington Rosse Town Planning Consulting
PO Box 36004
Winnellie NT 0821

Dear Mr Rosse

**NOTICE OF CONSENT (SECTION 53B OF THE *PLANNING ACT 1999*)**
**LOT 7495 (39) STOKES HILL ROAD, DARWIN CITY, TOWN OF DARWIN**

The Development Consent Authority has determined, to vary the requirements of Clause 5.3.7 (End Of Trip Facilities In Zones HR, CB, C, SC AND TC) of the Northern Territory Planning Scheme 2020in accordance with section 53(a) of the *Planning Act 1999*, and to grant consent to the proposal to use and develop the abovementioned land for the purpose of a bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge **Error! Reference source not found.**, subject to the conditions specified on the attached Development Permit DP22/0145.

Reasons for the Determination

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 Northern Territory Planning Scheme 2020 applies to the land and a bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge requires consent under Clause 1.8 (When development consent is required). It is identified as I*mpact Assessable* under Clause 1.8(1)(c)(v); therefore, the strategic framework (Part 2 of the Scheme, including the Darwin Regional Land Use Plan and the Central Darwin Area Plan) zone purpose and outcomes of Clause 4.10 Zone CB (Central Business), and Clauses 3.4 (CR – Coastal Reclamation), 3.7 (LSSS – Land Subject to Storm Surge), 3.9 (DHD – Darwin Harbour Dredging) 5.2.3 (Buildings in Central Darwin), 5.2.4 (Vehicle Parking), 5.2.6 (Landscaping), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC), 5.5.3 (Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T), 5.5.6 (Al fresco Dining Areas in Zone CB within Central Darwin), 5.5.10 (Nightclub Entertainment Venue, Bar-Public and Bar-Small) and 5.8.7 (Demountable Structures), need to be considered.

   These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clause 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC AND TC).

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), sub-clause 5, of the Northern Territory Planning Scheme 2020, the consent authority may consent to a

proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:

(a) The purpose and administration clauses of the requirement; and
(b) The considerations listed under Clause 1.10(3) or 1.10(4).

The proposal has been found not to be in accordance with Clause 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC AND TC), because the proposal will result in no end of trip facilities, where the NTPS 2020 requires 1 bicycle parking space and 1 shower.

It is considered that a variation to this clause is granted in this instance because the proposal is of a limited small scale (148m$^2$), where providing such facilities would be onerous on the development. It is unlikely that visitors would cycle to and from the site due to the nature of the proposal being for a bar-small.

(a) Administratively, *the consent authority may consent to a use or development with fewer bicycle parking spaces, lockers and/or showers and changing facilities than required by sub-clauses 2-6 if satisfied that it would be unreasonable to provide shower and changing facilities for a small development, where the development becomes unfeasible should such facilities be required.*

(b) The considerations listed under Clause 1.10(4) have been given regard to and it has been found that the proposal complies with all relevant requirements of the Northern Territory Planning Scheme 2020, except for Clause 5.3.7 (End Of Trip Facilities In Zones HR, CB, C, SC AND TC) as identified above.

3. 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 within Zone CB (Central Business) and identified for development in the Central Darwin Area Plan. The site is affected by the primary and secondary storm surge, however the proposed development is located above the minimum storm surge level of 6.5m AHD. A statement was provided by a structural engineer confirming the proposed building and foundation concept design, noting the site and first floor levels the building can be engineered and constructed to withstand a storm surge event on the site based on the minimum floor height of 6.5m which minimise risk to people and property in the event of a storm surge event. A condition is included on the permit to require that the development be constructed to withstand a storm surge event.

   No additional land capability concerns have been identified during assessment of the application. Additionally, the Department of Environment, Parks and Water Security did not identify or raise any issues of concern in relation to land capability.

4. 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 proposal is not anticipated to impact unreasonably on the existing and future amenity of the area, particularly considering the CBD context and there are no sensitive uses in the immediately vicinity of the site.

<u>Right of Appeal</u>

Applicants are advised that a right of appeal to the Northern Territory Civil and Administrative Tribunal exists under Part 9 of the *Planning Act 1999*. 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 7201 or email AGD.ntcat@nt.gov.au).
There is no right of appeal by a third party under section 117 of the *Planning Act 1999* in respect of this determination as section 117(4) of the Act and regulation 14 of the Planning Regulations 2000 apply to the application.

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



Suzanne Philip
2022.06.21
14:35:34
+09'30'

Suzanne Philip
Delegate

21 June 2022

Attachment

cc City of Darwin

**NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act 1999 - sections 54 and 55*

## DEVELOPMENT PERMIT

DP23/0071

## DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 07495
Lot 10156
Town of Darwin
39 STOKES HILL RD, DARWIN CITY
45 STOKES HILL RD, DARWIN CITY

## APPROVED PURPOSE

To use and develop the land for the purpose of bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge, in accordance with the attached schedule of conditions and the endorsed plans.

## VARIATIONS GRANTED

Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites) of the Northern Territory Planning Scheme 2020.

## BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the *Planning Act 1999*, this permit will lapse two years from the date of issue.

Suzanne Philip
2023.03.30
15:39:04
+09'30'

**SUZANNE PHILIP**
Delegate
Development Consent Authority

30 March 2023

**DEVELOPMENT PERMIT**

DP23/0071

**SCHEDULE OF CONDITIONS**

**CONDITIONS PRECEDENT**

1. Prior to the commencement of works (including site preparation), a traffic impact assessment report is to be prepared by a suitably qualified traffic engineer with attention to the modelling of the adjacent road and roundabout at Stokes Hills Road and identifying any necessary upgrades to the surrounding street network to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.

2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Darwin Waterfront Corporation stormwater drainage system shall be submitted to and approved by the Darwin Waterfront Corporation, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

**GENERAL CONDITIONS**

3. The works carried out under this permit shall be in accordance with the drawings numbered 2023/0019/01 to 2023/0019/05, endorsed as forming part of this permit.

4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time. Please refer to notation 1 for further information.

5. 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.

6. All works recommended by the traffic impact assessment are to be completed to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.

7. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin Waterfront Corporation, to the satisfaction of the consent authority.

8. Storage for waste disposal bins is to be provided to the requirements of Darwin Waterfront Corporation, to the satisfaction of the consent authority.

9. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street, in accordance with the requirements of Darwin Waterfront Corporation, to the satisfaction of the consent authority.

10.10. Before the use of the development starts, the area(s) 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 parking spaces, access lanes and driveways must be kept available for these purposes at all times.

11. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land.

12. Before the use of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

14. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.

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.

**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. The development and use hereby permitted must be in accordance with Northern Territory legislation including (but not limited to) the *Building Act 1993,* the *Public and Environmental Health Act 2011* and the *Food Act 2004.*

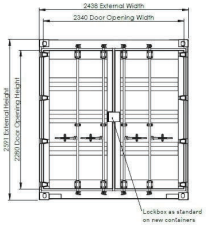
3. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the *Northern Territory Building Act 1993* before commencing any demolition or construction works.

4. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

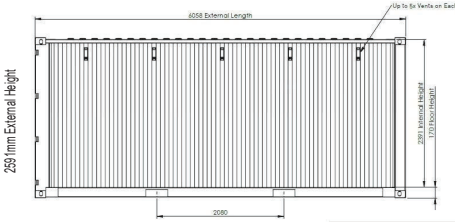
| | | |
|---|---|---|
| BAR - ENCLOSED AREA | 60 m2 | |
| BAR - BALCONY | 68 m2 | |
| CONTAINER STORAGE | N/A | |
| TOTAL AREA | 128 m2 | |




FLOOR PLAN




END ELEVATION



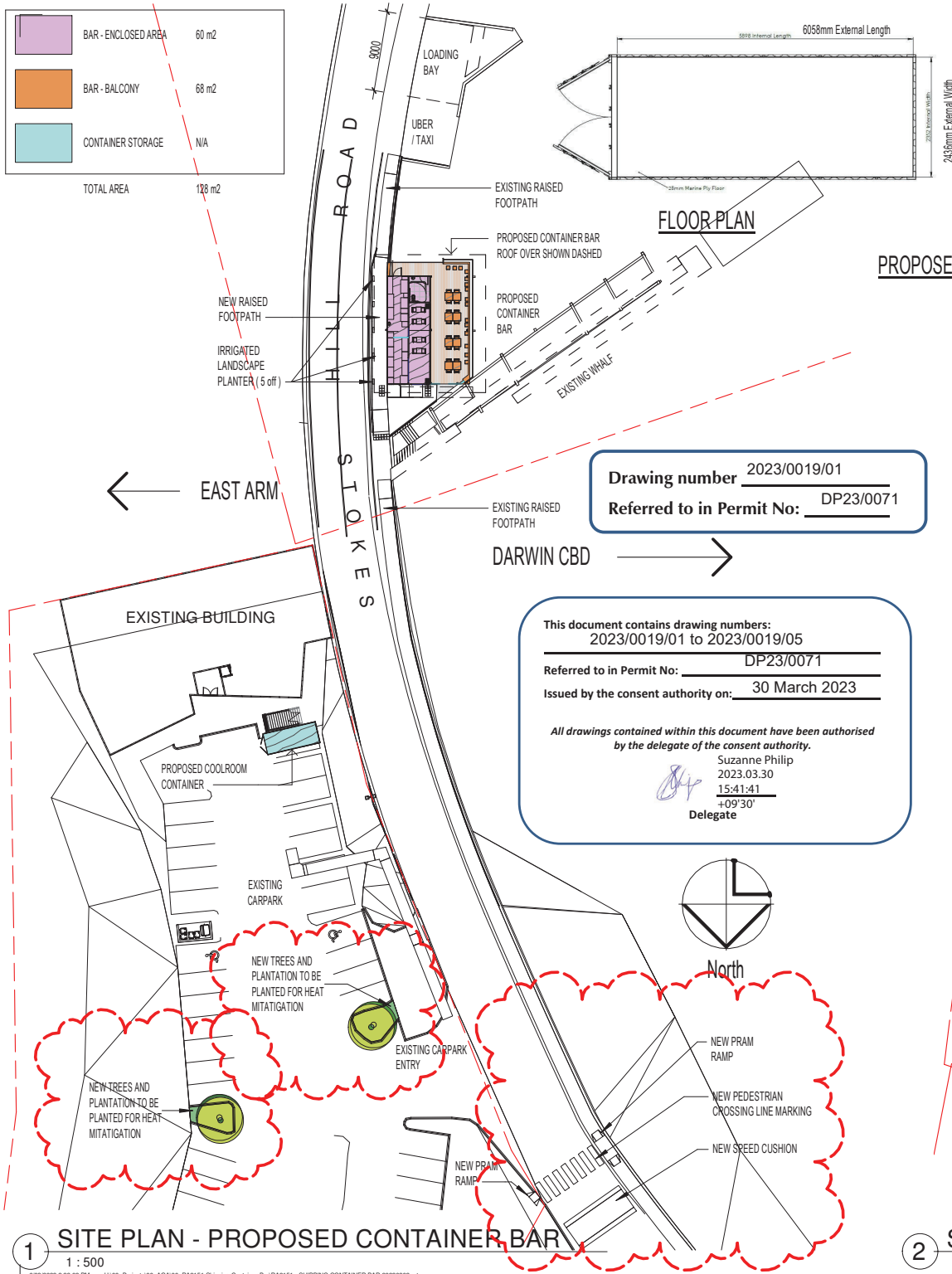

SIDE ELEVATION

PROPOSED COOLROOM CONTAINER

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Key




**Drawing number** 2023/0019/01

**Referred to in Permit No:** DP23/0071

**This document contains drawing numbers:**
2023/0019/01 to 2023/0019/05

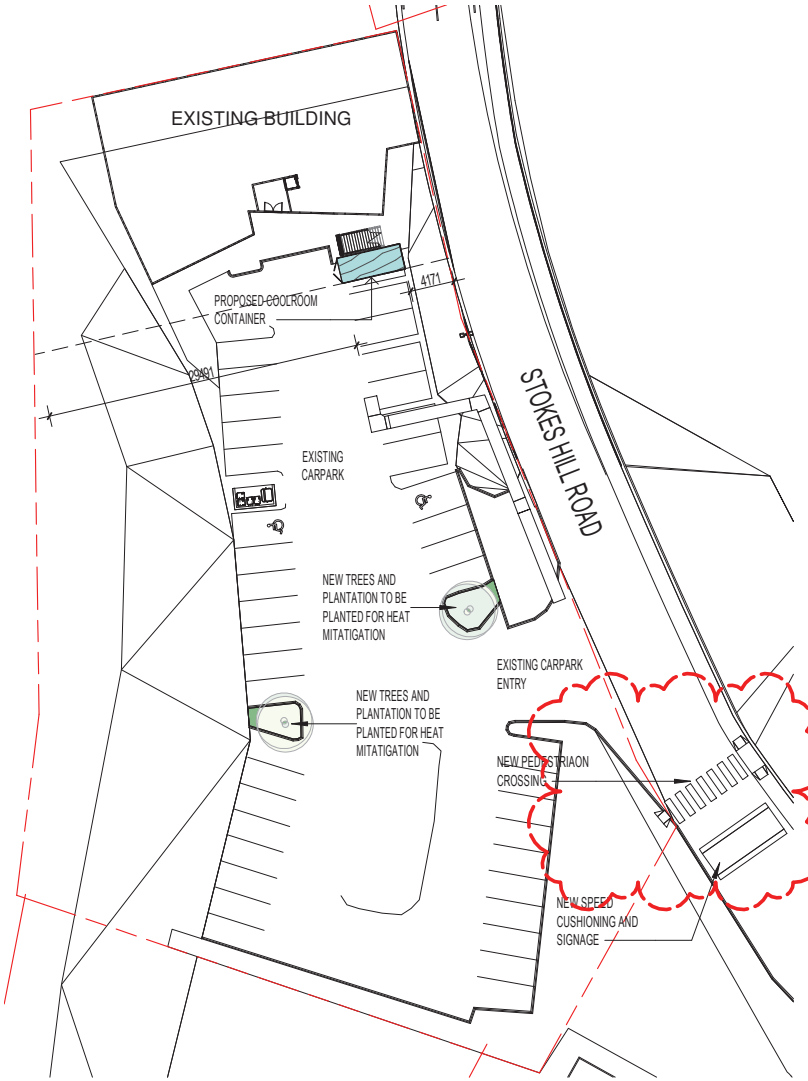
**Referred to in Permit No:** DP23/0071

**Issued by the consent authority on:** 30 March 2023

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

Suzanne Philip
2023.03.30
15:41:41
+09'30'

**Delegate**




1 SITE PLAN - PROPOSED CONTAINER BAR
1 : 500

2 SITE PLAN - PROPOSED CONTAINER BAR CARPARK
1 : 500

6/03/2023 2:28:02 PM H:\00_Projects\00_AGA\00_RA2151 Shipping Container Bar\RA2151 - SHIPPING CONTAINER BAR 20230302.rvt

FOR APPROVAL

| Issue | Revision Description | Date |
|---|---|---|
| F | UPDATED PEDESTRIAN AND LANDSCAPING | 06.03.2023 |
| E | FOR COORDINATION | 23.02.2023 |
| D | FOR COORDINATION | 25.01.2023 |
| C | FOR APPROVAL | 11.01.2023 |
| B | UPDATED PLANS | 22.12.2022 |
| A | FOR CONSTRUCTION | 18.07.2022 |

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect

ASPIRE DESIGN + CONSTRUCT

**DESIGN TEAM**

ASHFORD ARCHITECTS
ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
P 08 89417502 E admin@ashfordarchitects.com.au
A 24/90 Frances Bay Drive, Tipperary Waters 0820 GPO Box 2643 Darwin City 0801

**Drawn** Author **Checke** Checker
**Drawing Coordinated** **Date**

**Project**

PROPOSED SHIPPING DOCK ONE BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

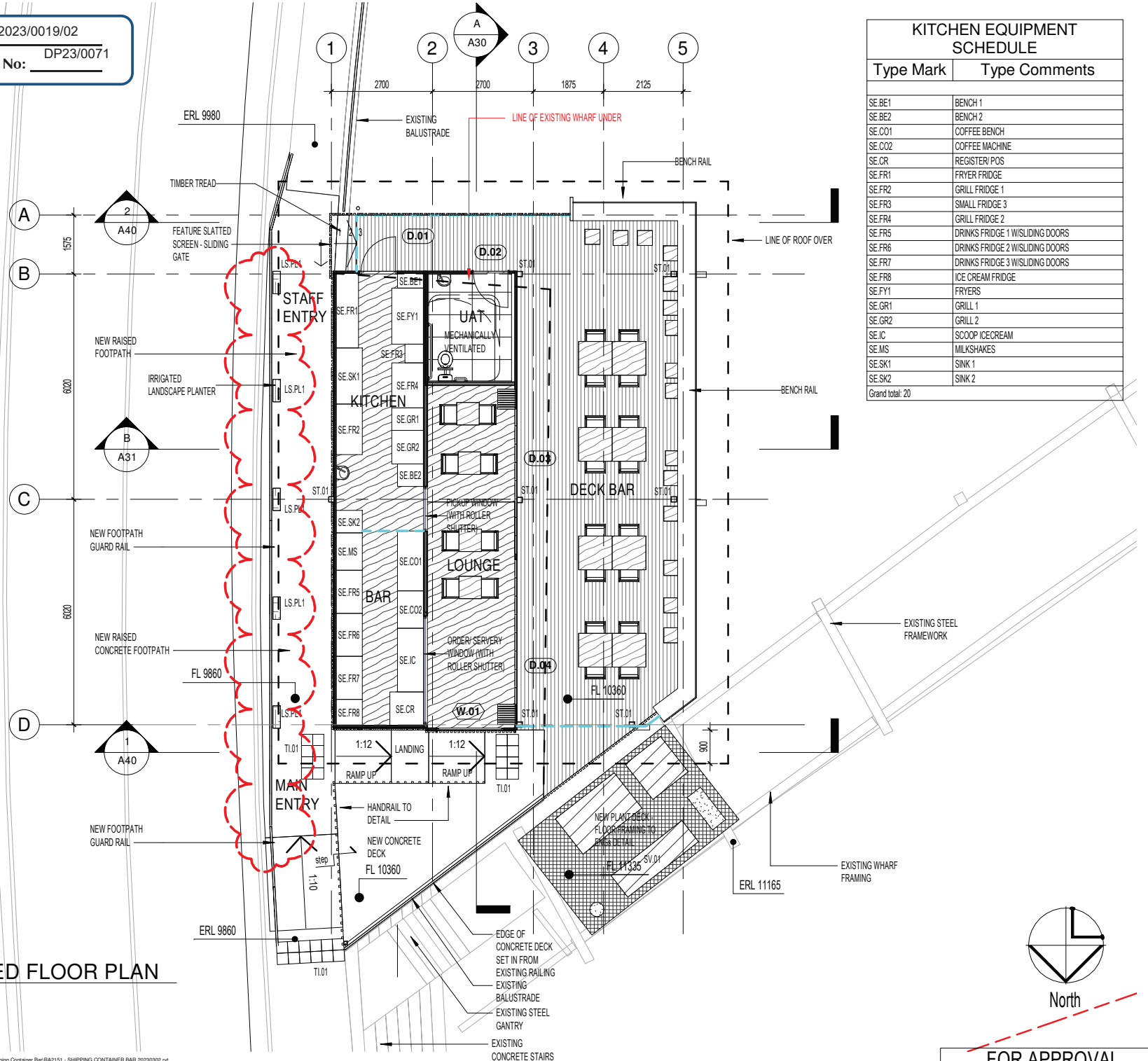
**Project** RA2151

**Drawing** MASTER SITE PLAN **Scale** As indicated

**Drawing** A05 **Issue** F

Drawing number 2023/0019/02

Referred to in Permit No: DP23/0071




## KITCHEN EQUIPMENT SCHEDULE

| Type Mark | Type Comments |
|---|---|
| SE.BE1 | BENCH 1 |
| SE.BE2 | BENCH 2 |
| SE.CO1 | COFFEE BENCH |
| SE.CO2 | COFFEE MACHINE |
| SE.CR | REGISTER/ POS |
| SE.FR1 | FRYER FRIDGE |
| SE.FR2 | GRILL FRIDGE 1 |
| SE.FR3 | SMALL FRIDGE 3 |
| SE.FR4 | GRILL FRIDGE 2 |
| SE.FR5 | DRINKS FRIDGE 1 W/SLIDING DOORS |
| SE.FR6 | DRINKS FRIDGE 2 W/SLIDING DOORS |
| SE.FR7 | DRINKS FRIDGE 3 W/SLIDING DOORS |
| SE.FR8 | ICE CREAM FRIDGE |
| SE.FY1 | FRYERS |
| SE.GR1 | GRILL 1 |
| SE.GR2 | GRILL 2 |
| SE.IC | SCOOP ICECREAM |
| SE.MS | MILKSHAKES |
| SE.SK1 | SINK 1 |
| SE.SK2 | SINK 2 |
| Grand total: 20 | |

## 1 PROPOSED FLOOR PLAN

1 : 100

North

FOR APPROVAL

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| A | FOR CONSTRUCTION | 18.07.2022 |

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect

ASPIRE DESIGN + CONSTRUCT

DESIGN TEAM

ASHFORD ARCHITECTS

ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION

P 08 8941 7552 E admin@ashfordarchitects.com.au

A 24/90 Frances Bay Drive, Tipperary Waters 0820 GPO Box 2843 Darwin City 0801

Drawn Author Checke Checker

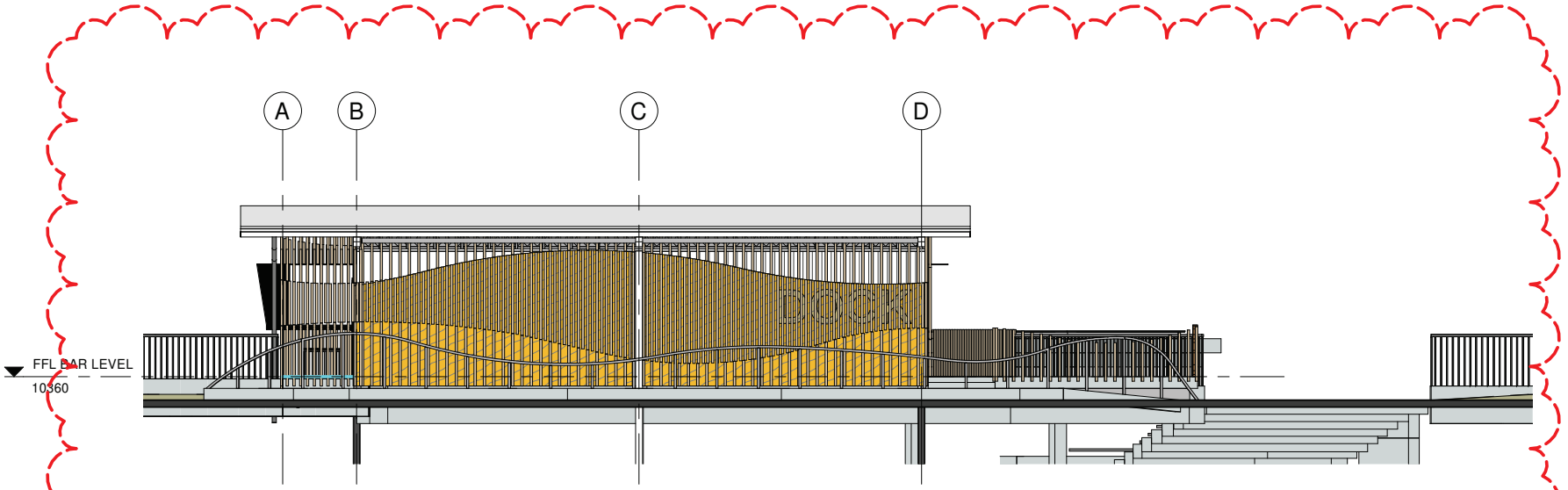
Drawing Coordinated Date

Project

PROPOSED SHIPPING DOCK ONE BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

| | |
|---|---|
| Project | RA2151 |
| Drawing | Scale |
| BAR FLOOR PLAN | As indicated |
| Drawing | Issue |
| A11 | F |




1 STREET ELEVATION
1 : 100

Drawing number 2023/0019/03

Referred to in Permit No: DP23/0071

6/03/2023 2:28:03 PM H:\00_Projects\00_AGA\00_RA2151 Shipping Container Bar\RA2151 - SHIPPING CONTAINER BAR 20230302.rvt

FOR APPROVAL

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|---|---|---|
| F | UPDATED PEDESTRIAN AND LANDSCAPING | 06.03.2023 |

Project Management

Quantity Surveyor

Structural & Civil

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A 24/90 Frances Bay Drive, Tipperary Waters 0820 GPO Box 2643 Darwin City 0801

Drawn Author Checke Checker
Drawing Coordinated Date
Project

PROPOSED SHIPPING DOCK ONE BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

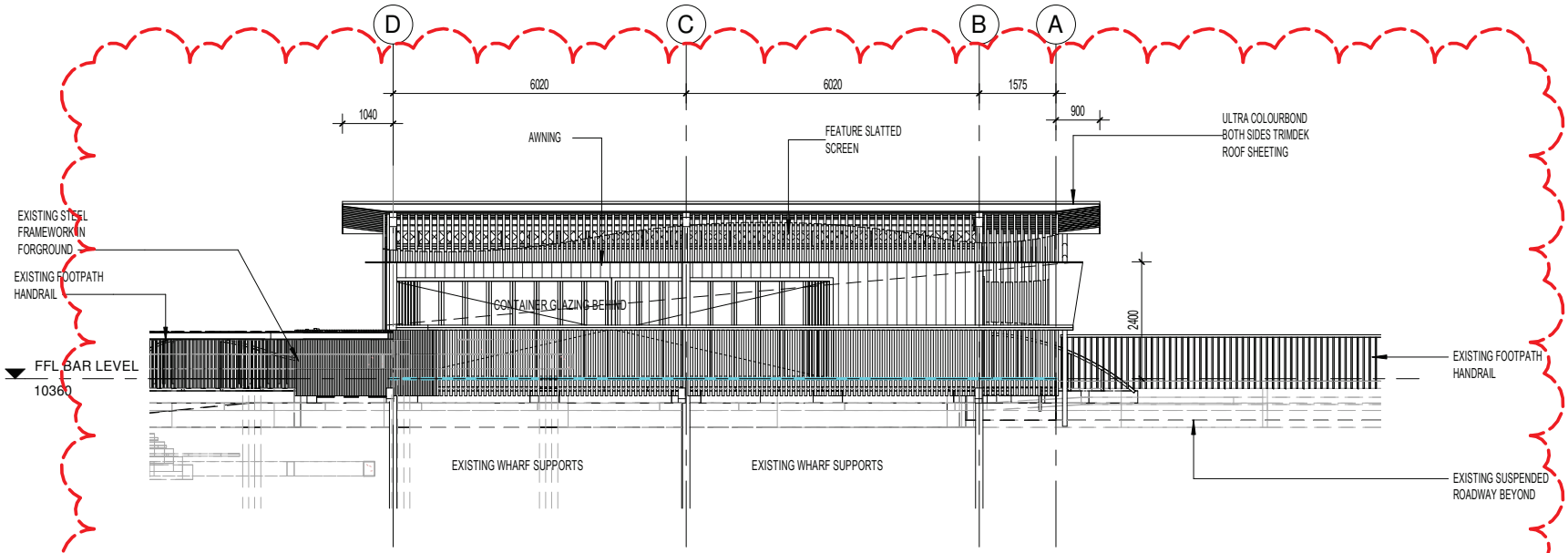
Project RA2151

Drawing STREET ELEVATION

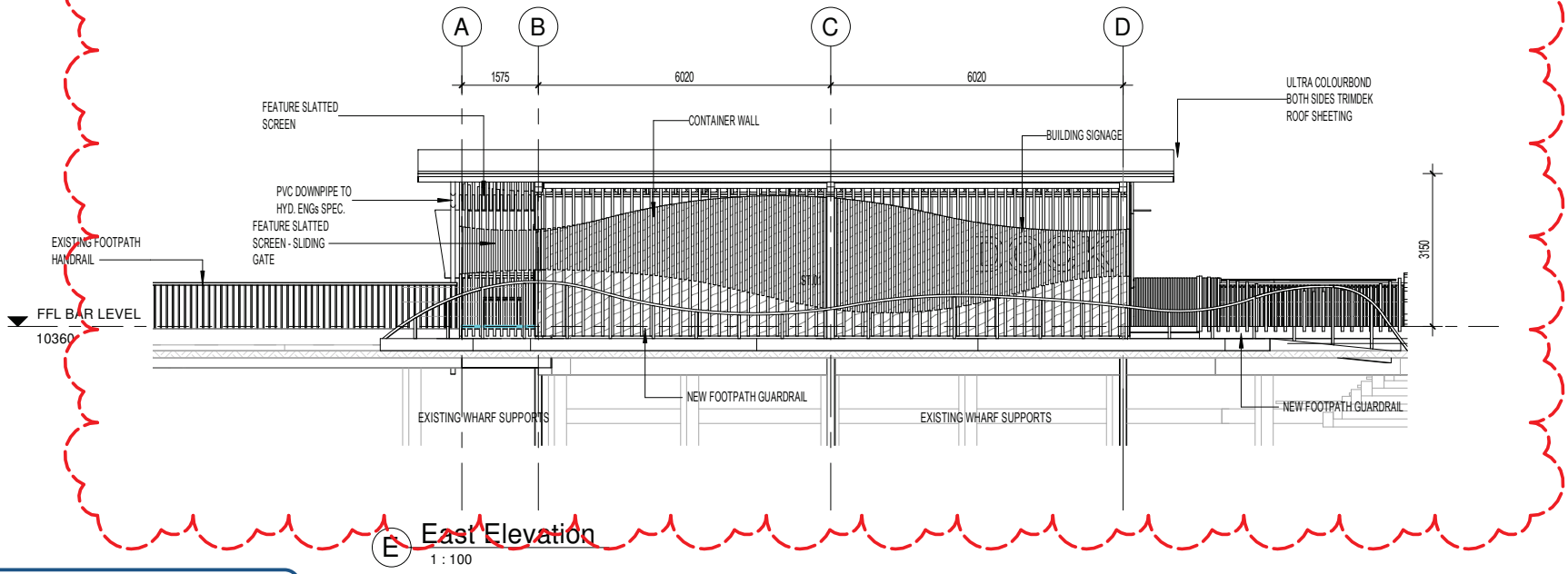
Scale 1 : 100

Drawing A20

Issue F




W West Elevation
1 : 100




E East Elevation
1 : 100

**Drawing number** 2023/0019/04

**Referred to in Permit No:** DP23/0071

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**Drawn** Author **Checke** Checker
**Drawing Coordinated** **Date**

**Project**

PROPOSED SHIPPING DOCK ONE BAR

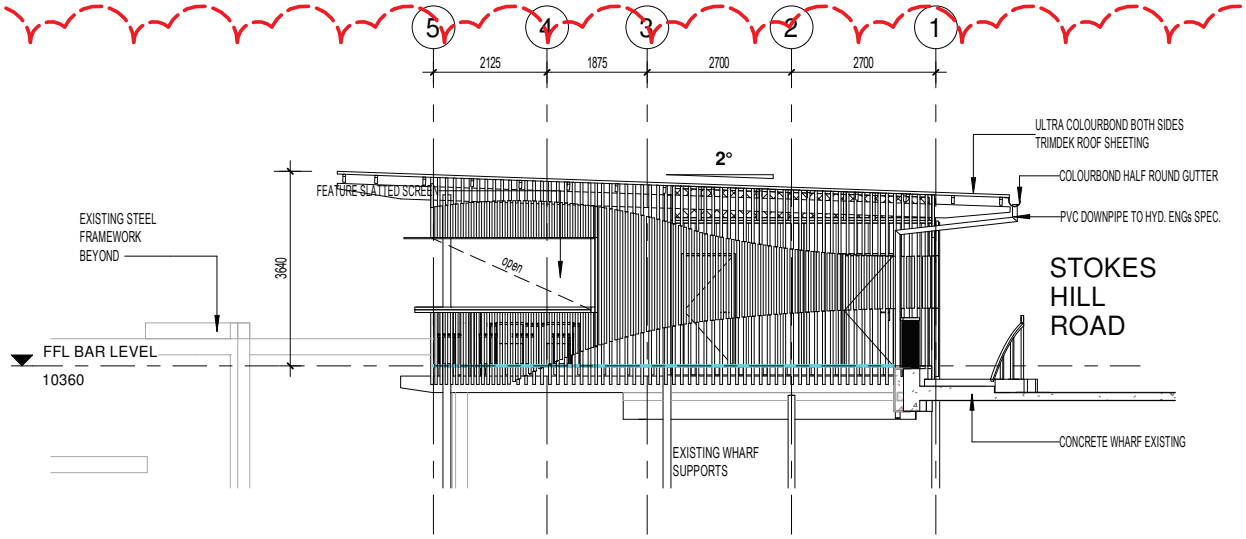
LOT 10156 (45) STOKES HILL RD, DARWIN

**Project** RA2151

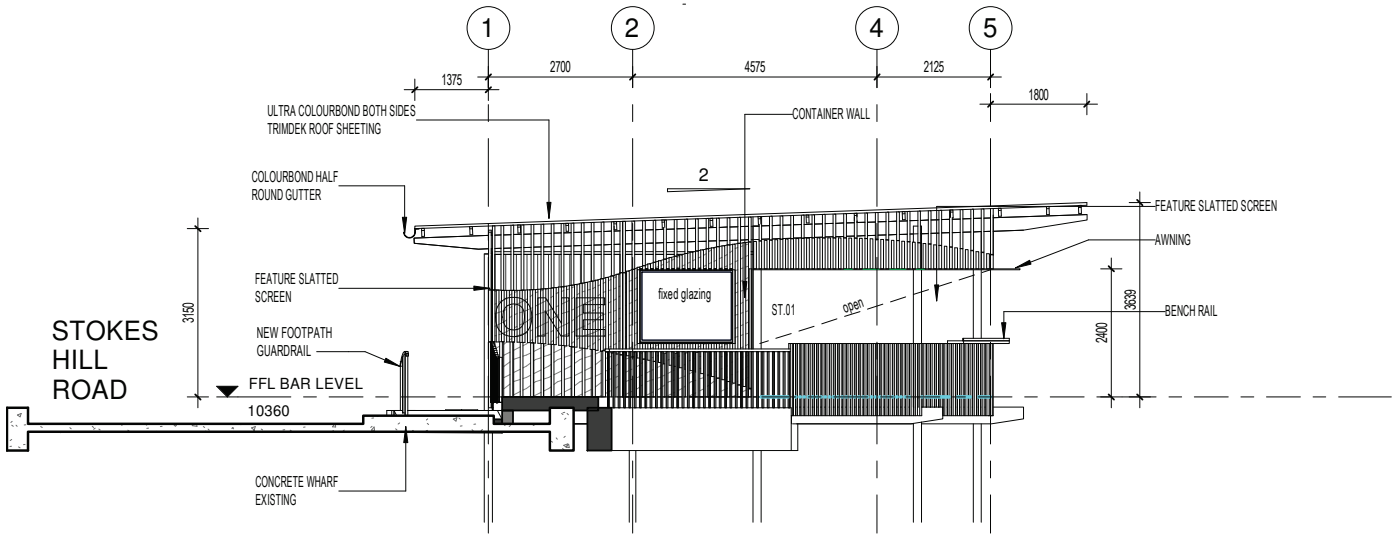
**Drawing** ELEVATIONS EAST/WEST **Scale** 1 : 100

**Drawing** A21 **Issue** F

FOR APPROVAL




S South Elevation
1 : 100




N North Elevation
1 : 100

**Drawing number** 2023/0019/05

**Referred to in Permit No:** DP23/0071

6/03/2023 2:28:04 PM H:\00_Projects\00_AGA\00_RA2151 Shipping Container Bar\RA2151 - SHIPPING CONTAINER BAR 20230302.rvt

FOR APPROVAL

NOTE

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Key

| Issue | Revision Description | Date |
|---|---|---|
| F | UPDATED PEDESTRIAN AND LANDSCAPING | 06.03.2023 |
| E | FOR COORDINATION | 23.02.2023 |
| D | FOR COORDINATION | 25.01.2023 |
| C | FOR APPROVAL | 11.01.2023 |
| B | UPDATED PLANS | 22.12.2022 |
| A | FOR CONSTRUCTION | 18.07.2022 |

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect

ASPIRE DESIGN + CONSTRUCT

**DESIGN TEAM**

ASHFORD ARCHITECTS
ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION
P 08 89417552 E admin@ashfordarchitects.com.au
A 24/90 Frances Bay Drive, Tipperary Waters 0820 GPO Box 2643 Darwin City 0801

**Drawn** Author **Checke** Checker
**Drawing Coordinated** **Date**

**Project**

PROPOSED SHIPPING DOCK ONE BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

**Project** RA2151

**Drawing** ELEVATIONS NORTH/SOUTH **Scale** 1 : 100

**Drawing** A22 **Issue** F

# *Development Consent Authority*
Northern Territory

GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6046
Facsimile No: (08) 8980 0700


In reply please quote: PA2023/0071

Cunnington Rosse Town Planning Consulting
C/ - Mr Gerard Rosse
PO Box 1612
Howard Springs NT 0835

Dear Mr Rosse

**NOTICE OF CONSENT (SECTION 53B OF THE *PLANNING ACT 1999*)**
**LOT 7495 (39) AND 10156 (45) STOKES HILL ROAD, DARWIN CITY, TOWN OF DARWIN**

The Development Consent Authority has determined, to vary the requirements of Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites) of the Northern Territory Planning Scheme 2020and, pursuant to section 53(a) of the *Planning Act 1999*, grant consent to the proposal to use and develop the abovementioned land for the purpose of bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge, subject to the conditions specified on the attached Development Permit DP23/0071.

Reasons for the Determination

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 Northern Territory Planning Scheme 2020 (NTPS 2020) applies to the land and bar-small in a demountable structure (container bar and alfresco dining) within land subject to storm surge requires consent under Clause 1.8 (When development consent is required). It is identified as Merit Assessable under Clause 1.8(1)(b)(ii)(1); therefore, the zone purpose and outcomes of Clause 4.10 (Zone CB – Central Business), and Clauses 3.7 (LSSS - Land Subject to Storm Surge), 5.2.4 (Car Parking), 5.2.6 (Landscaping), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC), 5.5.10 (Nightclub Entertainment Venue, Bar-Public and Bar-Small), 5.5.15 (Design in Commercial and Mixed Use Areas) and 5.9.2 (Darwin City Centre), need to be considered.

   These clauses have been considered and it is found that the proposal complies with the relevant requirements of the Planning Scheme except for Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites).

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), sub-clause 5, of the Northern Territory Planning Scheme 2020, the consent authority may consent to a proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:
   (a) The purpose and administration clauses of the requirement; and
   (b) The considerations listed under Clause 1.10(3) or 1.10(4).

(a) 5.2.6.2 (Landscaping in Zone CB)
The proposal has been found not to be in accordance with Clause 5.2.6.2, because the proposal will result in less than 10% of the site area as landscape planting.

The proposed development is located on a large site at 45 Stokes Hill Road and 39 Stokes Hill Road, where the total site area of both lots is 111,180m$^2$, however the proposed development is very small in comparison. Landscaping is proposed in the existing car parking area at 39 Stokes Hill Rd and irrigated landscape planters along the footpath in front of the proposed container bar at 45 Stokes Hill Rd, which combined is less than 10% of the site area as landscaping.

It is considered that a variation to this clause is appropriate in this instance because the proposal is of a limited small scale (approximately 128m$^2$), where providing 10% landscape planting would be onerous on the development. Regarding 39 Stokes Hill Road it is noted that additional landscaping is proposed to the existing car parking layout at 39 Stokes Hill Road. Due to the location of the proposed bar-small at the existing Dock 1 (45 Stokes Hill Road), the placement of landscaping is limited and the landscaping proposed is considered sufficient for the intended use.

Administratively, under sub-clause 1(a) *The consent authority may consent to a development that is not in accordance with sub-clause 3 if it is a small development and the consent authority is satisfied that it would be unreasonable to provide the required landscaping, having regard to the intended use of the development or whether the development would become unfeasible.*

5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC)
The proposal has been found not to be in accordance with Clause 5.3.7, because the proposal will result in no end of trip facilities, where the NTPS 2020 requires 1 bicycle parking space and 1 shower.

It is considered that a variation to this clause is appropriate in this instance because the proposal is of a limited small scale (approximately 128m$^2$), where providing such facilities would be onerous on the development. It is unlikely that visitors would cycle to and from the site due to the nature of the proposal being for a bar-small.

Administratively, under sub-clause 1(c), *the consent authority may consent to a use or development with fewer bicycle parking spaces, lockers and/or showers and changing facilities than required by sub-clauses 2-6 if satisfied that it would be unreasonable to provide shower and changing facilities for a small development, where the development becomes unfeasible should such facilities be required.*

5.9.2.9 (Public Domain Contributions for Development on Large Sites)
The proposal has been found not to be in accordance with Clause 5.9.2.9, because the proposal does not provide 10% of the site area as publically accessible open space.

Although the proposed development is of a limited small scale (approximately 128m$^2$), this clause applies as the total site area of both lots is 111,180m$^2$.

It is considered that a variation to this clause is appropriate in this instance because the development forms part of a large recreational area, the Darwin Waterfront, which includes sufficient publically accessible open space that is considered appropriate to the site due to the limited size and scale of the proposed development.

Administratively, under sub-clause 2(a), *the consent authority may consent to development that is not in accordance with sub-clauses 3 and 4 if it is satisfied that the development provides an alternative provision of publically accessible open space that is appropriate to the site, having regard to the locality and scale of the development.*

(b) The considerations listed under Clause 1.10(4) have been given regard to and it has been found that the proposal complies with all relevant requirements of the Northern Territory Planning Scheme 2020, except for Clauses 5.2.6.2 (Landscaping in Zone CB), 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC) and 5.9.2.9 (Public Domain Contributions for Development on Large Sites) as identified above.

3. 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 within Zone CB (Central Business) and identified for development in the Central Darwin Area Plan. The site is affected by the primary and secondary storm surge, however the proposed development is located above the minimum storm surge level of 6.5m AHD. A statement was provided by a structural engineer confirming the proposed building structure will be located approximately 2m above the minimum Storm surge siting level of 6.5m AHD and the building structure will not be subject to storm surge levels.

   No additional land capability concerns have been identified during assessment of the application. Additionally, the Department of Environment, Parks and Water Security did not identify or raise any issues of concern in relation to land capability.

4. 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 proposal is not anticipated to impact unreasonably on the existing and future amenity of the area, particularly considering the CBD context and there are no sensitive uses in the immediately vicinity of the site.

Right of Appeal

Applicants are advised that a right of appeal to the Northern Territory Civil and Administrative Tribunal exists under Part 9 of the *Planning Act 1999*. 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 7201 or email AGD.ntcat@nt.gov.au).

There is no right of appeal by a third party under section 117 of the *Planning Act 1999* 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



Suzanne Philip
2023.03.30
15:40:18
+09'30'

Suzanne Philip
Delegate
30 March 2023

Attachment

cc City of Darwin

**NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act 1999 - Section 57(3)*

# VARIATION OF CONDITIONS

DP23/0071A

## DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 07495
Lot 10156
Town of Darwin
39 STOKES HILL RD, DARWIN CITY
45 STOKES HILL RD, DARWIN CITY

## VARIATION

Consent is granted to vary Condition 3 of Development Permit DP23/0071 for the purpose of removal of the cool room storage container on Lot 07495 and re-configuration of internal floor area to incorporate fridges and freezes into the back of house storage area in the development, in accordance with the drawings numbered 2023/0019/01A to 2023/0019/05A, endorsed as forming part of this permit.

In all other respects Development Permit DP23/0071 remains unchanged.

## BASE PERIOD OF THE PERMIT

This permit does not extend the base period of the original permit.

Digitally signed by Amit Magotra
Date: 2024.06.07 15:34:23 +09'30'

**AMIT MAGOTRA**
Delegate
Development Consent Authority
07 June 2024

## SCHEDULE OF CONDITIONS

## DEVELOPMENT PERMIT

DP23/0071A

### CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), a traffic impact assessment report is to be prepared by a suitably qualified traffic engineer with attention to the modelling of the adjacent road and roundabout at Stokes Hills Road and identifying any necessary upgrades to the surrounding street network to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.

2. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Darwin Waterfront Corporation stormwater drainage system shall be submitted to and approved by the Darwin Waterfront Corporation, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.

### GENERAL CONDITIONS

3. The works carried out under this permit shall be in accordance with the drawings numbered 2023/0019/01A to 2023/0019/05A, endorsed as forming part of this permit.

4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

   Please refer to notation 1 for further information.

5. 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.

6. All works recommended by the traffic impact assessment are to be completed to the requirements of the Darwin Waterfront Corporation, to the satisfaction of the consent authority.

7. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Darwin Waterfront Corporation, to the satisfaction of the consent authority.

8. Storage for waste disposal bins is to be provided to the requirements of Darwin Waterfront Corporation, to the satisfaction of the consent authority.

9. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street, in accordance with the requirements of Darwin Waterfront Corporation, to the satisfaction of the consent authority.

10. Before the use of the development starts, the area(s) 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 parking spaces, access lanes and driveways must be kept available for these purposes at all times.

11. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land.

12. Before the use of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

14. All air conditioning condensers (including any condenser units required to be added or replaced in the future) 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.

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.

**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. The development and use hereby permitted must be in accordance with Northern Territory legislation including (but not limited to) the *Building Act 1993*, the *Public and Environmental Health Act 2011* and the *Food Act 2004*.

3. This development permit is not an approval to undertake building work. You are advised to contact a Northern Territory registered building certifier to seek a building permit as required by the Northern Territory *Building Act 1993* before commencing any demolition or construction works.

4. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Act 2005* must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

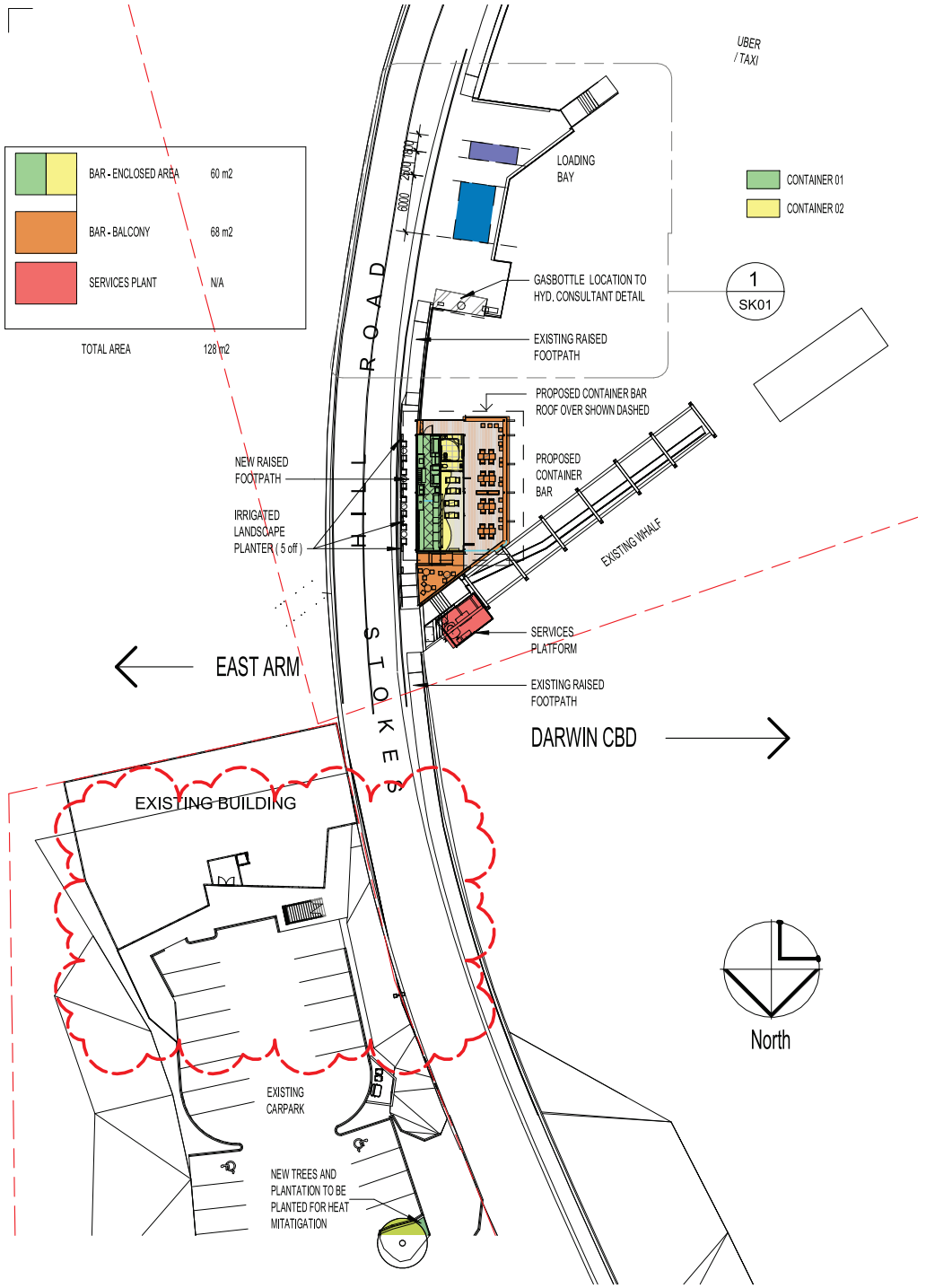
This document contains drawing numbers:
2023/0019/01A to 2023/0019/05A
Referred to in Permit No: DP23/0071A
Issued by the consent authority on: 07 June 2024

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

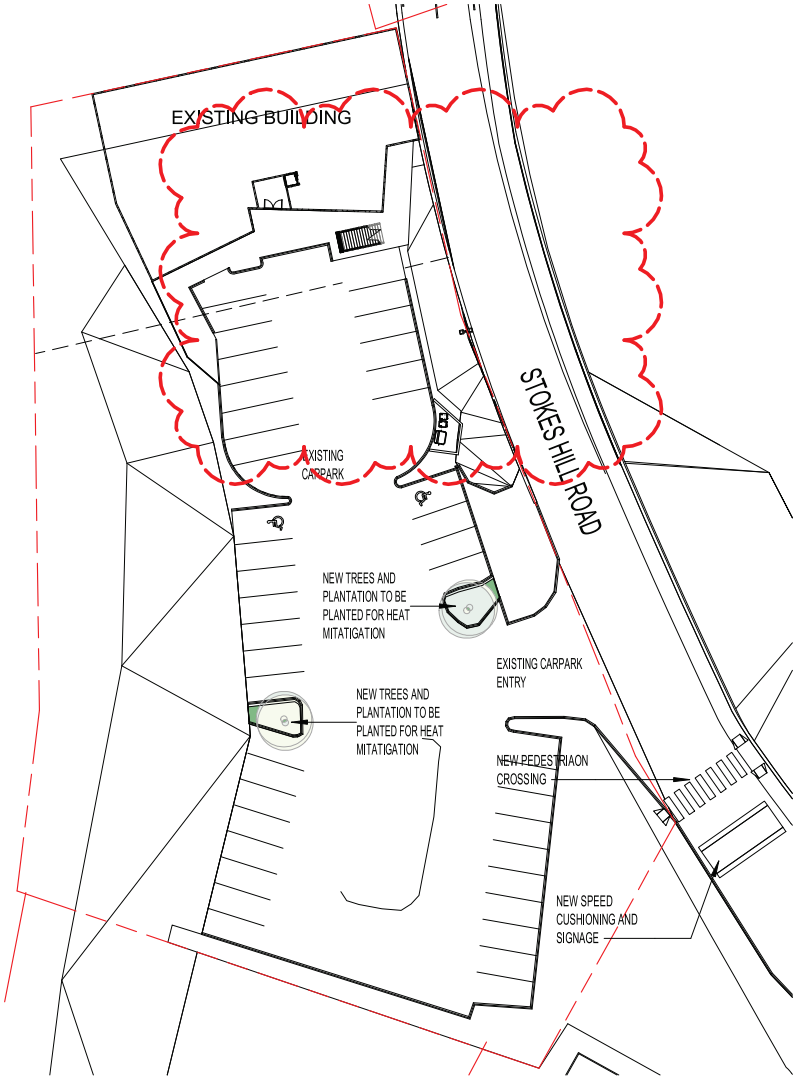
Digitally signed
by Amit Magotra
Date: 2024.06.07
~~15:35:16 +09'30'~~

Delegate

| | | |
|---|---|---|
| BAR - ENCLOSED AREA | 60 m2 | |
| BAR - BALCONY | 68 m2 | |
| SERVICES PLANT | N/A | |
| TOTAL AREA | 128 m2 | |




1 SITE PLAN - PROPOSED CONTAINER BAR
1 : 500




2 SITE PLAN - PROPOSED CONTAINER BAR CARPARK
1 : 500

| Issue | Revision Description | Date |
|---|---|---|
| 3 | DEVELOPMENT APPLICATION RESUBMISSION | 22.04.2024 |
| 2 | COOL ROOM CONTAINER RELOCATION | 30.11.2023 |
| 1 | SITE UPDATE BINS & CARPARK | 20.06.2023 |
| 0 | FOR CONSTRUCTION | 09.06.2023 |

Project Management
Quantity Surveyor
Structural & Civil
Mechanical
Electrical
Hydraulic
Fire
BCA Consultant
Landscape Architect

ASPIRE DESIGN + CONSTRUCT

DESIGN TEAM

ASHFORD ARCHITECTS

Drawn Author Checked Checker
Drawing Coordinated Date

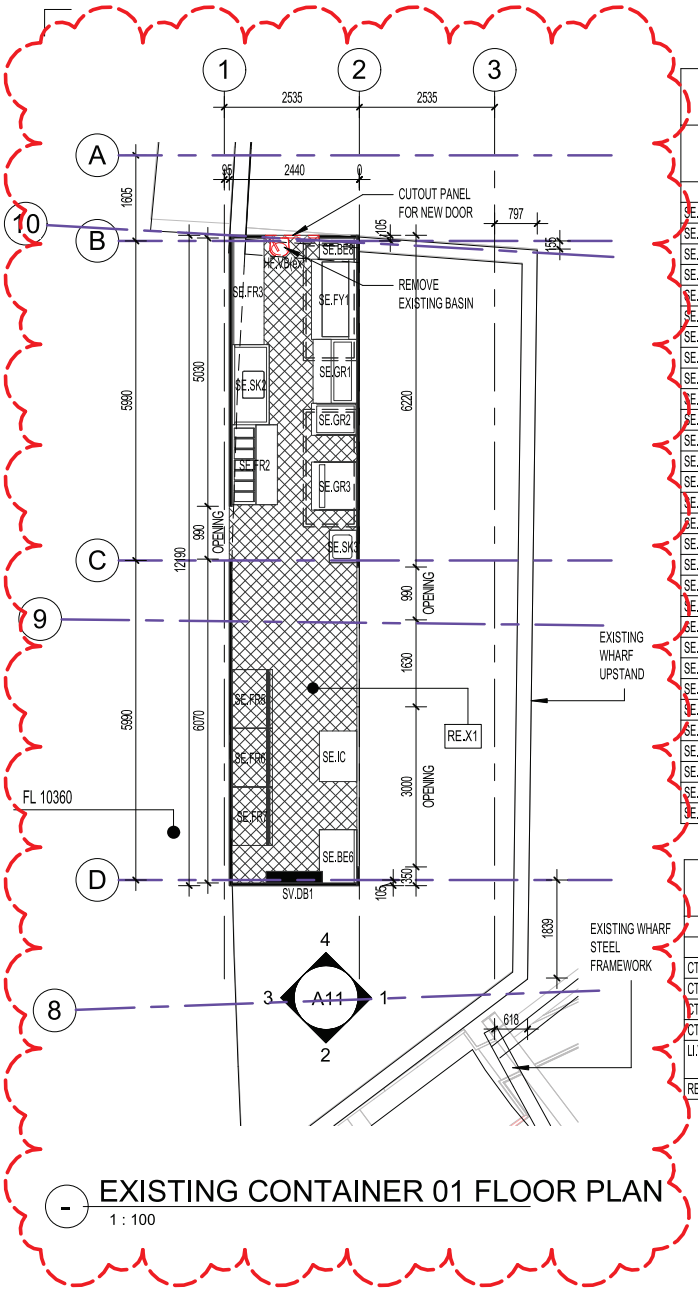
Project
PROPOSED DOCK ONE CONTAINER BAR
LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2301
Drawing MASTER SITE PLAN
Scale As indicated
Drawing A05
Issue 3

Drawing number 2023/0019/01A
Referred to in Permit No: DP23/0071A

FOR INFORMATION

22/04/2024 12:18:00 PM C:\Users\greg.agbasi\Ashford Group Pty Ltd\Data - Documents\6-Projects\AL2336 - RA2301 - Aspire - Dock One Container Bar\Architecture\RVT\RA2301 - SHIPPING CONTAINER BAR 240422.rvt




# EXISTING CONTAINER 01 FLOOR PLAN

1 : 100

## SPECIALTY EQUIPMENT SCHEDULE

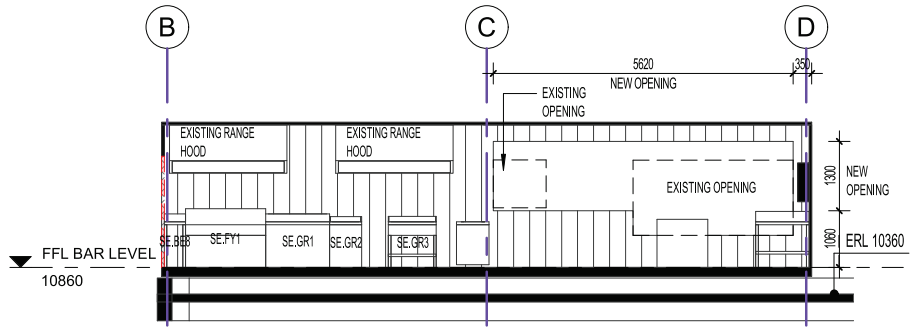
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|---|---|
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| SE.BE2 | KITCHEN BENCH AS SCHEDULES |
| SE.BE3 | KITCHEN BENCH AS SCHEDULED |
| SE.BE4 | KITCHEN BENCH AS SCHEDULES |
| SE.BE5 | KITCHEN BENCH AS SCHEDULES |
| SE.BE6 | KITCHEN BENCH AS SCHEDULES |
| SE.BE7 | KITCHEN BENCH AS SCHEDULED |
| SE.BE8 | KITCHEN BENCH AS SCHEDULED |
| SE.CM | COFFEE MACHINE AS SCHEDULES |
| SE.FR1a | UNDERBENCH FRIDGE AS SPEC. |
| SE.FR1b | UNDERBENCH FRIDGE AS SPEC. |
| SE.FR1c | UNDERBENCH FRIDGE AS SPEC. |
| SE.FR2 | FRIDGE AS SCHEDULED |
| SE.FR3 | FRYER FRIDGE |
| SE.FR5 | DRINKS FRIDGE 3 W/SLIDING DOORS |
| SE.FR6 | DRINKS FRIDGE 3 W/SLIDING DOORS |
| SE.FR7 | DRINKS FRIDGE 3 W/SLIDING DOORS |
| SE.FY1 | FRYERS |
| SE.FZ1 | FREEZER AS SCHEDULED |
| SE.GB | GLASS RINSER AS SCHEDULED |
| SE.GR | GLASS RACK AS SCHEDULED |
| SE.GR1 | GRILL AS SCHEDULED |
| SE.GR2 | GRILL 1 |
| SE.GR3 | GRILL AS SCHEDULED |
| SE.GW | GLASS WASHER AS SCHEDULED |
| SE.IC | ICE WELL AS SCHEDULED |
| SE.IM | ICE MAKER AS SCHEDULED |
| SE.SK1 | KITCHEN SINK AS SCHEDULED |
| SE.SK2 | KITCHEN SINK AS SCHEDULED |
| SE.SK3 | KITCHEN SINK AS SCHEDULED |

## FINISHES LEGEND INTERNAL

| Material: Mark | Material: Comments | Material: Description |
|---|---|---|
| CT.F1 | FLOOR TILE AS SPEC. | 00_Internal |
| CT.F2 | FLOOR TILE AS SPEC. | 00_Internal |
| CT.W1 | WALL TILE AS SPEC. | 00_Internal |
| CT.W2 | FLOOR TILE AS SPEC. | 00_Internal |
| LI.VJ | LINING VJ AS SPEC. REFER FINISHES SCHEDULE | 00_Internal |
| RE.X1 | EXISTING CHEQUER PLATE FLOOR | 00_Internal |

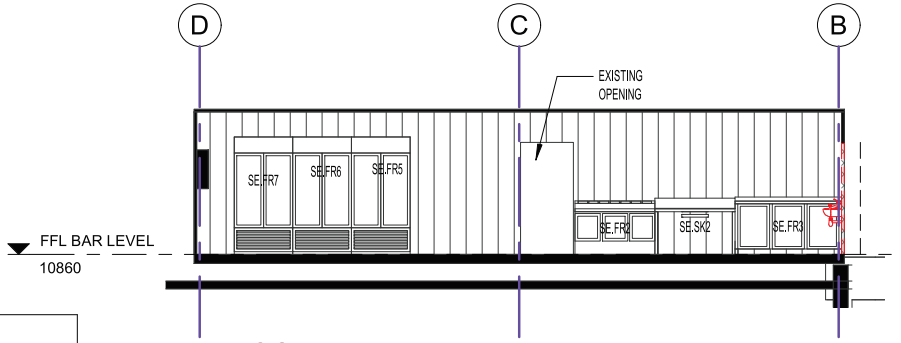
North

NOTE:
- CAP/ RELOCATE EXISTING HYDRUALIC SERVICES AS REQUIRED.
- DISCONNECT/ RELOCATE EXISTING ELECTRICAL SERVICES AS REQUIRED.
- REFER ELECTRICAL/ HYDRUALIC CONSULTANTS ALL SERVICES ADJUSTMENTS



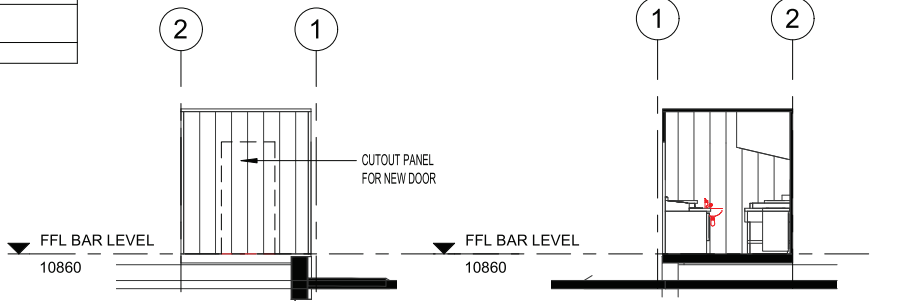

# CONTAINER 01 - VIEW 01

1 : 100




# CONTAINER 01 - VIEW 03

1 : 100




# CONTAINER 01 - VIEW 02

1 : 100

# CONTAINER 01 - VIEW 04

1 : 100

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Key

| Issue | Revision Description | Date |
|---|---|---|
| 2 | DEVELOPMENT APPLICATION RESUBMISSION | 22.04.2024 |
| 1 | GRID SETOUT COORDINATION | 15.06.2023 |
| 0 | FOR CONSTRUCTION | 09.06.2023 |

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect

ASPIRE DESIGN + CONSTRUCT

DESIGN TEAM

ASHFORD ARCHITECTS

Drawn Author Checked Checker

Drawing Coordinated Date

Project

PROPOSED DOCK ONE CONTAINER BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2301

Drawing CONTAINER 01

Scale As indicated

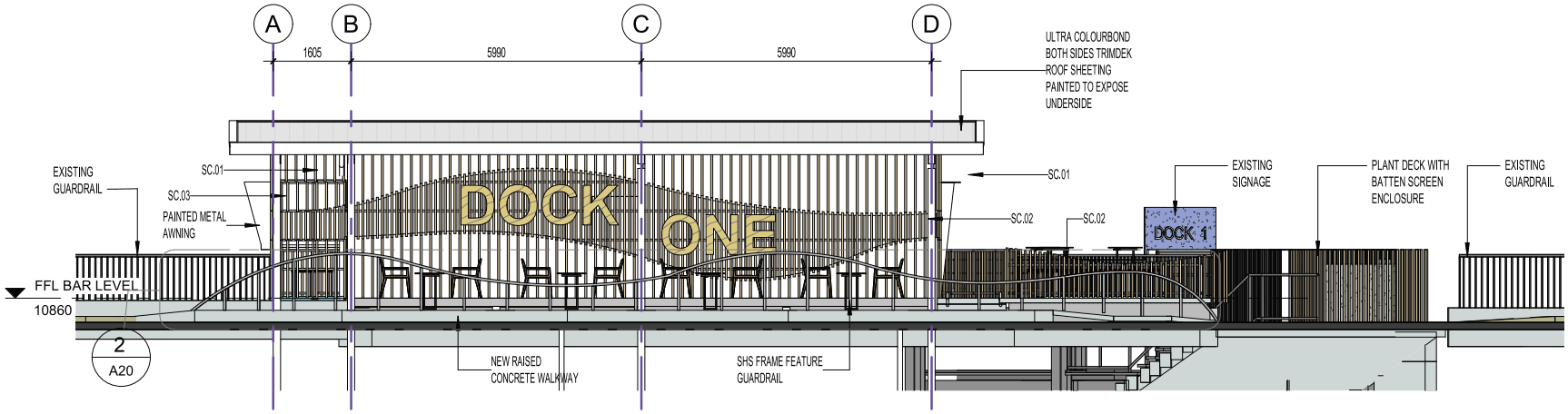
Drawing A11

Issue 2

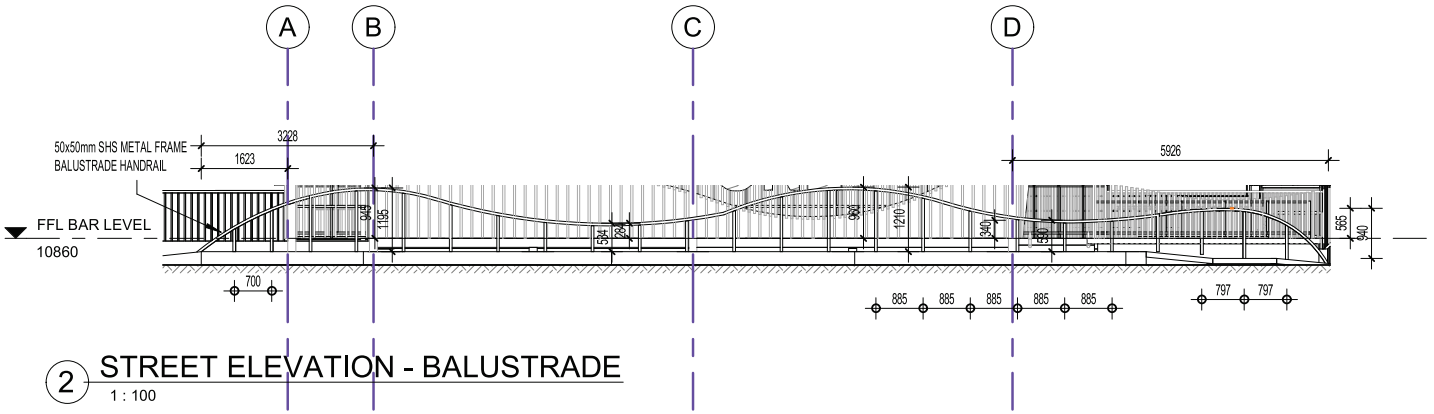
Drawing number 2023/0019/02A

Referred to in Permit No: DP23/0071A

FOR INFORMATION




## 1 STREET ELEVATION
1 : 100




## 2 STREET ELEVATION - BALUSTRADE
1 : 100

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Key

| Issue | Revision Description | Date |
|---|---|---|
| 3 | DEVELOPMENT APPLICATION RESUBMISSION | 22.04.2024 |
| 2 | STRUCTURAL STEEL COORDINATION | 04.07.2023 |
| 1 | GRID SETOUT COORDINATION | 15.06.2023 |
| 0 | FOR CONSTRUCTION | 09.06.2023 |

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect

ASPIRE DESIGN + CONSTRUCT

DESIGN TEAM

ASHFORD ARCHITECTS

Drawn Author Checked Checker

Drawing Coordinated Date

Project

PROPOSED DOCK ONE CONTAINER BAR

LOT 10156 (45) STOKES HILL RD, DARWIN

**Project** RA2301

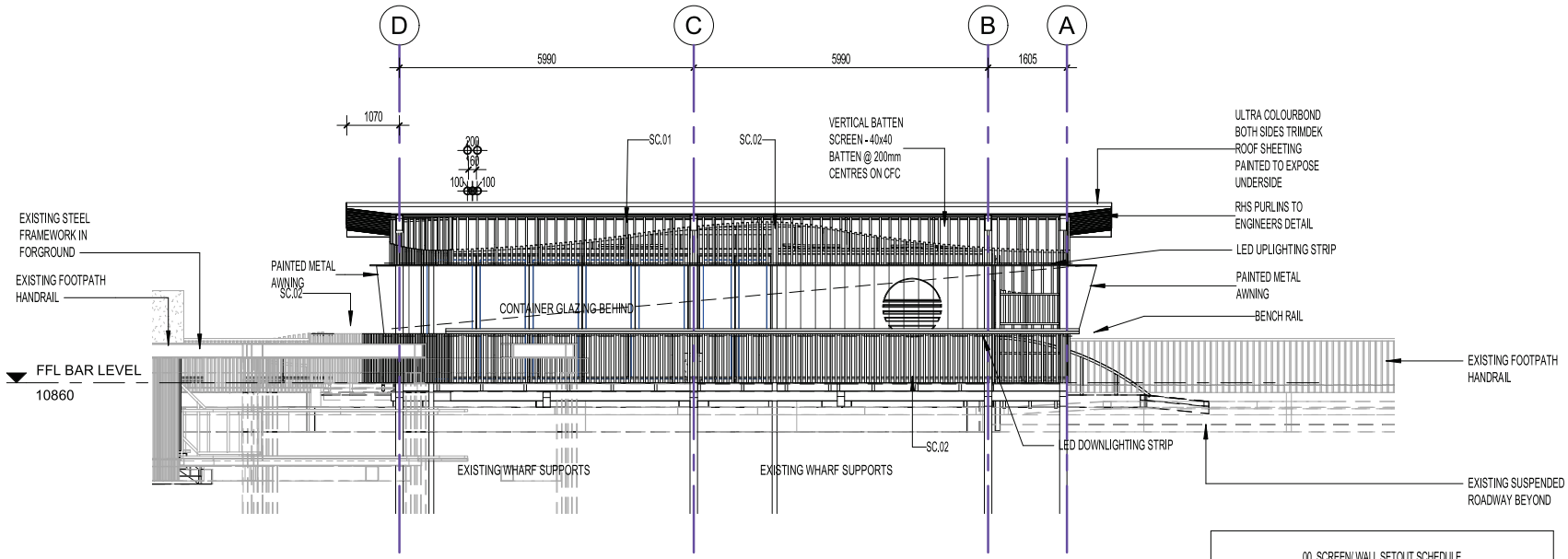
**Drawing** STREET ELEVATION **Scale** 1 : 100

**Drawing** A20 **Issue** 3

**Drawing number** 2023/0019/03A

**Referred to in Permit No:** DP23/0071A

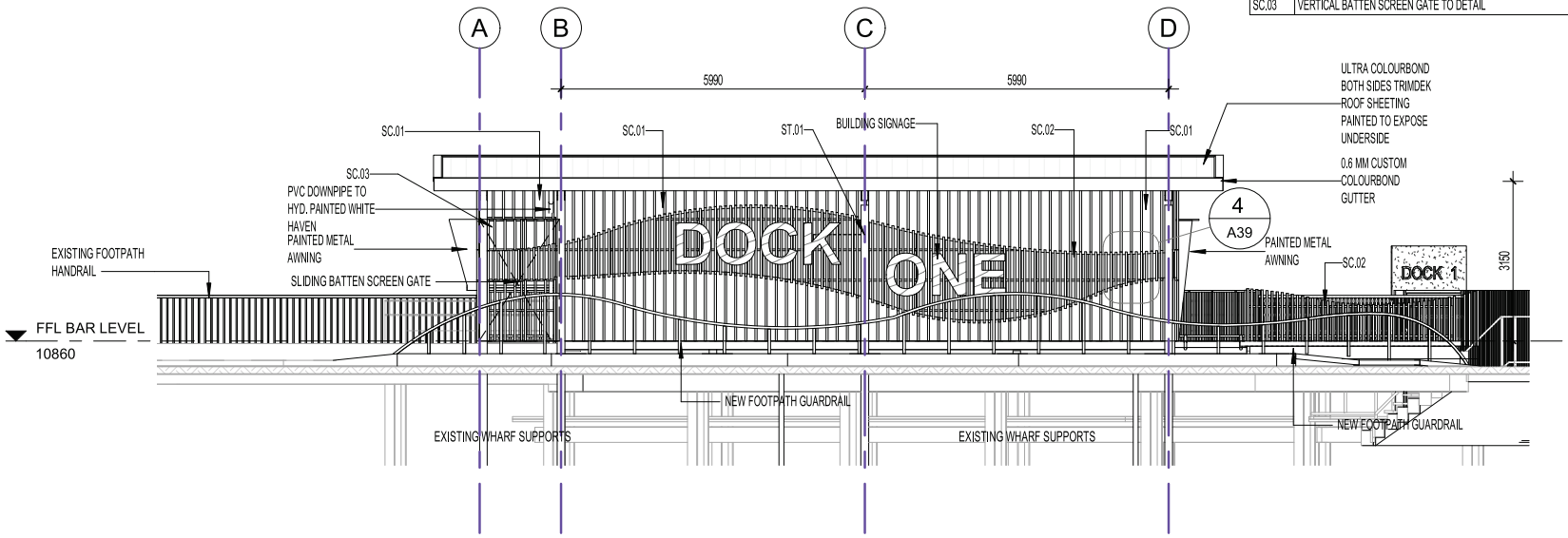
FOR INFORMATION




W West Elevation
1 : 100

| 00_SCREEN/ WALL SETOUT SCHEDULE | |
|---|---|
| Type Mark | Type Comments |

| | |
|---|---|
| SC.01 | VERTICAL BATTEN SCREEN - 40x40 BATTEN @ 200mm CENTRES ON CFC |
| SC.02 | VERTICAL BATTEN SCREEN - 40x40 BATTEN @ 100mm CENTRES |
| SC.03 | VERTICAL BATTEN SCREEN GATE TO DETAIL |




E East Elevation
1 : 100

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Key

| Issue | Revision Description | Date |
|---|---|---|
| 4 | DEVELOPMENT APPLICATION RESUBMISSION | 22.04.2024 |
| 3 | WIP - CLADDING DETAIL REVIEW | 19.02.2023 |
| 2 | STRUCTURAL STEEL COORDINATION | 04.07.2023 |
| 1 | GRID SETOUT COORDINATION | 15.06.2023 |
| 0 | FOR CONSTRUCTION | 09.06.2023 |

Project Management

Quantity Surveyor

Structural & Civil

Mechanical

Electrical

Hydraulic

Fire

BCA Consultant

Landscape Architect

ASPIRE DESIGN + CONSTRUCT

DESIGN TEAM

ASHFORD ARCHITECTS

Drawn Author Checked Checker
Drawing Coordinated Date
Project

PROPOSED DOCK ONE CONTAINER BAR
LOT 10156 (45) STOKES HILL RD, DARWIN

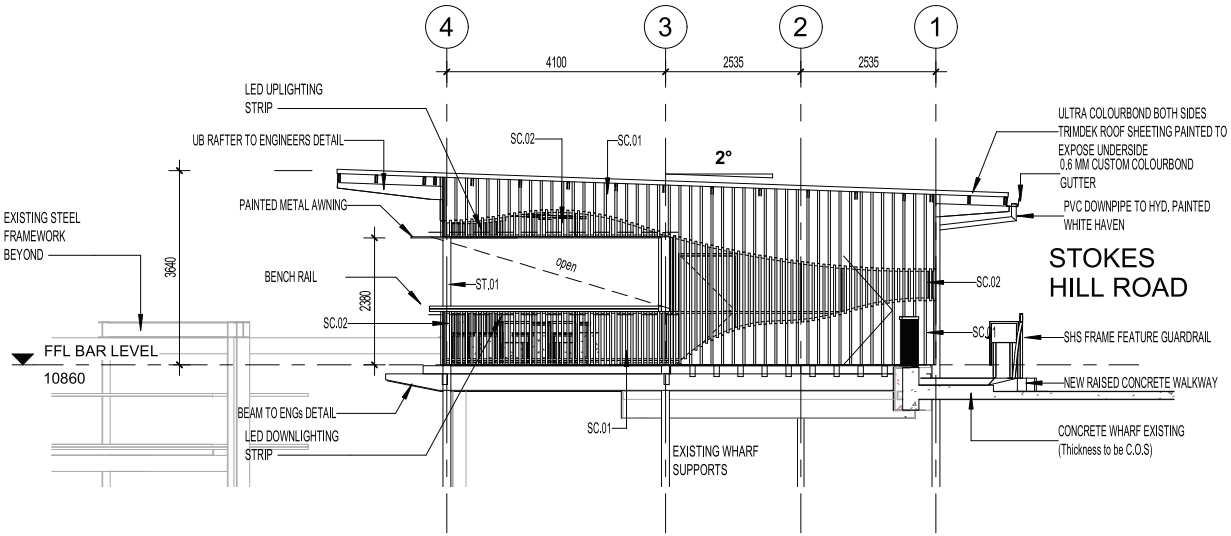
**Project** RA2301

**Drawing** ELEVATIONS EAST/WEST **Scale** 1 : 100

**Drawing** A21 **Issue** 4

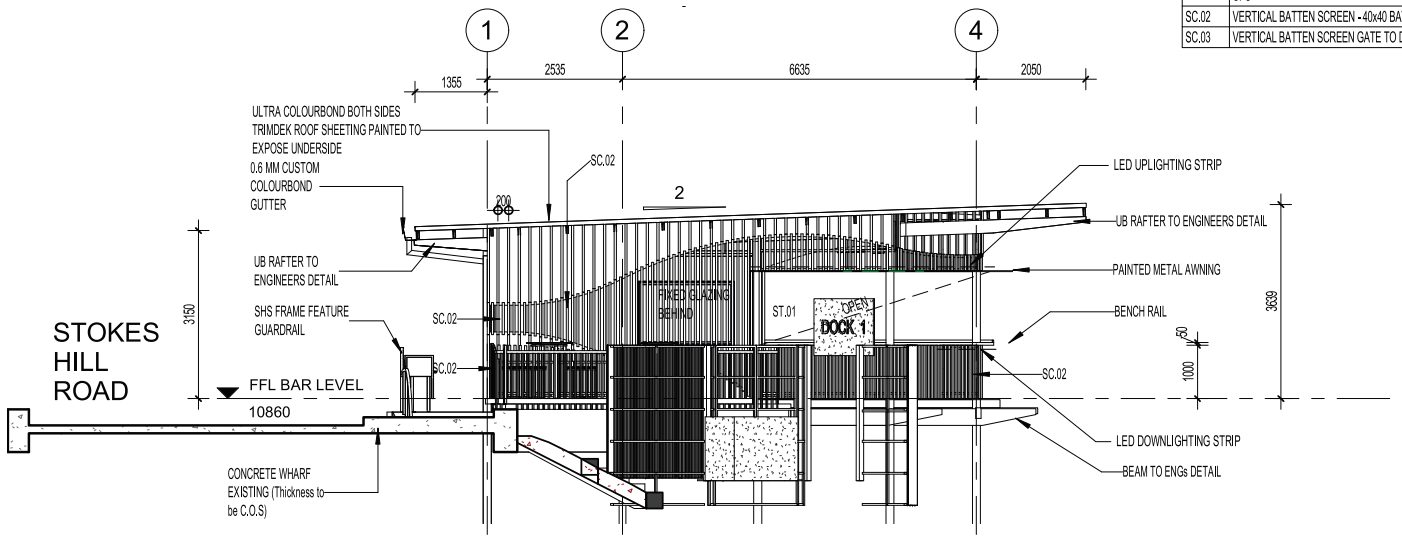
**Drawing number** 2023/0019/04A
**Referred to in Permit No:** DP23/0071A

FOR INFORMATION




S South Elevation
1 : 100

| 00_SCREEN/ WALL SETOUT SCHEDULE | |
|---|---|
| Type Mark | Type Comments |
| SC.01 | VERTICAL BATTEN SCREEN - 40x40 BATTEN @ 200mm CENTRES ON CFC |
| SC.02 | VERTICAL BATTEN SCREEN - 40x40 BATTEN @ 100mm CENTRES |
| SC.03 | VERTICAL BATTEN SCREEN GATE TO DETAIL |




N North Elevation
1 : 100

Drawing number 2023/0019/05A
Referred to in Permit No: DP23/0071A

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Key

| Issue | Revision Description | Date |
|---|---|---|
| 3 | DEVELOPMENT APPLICATION RESUBMISSION | 22.04.2024 |
| 2 | STRUCTURAL STEEL COORDINATION | 04.07.2023 |
| 1 | GRID SETOUT COORDINATION | 15.06.2023 |
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Project Management
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ASPIRE DESIGN + CONSTRUCT

DESIGN TEAM

ASHFORD ARCHITECTS
ARCHITECTURE | PROJECT MANAGEMENT | CONSTRUCTION

Drawn Author Checked Checker
Drawing Coordinated Date
Project

PROPOSED DOCK ONE CONTAINER BAR
LOT 10156 (45) STOKES HILL RD, DARWIN

Project RA2301
Drawing ELEVATIONS NORTH/SOUTH
Scale 1 : 100
Drawing A22
Issue 3

# Technical Assessment PA2026/0196

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

| | |
|---|---|
| Application No: | PA2026/0196 |
| Lot number: | Lot 7495 (39) Stokes Hill Road, Darwin City |
| Town/Hundred: | Town of Darwin |
| Zone: | Zone CB (Central Business) |
| Site Area: | 4080 $m^2$ |
| Proposal: | Hotel/motel (108 suites) in a 6 storey building |
| Plans used for assessment: | 0067_SOE_280526_Rev1.pdf (statement of effect); Attachment E - Development Plans_Rev 2.pdf (dimension plans); Attachment F - Traffic Impact Assessmnet_Rev1.pdf (supporting document); Response to ViewShed impact - rev A.pdf (supporting document); and AL2611 - 39 Stokes Hill - DAS assessment.pdf (amended dimension plans) |
| Date assessment finalised: | 30 July 2026 |

This review has been completed pursuant to the Northern Territory Planning Scheme 2020 (NTPS2020). The proposal has been assessed as being for a hotel/motel within Zone CB (Central Business).

In general, this application proposes a six-storey hotel comprising 108 guest suites, including 54 one-bedroom suites and 54 two-bedroom suites. The development is proposed on a 4,080 m² site currently occupied by an existing two-storey office building and at-grade parking, with the existing building to be retained. The proposal is intended to provide a high-end short-stay accommodation option that complements the Darwin Waterfront Precinct's established role as a major tourism, hospitality and recreation destination.

The hotel is designed with guest accommodation across Levels 1 to 5, while the ground floor accommodates parking, reception, administration areas, end-of-trip facilities, servicing areas and landscaping. A key feature of the project is the provision of significant communal recreation facilities on the upper level, including a swimming pool, gymnasium, playground, barbecue area and landscaped terrace overlooking Darwin Harbour. The development also incorporates extensive landscaping throughout the building, including green walls, planter areas and rooftop planting, resulting in landscaping that exceeds the Planning Scheme's minimum requirements.

An important public benefit of the proposal is the creation of a publicly accessible harbour-front pedestrian connection linking the site with the neighbouring Larrakia Cultural Centre and broader waterfront pedestrian network. The application emphasises that the development has been designed to maintain public access to the waterfront, improve pedestrian and cycling connectivity, and contribute to the activation of the public realm through increased visitation, surveillance and tourism activity. The



NORTHERN TERRITORY GOVERNMENT

building has also been designed to respond to the site's waterfront location, with a moderate overall height of approximately 26.2 mAHD, landscaping integrated throughout the façade, and accommodation levels elevated above storm surge risk levels.

The application requires consent under the NTPS2020 as described in the tables and sections below:

| **Assessment Table – Zone CB (Central Business)** | | | | | |
|---|---|---|---|---|---|
| **Defined Use** | **Assessment Category** | **Overlays** | **General Development Requirements** | **Location Specific Development Requirements** | **Specific Development Requirements** |
| **Hotel/Motel** | *Merit assessable*<br><br>Becomes ***Impact Assessable*** *due to an overlay* | 3.4 - CR Coastal Reclamation<br><br>3.6 LSF – Land Subject to Flooding<br><br>3.7 - LSSS Land Subject to Storm Surge<br><br>3.8 - LADR Land Adjacent to a Designated Road<br><br>3.13 - GL Gateway Locations<br><br>3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance | 5.2.1 General Height Control<br><br>5.2.4 Car Parking<br><br>5.2.5 Loading Bays<br><br>5.2.6 Landscaping<br><br>5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR<br><br>5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC | 5.9.1 Alice Springs Town Centre<br><br>5.9.2 Darwin City Centre<br><br>5.9.3 Palmerston City Centre | 5.5.4 Expansion of Existing Development in Zones CB, C, SC and TC<br><br>5.5.15 Design in Commercial and Mixed Use Areas<br><br>5.5.16 Active Street Frontage |

The application is *Impact Assessable* under clause 1.8(1)(c)(v) of the NTPS2020 as a provision of the NTPS2020 expressly requires assessment as *Impact Assessable*. In this situation, while a hotel/motel is usually *Merit Assessable* in Zone CB (Central Business), overlay 3.7 (LSSS – Land Subject to Storm Surge) applies to the development site.

An assessment of the relevant clauses is summarised in the table below.

| **Overlays** | **Compliance** | | |
|---|---|---|---|
| | **Yes** | **No** | **N/A** |
| 3.4 (Coastal Reclamation) | | | |
| 3.6 (Land Subject to Flooding) | | | |
| 3.7 (Land Subject to Storm Surge) | | | |
| 3.8 (Land Adjacent to a Designated Road) | | | |
| 3.13 (Gateway Locations) | | | |
| 3.14 (Land in proximity to Helicopter Landing Sites of Strategic Importance) | | | |

| | | | |
|---|---|---|---|
| 3.15 (Land in Proximity to Runway Thresholds) | | | |
| **General Development Requirements** | **Compliance** | | |
| | **Yes** | **No** | **N/A** |
| 5.2.1 (General Height Control) | | | |
| 5.2.4.1 (Car Parking Spaces) | | | |
| 5.2.4.4 (Layout of Car Parking Area) | | | |
| 5.2.4.5 (Vehicle Access and On-site Parking for Dwellings-Single on Lots Less than 600m$^2$ but not less than 300m$^2$) | | | |
| 5.2.5 (Loading Bays) | | | |
| 5.2.6.1 (Landscaping in Zones other than Zone CB) | | | |
| 5.2.6.2 (Landscaping in Zone CB) | | | |
| 5.2.7 (Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR) | | | |
| **General Development Requirements in Specific Zones** | **Compliance** | | |
| | **Yes** | **No** | **N/A** |
| 5.3.7 (End of Trip Facilities in Zones HR CB C SC and TC) | | | |
| **Commercial Specific Development Requirements** | **Compliance** | | |
| | **Yes** | **No** | **N/A** |
| 5.5.4 (Expansion of Existing Use or Development in Zones CB C SC and TC) | | | |
| 5.5.15 (Design in Commercial and Mixed Use Areas) | | | |
| 5.5.16 (Active Street Frontages) | | | |
| **Location Specific Development Requirements** | **Compliance** | | |
| | **Yes** | **No** | **N/A** |
| 5.9.2 (Darwin City Centre) | | | |
| 5.9.2.1 (Building Design in Darwin City Centre) | | | |
| 5.9.2.2 (Volumetric Control) | | | |
| 5.9.2.3 (Building Height in the Esplanade Character Area) | | | |
| 5.9.2.4 (Development within the Darwin Waterfront) | | | |
| 5.9.2.5 (Development along Priority Activated Frontages) | | | |
| 5.9.2.6 (Development Fronting Laneways) | | | |
| 5.9.2.7 (Development along the Priority Pedestrian and Cycle Network) | | | |
| 5.9.2.8 (Development in Gateway Locations) | | | |
| 5.9.2.9 (Public Domain Contributions for Development on Large Sites) | | | |
| 5.9.2.10 (Alfresco Dining Areas) | | | |
| 5.9.2.11 (Car parking spaces in Darwin City Centre) | | | |
| 5.9.2.12 (Reduction in car parking spaces in Darwin City Centre) | | | |
| 5.9.2.13 (Design of Car Parking Areas and Vehicle Access) | | | |

*TBC – To be confirmed by further information from the applicant.
*GC - Generally complies, with any outstanding aspects can be addressed via standard permit conditions.

As identified above, the application was considered to be non-compliant with clauses 3.7 (Land Subject to Storm Surge), 5.2.4.4 (Layout of car parking areas), 5.2.5 (Loading Bays), 5.3.7 (End of Trip Facilities in Zones HR CB C SC and TC), 5.5.15 (Design in Commercial and Mixed Use Areas), 5.9.2.1 (Building Design in Darwin City Centre), 5.9.2.11 (Car parking spaces in Darwin City Centre), and 5.9.2.13 (Design of Car Parking Areas and Vehicle Access).

In order to ensure a consistent assessment of the above clauses, the following terms defined in Schedule 2 of the NTPS 2020 are clarified below:

Net floor area is defined as *net floor area in relation to a building, includes all the area between internal surfaces of external walls but does not include: (a) stairs, cleaners cupboards, ablution facilities, lift shafts, escalators or tea rooms where tea rooms are provided as a standard facility in the building; (b) lobbies between lifts facing other lifts servicing the same floor; (c) areas set aside as public space or thoroughfares; (d) areas set aside as plant and lift motor rooms; (e) areas set aside for use of service delivery vehicles; and (f) areas set aside for car parking or access*.

The following types of spaces as measurable under this definition – Foyer (34 $m^2$); Reception (38 $m^2$); Office (left) (8.4 $m^2$); Office (right) (8 $m^2$); Locker room (12.4 $m^2$); Indoor Bike Room (16.5 $m^2$); and Laundry room (24. $m^2$). In total, the net floor area for the development is considered to be 141.7 $m^2$. It is noted that the hotel/motel suites are not considered to contribute to the net floor area calculation for any development requirements, and as such, has not been included here.

Floor area is defined as *floor area in relation to a building, includes all wall thicknesses of the external walls and all roof areas used as floors, but does not include verandahs, balconies or areas set aside for car parking or access thereto*.

This area is considered to comprise all the spaces mentioned above, and in addition, the ground floor universally accessible toilet (UAT), lift shafts and indoor stairwells (total 96 $m^2$), and floor area of the suites (total 4068 $m^2$). As such, the floor are of this application is considered to be 4312.7 $m^2$.

Residential building is defined as *a building or part of a building used or developed or proposed to be developed for a dwelling-community residence, dwelling-caretakers, dwelling-group, dwelling-independent, dwelling-multiple, dwelling-single, hotel/motel, residential care facility, or rooming accommodation*.

As hotel/motel is listed in this definition, the development is considered to be a residential building.

Habitable room is defined as *any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room or other space of a specialised nature occupied neither frequently nor for extended periods*.

As dwelling is then defined in the NTPS2020 as a *building, or part of a building, designed, constructed or adapted as a self-contained residence*. While the proposed dwellings are considered to be capable of being used as a self-contained residence, as the application relates to a hotel/motel, they're not considered to be a dwelling.

**1.8 When development consent is required**

1. The need for ***consent*** and the level of assessment that applies to the use and development of land is set out in the framework below:
   (a) *Permitted* – use and development that is compatible with the purpose of the zone provided it is established and operated to comply with all relevant development requirements.

   Use and development of land is *Permitted* without ***consent*** when the following apply:
   i. it is shown as *Permitted* on the relevant assessment table in Part 4; and
   ii. it does not require ***consent*** by virtue of an overlay in Part 3; and
   iii. it complies with all relevant development requirements set out in Part 5; or
   iv. a provision of the Planning Scheme expressly sets out that it is *Permitted*.

(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:

i. it is shown as *Merit Assessable* on the relevant assessment table in Part 4;
ii. it is shown as *Permitted* on the relevant assessment table in Part 4 but:
    (1) requires ***consent*** by virtue of an Overlay as set out in Part 3; or
    (2) does not comply with the relevant development requirements set out in Part 5;
iii. it is for the consolidation of land; or
iv. it is for the subdivision of land for the purpose of a Unit Title Scheme, where:
    (1) development consent has been granted; or
    (2) the development is permitted in the relevant assessment table; or
    (3) the Unit Title Scheme does not include vacant land.
v. a provision of the Planning Scheme expressly requires assessment as *Merit Assessable*.

**Editor's note: the Planning Act and Regulations exempt some types of consolidation and subdivision from requiring consent.**

(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:

i. it is shown as *Impact Assessable* on the relevant assessment table in Part 4;
ii. it is for the subdivision of land other than that included at Clause 1.8(1)(b)(iii); or
iii. it is identified as *Impact Assessable* in Clause 1.9; or
iv. it is a *Prohibited* development which relates to a ***heritage place*** as set out in Clause 1.10(7)(b); or
v. a provision of this Planning Scheme expressly requires assessment as *Impact Assessable*.

(d) *Prohibited* – use and development to which the consent authority must not grant ***consent***.

Use and development of land is *Prohibited* if:

i. it is shown as *Prohibited* on the relevant assessment table in Part 4, unless it is ***ancillary*** as allowed by Clause 1.9; or
ii. a provision of this Planning Scheme expressly prohibits ***consent***.

**1.9 Ancillary use and development**

1. Unless expressly provided for in this Planning Scheme:
   (a) where the definition of a development in Schedule 2 includes use or development that may be established if ***ancillary***, the ***ancillary*** use or development included in the definition are *Permitted* provided they comply with any relevant development requirements in Parts 3 and 5;
   (b) if an ***ancillary*** use or development described in (a) does not comply with Parts 3 and 5, the ***ancillary*** use or development requires ***consent*** and the level of assessment that applies is *Merit Assessable*;

(c) an ***ancillary*** use or development not specified in the definition of the ***primary use*** in Schedule 2 requires ***consent*** and the level of assessment that applies to the ***ancillary*** use or development is either:
   i. the assessment category specified in the assessment table for the zone in Part 4; or
   ii. if Undefined or Prohibited it is *Impact Assessable*.

**1.10 Exercise of Discretion by the Consent Authority**

1. In considering an application for ***consent*** for a use or development, the consent authority must consider the use or development in its entirety except in relation to:
   (a) an application to alter, change or vary a development permit under sections 43A, 46 or 57 of the Act;
   (b) ***access*** to a ***main road***; or
   (c) a *Merit Assessable* application under Clause 1.8(1)(b)(ii)(2).

2. In considering an application for ***consent*** for a use or development that has become *Merit Assessable* under Clause 1.8(1)(b)(ii)(2), 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.

3. 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.

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.

5. The consent authority may ***consent*** to a proposed use or development that is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:
   (a) the purpose and administration clauses of the requirement; and
   (b) the considerations listed under Clause 1.10(3) or 1.10(4).

6. When consenting to the use or development of land, the consent authority may impose a condition requiring a higher standard of development than is set out in a requirement of Parts 3, 5 or 6 if it considers it necessary to the achievement of the Strategic Framework, the purpose of the overlay or the zone, or it considers it is otherwise necessary to do so.

7. The consent authority must not grant ***consent*** for a use or development identified as *Prohibited* unless:
   (a) the *Prohibited* use or development is ***ancillary*** as set out in Clause 1.9; or
   (b) the *Prohibited* use or development relates to a ***heritage place*** and it has the approval of the Minister responsible for the administration of the *Heritage Act 2011.*

*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.*

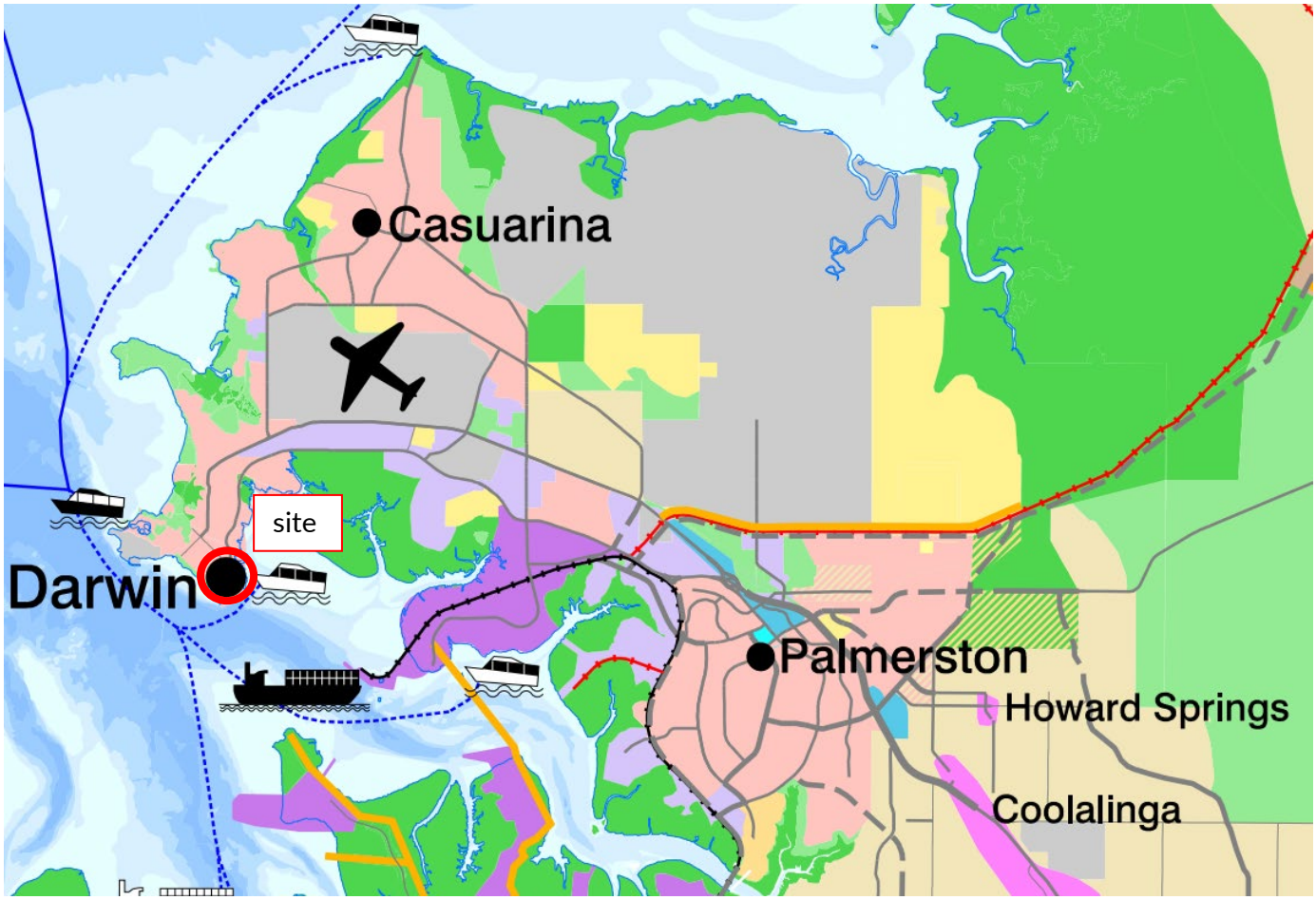
## Strategic Framework

Clause 1.6 (Structure of the Planning Scheme) states *The structure of the Planning Scheme includes:*

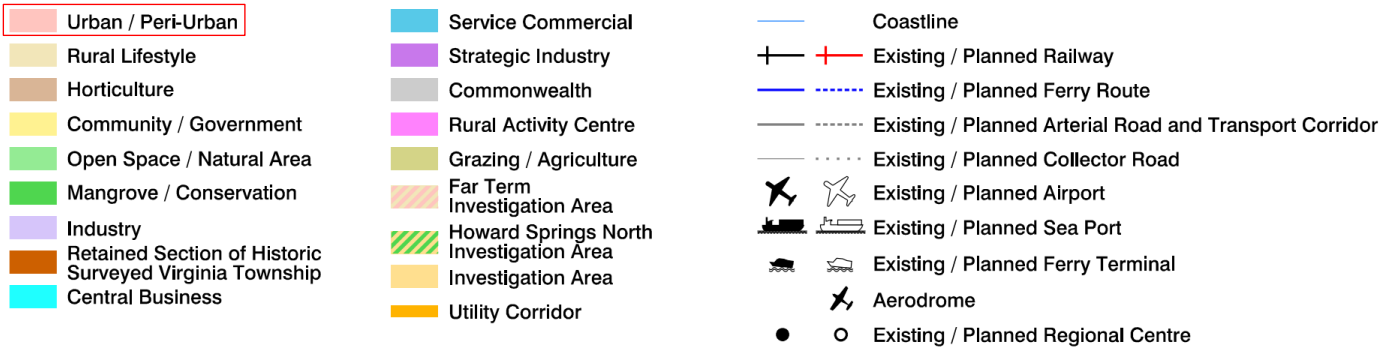
*(a)* *Strategic Framework (Part 2)*
*The Strategic Framework establishes guidance to facilitate development and decision making in a coordinated manner while recognising the differences between various regions and local areas across the Planning Scheme area.*

As such, a review of the strategic framework has been completed, which considers whether this application supports, is neutral towards, contrary to, or not relevant to, any guidance or documents within the framework.

## Darwin Regional Land Use Plan



Excerpt of the DRLUP




The Darwin Regional Land Use Plan (DRLUP) 2015 provides a broad framework for the future development in the greater Darwin region. The DRLPUP identifies the site for urban land uses (urban and peri-urban residential). The DRLUP provides key residential and commercial objectives to identify adequate urban land, and ensure the detailed planning for future development in the region.

An assessment of the key urban and peri-urban residential objectives is provided below:

| Objective | DAS response |
|---|---|
| Identify sufficient suitable opportunity for residential development to ensure an ongoing supply of lots | Not relevant – These objectives are not considered to be relevant as no residential land uses are proposed as part of this application. |
| Encourage a diverse range of dwelling types and residential locality to cater for changing demographics (including single person households and an ageing population), to meet increasingly diverse community aspirations and minimise the impacts of development on established localities. | |
| Focus future urban development in localities close to established areas to enhance the economic viability of infrastructure extensions | Supports – The application proposes the development of a hotel/motel over land currently used as an at-grade car parking area. |
| Encourage detailed design that: | |
| • Recognises the contribution natural and cultural sites make to urban character | Supports – The application proposes a high degree of landscaping at levels 1 to 5, which will reasonably contribute to a positive built form in the locality, which is generally dominated by modern developments and the generally vegetated Stokes Hill. |
| • Provides for appropriate protection and maintenance of natural and conservation areas | Not relevant – The site to be developed is not considered to have any specific natural or conservation value. |
| • Is climatically appropriate and avoids the creation of heat islands. | Acceptable – The application will improve climatic outcomes at the site through improved landscaping outcomes, and . |

In addition, this plan identifies the site as being located within the Central Business District activity centre, which states *The Darwin CBD provides a full range of facilities and services and performs the critical capital city role and higher order function as the Northern Territory's dominant commercial, cultural, administrative, tourist and civic centre.*

*Continued growth of the retail role of the CBD will be important to maximise tourism expenditure and to support further residential and commercial floor space growth*.

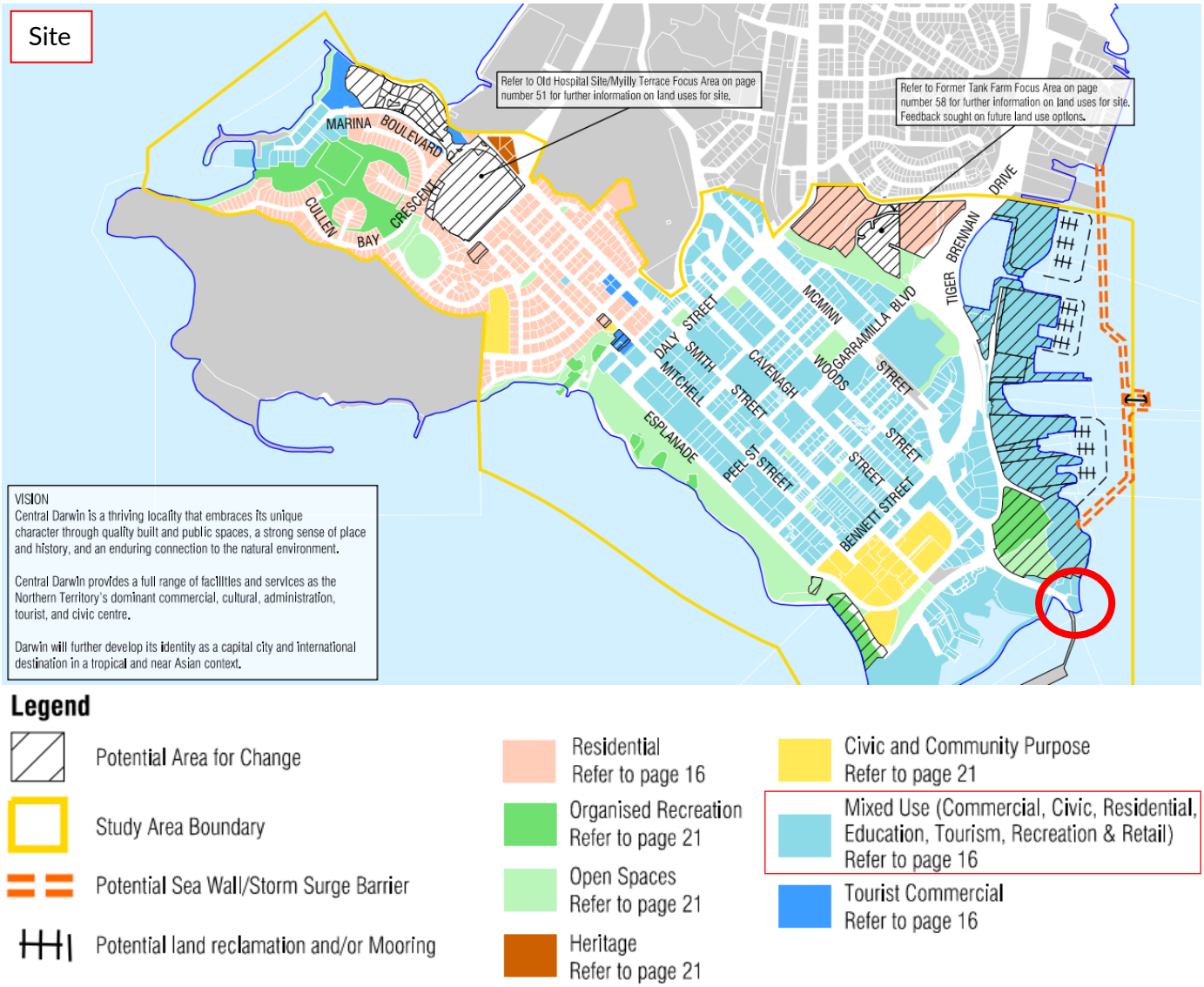
A review of the relevant objectives is provided below.

| Objective | DAS response |
|---|---|
| Identify a regional hierarchy of activity centres to: | |
| • establish an efficient and equitable framework for the distribution of retail, commercial and other community needs and to provide a range of residential opportunities | Acceptable – The application will increase the diversity of land uses at the site, and is thereby considered to support local employment too. |
| • encourage vibrant centres providing a mix of activities appropriate to the type of centre and the target population | |
| • maximise local employment opportunities to encourage diversification of the regional economy | |
| • encourage active transport including walking and cycling and enhanced access to public transport | Supports – The application will provide additional bicycle parking facilities than what currently exists. |
| • foster liveable and sustainable communities | Acceptable – The application is not considered to prejudice the continuation of a livable or sustainable at the Darwin Waterfront. |
| Promote regional activity centre viability and vitality via a proactive planned approach to land use policies and infrastructure provision. | Supports – The application will reasonably improve the viability of the Darwin Waterfront through the provision of additional visitor accommodation. |

**Summary**

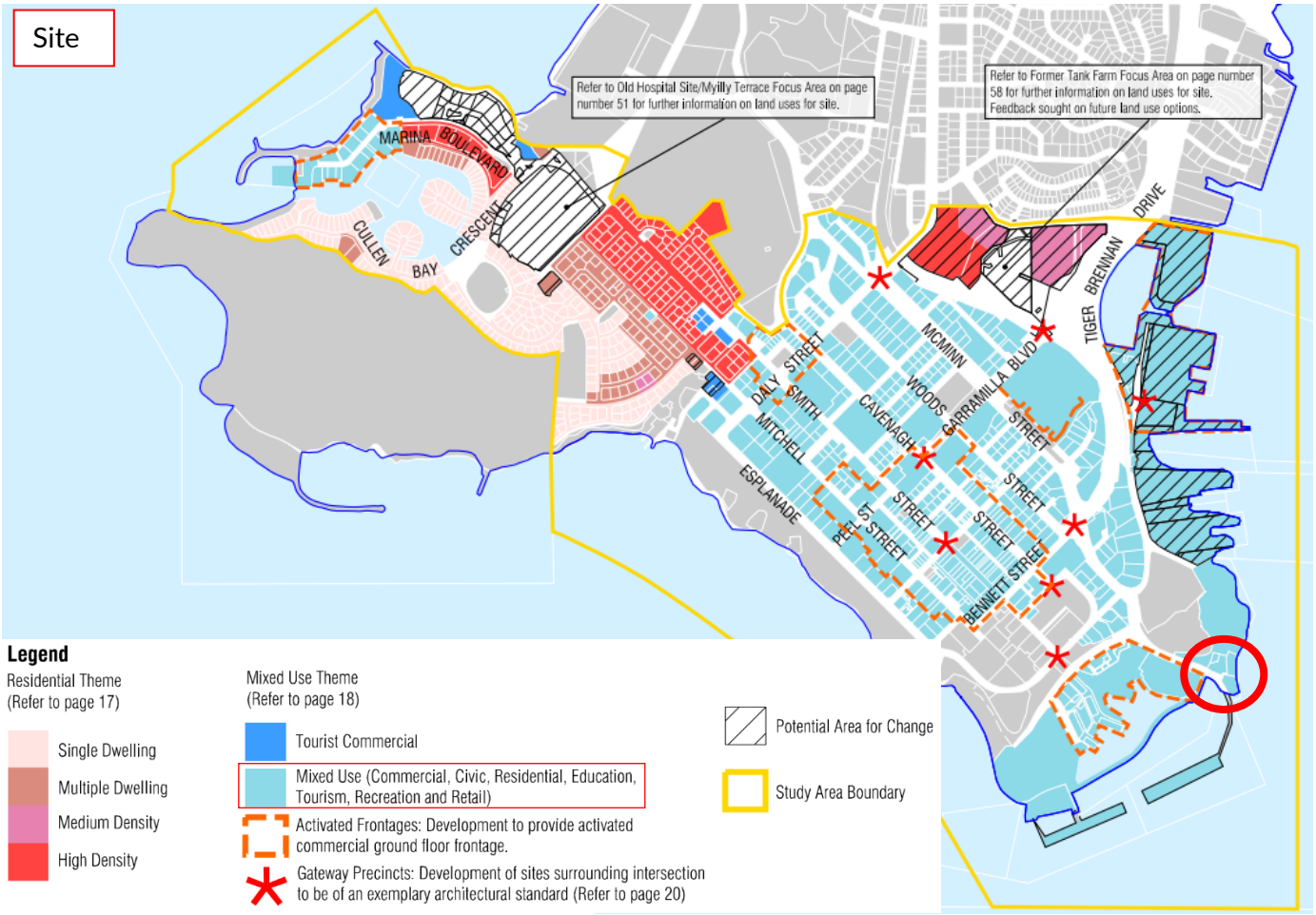
Acceptable – As discussed above, overall, the application is considered to be appropriate against the relevant objectives of the Darwin regional land use plan.

## Central Darwin Area Plan




Excerpt of the land use vision map

The Central Darwin Area Plan (CDAP) provides for each theme a provides an overarching principle statement prefaced by a brief contextual comment. Each planning principle is then supported by a set of objectives and acceptable responses that provide more detailed direction and serve as policy. However, these aspects do not prevent the use of land consistent with the current zoning of the site. Furthermore, the CDAP 2019 may specify additional requirements for a development consistent with an existing zone.




Excerpt of the residential and mixed use map

As shown in the excerpt of the residential and mixed use map, the development site is located within a mixed use area. This plan does not identify any other plan elements affecting the site.

**Mixed use (Commercial, Civic, Residential, Education, Tourism, Recreation & Retail) theme**

The proposal is located within an area identified on the land use vision map for mixed use (commercial, civic, residential, education, tourism, recreation & retail. A review of the relevant objectives is provided below.

| ***2. Support a dynamic mix of uses that contribute to safe, active, attractive, and diverse localities*** | | |
|---|---|---|
| ***Objectives*** | ***Acceptable Responses*** | Assessment |
| *2.1 Encourage development that provides for a mix of uses.* | *i. Where there is reasonable capacity to do so, buildings and sites include a vertical mix of land uses on different floors/storeys such as:*<br>*residential;*<br>*commercial and retail;*<br>*community facilities; and*<br>*leisure and recreation.* | Acceptable – While the building only proposes hotel/motel suites at levels 1 to 5, and ancillary ground level office/services, this is considered acceptable. |
| *2.2 Encourage building design for new buildings that can be adapted to changing demand.* | *i. Proposed development demonstrates how ground floor tenancies have been designed to enable future conversion to commercial land use, i.e. sufficient ceiling heights.*<br>*ii. Floors constructed for car parking within a mixed use buildings are to have level surfaces (excluding ramps)* | Not relevant –<br>In response to (i), no separate ground level tenancies are proposed. As such, this aspect is not considered to be relevant to this application. |

| 2. Support a dynamic mix of uses that contribute to safe, active, attractive, and diverse localities | | |
|---|---|---|
| **Objectives** | **Acceptable Responses** | Assessment |
| | *and ceiling heights that enable future conversion to commercial or residential use.* | In response to (ii), all car parking is proposed as ground level. |
| *2.3 Provide activated frontages with ground floor commercial activities in priority locations.* | *i. Ground floor commercial and retail activation is provided within areas depicted as 'Activated Frontages' within the Residential and Mixed-Use Map.*<br>*ii. Buildings provide interest and active frontages at street level. Large expanses of blank walls or inactive frontages are to be avoided.* | Acceptable –<br>In response to (i), the proposed development is not considered to constitute ground floor commercial or retail tenancies.<br>In response to (ii), while the ground level rooms comprise foyer, reception and office, storeroom and laundry functions, the frontage is considered acceptable against this clause as the façade is generally made up of windows and green façades. |
| *2.4 Development mitigates against potential conflicts both within and between buildings.* | *i. Building design mitigates against potential conflicts between uses within the building and surrounds which are existing or can be reasonably anticipated.*<br>*ii. Building design mitigates against potential conflicts between uses of existing buildings and adjacent and/or nearby buildings and environments which are existing, or can be reasonably anticipated.* | Acceptable – Refer to assessment in clause 5.5.15 (Design in Commercial and Mixed Use Areas). |
| *2.5 Provide landscaping and greening that contributes to the quality and amenity of communal and public spaces.* | *i. Where there is reasonable capacity to do so, building design incorporates and maintains opportunities for planting on structures through techniques such as:*<br>*a) green walls, living walls or vertical gardens;*<br>*b) wall design that incorporates trellis structures;*<br>*c) landscaping of podiums;*<br>*d) planter boxes; and / or*<br>*e) e) landscaping incorporated into podium car parking screens.* | Acceptable – Refer to assessment in clause 5.2.6.2 (Landscaping in Zone CB). |
| *2.6 Encourage development that contributes to the amenity of the public realm and reflects the character of the area.* | *i. Building design mitigates against potential conflicts between uses within the building and surrounds which are existing or can be reasonably anticipated.*<br>*ii. Development fronting existing and future public spaces and/or pedestrian and cyclist links:*<br>*a) responds to the role and function of the individual space; and*<br>*b) locates habitable rooms, or private open spaces of dwellings, overlooking the public space.*<br>*iii. For areas not within an area depicted as 'Activated Commercial Frontage', development may include ground floor residential including communal open space that enables passive surveillance from the ground floor.*<br>*iv. Communal facilities and meeting spaces near the building entry, such as bicycle parking and seating, are integrated into building design.*<br>*v. Sheltered pedestrian thoroughfares are integrated into the design of buildings. This may include, but is not limited to: awnings, covered walkways, colonnades or similar.* | Acceptable – Refer to assessment in clause 5.5.15 (Design in Commercial and Mixed Use Areas) and clause 5.9.2.7 (Development along the Priority Pedestrian and Cycle Network). |

| 2. Support a dynamic mix of uses that contribute to safe, active, attractive, and diverse localities | | |
|---|---|---|
| **Objectives** | **Acceptable Responses** | Assessment |
| *2.7 Design bus stops to enhance user comfort and safety.* | *i. Bus stops and associated infrastructure are well considered components within development and road reserve design. This may include, but is not limited to:*<br>*a) high amenity pedestrian connections to the bus stop with protection from the elements;*<br>*b) technologically advanced bus stops displaying real time information; and*<br>*c) implementation of crime prevention through environmental design (CPTED) principles for bus stop design.*<br>*ii. Bus stop locations facilitate access to efficient, linear and frequent public transport.* | Not relevant – No bus stops are proposed, nor are they reasonably required as part of this development. |
| *2.8 Design vehicle access points and onsite movement for new buildings to minimise streetscape impacts and avoid conflicts between pedestrians and vehicles.* | *i. Locate and consolidate vehicle access, parking and loading areas away from street frontages.*<br>*ii. Car park entry and access is from the lowest order vehicle access way. In order of priority access is from: a laneway, a secondary street, or a primary street if no other access is possible (refer to Transport Network Map).*<br>*iii. Vehicles entering and manoeuvring within sites is minimised.*<br>*iv. Crossover number and widths are minimised.* | Acceptable – Refer to assessment in clause 5.2.4.4 (Layout of Car Parking Areas) and clause 5.9.2.13 (Design of Car Parking Areas and Vehicle Access). |
| *2.9 Encourage sustainable development.* | *i. Buildings and the urban environment demonstrate reasonable responses to support cooling, heat mitigation, greening, waste reduction, and water and energy efficiency.* | Acceptable – Refer to assessment in clause 5.5.15 (Design in Commercial and Mixed Use Areas). |
| *2.10 Design new buildings to address prominent corners and 'Gateway Precincts.'* | *i. Development proposed at locations identified as a 'Gateway Precinct', as indicated on the Residential and Mixed Use Map, provides:*<br>*a) vertical elements, such as additional storeys, raised parapets, spires, roof sections and similar structures, as part of the building design;*<br>*b) public art and signage within the design of buildings and related public spaces; and*<br>*c) effective and visually appealing all-weather protection.* | Not relevant – The site is not located at an identified gateway location. |
| *2.11 Prevent any new use or intensification of development that would prejudice the safety or efficiency of an airport.* | *i. Any proposed development determined to exceed the heights prescribed by the Defence (Aviation Areas) Regulations 2018, or Civil Aviation legislation, will need approval by the relevant airport authorities.* | Acceptable – Refer to assessment in clause 5.9.2.2 (Volumetric Control). |
| *2.12 New developments consider and respond to the potential use of laneways as shared spaces.* | *i. Providing windows and balconies at upper levels above the ground floor to overlook laneways.*<br>*ii. Providing facades of buildings fronting laneways that create visual interest and architectural animation, particularly at the ground level, with large expanses of blank walls avoided.* | Not relevant – The site is not located along a laneway. |

**Social infrastructure and culture and heritage themes**




**Legend**

- Potential Area for Change
- Community Purpose
- Open Spaces
- Organised Recreation
- Heritage
- Heritage Oil Tunnels
- Places of Cultural and Social Interest

Declared Heritage Places
1 - 17 Shepherd Street
2 - Administrator's Offices Darwin
3 - Boab Tree, Cavenagh Street
4 - Browns Mart
5 - Christ Church Cathedral Heritage Precinct
6 - Commonwealth Bank (former (Darwin)
7 - CWA/Red Cross Shop
8 - Darwin's Cenotaph
9 - Former Reserve Bank Darwin
10 - 12 Schultze Street
11 - Government House
12 - Hughes Avenue
13 - Lyons Cottage or British Australian Telegraph Company
14 - Westpac Bank
15 - Milkwood Trees Smith Street
16 - Myilly Point Heritage Precinct
17 - Old Admiralty House
18 - Peels Well
19 - Remnant No. 6 Oil Tank
20 - State Square Banyan Tree
21 - Steam Pump House
22 - Stella Maris Hostel
23 - Sue Wah Chin Building & footpath
24 - Town Hall Ruins - Darwin
25 - Tree of Knowledge
26 - WWII Naval Oil Tunnels 5 & 6
27 - WWII Naval Oil Tunnels 10 & 11
28 - Naval Fuel Installation
29 - Frog Hollows
Sites which may be considered for Multipurpose Community Centre and/or Indoor Sports Facility
A B C

**Social infrastructure**

The proposal is not located within an area identified on the land use vision map for a social infrastructure land use. As such, a review of the objectives relating to social infrastructure is not considered to be necessary.

**Culture and heritage**

In addition to the above, the development site is located approximately 60 m from the steam pump house declared heritage place, and 140 m from the remnant No. 6 oil tank and vicinity of a place of cultural interest. As such, a review of the culture and heritage theme is considered prudent.

| *4. Protect and enhance sites of cultural significance and historic value to enrich community awareness and experience* | | |
|---|---|---|
| *Objectives* | *Acceptable Responses* | Assessment |
| *4.1 New development responds to and respects places and sites listed on the Northern Territory Heritage Register and other places of heritage interest* | i. Building design responds to significant features of adjoining heritage sites, buildings or objects to all extent reasonable and practical. This may include a response to the scale, colours, textures and materials of heritage features. Alternatively, the response may provide juxtaposition with the heritage feature to emphasise heritage significance and distinguish the difference in time and style.<br><br>ii. Setbacks of new development adjoining heritage listed features are sensitive to heritage elements by considering the interface with regard to bulk, setback and materials, and maintain view corridors.<br><br>iii. Development on, or adjoining a place or item of cultural and social interest indicated on the Social Infrastructure, Culture and Heritage Map supports ongoing public access and is designed in a manner that shows consideration of that place or item. | Not relevant – No heritage values are present at the site, nor immediately adjacent to the proposed development. Identifieid |
| *4.2 Adaptive re-use of a heritage place is sympathetic to the values of the site.* | i. Adaptive reuse of heritage sites, as identified on the Social Infrastructure, Culture and Heritage Map, is of a scale compatible with the significance of the site.<br><br>ii. Any alterations required to facilitate the adaptive reuse of heritage places should be informed by an understanding and analysis of the heritage place's significance and the principles of the Burra Charter.<br><br>iii. Adaptive reuse requires minimal alterations to the place's significant fabric and does not destroy the ability to interpret the original function of the place. Where change is proposed, it should be recognisable as new work and where possible, be reversible. | Not relevant – No heritage values are present at the site. |
| *4.3 Recognise and celebrate the multicultural heritage and values of Central Darwin.* | i. Places of historical and cultural value within the study area, including significant sites, buildings structures, trees, and landscape elements are recognised and connected through innovative forms of interpretation. | Conditionally acceptable – In consultation with the Heritage Branch, there may be an opportunity for the contribution of signs which identify/recognise nearby heritage values. |
| *4.4 Support the adaptive re-use of sites of heritage value* | i. Where there is reasonable capacity to do so, discretion is applied in the evaluation of development proposals relating to sites of heritage value. This is in recognition of challenges associated with the development of such sites complying with current development standards outlined in the Planning Scheme. | Not relevant – No heritage values are present at the site. |

**Environment**

The proposal is located within an area identified on the land use vision map bas being affected by the primary and secondary storm surge. A review of the relevant objectives is provided below.

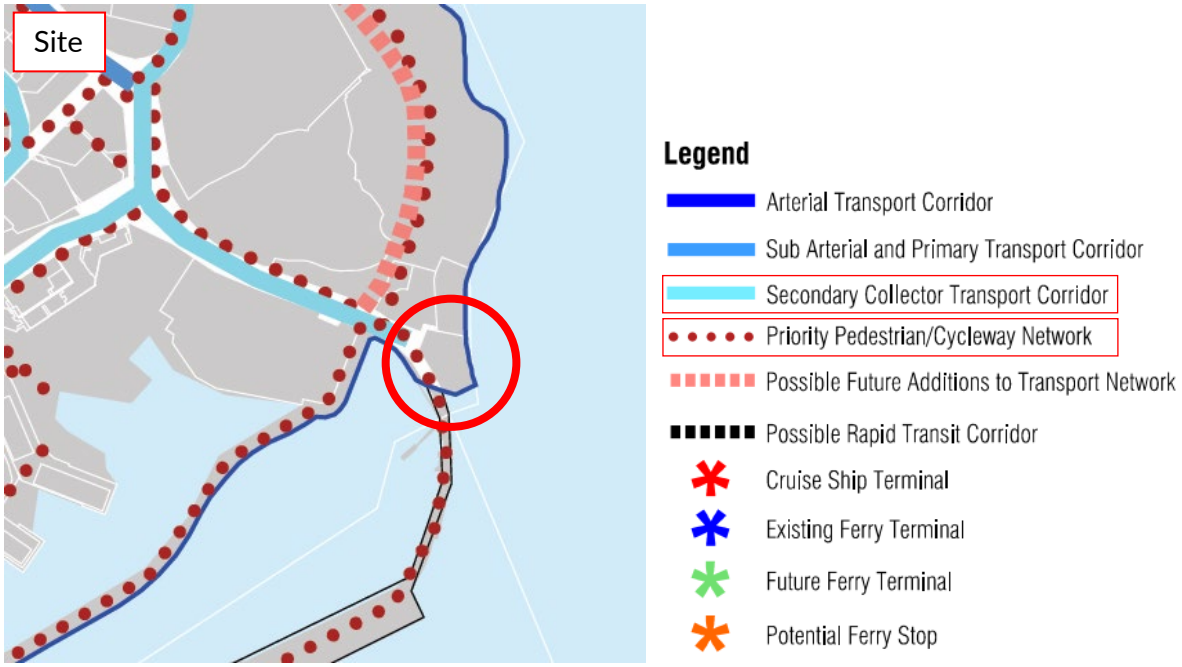



| *5. Protect and enhance the functions of the natural environment for the continued enjoyment of the community* | | |
|---|---|---|
| ***Objectives*** | ***Acceptable Responses*** | Assessment |
| *5.1 Protect and preserve the Darwin Harbour i.e. tidal mud flats and mangroves* | i. There is no net loss of mangrove communities within Zone CN (Conservation). | Not relevant – No mud flats or mangroves will be affected by this application. |
| *5.2 Respond to potential residual contamination issues.* | i. Development is informed by an assessment of site contamination.<br>ii. Development is designed and engineered to respond to any contamination issues.<br>iii. Development demonstrates a response to site contamination in accordance with any Statement of Environmental Audit prepared for the site and to the satisfaction of the relevant authorities. | Acceptable – As the site is located on likely reclaimed land, service authority comments have been sought from the Environment Division of the Department of Lands, Planning and Environment. |

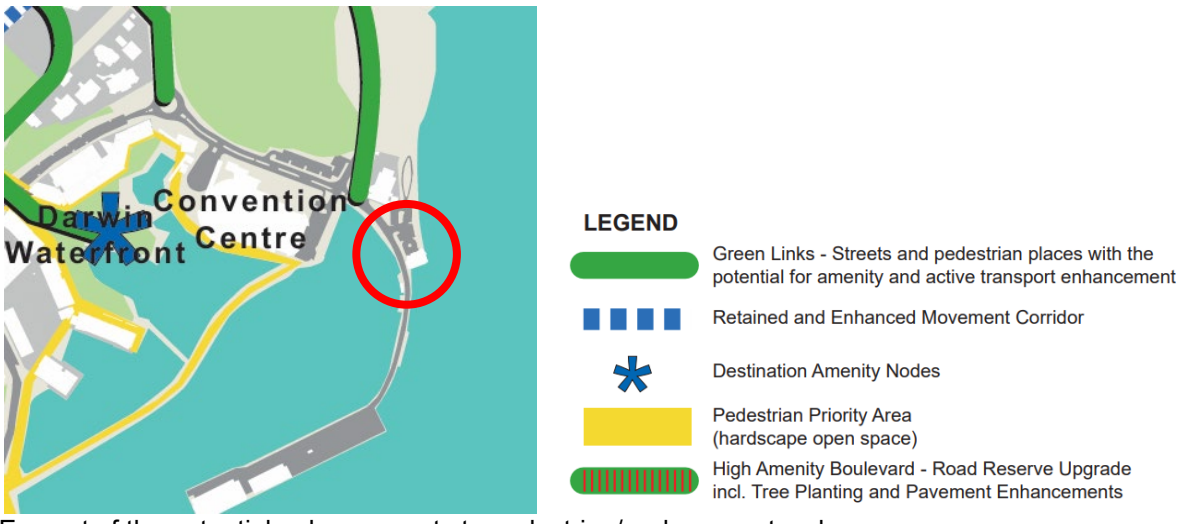
| *5. Protect and enhance the functions of the natural environment for the continued enjoyment of the community* | | |
|---|---|---|
| *Objectives* | *Acceptable Responses* | Assessment |
| *5.3 Respond to potential impacts of storm surge.* | i. All development in a Primary or Secondary Storm Surge Area is to be developed in accordance with the provisions of the Planning Scheme. | Acceptable – Refer to assessment in clause 3.7 (LSSS – Land subject to storm surge). |

**Movement and transport**

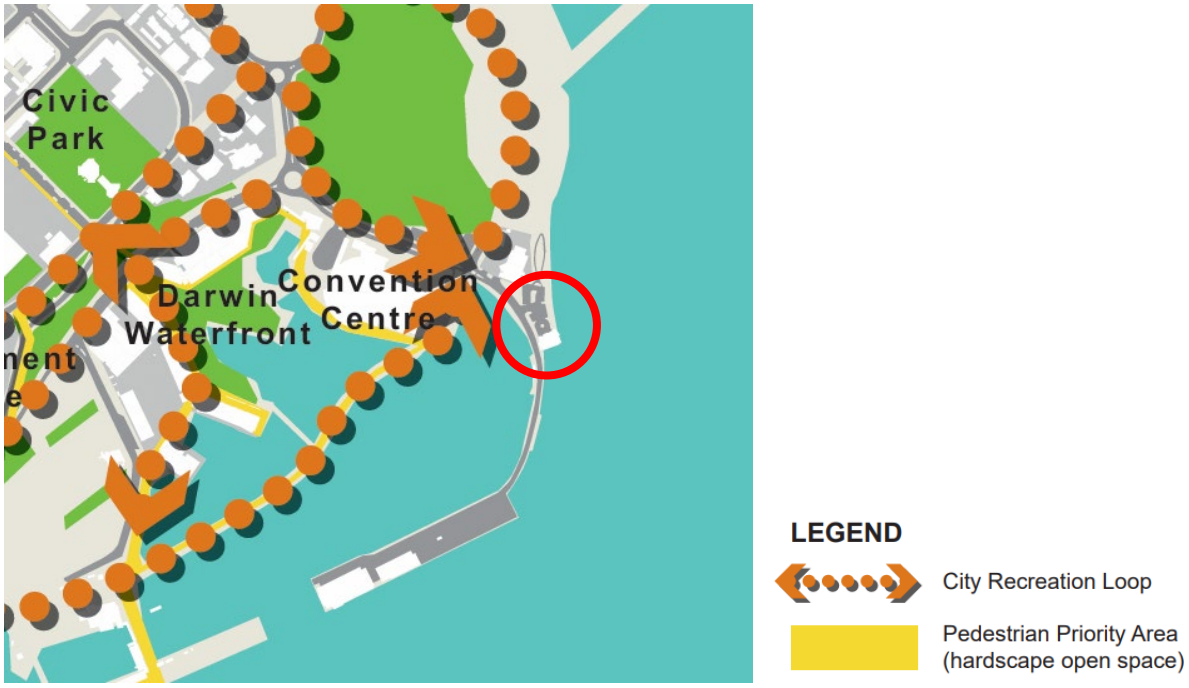
In addition to the above, the development site is located in close to proximity to transport/movement paths identified within the CDAP. These include Stokes Hill Road being both a secondary collector transport corridor (up to near the western property boundary) and a priority pedestrian/cycleway network per the transport network map.




Excerpt of the transport network map




Excerpt of the potential enhancements to pedestrian/cycleway network map map




Excerpt of the city recreation loop map

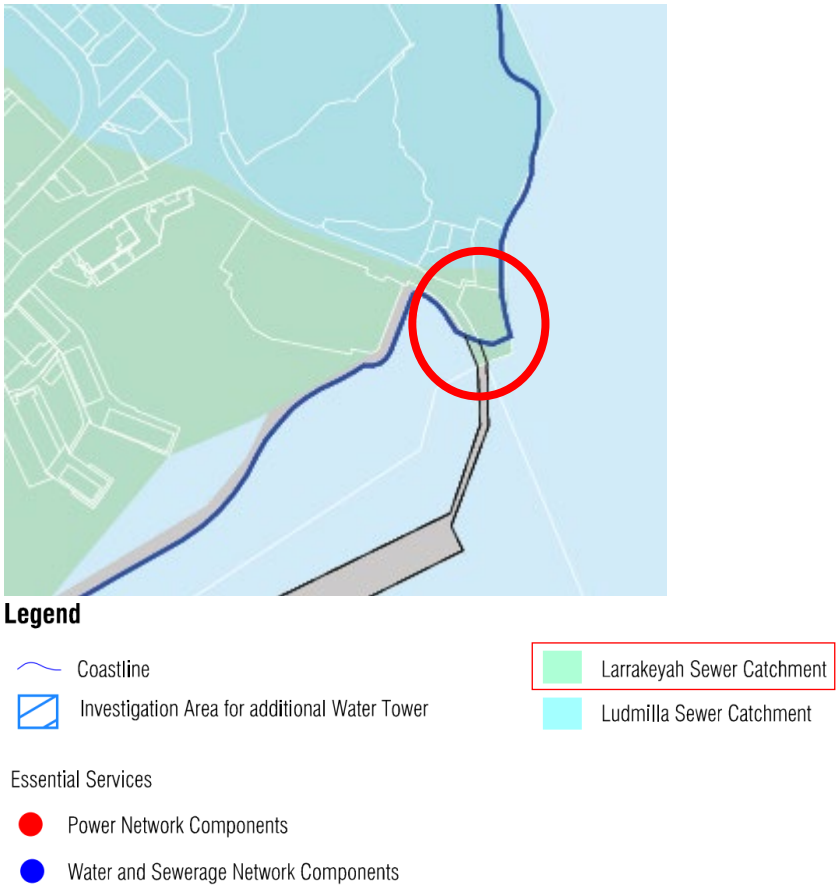
A review of the relevant objectives is provided below.

| *6. Provide an interconnected movement network that is safe and efficient for all users, balances the needs for vehicles with movement needs of pedestrians and cyclists, and does not impinge upon the aesthetics of the streetscape* | | |
|---|---|---|
| *Objectives* | *Acceptable Responses* | Assessment |
| *6.1 Maintain a highly permeable grid street network within the city centre.* | i. A fine-grained grid of local streets are retained or expanded upon which support a highly permeable, pedestrian and cycle friendly city centre.<br><br>ii. A grid configuration of city streets and blocks are provided consistent with the existing street and block layout across Central Darwin. Blocks measure between 60m x 120m width and 120m x 240m length. Blocks incorporate mid-block laneways where possible.<br><br>iii. Large developments of 3500sqm or larger within the city centre provide connections through the site and to the existing grid. | Not relevant –<br><br>In response to Items (i) and (ii) are considered to be relevant to subdivisions.<br><br>In response to item (iii), the site is not located within the cite centre. |
| *6.2 Provide appropriate primary vehicle and service access that maintains high levels of pedestrian amenity and minimises disruptions to pedestrian movements.* | i. Existing and proposed lots are serviced by laneways where possible. | Not relevant – The site is not located adjacent a laneway, and nor is one proposed as part of this application. |
| *6.3 Enhance pedestrian and cyclist amenity, safety and movement.* | i. Pedestrian and cyclist links are direct, connected, have clear sightlines, and are well lit.<br><br>ii. Laneway pedestrian crossings connect arcades and are safe attractive and distinct. | Not relevant – While the site is located adjacent to a priority pedestrian/cycleway, upgrades to that network element are considered to be the responsibility of the local |

| *6. Provide an interconnected movement network that is safe and efficient for all users, balances the needs for vehicles with movement needs of pedestrians and cyclists, and does not impinge upon the aesthetics of the streetscape* | | |
|---|---|---|
| ***Objectives*** | ***Acceptable Responses*** | Assessment |
| | iii. Where there is reasonable capacity to do so, street and movement network enhancements include provision for pedestrians and cyclists. This may include, but is not limited to:<br><br>a) Separated Cycleways<br><br>b) Prioritised street crossings<br><br>c) Bike Parking<br><br>d) Map signs<br><br>e) Directories<br><br>f) signage identifying pedestrian and/or cyclist networks i.e. City Recreation Loop; and<br><br>g) interpretive signage.<br><br>iv. Street verges are landscaped to provide shading for pedestrians and cyclists, while also softening the appearance of hard surfaces and buildings | government authority. It is noted that while the Darwin City Centre diagram shows a priority pedestrian/cycleway through the site, this is not reflected in the CDAP. |
| *6.4 Areas identified as 'Green Links' are leafy, high amenity shared movement corridors.* | i. Areas identified as 'Green Links' make use of wide road reserve to accommodate multiple modes of transportation, bus stops, public art, and landscaping.<br><br>ii. Streetscape and landscape enhancements are prioritised within 'Green Link' road reserves and provided in a coordinated manner.<br><br>iii. In accordance with any relevant policies of road authorities, examine opportunities for improving the amenity of streets identified as 'Green Links'. This may include, but is not limited to: provision of landscaping, street trees, shared footpaths, separated cycleways, street furniture and/or drinking water stations. | Not relevant – The site is not located adjacent to an identified green link. |
| *6.5 Facilitate transport network upgrades.* | i. Possible future additions to the transport network indicated on the Movement and Transport Maps, and including a potential rapid transit corridor, are not compromised.<br><br>ii. Where the City of Darwin or the Northern Territory Government has established an infrastructure contribution plan to fund the construction of strategic transport connections, contributions are to be made in accordance with the contribution plan; OR<br><br>The proponent demonstrates how a proposed development will be serviced to a standard that satisfies the requirements of the responsible service authority and how the required infrastructure will be paid for.<br><br>iii. Land identified as part of the City Recreation Loop on the City Recreation Loop Map is developed as high amenity pedestrian and cyclist space, and integrates with neighbouring parts of the network | Acceptable –<br><br>In response to (i), the application will not reasonably compromise the development of any transport routes identified in the CDAP.<br><br>In response to (ii), access to the site can be addressed through comments from the relevant local government authority.<br><br>In response to (iii), the site is not located adjacent to the city recreation loop. |

**Essential infrastructure theme**

The application is located within the Larrakeyah sewer catchment, and is not located within an area identified at 'Investigation area for additional water tower'.




Excerpt of essential infrastructure map

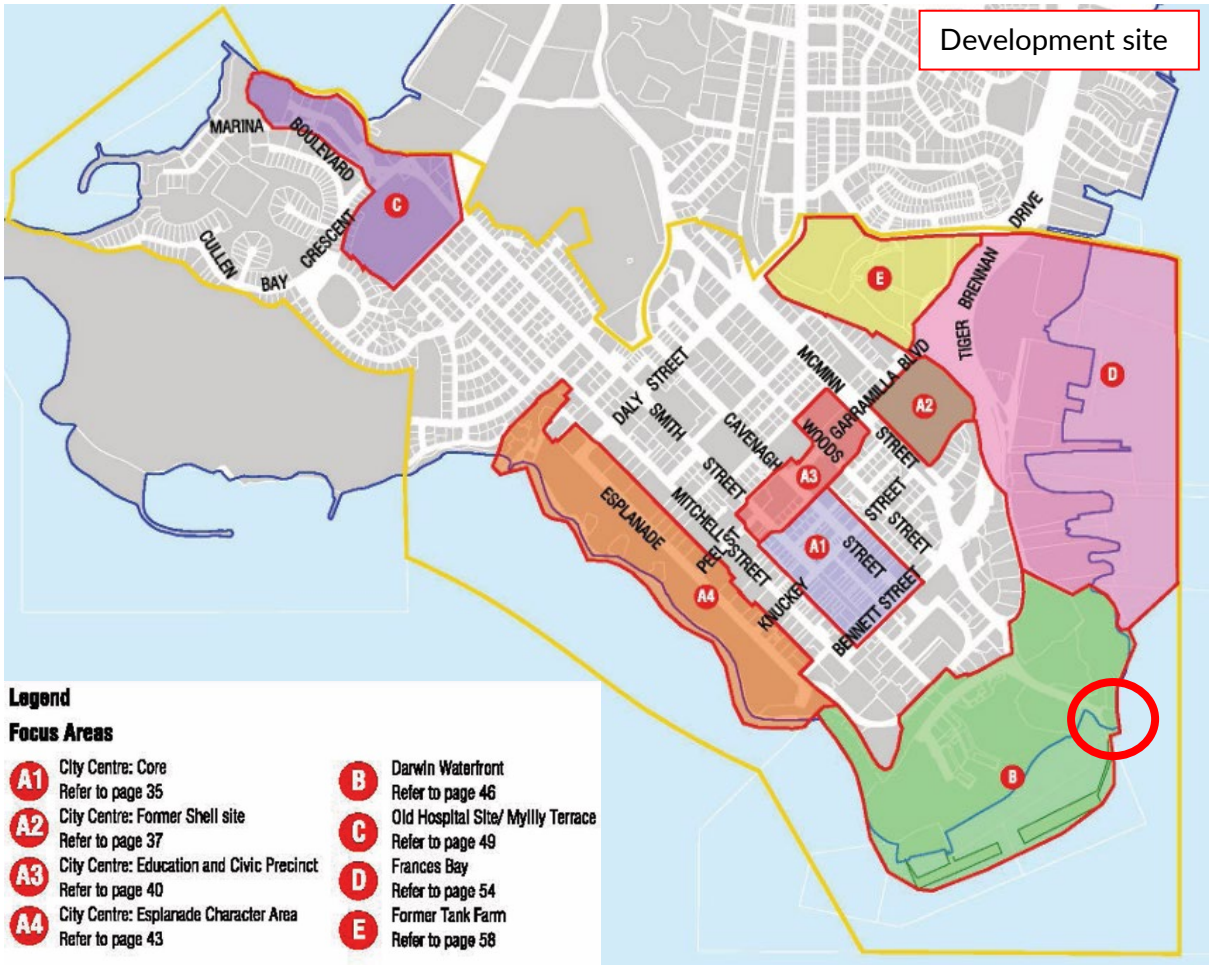
A review of the relevant objectives is provided below.

| *7. Provide for adequate power, water, sewerage, digital and telecommunications infrastructure* | | |
|---|---|---|
| ***Objectives*** | ***Acceptable Responses*** | Assessment |
| *7.1 Upgrade existing utilities and trunk services to service development in a timely and holistic manner*<br><br>*7.2 Provide utilities and trunk services sequentially and cost effectively* | i. Investigate the need for, and suitable location of, new water towers.<br><br>ii. Upgrades to water reticulation are considered prior to development.<br><br>iii. Trunk infrastructure for reticulated services is incorporated into a development's engineering design.<br><br>iv. Upgrades to existing infrastructure are provided and funded in accordance with an approved infrastructure plan; OR<br><br>The proponent demonstrates how a proposed development will be serviced to a standard that satisfies the requirements of the responsible service authority and how the required infrastructure will be paid for; OR | Acceptable – In response to all these objectives and acceptable responses, site servicing, including any necessary upgrades, will be considered through service authority comments. |

| *7. Provide for adequate power, water, sewerage, digital and telecommunications infrastructure* | | |
|---|---|---|
| ***Objectives*** | ***Acceptable Responses*** | Assessment |
| | The proponent accepts the requirement for either a monetary contribution or requirement to enter into agreements with the relevant authority for the provision of infrastructure.<br><br>v. New infrastructure is provided sequentially and funded in accordance with an approved infrastructure plan; OR<br><br>The proponent demonstrates how a proposed development will be serviced to a standard that satisfies the requirements of the responsible service authority and how the required infrastructure will be paid for.<br><br>vi. Development and / or subdivision may be deferred or refused if utilities and trunk services are not provided as required by this Area Plan, the NT Planning Scheme, or another service authority. | |
| *7.3 Ensure that presentation and / or installation of infrastructure does not detract from public amenity.* | i. Infrastructure avoids impacts on surrounding character and amenity through measures such as incorporating into buildings, screening, or locating in laneways.<br><br>ii. Provision of subsurface infrastructure does not unreasonably restrict the planting of street trees. | |
| *7.4 Encourage innovation and sustainability* | i. Infrastructure is future-proofed and enables implementation of options including digital infrastructure, natural gas, district cooling, water capture and reuse, and waste recycling.<br><br>ii. Provide for future installation of electrical and communications equipment to support Smart Cities infrastructure, including conduit and capacity for additional connection points. | |

**Focus areas**

In addition to the above themes, the development site is located immediately adjacent, but outside of, the Darwin Waterfront focus area.



**Darwin Waterfront**




The site is located outside of the Waterfront focus area, as depicted in the inset. As such, a review of the Darwin Waterfront objectives is not considered to be relevant to this application.

**Summary**

Acceptable – As discussed above, overall, the application is considered to be appropriate against the relevant objectives of the Central Darwin Area Plan.

## 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.

**Summary**

Not relevant – This application does not propose any land reclamation, and states 'No fill is proposed'. As such, this overlay is not relevant to this application. It is noted that while the application is located over previously reclaimed land, this overlay is not considered to be relevant to this application as no further coastal reclamation is proposed.

## 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.

**Summary**

Not relevant – The site is not located within land identified as subject to riverine flooding. As such, this overlay is not relevant to this application.

## 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.

Does not comply – In response to subclauses 8, 9 and 10, the application is for a hotel/motel development, which is not considered to meet any of the acceptable land uses listed in these subclauses. As such, it is considered to be contrary to these subclauses.

The site's Flood Impact Property Report identified the modelled storm surge height during a PSSA event will be 5.41 mAHD, and that during a SSSA event will be 5.98 mAHD. A review of this against the plans identified that:

| Building | Level (mAHD) | Difference (m) | |
|---|---|---|---|
| | | PSSA event | SSSA event |
| Ground level car parking area | 6.7 mAHD | 1.29 m | 0.72 m |
| Level 1 hotel suites | 10.7 mAHD | 5.29 m | 4.72 m |

**Summary**

Does not comply – The application will require the discretion of the Consent Authority in relation to the establishment of a land use which will increase the number of people/infrastructure in an area identified as being subject to a primary and secondary storm surge.

## 3.8 LADR – Land Adjacent to a Designated Road

Purpose
Ensure that ***access*** to a designated road from adjacent land does not prejudice traffic safety or the integrity and operation of the infrastructure.

**Summary**

Not relevant – The site is not located adjacent to a designated road. As such, this overlay is not relevant to this application.

It is noted that this overlay normally applies to properties adjacent to major roads managed by the NT Government (i.e. the Stuart Highway and in the Darwin CBD, McMinns Street), however, doesn't normally apply to zoned land.

## 3.13 GL – Gateway Locations

Purpose
Ensure that the use or development of land identified as a Gateway Location is designed to respect and enhance the unique characteristics of the locality.

**Summary**

Not relevant – The site is not located at an identified gateway location. As such, this overlay is not relevant to this application.

## 3.14 HLSSI – Land in proximity to Helicopter Landing Sites of Strategic Importance

Purpose
Ensure that development does not compromise the ability of helicopters using landing sites of strategic importance.

**Summary**

Not relevant – The site is not located within or near helicopter landing site of strategic importance, nor a flight path to one. As such, this overlay is not relevant to this application.

## 3.15 LPRT – Land in Proximity to Runway Thresholds

Purpose
Minimise risk to aircraft from building generated windshear and turbulence in proximity to runways.

**Summary**

Not relevant – The site is not located within or near an identified runway. As such, this overlay is not relevant to this application.

## 4.10 Zone CB – Central Business

Zone Purpose
Promote an active and attractive mixed use environment that maximises its function as the commercial, cultural, administrative, tourist and civic centre for the surrounding region that is integrated with high density residential development.

Zone Outcomes

1. A diverse mix of commercial, community, cultural, recreational and residential developments of a scale and intensity commensurate with the role and function of the central business district.

Supports – The application proposes the development of a hotel over a development site that is currently being utilised for only at-grade car parking. This development will support the Darwin CBD in its role and function as the primary central business district in the NT.

2. Residential developments that cater for residents and tourists, including **dwelling-multiple**, ***serviced apartment***, **rooming accommodation**, **residential care facility**, and **hotel/motel,** are usually of high density and are integrated with complementary commercial and entertainment activities that are located nearby or contained within the same building.

Supports – The application will increase the amount of tourist accommodation in the Darwin Waterfront.

3. **Dwelling-community residence** and **home based business** are designed and operated in a manner consistent with the residential ***amenity*** of the building or surrounding precinct.

4. Commercial developments and entertainment and dining activities such as **bar-public**, **bar-small**, **food premises (all)**, **leisure and recreation**, **market**, **night club entertainment venue, office**, **shops** and **sex services-commercial premises:**
   (a) encourage diversity and contribute to day and night activity within the zone; and
   (b) are designed and operated in a manner that is considerate of the character and ***amenity*** of surrounding uses, having regard to the mixed use nature of the zone.

5. Cultural and community focused activities such as **child care centre**, **community centre, exhibition centre, medical clinic**, **place of assembly** and **place of worship** support the needs of the local or regional population and contribute to the diversity and activity of uses within the zone.

6. Developments such as **veterinary clinic**, **plant nursery**, **shopping centre**, **showroom sales, education establishment,** and **passenger terminal** are established in locations that complement and do not undermine the core functioning of the city precinct.

7. Developments such as **vehicle sales and hire**, **motor body works**, **motor repair station**, **service station, industry-light** and **emergency services facility**:
   (a) are sited on the periphery of the CB area;
   (b) are located with good ***access*** to the local road network; and
   (c) are managed to minimise unreasonable impacts to the ***amenity*** of surrounding residents.

Not relevant – In response to zone outcomes 3 to 7, this application does not concern any of the listed land uses. As such, these zone outcomes are not considered to be relevant to this application.

8. Development incorporates innovative building design, ***site*** layout and landscaping that:
   (a) responds to and encourage pleasant microclimates, including through breeze capture and shading;

Supports – The proposed hotel/motel levels will comprise a central breezeway, and proposes to install a perimeter garden bed along the external building line for levels 1 to 5.

   (b) minimises privacy and overlooking impacts on private spaces;

Supports – The site is not located adjacent to another other existing private open spaces. Notwithstanding, the design and orientation of the balconies in generally towards the public domain.

   (c) maximises overlooking and passive surveillance of public spaces;

Supports – The application proposes windows between the ground level reception and admin spaces to Stokes Hill Road. In addition, the balconies along the northern side of the building are orientated towards Stokes Hill Road. It is noted that while the storage and services room do not have windows facing Stokes Hill Road, that this is acceptable by virtue of their limited extent and their hotel/motel servicing nature.

   (d) maximises pedestrian activity along ***primary street*** frontages;

Acceptable – The application will likely improve the sense of security for pedestrians in the area, by the inclusion of active street frontage (including through ground level landscaping) where very little exists at the moment, with the development site dominated by car parking.

   (e) reduces the appearance of building mass relative to its surroundings; and

Supports – The building is considered to be well articulated, with distinctive bottom and upper portions. Expanses of blank walls are minimised through example perimeter landscaping at each level, the presence of balconies, windows, and through cladding/façade treatments along the western and eastern ends of the building.

   (f) creates attractive outdoor spaces and enhances the streetscape.

Supports – This application will contribute to an attractive streetscape through a 6-storey development which proposes a high degree of landscaping along the external building line which will positively contribute to the streetscape. In addition, the development will improve the outdoor environment through the provision of a 2 m wide publicly accessible walkway at the rear of the site.

9. Development contributes to the creation of an active, safe and legible public realm by:
   (a) incorporating and responding to high quality ***public open spaces*** including town squares, civic plazas and forecourts where appropriate; and

Supports – This development will positively contribute to the public realm as it proposes ground level reception, foyer and office spaces with large windows that overlook a Stokes Hill Road, and through a variety of landscaping at ground level and along the levels 1 to 5 building line.

   (b) integrating with walking, cycling and public transport networks to promote accessibility and use.

Supports – The application proposes 2 footpaths that will provide a connection between Stokes Hill Road the proposed waterside footpath.

10. Developments are designed and operated in a manner that avoids unreasonable loss of ***amenity*** for surrounding premises, having regard to the close proximity between residential and entertainment uses, and the overall mixed use nature of the zone.

Supports – The primary adverse consideration of this development is the proximity of hotel/motel suites to the main outdoor area of the Larrakia Cultural Centre, which would be expected to host functions through the year. Notwithstanding, the design of the balconies, namely that they're orientated away from the LCC outdoor space, is considered acceptable, and not likely to result in an unreasonable impact on future hotel/motel visitors than that expected for a development in Zone CB.

11. 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.

Not relevant – This zone outcomes is considered to be relevant to the subdivision of land within Zone CB. As such, it is not considered relevant to this application.

12. 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 relevant – The application is considered to meet the definitions of hotel/motel. As such, this zone outcome is not considered relevant to this application.

**Summary**

Acceptable – As discussed above, the application is considered to support the relevant zone outcomes.

### 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*** |
| | Development on a ***site*** that is:<br>• within the boundaries of the Darwin Inner Suburbs Area Plan or Darwin Mid Suburbs Area Plan; and<br>• has frontage to a street with a reservation width not exceeding 18m on the opposite side of which is a ***site*** in Zone LR. | 3 ***storeys*** |
| | All other uses | 4 ***storeys*** |
| HR | All uses | 8 ***storeys*** |
| C | Mixed use development that consists of one or more ***residential buildings*** | 4 storeys |
| | All other uses | No height limit |
| CL and CP | **Education establishment** or **hospital** | No height limit |
| CB, SC, TC and DV | All uses | No height limit |

**Editor's Notes:**

**(1) If applicable, the residential plot ratio and/or the commercial plot ratio may impact on the building height.**

**(2) Basements that protrude less than 1m from ground level are not considered as a *storey* for the purposes of this clause.**

**(3) Any use or development of land that intrudes into a protected airspace, such as the use of cranes, within 15km of an airport or RAAF base may have additional restrictions and approval requirements from the airport operator under the *Airports Act 1996* (Cth), *Airports (Protection of Airspace) Regulations 1996* (Cth), and *Defence Regulation 2016* (Cth). More information is available on NT.GOV.AU.**

**Summary**

Not relevant – Pursuant to subclause 1(b), as the site is subject to alternative height requirements (clause 5.9.2.4 (Development within the Darwin Waterfront)), this clause is not relevant to this application. Notwithstanding, it is noted that the site is located in Zone CB, for which this clause does not impose a maximum height.

## 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).

…

**Summary**

Not applicable – Pursuant to subclause 1, as the site is subject to alternative car parking space requirements (clause 5.9.2.11 (Car Parking Spaces in Darwin City Centre)), this clause is not relevant to this application.

## 5.2.4.4 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

(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.

Does not comply – 2 car parking spaces are located less than 3 m from the front property boundary (that located immediately along Stokes Hill Road). In addition, a further 3 spaces are located within 3 m of the property boundary adjoining the access to the electrical substation (which is part of the road reserve).

7. A ***car parking area*** is to be constructed and maintained to be:
   (a) of a suitable gradient for safe and convenient parking; and

Complies – The plans show the car parking area is located at RL 6.7 m. While no gradient is shown on the plans it is reasonably believed that it will be even, and will allow for safe and convenient parking.

(b) sealed and well drained in urban areas, or dust supressed in non-urban areas.

Complies – The car parking area is located at the ground level of a 6-storey development. As such, it is reasonably expected that it will be 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;

Complies – The layout of the car parking area is considered adequate to allow for a vehicle to access and vacate each car parking space in a convenient manner.

(b) allow a vehicle to enter from and exit to a road in a forward gear;

Complies – There is sufficient space in the car parking area to allow a vehicle to either complete a 3-point turn, or circulate the site in manner that allows them to leave in a forward gear.

(c) be in accordance with the dimensions set out in the diagram to this clause; and

Does not comply – A review of the plans show there are 36 instances (of a total 56) where a building support column is partially located within a car parking space.

No non-compliances were otherwise identified in relation to car parking space widths and lengths.

(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.

Does not comply –There are 2 instances where a car parking space is located perpendicular to the end of a driveway, however, a 1 m+ projection is not proposed.

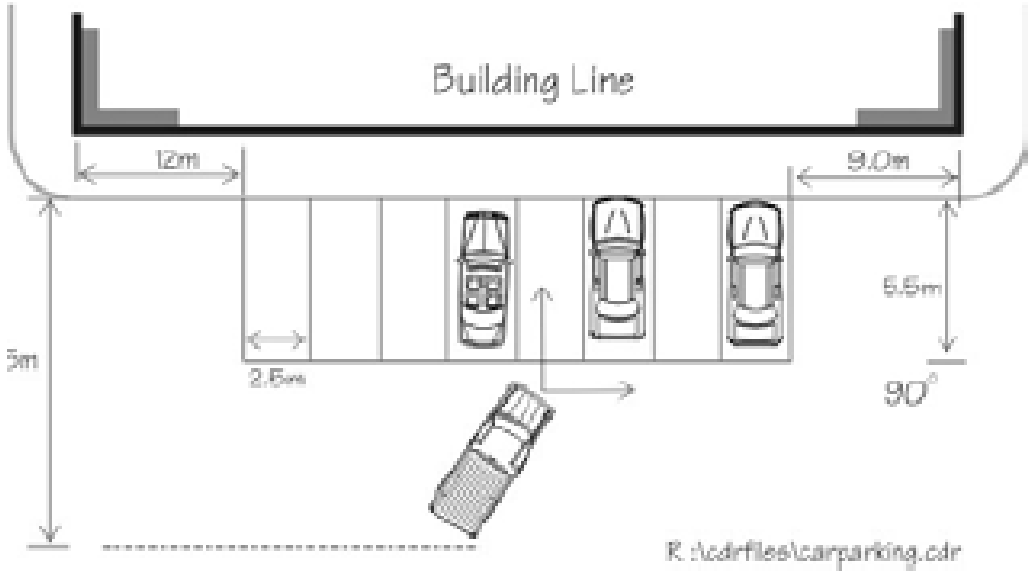
9. The number of ***access*** points to the road is to be limited, and ***access*** points to ***car parking areas*** are to:
   (a) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and

Complies – One access point is shown on the plans, and which will be 7 m to 7.3 m wide.

(b) maximise sight lines for drivers entering or exiting the car parking area.

Complies – While minor landscaping is shown on the plans adjacent to the crossover, it is considered that this won't pose an unacceptable impact on sightlines. Notwithstanding, this aspect can be addressed via a standard permit condition if deemed necessary.

*It is noted that the full Diagram to Clause 5.2.4.4: Parking Layout can be found at the NTPS 2020 website.*




**Summary**

Does not comply – The application does not meet requirements of this clause relating to setbacks to the car parking area, car parking space intrusions from support columns, and 2 instances of a lack of projections past a car parking space.

In addition, the application proposes 3 x motorcycle parking bays. These bays are located adjacent to the central driveway. While there are no requirements relating to motorcycle parking, it should be confirmed that the identified spaces will be level with the adjacent car parking area (i.e. not located on raised platform), to ensure their functionality.

## 5.2.4.5 Vehicle Access and On-site Parking for Dwellings-Single on Lots Less than 600m$^2$ but not less than 300m$^2$

Purpose
Ensure that vehicle ***access*** driveways and on-site parking spaces for **dwellings-single** on lots less than 600m$^2$ and not less than 300m$^2$ do not unduly reduce the ***amenity*** of a public road or the availability of kerbside vehicle parking in the public road.

**Summary**

Not relevant – This application does not concern a dwelling-single on a lot between 300 m2 and 600 m2. As such, this clause is not considered relevant to this application.

## 5.2.5 Loading Bays

Purpose
Provide for the loading and unloading of vehicles associated with the use of land.

Administration

1. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clauses 3 and 4 only if it is satisfied sufficient, safe and functional loading areas are available to meet the needs of the use with regard to:
   (a) the scale of the use and development on the ***site***;
   (b) any potential adverse impacts on the local road network; and
   (c) any agreements for off-site loading and unloading of vehicles, such shared loading areas or approval to carry out loading activities in a laneway or ***secondary street***.

2. For the purposes of this clause, where an **exhibition centre**, **food premises (fast food outlet** and **restaurant)**, **office**, **place of assembly**, **shop** or **shopping centre** are part of an integrated development, the minimum number of loading bays is to be calculated based on the combined ***net floor area*** of the integrated uses.

Requirements

3. Use and development is to include provision of a minimum number of loading bays in accordance with the table to this clause (rounded up to the next whole number).

Does not comply – The development is to provide loading bay facilities at the rate specified in the table below. As such, the number of loading bays required is:

- Hotel/motel NFA: 161.4 $m^2$ requiring 0.01614 spaces.

In addition to the above, a review was completed of the existing developments at the site, which generate a demand which must be provided at the site. This review found:

- Existing development (Food premises (noting though that this use is not indicated currently existing)/office): 780 $m^2$ requiring 0.39 spaces

In total the required number of spaces is 2 (noting that a hotel/motel requires a loading bay for every hotel/motel occupation at a site), where only 1 space is proposed at the site.

4. A ***loading bay*** is to:
   (a) provide areas wholly within the ***site*** for loading and unloading of vehicles;

Complies – The application provides 1 x dedicated loading bay facilitate on-site.

   (b) be at least 7.5m by 3.5m;

Complies – A review of the plans show the loading bay space is approximately 3.5 m wide by 7.5 m long.

   (c) have a clearance of at least 4m; and

Does not comply –The plans indicate that the height of roller gate at the site entrance is 3.4 m, and with the distance between the ground level and ground level ceiling being measured as 3.8 m.

(d) have access that is adequate for its purpose.

Complies – It is reasonably considered that the location and access to the loading bay facility is acceptable for its intended use for the hotel/motel and existing development.

| Table to Clause 5.2.5: Minimum number of loading bays | |
|---|---|
| **Use or development** | **Minimum number of loading bays** |
| Food premises-restaurant | 1 ***loading bay*** for every 2000m$^2$ of the total ***net floor area,*** or part thereof |
| Hotel/Motel | 1 ***loading bay*** for a single occupation of a ***net floor area*** of 10 000m$^2$ or less;<br>and<br>1 ***loading bay*** for every 5000m$^2$ of ***net floor area*** or part thereof in excess of 10 000m$^2$ |
| Office | 1 ***loading bay*** for every 2000m$^2$ of the total ***net floor area,*** or part thereof |
| All other uses | No loading bays required |

**Summary**

Does not comply – As discussed above, the application does not meet requirements of this clause relating to the number of loading bays and the proposed loading bay dimensions including accessibility to.

## 5.2.6.1 Landscaping in Zones other than Zone CB

Purpose
Encourage landscaping that enhances local amenity by:
(a) contributing to safe and attractive public spaces and places;
(b) responding to the local climate and soil characteristics;
(c) supporting cooler internal and outdoor areas; and
(d) recognising the value of retaining existing plants and trees.

**Summary**

Not relevant – The site is located in Zone CB. As such, this clause is not relevant to this application.

## 5.2.6.2 Landscaping in Zone CB

Purpose
Ensure developments within central business districts minimise heat capture and enhance the visual ***amenity*** of the area when viewed from the street or from surrounding buildings.

Administration
1. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 3 if:
   (a) it is a small development and the consent authority is satisfied that it would be unreasonable to provide the required landscaping, having regard to the intended use of the development or whether the development would become unfeasible; or
   (b) the development provides an alternative response to achieve the purpose of this clause.

2. This clause does not apply if the use or development is *permitted* through Clause 5.5.4 (Expansion of Existing Use or Development in Zones CB, C, SC and TC).

Requirements

3. Development in Zone CB is to provide landscaping equivalent to 10% of the site area, excluding any impervious or unplanted areas.

Complies – The site is 4080 $m^2$ and therefore requires 408 $m^2$, where the plans show that 1002 $m^2$ (24.56%) is proposed at ground level, and at the building perimeter for levels 1 to 5. It is noted that while some areas of landscaping are located beneath roofs, these are considered acceptable for the purpose of this clause as will still reasonably provide functions relating to latent heat mitigation, as well as improve the visual appeal of the development when seen from the public domain. This review has not included landscaping proposed as part of the communal open space, by virtue this will have limited public visibility (with the exception of 2 proposed trees).

**Editor's Notes:**

**(1) Refer to *Species Guide for Landscaping in the Northern Territory Planning Scheme* for assistance with addressing the requirements of subclause 3 of Clause 5.2.6.2.**

**(2) Any vertical landscaping within the Darwin City Centre provided to meet subclause 3 of Clause 5.2.6.2 may also contribute to a reduction of car parking under Clause 5.9.2.12.**

**(3) Refer to *Landscaping in Zone CB* for guidance on interpreting the requirements of subclause 3 of Clause 5.2.6.2.**

**Summary**

Complies – As discussed above, the application is considered to comply with the requirements of this clause.

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

Purpose

Protect the visual and acoustic ***amenity*** of ***residential buildings*** where they are adjacent to non-residential development.

**Summary**

Not relevant – The subject lot is not located adjacent to land in Zones LR, LMR, MR or HR. As such, this clause is not relevant to this application.

## 5.3.7 End of trip facilities in Zones HR, CB, C, SC and TC

Purpose

Ensure that new commercial and high density ***residential buildings*** provide sufficient safe, quality and convenient ***end of trip facilities*** to enable active travel choices by residents, visitors, workers and customers for the proposed use of the ***site***.

Administration

1. The consent authority may ***consent*** to a use or development with fewer bicycle parking spaces, lockers and/or showers and changing facilities than required by sub-clauses 2-6 if satisfied that either:
   - (a) there are alternative ***end of trip facilities*** (on or off the ***site***), where:
     - i. the same function is provided which can accommodate the same number of bicycles and/or users required by the clause;
     - ii. ***access*** to the alternative ***end of trip facilities*** is safe and convenient for users;
     - iii. the alternative ***end of trip facilities*** are sheltered and secure; and
     - iv. the size and layout of alternative storage areas allows for safe and comfortable storage and ***access*** to bicycles and/or personal items; or
   - (b) it would be unreasonable to provide the ***end of trip facilities*** as required by this clause with regard to, but not limited to, the location of the development and likely commute distances; or

(c) it would be unreasonable to provide shower and changing facilities for a small development, where the development becomes unfeasible should such facilities be required.

Requirements

2. All new buildings in Zones HR, CB, C, SC and TC should provide bicycle parking facilities with a number of bicycle parking spaces calculated at the rate specified in the table to this clause (rounded up to the nearest whole number).

Acceptable– The development is to provide bicycle parking at the rate specified in the table below. As such, the number of bicycle spaces required is:

hotel/motel suites: 162 guest rooms (interpreted as bedrooms) requiring 54 spaces.

As such, 54 bicycle parking spaces are required as part of this development, where it considered that a sufficient spaces are can be provided within the 3 on-site bicycle parking areas.

3. All bicycle parking facilities and associated bicycle parking devices should be designed in accordance with *Australian Standard AS2890.3 – Bicycle Parking* and must:
   (a) be located in a convenient and safe location with adequate security for the storage of bicycles;

Acceptable – The bike racks are located in three distinct locations – adjacent to the existing development at the site (southern bicycle parking area), adjacent to the hotel/motel foyer (bicycle parking facility (BPF), and adjacent to the publicly accessible footpath on the northern side of the proposed development (northern bicycle parking area).

It is noted that all bicycle parking areas will reasonably be secure, through standard lighting and open viewlines to the public domain.

(b) have an appropriate mix of long and short term, wall and floor mounted bicycle parking;

Acceptable – The only bicycle parking provided will be within floor mounted bike racks. This is considered acceptable given the small scale of the development.

(c) where secure parking is provided, provide e-bike charging facilities, as necessary;

Acceptable – Although the plans don't show a powerpoint or charging apparatus within the bicycle parking facility, it's design as part of the new building will reasonably allow for its future installation if desired by the developer.

(d) not require ***access*** via steps;

Complies – The bike racks are at ground level, and reasonably considered to be accessible without the need to use any steps.

(e) be protected from the weather;

Does not comply –While the central and southern bicycle parking areas are located as part of development, the northern bicycle parking area will not be located beneath an eave or shade structure.

(f) enable the wheels and frame of a bicycle to be locked to the device without damaging the bicycle;

Conditionally acceptable – It is reasonably considered that the bike racks will allow a bike to be locked to the facility. This aspect can be reasonably be addressed by a standard permit condition.

(g) be located outside pedestrian movement paths;

Acceptable – All bicycle parking areas are located outside of pedestrian movement paths.

(h) be easily accessible from the road;

Acceptable – The bicycle parking areas are located adjacent to on-site pedestrian and vehicular accesses. As the distances are fairly short, and gradient likely to be flat, this is considered acceptable.

(i) be arranged so that parking and manoeuvring motor vehicles will not damage adjacent bicycles;
(j) be protected from manoeuvring motor vehicles and opening car doors;

Acceptable – In response to subclauses (i) and (j), the northern bicycle parking area immediately adjacent to the on-site driveway will be publicly accessible and orientated towards the public domain, and separated from the on-site car parking area by a fence. The central and southern bicycle parking areas are considered to meet the requirements of this clause.

(k) be as close as possible the cyclist's ultimate destination;

Acceptable – The central and southern bicycle parking areas, which staff are reasonably likely to use, are located adjacent to the foyer area, and in closed proximity to the change room (UAT).

(l) be well lit by appropriate existing or new lighting; and

Acceptable – It is reasonably considered that adequate lighting will be provided in the vicinity of the bike racks.

(m) be sympathetic in design, material and colour to compliment the surrounding environment.

Acceptable – It is reasonably considered that the bike racks will be made of a material that is sympathetic with the surrounding development. In addition, it is noted that the bicycle parking facility is located within the development, and is not visible from the public domain.

4. A locker should accompany every secure bicycle parking space provided, and should be:
(a) of suitable volume and dimensions to allow storage of clothing, cycling helmets and other personal items;

Acceptable – Although the application did not explicitly state the dimensions of the lockers to be provided, the plans show the provision of 38 lockers within the ground floor office area.

(b) well ventilated, secure and lockable; and

Acceptable – Although the details of the lockers were not provided with the application, this aspect can be addressed by a standard permit condition.

(c) located close to shower and changing facilities.

Acceptable – The lockers are located in a room adjacent to the shower facility (which are also considered to allow for users to get changed).

5. All new ***non-residential buildings***, **hotels/motels**, and ***serviced apartments*** in Zones HR, CB, C, SC and TC should provide sufficient and accessible shower and changing facilities for staff with the number of showers calculated at the rate specified in the table to this clause.

Complies – While the application does not state the expected number of staff, it is not considered likely that there would be more than 50 staff on-site at any one time. As such, 1 shower facility is considered required, and where 1 is provided within the universal accessible toilet.

6. Shower and changing facilities must be secure facilities capable of being locked, and should:
   (a) be located as close as practical to the associated bicycle parking facilities;

Complies – The UAT facility is located in close proximity to the office and locker room.

   (b) provide one change space per shower; and

Complies – The UAT facility is 7 $m^2$, which is considered sufficient to provide space for a future user to get changed in private.

   (c) Provide for separate male and female facilities where more than one shower is provided.

Not relevant – Only 1 shower facility is proposed.

| Table to Clause 5.3.7: End of trip facilities in Zones HR, CB, C, SC, and TC | | |
|---|---|---|
| **Use or Development** | **Minimum number of bicycle parking spaces** | **Minimum number of showers** |
| **Dwellings-multiple** | 1 space for every 3 ***dwellings*** | |
| **Hotel/motel, rooming accommodation** | 1 space for every 3 guest rooms | 1 shower for up to 50 staff, plus 1 additional shower for up to every 50 staff thereafter. |
| ***Non-residential buildings*** (except as identified in this table) | 1 space per 300$m^2$ ***net floor area*** | 1 shower for up to 50 staff, plus 1 additional shower for up to every 50 staff thereafter. |
| **Office** | 1 space per 300$m^2$ ***net floor area*** | 1 shower for up to 1500$m^2$ ***net floor area***, plus 1 additional shower for up to every 1500$m^2$ thereafter. |
| ***Serviced apartments*** | 1 space for every 3 ***dwellings*** | 1 shower for up to 50 staff, plus 1 additional shower for up to every 50 staff thereafter. |
| **Shop** (including **shopping centres**) | 1 space per 300$m^2$ ***net floor area*** up to 5000$m^2$ ***net floor area***, plus 1 space per 600$m^2$ ***net floor area*** above every 5000$m^2$ ***net floor area*** thereafter. | 1 shower for up to 5000$m^2$ ***net floor area***, plus 1 additional shower for up to every 5000$m^2$ thereafter. |

**Summary**

Does not comply – As discussed above, the application is not considered to comply with requirements relating to the northern bicycle parking area not being protected from the weather.

## 5.5.4 Expansion of Existing Use or Development in Zones CB, C, SC and TC

Purpose
Provide for the minor expansion of an existing use or development in Zones CB, C, SC and TC.

**Summary**

Not relevant – This application is for a new development. As such, this clause is not relevant to this application.

## 5.5.15 Design in Commercial and Mixed Use Areas

Purpose
Encourage a diverse mix of commercial and mixed use developments that are safe, contribute to the activity and ***amenity*** of commercial centres, are appropriately designed for the local climate, and minimise conflicts between different land uses within and surrounding the commercial centre.

Administration
1. A development application must, in addition to the matters described in sub-clauses 12-23, demonstrate consideration of and the consent authority is to have regard to the Community Safety Design Guide in Schedule 5.

Noted – The application did not include any specific references to the Community Safety Design Guide (CSDG). The CDSG is a guideline document that sets out a series of key safe design elements (including associated objectives) and guidelines that need to be considered as part of an application. Although the content of the CSDG is generally considered to be reflected in various clauses of the NTPS2020, a review of CSDG core design principles is provided at the end of this technical assessment.

2. The consent authority may ***consent*** to a development that is not in accordance with sub-clauses 12-14 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 15 if it is satisfied that services and utilities are appropriately concealed within the development to minimise their visual impact on the public domain.

4. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 16 if it is satisfied that the development provides an appropriate level of shading that reduces heat capture of paved surfaces, having regard to the location of the ***site*** and scale of the development.

5. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 17 if it is satisfied that:
   (a) the development provides a considered response to the established character of the streetscape; and
   (b) the development provides an alternative response for shading.

6. The consent authority may ***consent*** to a development that is not in accordance with sub-clauses 18 if it is satisfied that the development facilitates safe and shaded pedestrian movement through the ***site***.

7. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 19 if it is satisfied that all reasonable measures are taken to mitigate potential impacts between current and reasonably anticipated future developments.

8. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 20 if it is satisfied that all reasonable measures have been taken to mitigate potential noise impacts on ***habitable rooms*** within the ***site.***

9. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 21 if it is satisfied that the development manages run-off from balconies to adjoining balconies and ***dwellings*** below.

10. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 22 if it is satisfied that the development provides appropriate provisions for parenting activities relative to the nature and scale of the development.

11. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 23 if it is satisfied that the development provides an appropriate response to waste management.

Requirements

12. Building design is to be sympathetic to the character of buildings in the immediate locality.

Acceptable – It is reasonably considered that the character of the locality (Darwin Waterfront) is made up of 1 to 5 storey tall buildings, with building facades generally comprised of pedestrian entrances, service accesses and landscaping at ground level, and modern design at the middle and upper levels.

As such, as this application proposes similar elements to the above, it is considered to sympathetic to the character of buildings in the locality.

13. Buildings are to incorporate and maintain passive climate control measures appropriate to the local climate.

Acceptable – The plans show extensive landscaping and shading (such as through balconies and landscaped awnings projecting out from the building). These features are considered to reasonably reduce the amount of solar gain on the building interior, thus improving energy efficiency. In addition, it is noted that the proposal includes an open central corridor, and openable windows within the suites, which alongside doors to balconies, allows or breeze penetration.

14. 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.

Acceptable – The development proposes multiple design elements that will create a varied façade from the public domain. These elements include windows, balconies, and façade treatments comprising vertically aligned slats on building corners and in proximity to the central corridor.

15. Services and utilities (such as bin storage areas, service ducts, pipes, air conditioner plants etc.) are to be integrated into the development and/or screened to the public domain and neighbouring properties.

Acceptable – These features were not shown on the dimensioned plans. However, standard permit conditions can be applied to any resulting development permit requiring that services and utilities be screened, to the satisfaction of the consent authority.

16. ***Car parking areas***, including rooftop parking, and open expanses of pavement are to be shaded by landscaping and/or shade structures.

Acceptable – While there are instances of the car parking area not being directly shaded, the close proximity of these instances to nearby landscaping and the hotel/motel building are considered to suitably address this subclause.

17. Unless advised otherwise by the relevant local government council or controlling agency for roads (whichever is applicable), development is to provide an awning or verandah to all street frontages that adjoin a footpath, which:
    (a) extends along the full length of the ***site*** boundary to provide continuous coverage for pedestrians;
    (b) covers the full width of the footpath or has a minimum width of 3m; and
    (c) allows for the growth of existing trees and the planting and growth of reasonably anticipated trees within the road reserve.

Does not comply – While only a small portion of the site is located adjacent to a footpath, as the application does not propose an awning of this footpath, it is not considered to comply with this subclause.

18. Development is to provide legible pedestrian access from the street and public pathways to building entrances that:
    (a) is direct and provides refuge from the sun and rain; and

Acceptable – A single pedestrian entrance and which is located towards Stokes Hill Road. While it is not expected that a sheltered pathway must be provided to the Stokes Hill property boundary in full, the proposed 1.8 m to 2.4 m wide overhang over the pedestrian entrance door to the foyer is considered to provide an acceptable amount of refuge to site visitors from sun and rain when entering the buidling.

    (b) avoids potential entrapment areas, blind corners or sudden changes in level that restrict sightlines.

Complies – The pedestrian entrance includes an airlock, which provides full height windows facing Stokes Hill Road. However, this arrangement is not considered to create an entrapment issue.

19. New developments are to be sited, designed and operated to minimise unreasonable impacts to surrounding uses and development related to noise, vibration, light, odours and other nuisance.

Acceptable – It is not considered that the design and orientation of the development will create any unreasonable impacts to nearby developments in relation to noise, vibration, light, odours, or other nuisances.

20. 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.***

Not applicable – The NTPS2020 definition for habitable rooms starts with habitable room means any room of a dwelling. As no dwellings are proposed in this application, this sub-clause is not considered applicable.

Notwithstanding, it is noted that the 2 main lifts are located in the centre of the development, and adjacent to the open plan kitchen/living room space of one suite on levels 1 to 5. In addition, AC plant are noted as being proposed adjacent to a bedroom of several suite typologies.

21. Buildings are to provide internal drainage of balconies.

Conditionally acceptable – While balcony drainage is not shown on the plans, it is reasonably considered that balconies will be internally drained. This aspect can be addressed by a standard permit condition requiring amended plans that include a statement in relation to this matter.

22. Development with a ***floor area*** of 3500m$^2$ or greater is to provide a dedicated parenting room (to allow for activities such as baby change and breastfeeding).

Does not comply – The NTPS2020 defines floor area as area in relation to a building, includes all wall thicknesses of the external walls and all roof areas used as floors, but does not include verandahs, balconies or areas set aside for car parking or access thereto.

The floor area of the development is 4296.2 m$^2$. As such, one dedicated parenting room is required, where none are proposed.

23. Development is to provide designated areas for rubbish collection.

Complies –A bin enclosure is proposed within the ground level car parking area. It is noted that the proposed collection point is located in proximity to an area that the application intends to refer as a publicly accessible footpath, and for which the northern footpath will connect with.

**Editors Notes:**

**(1) Balconies, rooflines, awnings and other protrusions may extend into the road reserve with approval of the relevant local government council.**

**(2) The relevant local government council should be contacted to determine refuse collection requirements and specifications.**

**Summary**

Does not comply – As discussed above, the application does not meet requirements of this clause relating to lack awnings/general protection of pedestrians from the weather, and lack of a dedicated parenting room.

## 5.5.16 Active Street Frontage

Purpose

Provide a site-responsive interface between commercial buildings and the public domain that:

(a) is attractive, safe and functional for pedestrians;
(b) encourages activity within the streetscape; and
(c) encourages passive surveillance of the public domain.

Administration

1. This clause does not apply where:
   (a) alternative ***active street frontage*** requirements are established under Clause 5.9 (Location specific development requirements); or
   (b) the land is within the Darwin Waterfront identified on the diagram to Clause 5.9.2.4 (Darwin Waterfront Building Heights and View Lines).

…

**Summary**

Not applicable – Pursuant to subclause 1(b), as the site is within the Darwin Waterfront identified on the diagram to Clause 5.9.2.4 (Darwin Waterfront Building Heights and View Lines), this clause is not relevant to this application. An extract of that diagram is provided below for reference.

Diagram to Clause 5.9.2.4: Darwin Waterfront Building Heights and View Lines

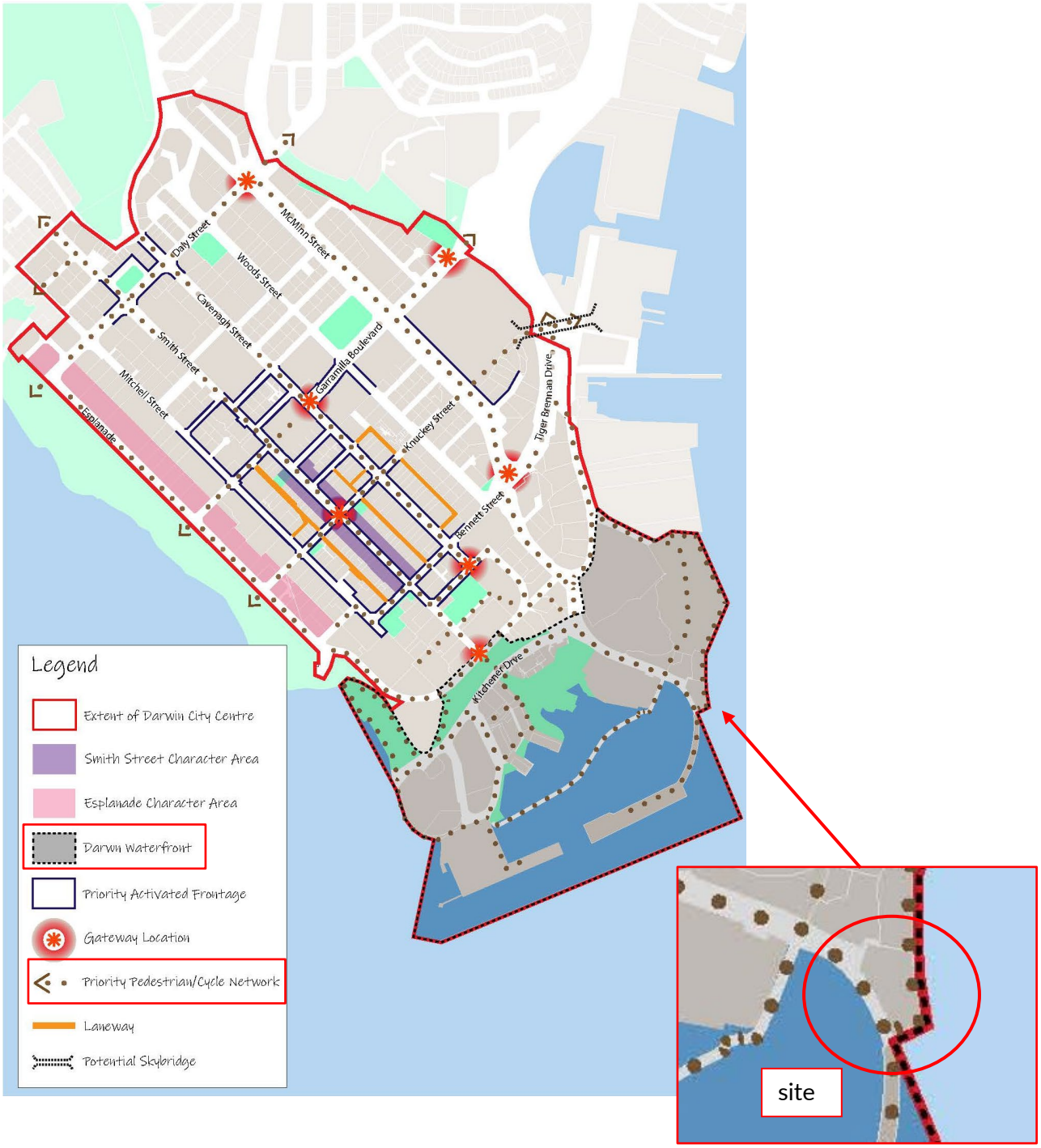


## 5.9.2 Darwin City Centre

1. This clause incorporates planning and design standards contained in the Central Darwin Area Plan.

2. The diagram to this clause identifies the land to which the requirements of the clauses within 5.9.2 (Darwin City Centre) apply, and the key features referred to in the requirements.

Diagram to Clause 5.9.2: Darwin City Centre Extent and Features



**Summary**

Noted – The site is located within the Darwin City Centre. In addition, the plan identifies the site as being within the Darwin Waterfront area, and adjacent/part of the priority pedestrian/cycle network.

## 5.9.2.1 Building Design in Darwin City Centre

Purpose
Promote buildings in the Darwin city centre that are designed to support a mix of land uses now and in the future, contribute to a high level of ***amenity*** in the public domain and enable convenient pedestrian and cyclist movement to and across the city centre.

Administration

1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).

2. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clause 6 if it is satisfied that the development is designed to support the ability of the ground floor to adapt to different uses over time.

3. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clauses 7 and 8 if it is satisfied that the design contributes to the functionality and visual interest of the streetscape.

4. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clause 9 if it is satisfied that roof top plant equipment will not be seen from the street and will not unreasonably impact on the visual ***amenity*** of the public domain and neighbouring properties.

5. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clauses 10 if it is satisfied there are sufficient existing connections in the immediate locality to facilitate safe and convenient movement between desirable locations and across the priority pedestrian/cycle network (identified in the Diagram to Clause 5.9.2).

Requirements

6. New residential buildings are to provide a minimum 4m floor to ceiling height to the ground floor.

Does not comply – A review of the plans show the difference between the ground floor level (6.7 mAHD) and ceiling to be 3.8 m. Notwithstanding, it is noted that the distance between the ground floor level and level 1 (10.7 mAHD) will be 4 m.

7. Building facades are to have a clearly distinguished base, middle and top.

Does not comply – While the proposed built form has a distinctive bottom and middle section, and top section in relation to the eastern perspective (from Darwin Harbour), there is not considered to be an upper level treatment which clearly distinguishes the roof from the western perspective (Stokes Hill Road/Darwin Waterfront area).

8. Any communal facilities, such as bicycle parking and seating, located at the front of the building are to be integrated into the ***site*** layout and building design.

Does not comply – While the level 5 communal open space, publicly accessible footpath, bicycle parking facility and southern bicycle parking area are well integrated with the development, the northern bicycle parking area is not considered to be, due to it's immediate proximity to an on-site driveway.

9. Any roof top plant and equipment is to be integrated into the building design, and screened from the public domain and neighbouring properties through planting or façade treatments.

Acceptable – While there was limited detail on the arrangement of roof top plant, it is reasonably considered that an arrangement that complies with the design elements of this subclause can be provided. This can be addressed by a standard permit condition.

10. Buildings with dual street frontage, excluding corner lots, are to provide mid-block pedestrian linkages (arcades) through the building at ***ground level*** to connect the two street frontages.

Not relevant – The site only has one street frontage.

**Summary**

Does not comply – As discussed above, the application is not considered to comply with requirements relating to ground level vertical height, lack of distinctive upper floor treatment from all perspectives, and poor integration of the northern bicycle parking area with the development.

## 5.9.2.2 Volumetric Control

Purpose
Ensure the siting and mass of buildings within the Darwin city centre promotes urban form that is of a scale appropriate to the locality, and provides adequate separation to allow:
(a) potential for view corridors to Darwin Harbour;
(b) breeze circulation between buildings;
(c) penetration of daylight into ***habitable rooms***; and
(d) reasonable privacy for residents.

Administration
1. This clause applies to land in Zone CB within the area included in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features), with the exception of land within the Darwin Waterfront identified on the diagram to Clause 5.9.2.4 (Darwin Waterfront Building Heights and View Lines).

…

**Summary**

Not applicable – Pursuant to subclause 1, as the site is located within the Darwin Waterfront, this clause is not relevant to this application.

## 5.9.2.3 Building Height in the Esplanade Character Area

Purpose
Ensure that the height of buildings within the Esplanade Character Area optimise opportunities for harbour views, and deliver high quality built form outcomes appropriate for development that fronts Bicentennial Park and the Darwin Harbour.

**Summary**

Not applicable – The site is not located within the Esplanade Character Area.

## 5.9.2.4 Development within the Darwin Waterfront

Purpose
Ensure that design and scale of development within the Darwin Waterfront responds to and respects the established role, character and constraints of the waterfront area and the surrounding escarpment.

Administration

1. This clause applies to the use and development of land within the Darwin Waterfront identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).

2. The consent authority may ***consent*** to a development that is not in accordance with sub-clause 4 if it is satisfied the application demonstrates that there is no increased risk from storm surge to people and property, including adjoining property.

3. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clauses 5 and 6 if it is satisfied:
   (a) the scale of the development is consistent with the intended built form and character of the waterfront area; and
   (b) the development will not unreasonably restrict the future development of adjoining ***sites***.

Requirements

4. The lowest floors (commercial and residential) within the development are to be sited at a minimum of 6.5m AHD.

Complies – The plans show that the floor level of the ground floor offices and service rooms will be 6.7 mAHD.

5. Development does not obstruct view lines identified in the Diagram to this clause.

Not relevant – The site is not located within an identified key view line.

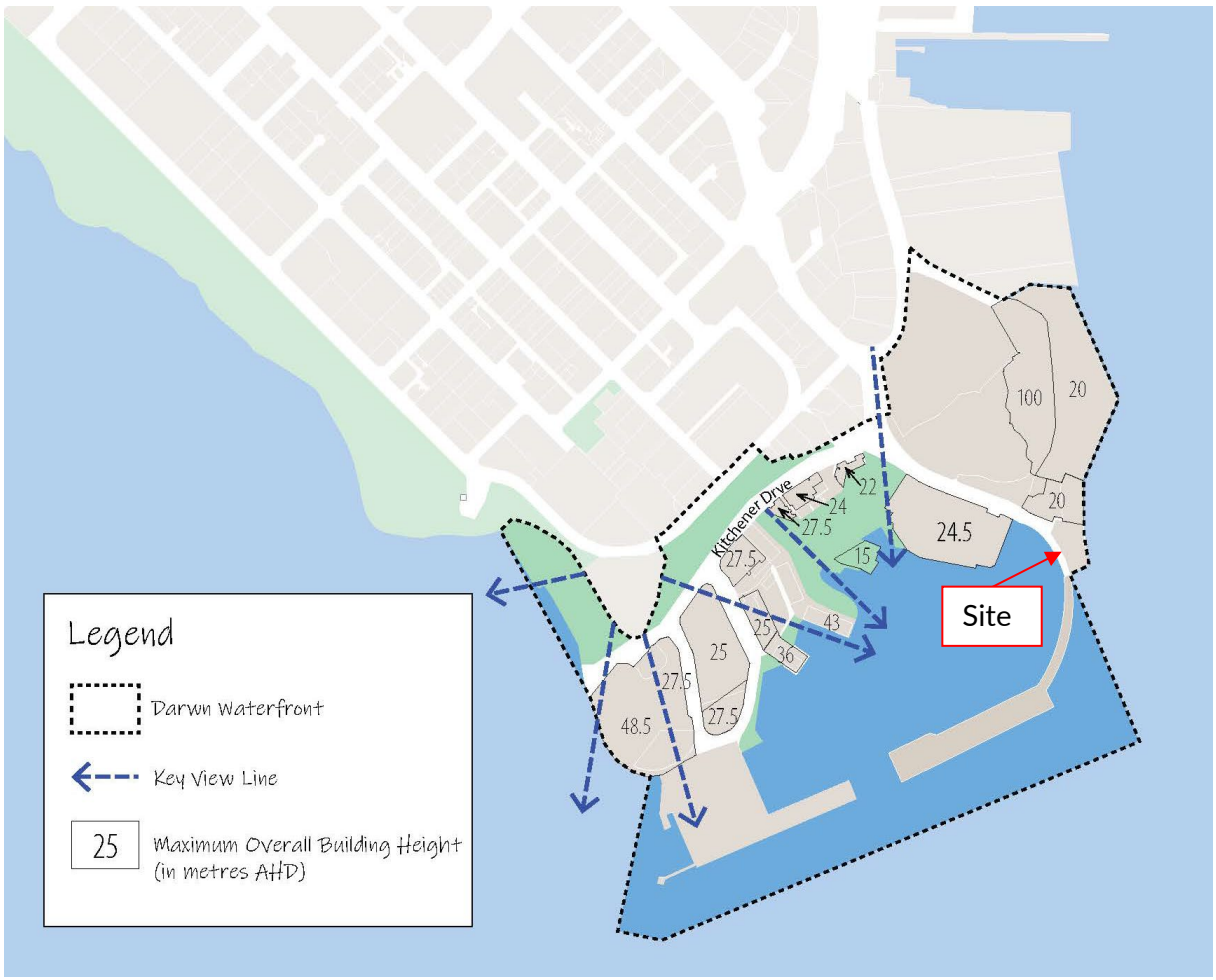
6. ***Building height*** does not exceed the height identified on the Diagram to this clause.

Not relevant – The development site is not located within an area with a listed 'maximum overall building height' limit.

It is noted that while the site to the north (the Larrakia Cultural Centre) is subject to a specific height control of 20 mAHD, the diagram to this clause does not stipulate a maximum height for the site subject to this application. In addition, it is noted that this clause does not stipulate a generic maximum height for developments in the Darwin Waterfront area.

Notwithstanding, it is further noted that that the amended plans show the height of the development will generally be 19.5 m above ground level (26.2 mAHD), with the exception of the lift shafts, which will project a further ~0.5 m (20 mAGL / 26.7 mAHD).

Diagram to Clause 5.9.2.4: Darwin Waterfront Building Heights and View Lines




**Summary**

Complies – As discussed above, the application complies with the relevant requirements of this clause.

## 5.9.2.5 Development along Priority Activated Frontages

Purpose
Prioritise active frontage along key streets in the Darwin city centre to encourage pedestrian activity and strengthen the relationship between buildings and the public domain.

**Summary**

Not relevant – The site is not identified as being subject to priority activated frontage.

## 5.9.2.6 Development Fronting Laneways

Purpose
Ensure that new developments enhance the use of laneways as shared spaces, are functional for commercial loading and servicing requirements, are safe for pedestrians, and contribute to the visual ***amenity*** of the laneway.

**Summary**

Not applicable – The site is not located adjacent to an identified laneway.

## 5.9.2.7 Development along the Priority Pedestrian and Cycle Network

Purpose
Encourage development along the Priority Pedestrian and Cycle Network that facilitates safe and convenient pedestrian and cyclist movement to and across the Darwin city centre.

Administration

1. This clause applies to any use or development fronting the priority pedestrian/cycle network identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).

2. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clause 5 if it is satisfied an alternative layout provides safe and convenient pedestrian and cyclist movement to and from the ***site***.

3. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clause 6 if it is satisfied provision of lighting would be unnecessary or unreasonable, having regard to pedestrian and cyclist safety.

4. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clause 7 if it is satisfied the use or development will not frustrate the ability to provide a future connection between the priority pedestrian cycle network and Frances Bay.

Requirements

5. Pedestrian and cycle links within a ***site*** are to be connected to the existing and future priority pedestrian/cycle network, identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).

Acceptable – The application proposes 3 distinct public walkways:

- 2 m wide waterside walk located between the hotel/motel development and rockwall
- 1.5 m wide northern pedestrian path between the proposed hotel/motel development and Larrakia Cultural Centre, that connects the waterside walk with a hardstand area associated with a nearby substation that connects to Stokes Hill Road
- 1.2 m wide southern pedestrian path between the proposed hotel/hotel motel and existing on-site development, that connects the waterside walk with Stokes Hill Road.

The pedestrian pathway at the rear of the site is considered to be well connected and integrated to the adjacent path to the Larrakia Cultural Centre, and through the provision of 2 connections to Stokes Hill Road, is considered be integrated with and support pedestrian movement at the site. While the connector pathways vary between 1.2 to 1.5 m wide, which may disadvantage future cyclists, this is considered acceptable in this situation due the irregular nature of the lot, constraints in relation to the existing development being retained, and the southern accessway providing a wider forecourt.

6. Any pedestrian or cycle links or facilities provided within a ***site*** are to be well lit.

Acceptable – It is reasonably considered that the on-site pedestrian will be well lit.

7. Use or development is to preserve the opportunity for a future sky bridge and landing connecting the priority pedestrian cycle network and Frances Bay.

Not relevant – The development site is not located in proximity to the identified future sky bridge. As such, this sub-clause is not relevant to this application.

**Summary**

Acceptable – As discussed above, the application complies with the relevant requirements of this clause.

## 5.9.2.8 Development in Gateway Locations

Purpose
Ensure buildings are designed to accentuate prominent corner locations to aid wayfinding and establish a strong sense of arrival into the Darwin City Centre city centre.

**Summary**

Not applicable – The site is not located at an identified gateway location.

## 5.9.2.9 Public Domain Contributions for Development on Large Sites

Purpose
Encourage development on large ***sites*** that supports the public domain by contributing to an integrated, high-quality network of public spaces, recreation facilities and places for wildlife.

Administration

1. This clause applies to the development or redevelopment of a ***site*** of 3500m$^2$ or more within the area included in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features).

2. The consent authority may ***consent*** to development that is not in accordance with sub-clauses 3 and 4 if it is satisfied that:
   (a) the development provides an alternative provision of publically accessible open space that is appropriate to the ***site***, having regard to the locality and scale of the development; or
   (b) the application provides an equivalent contribution to publically accessible open space outside of the subject ***site***.

Requirements

3. A minimum of 10% of the ***site*** area is to be provided as publically accessible open space that is designed to:
   (a) incorporate park furniture, display of art, lighting, shade structures and landscaping and interpretive information where appropriate; and
   (b) support a variety of passive uses, active recreation and events.

Complies – The site is 4080 m$^2$ and therefore requires 408 m$^2$, where 1100 m$^2$ (26%) is proposed/retained at the rear of the site in the form of a 2 m wide waterside publicly accessible footpath, and 1.5 m wide northern footpath adjacent to the Larrakia Cultural Centre site, a 1.2 m wide southern footpath between the proposed hotel/motel and existing on-site development, and the rockwall and harbour area. While the harbour area will continue to be

permanently inundated, it is considered acceptable for the purpose of this clause on the basis that it may still allow members of the public access to recreational opportunities such as fishing.

It is noted that the NTPS2020 defines public open space as *outdoor spaces that are generally accessible to the community and provide for a range of sport, recreation, cultural, entertainment or leisure pursuits*, and that no other clauses of the NTPS2020 disallow for the consideration of permanently inundated land to be considered as publicly accessible open space.

4. The open space provided under sub-clause 3 is to integrate and connect with:
   (a) existing and future cycle and pedestrian networks;
   (b) ***sites*** of significant natural, cultural or heritage value; and
   (c) habitats, wildlife corridors and public greenspaces from adjoining ***sites***.

Acceptable – In response to subclause (a), the proposed waterside footpath at the rear of the site is well integrated with an adjacent footpath to the Larrakia Cultural Centre, and while the northern and southern footpath widths are 1.2 m to 1.5 m wide, they're considered to be well integrated with the existing pedestrian network along Stokes Hill Road and will allow for good level of pedestrian permeability.

It is not considered that the site is located immediately adjacent to any aspects mentioned under subclauses (b) and (c).

**Summary**

Acceptable – As discussed above, the application complies with the relevant requirements of this clause.

## 5.9.2.10 Alfresco Dining Areas

Purpose
Provide for the establishment of ***alfresco dining areas*** that contribute positively to the ***amenity***, safety and activation of streets in the Darwin's Central Business area.

**Summary**

Not relevant – No alfresco area is proposed as part of this application.

## 5.9.2.11 Car parking spaces in Darwin City Centre

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

Administration

1. This requirement overrides general car parking space requirements under general clause 5.2.4.1 (Car parking spaces) within the extent of the Darwin City Centre identified in Diagram to Clause 5.9.2 Darwin City Centre Extent and Features).

2. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clause 5 as set out in clause 5.9.2.12 (Reduction in car parking spaces in Darwin City Centre).

3. An ***alfresco dining area*** on a ***site*** located along priority activated frontages identified in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features) may result in the loss of up to 25 ***ground level*** car parking spaces associated with any existing development without requiring replacement ***car parking spaces***. However, a change of use from an ***alfresco dining area*** (including the

provision of air conditioning) will result in the new use being subject to full car parking space requirements of this clause.

4. 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

5. 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).

Does not comply – The development is to provide car parking at the rate specified in the table below. As such, the number of car parking spaces required is:

- Hotel/motel suites: 108 suites requiring 43.2 spaces.
- Hotel/motel NFA at ground level: 134.7 $m^2$ requiring 2.834 spaces.

In addition to the above (46.034), a review was completed of the existing developments at the site, which generate a demand which must be provided for within the only car parking area proposed at the site. This review found:

- Bar-small (Dock One): 60 $m^2$ requiring 1.2 (2)
- Existing development (food premises (noting though that this use is not indicated currently existing)/office): 780 $m^2$ requiring 15.6 spaces. This is considered acceptable by virtue that both land uses require 2 spaces for every 100 $m^2$ of net floor area.

In total the required number of spaces needing to be provided at the site are 62.834 (63), where 56 spaces are proposed at the development site. This results in an 7 car parking space shortfall.

In relation to the hotel/motel, it is noted that the rate of 0.4 per suite has been applied, as a 'guest bedroom' is considered to instead apply to situations where dual room 'turn-key' suites with a single common access are proposed.

**Table to Clause 5.9.2.11: Minimum number of required parking spaces in Central Darwin**

| Use or development | Minimum number of required car parking spaces |
|---|---|
| **Bar-small** | 2 for every 100$m^2$ of ***net floor area***, excluding ***alfresco dining areas*** |
| **Food premises** (all) | 2 for every 100$m^2$ of ***net floor area****<br>*Only 1 ***car parking space*** where a building has a ***net floor area*** of up to 500$m^2$. |
| **Hotel/Motel** | 0.4 for every guest suite or bedroom<br>Plus<br>2 for every 100$m^2$ of ***net floor area*** of all other areas |
| **Office** (not elsewhere referred to in this table) | 2 for every 100$m^2$ of ***net floor area****<br>*Only 1 ***car parking space*** where a building has a ***net floor area*** of up to 500$m^2$. |
| Any other uses | Minimum number of ***car parking spaces*** to be determined by the consent authority |

**Summary**

Does not comply – As discussed above, the application does not meet requirements of this clause relating to the insufficient number of car parking spaces (7 car parking space shortfall) provided at the site.

## 5.9.2.12 Reduction in car parking spaces in Darwin City Centre

Purpose
Provide for a use or development with fewer ***car parking spaces*** than required by clause 5.9.2.11 (Car parking spaces in Darwin City Centre).

Administration

1. The consent authority may ***consent*** to:
   (a) a reduction of 1 ***car parking space*** for every 3 motorcycle parking spaces proposed for a use or development, but only to a maximum of 1 motorcycle parking space for every 25 (or more) ***car parking spaces*** required by Clause 5.9.2.11 (Car parking spaces in Darwin City Centre); and

Noted – No motorcycle parking spaces are proposed.

   (b) for any bicycle spaces proposed for a use or development in excess of those required by the table to clause 5.3.7 (End of trip facilities in Zones HR, CB, C, SC and C), a reduction of 1 ***car parking space*** for every 10 excess bicycle parking spaces are appropriate in function and number for the use of the building, up to 2% of the number of ***car parking spaces*** required by Clause 5.9.2.11 (Car parking spaces in Darwin City Centre).

Noted – There is a shortfall of 12 bicycle parking spaces proposed.

2. The consent authority may also ***consent*** to a use or development with fewer ***car parking spaces*** than required by Clause 5.9.2.11 (Car parking spaces in Darwin City Centre), in accordance with the table to this clause.

3. In using the table to this clause to calculate a reduction, only one reduction percentage is permitted per category.

**Editor's Note: Where a reduction in car parking is sought across 2 or more categories, the reduction percentages are combined, and the reduction is calculatedly cumulatively across all categories.**

Requirements

4. An application to reduce car parking requirements through the inclusion of vertical landscaping under category 3 of the table to this clause must demonstrate:
   (a) vertical landscaping (such as green walls, living walls or vertical gardens) that is fully vegetated, well-integrated with the overall building design and publically visible on the external building façade(s) fronting key pedestrian thoroughfares, major public spaces and/or main entrance areas;
   (b) the suitability of the plants to be used in the landscaping;
   (c) sufficient soil depth to accommodate the proposed types of plants;
   (d) how the landscaping will be practically maintained for the lifetime of the development; and
   (e) suitable management of drainage.

Noted – The application may be able to access the following reduction categories:

1(c) – The development site is located within 200 m of an on-road bicycle path located along Kitchener Drive. This allows the consent authority to consider a 5% (3.14) car parking reduction.

2(b) – The development site is located within 200 m of the Darwin Waterfront-managed Darwin Convention Centre car park. This facility is publicly accessible, and reasonably has in excess of 100 car parking spaces. This allows the consent authority to consider a 10% (6.28) car parking reduction.

| Table to Clause 5.9.2.12: Reduction in car parking spaces in Darwin City Centre | | |
|---|---|---|
| **Category** | | **Reduction permitted** |
| 1 | Access to alternative transport options | |
| (a) | The development is located within 200m walking distance of a public bus stop that provides ***access*** to:<br>five or more bus routes; or<br>a bus route with a minimum 15 minute frequency during morning and afternoon peak hours Monday to Friday. | 15% |
| (b) | The development is located within 400m walking distance of a public bus stop that provides ***access*** to:<br>five or more bus routes; or+<br>a bus route with a minimum 15 minute frequency during morning and afternoon peak hours Monday to Friday. | 10% |
| (c) | The development is located within 200m of a dedicated off-road bicycle path or on-road bicycle lane. | 5% |
| 2 | Use of shared parking areas / proximity to public car parking | |
| (a) | The development consists of two or more uses that have different day / night peak parking times and these uses share a ***car parking area*** on the ***site***. | 10%<br>This reduction applies to ***non-residential*** uses only. |
| (b) | The development is within 200m walking distance of an existing, publically accessible **car park** with a combined total of 100 ***car parking spaces*** or more. | 10% |
| (c) | The development is within 400m walking distance of an existing, publically accessible **car park** with a combined total of 100 ***car parking spaces*** or more. | 5% |
| 3 | Inclusion of vertical landscaping | |
| (a) | Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 75% or more of the ***site*** area. | 25% |
| (b) | Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 50-75% of the ***site*** area. | 20% |
| (c) | Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 25-50% of the ***site*** area. | 15% |
| (d) | Vertical landscaping that meets the criteria of sub-clause 4 covers an area of 10-25% of the ***site*** area. | 10% |
| 4 | Improved car parking design outcomes | |
| (a) | All car parking on the ***site*** is provided in an underground parking area | 20% |
| 5 | Preservation of a heritage place | |
| (a) | 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***. | As determined by the consent authority, taking into account advice received from the Minister responsible for the administration of the *Heritage Act 2011*. |

**Summary**

Noted – The consent authority may consider applying the following car parking reductions:

3 motorcycle spaces are provided at the ground level – 1 space reduction

1(c) Site within 200 m of an on-road bicycle path – 5% -–3.14 space reduction

2(b) Site within 200 m of a public car parking facility– 10% – 6.28 space reduction

Combined 15% (9.42) + 1 – 10.42 reduction

These reductions would result in a revised car parking requirement for 52.40 (53), where 56 car parking spaces are proposed at the site. As such, this would result in a **surplus** of 3 car parking spaces.

## 5.9.2.13 Design of Car Parking Areas and Vehicle Access

Purpose

Promote design of car parking, vehicle access points and onsite movement that:

(a) is easily adapted to meet changing demand;
(b) minimises visual impact to the street and other public areas; and
(c) minimises impacts to pedestrian and cyclist movement.

Administration

1. This clause applies to the design of car parking, vehicle access points and onsite vehicle movement for new buildings, and the establishment of new ***car parking areas*** in Darwin City Centre.

2. The consent authority may ***consent*** to a development that is not in accordance with sub-clauses 3-6 if it is satisfied the use or development is appropriate to the ***site*** having regard the potential impact on the surrounding road network and the ***amenity*** of the locality.

Requirements

3. ***Ground level car parking areas*** in buildings are limited to the number of ***car parking spaces*** required for ***ground level*** commercial tenancies.

Does not comply – All car parking at the site is proposed at ground level. As this car parking is required for all land uses at the site (hotel/motel visitors, hotel/motel staff and the existing 2-storey development), it is not considered compliant with this subclause.

4. All car parking spaces are to be screened so that they are not visible from the public domain.

Complies – Landscaping (albeit 0.6 m at this narrowest point) and the ground level built form is proposed between the site boundary and on-site car parking area.

5. Vehicle access and loading areas are to be consolidated and ***car parking areas*** are to be located away from street frontages.

Acceptable – While the car parking area is located adjacent to the primary street boundary, it is considered that the application maximised is layout taking into account the irregular shape and other constraints of the site.

6. Entry and access from a ***car parking area*** is to be from the lowest order vehicle access way. In order of priority, access should be from:
   (a) a laneway;
   (b) a ***secondary street***; or
   (c) a primary street only if no other access is possible.

Complies – Access is proposed off Stokes Hill Road, which is the only adjacent street.

**Summary**

Does not comply – As discussed above, the application does not meet requirements of this clause relating to the provision of ground floor car parking spaces where no commercial tenancies are proposed.

## Crime Prevention Through Environmental Design (CPTED)

Section 51(1)(p) of the *Planning Act 1999* requires that the consent authority considers *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;*

While not a NTPS2020 matter, the four primary CPTED principles have been assessed here for convenience.

*1. Natural Surveillance* – Maximises visibility to make offenders feel vulnerable to detection.

How it works: Uses strategic placement of windows, lighting, and landscaping (e.g., keeping bushes low) so that residents, pedestrians, and employees can casually observe their surroundings.

Goal: Create a continuous presence of "capable guardians" that naturally deters illegal activity.

Acceptable – The proposed building is considered to have a high degree of passive surveillance potential from the proposed hotel/motel suites.

*2. Natural Access Control* – Guides the movement of people and limits opportunities for crime.

How it works: Uses physical or psychological barriers such as fencing, strategic walkways, landscaping, and lighting to clearly distinguish public and private spaces.

Goal: Denies access to crime targets and funnels visitors into designated, observable routes.

Acceptable – While the building design incorporates a fairly high degree of public accessibility, the built form will still reasonably delineate the public domain from the site premises through landscaping and fencing.

*3. Territorial Reinforcement* – Promotes a sense of "ownership" and community care.

How it works: Defines property boundaries and creates a sense of pride through design elements like distinct paving, signage, well-kept gardens, and architectural features.

Goal: Legitimate users naturally watch out for their space, while would-be offenders recognize that the area is monitored and cared for.

Acceptable – The hotel/motel will reasonably have clear delineation between the public spaces (such as footpaths) and private domain (such as the car parking area). Further development of the site will also reasonably improve the amount and duration of passive surveillance than that which currently occurs.

*4. Maintenance and Space Management* – Prevents the physical deterioration of a space to signal that a property is actively used and guarded.

How it works: Involves the prompt repair of vandalism, removal of trash, regular landscaping, and proper upkeep.

Goal: Deters the "broken windows" effect, preventing environments from appearing neglected and reducing the fear of crime.

Acceptable – The continued use of the premises, including for a use with a variety of hours of operation, including early morning into the early evening, will reasonably improve site activity and passive surveillance.

**Summary**

Acceptable – As discussed above, no concerns are raised with how the application interacts with CPTED principles.

## Schedule 5: Reference Guidelines

Clause 1.6 (Structure of the Planning Scheme) states *The structure of the Planning Scheme includes:*
*(g) Schedules*
*The Schedules provide:*
*i. a range of interpretive provisions and administrative guidelines to supplement considerations and directions within the Parts of the Planning Scheme;*
*ii. …*

As such, a review of the community safety design guide, which is listed in schedule 5 and mentioned in clause 5.5.15 (Design in Commercial and Mixed Use Areas), has been completed below. This review assesses whether this application is considered to support, be neutral towards, or not support, any guidance within the design guide.

### Community safety design guide

The community safety design guide (CSDG) sets out 15 principles of crime prevention through environmental design that have particular relevance to the NT. A review of these 15 principles, and their associated guidelines is provided below.

**Surveillance** – *To ensure that development contributes to the safety of areas by optimising the opportunities to provide passive surveillance of public spaces, communal areas, streets and car parks.*
– Orientate windows, balconies and verandahs to overlook public spaces and streets.

Supports – The balconies and dwelling-access walkways are cover the majority of the external building line, and as such, will reasonably provide an adequate amount of passive surveillance over the on-site communal open spaces, as well as the adjacent public domains.

– Ensure that residential building facades that face the public realm are connected to habitable rooms which provide windows and other openings that overlook public spaces.

Supports –Although the application proposes instances of window-less walls along the northern and southern elevations, the building line as a whole is considered to comprise of high degree of balconies.

– Ensure that the ground level of commercial buildings are designed to maximise opportunity to activate frontages and allow clear observation of streets, plazas and malls (public spaces).

Acceptable – The ground level office/reception component of this application will provide active street frontage.

– Encourage mixed use development in town centres to facilitate day and night surveillance of public spaces.

Not relevant – The application does not concern a development within a town centre.

– Ensure front fences are either:
  – Visually permeable (not solid); or
  – Less than 1.2 metres high to enable surveillance of the street

Not relevant – No front fences are proposed.

**Sightlines** – *To ensure that built forms and landscaping do not obscure sightlines and allow a clear view of public spaces.*

– Ensure that building entrances are clearly visible and do not provide opportunities for concealment.

Supports – The majority of building entrances are visible from the public domain, with limited opportunity for concealment near the door.

– Glazed doors or glazed panels in doors should be installed in the entries of publicly accessible buildings to provide clear views into entry foyers and clear views out to the street.

Not relevant – No publicly accessible buildings (i.e. designed as a public space/thoroughfare) are proposed at the site.

– Establish clear sightlines across public spaces, along pathways and between buildings.

Acceptable – Sightlines are provided and maintained to public spaces from the on-site car parking area and on-site balconies.

– Design site layouts so that pedestrian routes and destination points are easily identifiable and have clear sightlines.

Does not support – While the entrance to the ground level foyer is easily identifiable from the street, the publicly accessible footpath along the northern side of the building is considered to be poorly connected to the existing footpath network.

– Avoid landscaping that creates barriers or restricts sightlines.

Acceptable – A variety of grassing and shrub/trees are proposed at a low density.

– Locate facilities such as bike racks in proximity to building entrances

Does not comply – While 2 bicycle parking areas are proposed to be integrated with the development, the northern bicycle parking area is located away from the building entrances.

**Mixed use areas and activity generators** – *To increase the level of activity within areas to enhance passive surveillance opportunities; and To extend the hours of activity in an area to include after business hours.*

– Encourage the co-location of compatible uses to enhance synergies in use and increase linkages and movement between buildings.

Supports – The proposed hotel/motel is considered to be synergetic with the tourist nature of the Darwin Waterfront.

– Locate activity generators at interfaces with the public realm to maximise opportunities for surveillance of streets and public spaces.
– Encourage the development of mixed use buildings to provide passive surveillance of town and neighbourhood centres after business hours

Acceptable – The design of the hotel/motel is considered to promote passive surveillance through the high degree of balconies with face the public domain.

**Design of building exteriors and openings** – *Reduce opportunities for criminal behaviour through the design of building facades; and Design buildings that provide spaces and entries that are safe and highly visible.*
– Ensure that entrances to buildings are clearly lit, articulated, secure and orientated to face the street or a public space.

Supports – It is reasonable considered likely that the building entrances will be well lit and secure. Most building entrances are visible from the public domain.

– Locate lifts, stairwells and ramps in visible locations, ensuring that they do not provide entrapment opportunities.

Acceptable – It is considered that on-site lifts and stairwells adequately visible from on-site balconies/dwellings.

– Ensure that loading, delivery and car parking areas are well lit and secure.

Acceptable – It is reasonable considered likely that the car parking area and loading bay facility will be well lit and secure.

– Areas of blank wall facing streets, public space and car parks should not exceed 2 metres in length.

Does not support – Blank facades exceeding 2 m in width are likely proposed at ground level facing the on-site car parking area, and in relation to the top level suites facing north and south. Notwithstanding, it is considered that this built form is acceptable in this service function of the site, and otherwise high degree of articulation and façade treatment of the building.

– Design entrances and facades to limit opportunities for concealment and entrapment.

Supports – Pedestrian and vehicular entry to the site is considered to be highly visible from the public domain, with the on-site lifts and stairwells adequately visible from the central corridors of the hotel/motel.

– Carefully design elements (such as balconies and fences) so that they do not provide 'ladders' to buildings.

Supports – There is not considered to be any elements that would provide 'ladders'.

**Lighting** – *To increase the level and quality of lighting in public spaces; To encourage night time activity in designated areas of the public realm; and To make pathways in public spaces clearly visible and inviting at night*.

– Utilise multiple light sources to provide consistent lighting levels and to reduce contrasts between shadow and light.
– Ensure that all recessed spaces and entrances to buildings are well lit.
– Ensure that all awnings provide under awning lighting.
– Ensure that lighting illuminates pathways and potential entrapment locations rather than windows and roads.
– Place lighting fixtures in positions that will not be blocked by mature vegetation.
– Utilise targeted lighting to identify safe routes in the public realm at night.
– Avoid placement of unshielded lighting at eye level.
– Low set lighting such as bollard lights should only be used to augment other lighting and not used exclusively to light spaces.
– All pedestrian lighting is to comply with Australian Standards AS1158.
– Ensure that lighting fixtures are vandal proof, well maintained and promptly replaced if damaged or not functioning.

Acceptable – It is reasonably considered that compliant lighting can be installed in areas of the site that will be publicly accessible to these design requirements.

**Signage and way finding** – *To provide clear information for people to easily and safely navigate the public realm; To clearly indicate permissible and prohibited uses in public areas; and To signify ownership and boundaries between public and private realms*.

– Signage should identify where assistance and key areas can be located such as telephones, taxis, toilets and bus stops.
– Signage should be visible, concise, vandal proof and easily maintained.
– Provide clear and regular signposting along major pedestrian thoroughfares and at key locations.
– All signage is to comply with Australian Standards AS1428: Design for Access and Mobility
– Illuminate signage which is essential for night use.
– Locate signage where it will not be obscured by vegetation.

– The use of pavement treatments (including material, colour, texture and patterns) can be used to delineate boundaries, activity use and direction.

Acceptable – While the application did not include any indication of signage that would be provided on-site in relation to the proposed publicly accessible footpaths, it is considered that any signage that is installed can meet these design elements.

**Movement predictors and entrapment locations** – *Minimise the number of movement predictors in the public realm; and Ensure that the design of public spaces and all buildings eliminate entrapment locations and opportunities.*

– Eliminate movement predictors and potential entrapment from designs where ever possible.
– Provide clear sightlines and adequate lighting where movement predictors can not be avoided.
– Allow adequate distances between pathways and any potential entrapment location to provide pedestrians with increased reaction time.
– Ensure that predictable routes are clearly visible from the surrounding area and provide potential alternative routes for avoidance or escape.
– Ensure that vegetation does not provide concealment opportunities.
– Identify alternative routes through signage.

Acceptable – A review of the plans did not consider that the proposed layout of the building, publicly accessible spaces, or car parking areas are of a nature that create an unreasonable risk of entrapment.

**Residential** – *To reduce the opportunity for criminal and anti-social behaviour within residential areas; To design and develop safe, connected, legible and vibrant spaces and places; To promote a sense of community and improve the quality of life within residential areas; To encourage small business operations from home as these provide additional passive surveillance and promote street activity during various hours of the day*.

– Streets should be designed to ensure there are clear and legible movement paths for pedestrian, cycle and vehicular traffic. Long sightlines are encouraged to increase surveillance and 'way finding' abilities
– Culs-de-sac and pedestrian walkways narrower than the adjoining street width should be avoided, as these create isolated areas and movement predictors.

Not relevant – These aspects are considered relevant to the subdivision of land, and not to individual developments.

– Ensure residential building facades that face the public realm include habitable rooms and openings for passive surveillance.
– Buildings should be orientated to face parks and open spaces to ensure passive surveillance.

Supports –Although the application proposes instances of window-less walls facing the public domain, the building line as a whole is comprised of balconies.

– Public open spaces should be designed to include street access around the perimeter to maximise passive surveillance. Where street access is not possible, the fencing between residential allotments and the adjoining open space must be visually permeable.

Supports – The application does not propose any public open space. The fencing between the communal open spaces on-site and adjacent public domain is mostly proposed to be visually permeable pool fencing.

– Avoid the use of multiple enclaves in building facades as these provide hiding places.

Supports – With the exception of the bin store, no enclaves are proposed at ground level.

– Avoid the use of landscape treatments that impede clear sightlines or create barriers.

Supports – It is not considered that the proposed landscaping is contrary to this aspect.

**Industrial** – *To reduce the opportunity for criminal and anti-social behaviour within industrial areas; To reduce the fear of crime; and To design and develop industrial areas that are integrated and connected with the surrounding urban fabric*.

Not relevant – This application does not concern an industrial land use. As such, this urban design principle is not considered to be relevant to this application.

**Commercial** – *To reduce the opportunity for criminal and anti-social behaviour within commercial areas; To design and develop safe, legible and vibrant spaces and places; and To promote a sense of community within commercial areas*.

Not relevant – While the application does involve a commercial aspect through the on-site serviced apartments, this aspect is considered to be relevant for commercial developments that face the public domain/as a streetscape level. As such, this core design principle is not considered to be relevant to this application.

**Automatic Teller Machines (ATMs)** – *To provide safe and secure environments for the public to access automated banking facilities; and To reduce opportunities for entrapment and robbery.*

Not relevant – This application does propose any ATM facilities. As such, this core design principle is not considered to be relevant to this application.

**Public toilets** – *To build Council and business capacity to implement and maintain good public toilet facilities; and To ensure that all public toilet facilities are safe, accessible and clean.*

Not relevant – This application does not propose any public toilet facilities. As such, this core design principle is not considered relevant to this application.

**Public transport settings** – *To provide easily accessible, safe and clean public transport settings that encourage patronage throughout the day; To ensure that public transport settings are integrated into the urban fabric of commercial areas and contribute to vibrant and active communities.*

Not relevant – This application is for a development on a particular subject lot, and not considered to be a of scale whereby access to public transportation or publicly accessible routes needs to be considered.

**Car parks** – *To ensure that the planning and design of car parks considers the provision of a safe and secure environment; and To promote the inclusion of good design principles that reduces the opportunities for crime and anti-social behaviour.*

Not relevant – This core design principle is considered to be relevant to car parking areas associated with larger, commercial developments. As such, this specific application principle is not considered relevant to this application.

Department of Lands, Planning and Environment

# Flood Impact Property Report

This report provides the most current property or lot-based flood information at the time the following flood studies were undertaken:

| Darwin Region Storm Surge Inundation Zones 2100 | |
|---|---|
| Published Year | 2020 Darwin Area; 2014 Bynoe, Cox Peninsula, Dundee, Palmerston, Weddell Areas |
| Report Reference | Darwin Storm Tide Mapping Study, 2006 and High Resolution Storm Tide and Climate Change Impacts Study, 2010 |
| Flooding Type | Storm Surge |
| Topography Year | 2006 and 2018 (LiDAR) |

To find out more about how the contents of this report may affect building or development on this property, please contact the Department of Lands, Planning and Environment on 08 8999 6046 or DAS.NTG@nt.gov.au

For access to floodplain maps and technical reports visit https://nt.gov.au/environment/water/water-in-the-nt/flooding-and-storm-surge/floodplain

For information about understanding your flood risk and how to prepare for potential flooding visit https://securent.nt.gov.au



NORTHERN TERRITORY GOVERNMENT

# Property Information:

This report is for:

| | |
|---|---|
| **Address:** | 39 STOKES HILL RD, DARWIN CITY |
| **Property:** | Lot 07495 Town of Darwin plan(s) S2003/221B |

| Darwin Region Storm Surge Inundation Zones 2100 | 100 year ARI | |
|---|---|---|
| | Min. | Max. |
| Flood Height (mAHD) | 5.41 | 5.41 |
| Water Depth (m) | 0.00 | 6.04 |
| Velocity (m/s) | N/A | N/A |

| Darwin Region Storm Surge Inundation Zones 2100 | 1000 year ARI | |
|---|---|---|
| | Min. | Max. |
| Flood Height (mAHD) | 5.95 | 5.98 |
| Water Depth (m) | 0.21 | 6.58 |
| Velocity (m/s) | N/A | N/A |

## Useful Definitions

AEP - Annual Exceedence Probability. An AEP of 1% has a 1 in 100 likelihood of occurring in any given year.

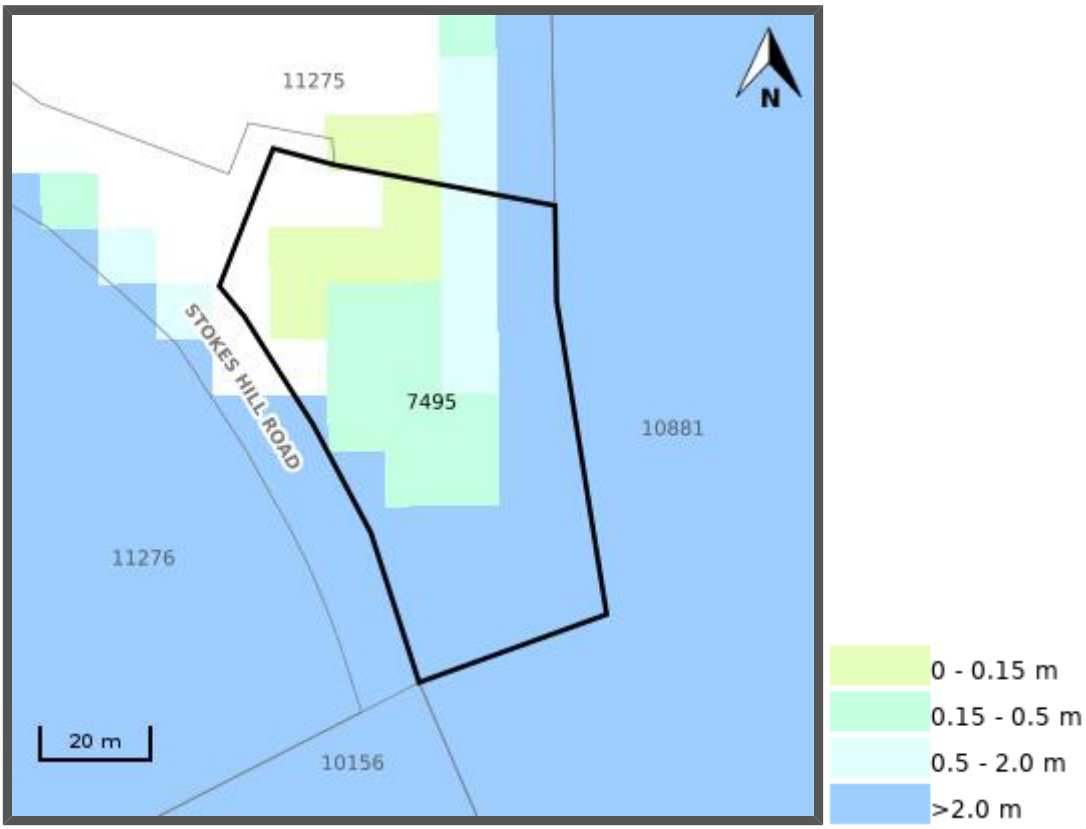
ARI - Annual Recurrence Interval. An ARI is the average period between exceedences of a given rainfall.

mAHD - Metres Australia Height Datum is the reference for defining ground levels in Australia. AHD 0.0m is approximately mean sea level.

Water Depth (m) - water depth is calculated based on ground level information (topography) that is available to the Department at the time of the study. It may not take into account most recent changes. An accurate ground level for your property will need to be obtained by a qualified surveyor.

## 39 STOKES HILL RD, DARWIN CITY Map of Storm Surge extent:

100 year ARI, Darwin Region Storm Surge Inundation Zones 2100

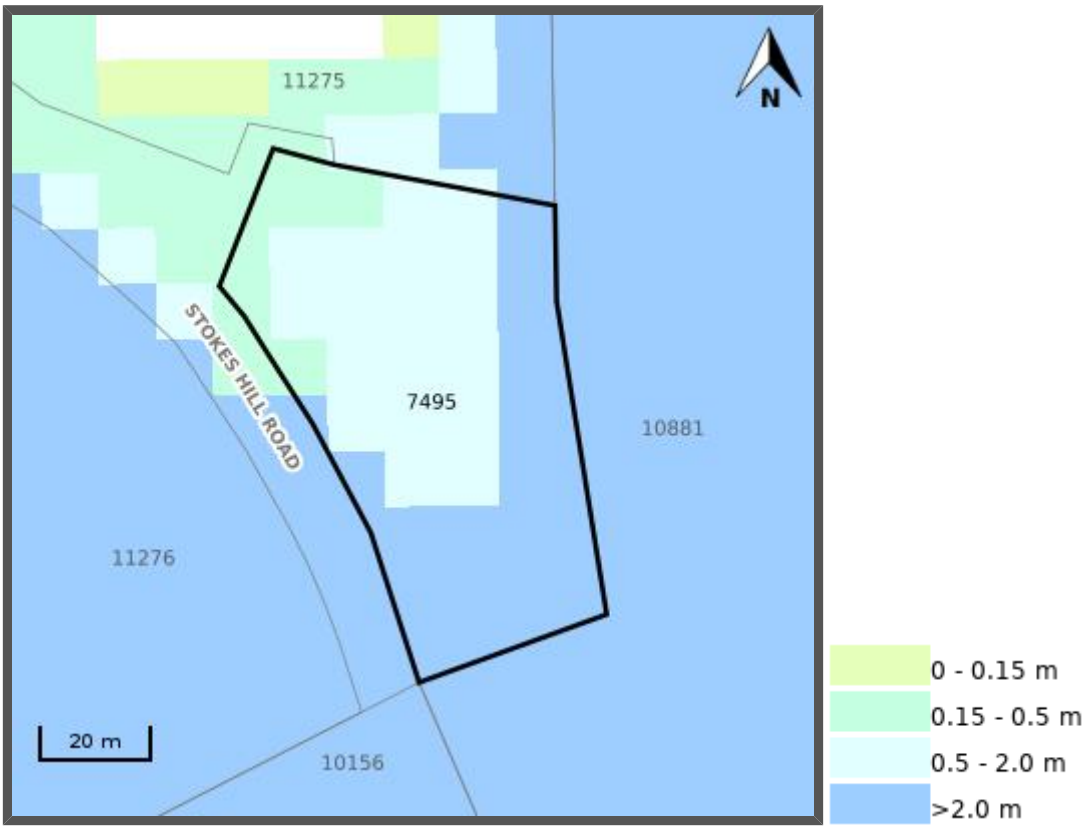





NORTHERN TERRITORY GOVERNMENT

**39 STOKES HILL RD, DARWIN CITY** **Map of Storm Surge extent:**

1000 year ARI, Darwin Region Storm Surge Inundation Zones 2100




# Disclaimer

The flood impact information provided in this report is calculated using a design flood event that has a statistical chance of occurring in any given year (i.e. 1% AEP has a 1 per cent chance of occurring in any given year) and is based on flood studies that approximate real events. These flood levels, for a particular property, may change if more detailed information becomes available or changes are made in the method of calculating flood levels in accordance with national standards.

While care has been taken to ensure that information contained in this report is true and correct at the time of publication, it is your responsibility to independently verify the information provided. We recommend you obtain advice from an appropriately qualified professional.

It should also be noted that flood level information reported against units and/or apartments under a unit title scheme or unit parcel scheme are derived from the parent (or base) parcel of the unit development.

The Territory gives no warranty or assurance of the accuracy of this report and accepts no direct or indirect liability for reliance on this report. This includes, but is not limited to, any personal injury, loss of life, or damage to property in any flooding event.

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NORTHERN TERRITORY GOVERNMENT

**From:** Sonja Pastor
**To:** Das NTG
**Subject:** TRM: Submission for PA2026/0196
**Date:** Sunday, 21 June 2026 8:17:01 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.

To: The Chairman

Darwin Development Consent Authority

PA2026/0196

Proposed 108-Suite Hotel

39 Stokes Hill Road, Darwin Waterfront

I object to this application.

The majority of the site is affected by Primary Storm Surge. The site also contains multiple easements and is accessed by a single road. Despite those major constraints, the proposal seeks approval for a 108-suite hotel, relying on eight exceptions to normal Planning Scheme requirements in order for the application to proceed.

The applicant's response to the site's primary storm surge location has been to elevate all accommodation above ground level. As a result, much of the ground floor is occupied by parking, loading, waste storage, laundry and service areas. That is what people will see from the street. The development does not provide the kind of active street frontage normally expected on a prominent waterfront site.

The proposal also provides far less landscaping than would normally be required. The applicant's explanation is that the layout of the site makes it difficult to provide the usual amount of landscaping. On a major waterfront site, landscaping contributes to appearance, shade, comfort and the overall experience of the area.

The applicant also seeks permission to provide much less public open space than would normally be required on a site of this size. On a prominent waterfront site, public open space contributes to public access, public enjoyment and the overall character of the waterfront.

In addition , the application requests permission to provide fewer car parking spaces than would normally be required under the Planning Scheme. The application also seeks exceptions to normal requirements for deliveries, waste collection, bicycle parking, showers and change facilities.

The fact that eight exceptions from the Planning Scheme are required in order to accommodate a 108-suite hotel on this site raises doubts about whether the site is suitable for this development.

Another significant constraint is that the site is accessed by a single road. The site sits at the end of Stokes Hill Road, yet the proposal proposes 108 hotel suites together with

guests, staff, taxis, rideshare vehicles, deliveries, waste collection vehicles and service vehicles. The application does not explain how this level of activity will operate safely on a site with only one point of access.

The majority of the site is affected by the Primary Storm Surge Area. The Statement of Effect focuses on raising accommodation above the nominated storm surge level. However, there apprars to be no  discussion of how a 108-suite hotel would operate during a major storm surge event, including access, emergency response, loss of services and impacts on the surrounding precinct.

The planning history shows that the site has previously been assessed for a small 128 m² container bar, not a six-storey hotel. The DCA's willingness to vary requirements for a small ancillary waterfront use does not automatically justify similar concessions for a major tourist hotel development.

The Statement of Effect repeatedly refers to pedestrian connectivity, pedestrian access and integration with surrounding walking routes. Stokes Hill Road is the main walking route between the CBD, the Waterfront precinct and Stokes Hill Wharf. Yet as pointed out already, much of the proposed hotel ground floor is occupied by parking, loading, waste storage, laundry and service areas. The application does not explain how these uses will contribute to the pedestrian environment in such a prominent location.

The Statement of Effect repeatedly refers to the neighbouring Larrakia Cultural Centre, yet contains little discussion of the cultural relationship between the proposed hotel and the Cultural Centre, or how the development responds to the cultural significance of this location.

This is one of the most prominent waterfront sites in Darwin, it is reasonable to ask what the public receives in return?

The Development Consent Authority is required to consider whether a site is suitable for the proposed use, whether a development is compatible with its surroundings, and the effects on access, safety, amenity and streetscape.

As mentioned above , the site is heavily affected by Primary Storm Surge, contains multiple easements and is accessed by a single road. In order to accommodate a 108-suite hotel, the application relies on eight exceptions because the development does not comply with a number of Planning Scheme requirements that would normally apply.

The cumulative effect of all these issues raises serious doubts about whether a 108-suite hotel is suited to this site. In fact, the need for eight exceptions to Planning Scheme requirements seems to be clear evidence of a lack of site suitability. I therefore ask that the DCA refuse this application.

Sonja Pastor

Fannie Bay

Sonja.pastor108@gmail.com

| | |
|---|---|
| **From:** | Sonja Pastor |
| **To:** | Kaleb Thomas |
| **Subject:** | Re: FW: PA2026/0196 \| Amended documents received - Part 2 of 2 |
| **Date:** | Saturday, 18 July 2026 4:55:38 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 Kaleb ,

Please see below my additional response to the applicant's further material for inclusion as part of my submission on the application

I have reviewed the applicant's further response and remain of the view that the proposal should be refused.

The applicant's further response includes a document described as "Amended Plans" together with a separate Viewshed Response. However, the architectural drawings remain Revision A dated 28 May 2026. I have not identified any changes to the architectural drawings from those originally exhibited. The only substantive new material I have identified is the separate Viewshed Response prepared in response to submissions concerning cultural or heritage values, specifically the impact on the current viewshed from the sacred site towards Darwin Harbour.

Importantly, the Viewshed Response addresses only one aspect of the objections, namely whether the proposed hotel would create any additional obstruction of the current viewshed from the sacred site towards Darwin Harbour. That is one issue, but it is not the only issue raised in submissions.

My original submission identified that the proposal seeks eight separate variations to the Northern Territory Planning Scheme, including variations relating to car parking, loading, end-of-trip facilities, active street frontage, public domain contributions and other design requirements. Many of these arise because of the significant constraints of the site, particularly its location within the Primary Storm Surge Zone.

I am even more concerned that the applicant continues to treat the adjoining Larrakia Cultural Centre primarily as a neighbouring building rather than recognising its significance as a landmark Larrakia cultural place. The Centre has been promoted as a flagship project celebrating Larrakia culture and is intended to become one of Darwin's principal cultural attractions.

In my view, there are two quite different planning questions. The first is whether the proposed hotel creates any additional obstruction of the current viewshed from the sacred site towards Darwin Harbour. The applicant's further response focuses almost entirely on that issue, arguing that the hotel sits behind the western wing of the Larrakia Cultural Centre and does not materially increase obstruction of the current viewshed from the sacred site towards Darwin Harbour.

The second, and in my view the more important planning question, is whether a six-storey commercial hotel is an appropriate neighbouring development for such an important Larrakia cultural place. That broader question is not addressed.

The visualisations reinforce this concern. They show a long, six-storey rectangular commercial building immediately beside the sculptural, bird-shaped Larrakia Cultural Centre, with very little visual separation between the two buildings. Although the proposed hotel is no taller than the Cultural Centre, it is visually dominant in length, presenting a long, continuous façade immediately beside it. The two buildings occupy the same narrow waterfront precinct, meaning the hotel becomes part of the setting of the Cultural Centre rather than simply a neighbouring development.

The hotel is a conventional commercial hotel, while the Cultural Centre is a landmark civic and cultural destination celebrating Larrakia culture. The applicant has not demonstrated why these two very different buildings belong side by side, or why a building of this scale, bulk and commercial character is an appropriate adjoining development beside a landmark Larrakia Cultural Centre.

Nor has the applicant addressed the inactive ground level, which remains dominated by parking, loading, waste storage, laundry and other service areas rather than creating an attractive public interface beside a landmark Larrakia Cultural Centre.

None of the additional material changes my original conclusion that this is not an appropriate site for a hotel of this scale adjoining the Larrakia Cultural Centre.

For these reasons, I respectfully request that the Development Consent Authority refuse the application.

Sonja Pastor

On Fri, 17 Jul 2026 at 6:37 pm, Kaleb Thomas <Kaleb.Thomas@nt.gov.au> wrote:

> Part 2 of 2
>
> **Kaleb Thomas**
> Senior Planner
> Development Assessment Services
> Department of Lands, Planning and Environment
>
> Floor 1, Energy House, 18 Cavenagh Street, Darwin CIty
> GPO Box 1680, Darwin City, NT 0800
>
> **t.** 08 8999 7414
> **w.** https://environment.nt.gov.au/

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The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.

---

**From:** Kaleb Thomas **On Behalf Of** Das NTG
**Sent:** Friday, 17 July 2026 6:33 PM
**To:** Kaleb Thomas <Kaleb.Thomas@nt.gov.au>
**Subject:** PA2026/0196 | Amended documents received - Part 1 of 2

Good afternoon

This email is in relation to PA2026/0196, which is for a hotel/motel (108 suites) in a 6 storey building at Lot 7495 (39) Stokes Hill Road, Darwin City, Town of Darwin.

Please see attached for amended plans provided by the applicant in response to queries from Development Assessment Services (DAS), and matters raised by public submissions and service authorities. Please note that this email will contain the amended plans, with a subsequent email to contain a response to viewshed matters.

While we are willing to accept any further responses from public submitters or service authorities, the attached documentation is provided for your reference, with no response being necessary. However, if you would like to provide an additional response/comments, please provide them by 31 July 2026 to allow for them to be incorporated into the DAS report to the DCA, or alternatively as an addendum to that report.

All public submitters will receive an invitation to attend the Development Consent Authority meeting for this application, which has been tentatively scheduled for Friday 7 August 2026. Please note that you will receive an email invitation to the DCA meeting 1

to 2 weeks before that scheduled meeting from the DCA secretary, following standard practice.

Let me know if you would like to clarify or query the above.

Thank you

Kaleb

**Kaleb Thomas**
Senior Planner
Development Assessment Services
Department of Lands, Planning and Environment

Floor 1, Energy House, 18 Cavenagh Street, Darwin CIty
GPO Box 1680, Darwin City, NT 0800

**t.** 08 8999 7414
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LARRAKIA NATION

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Phone: 08 8948 3733
www.larrakia.com
www.facebook.com/larrakianation
ABN 56 531 057 147 ICN: 3170

Darwin's Traditional Owners

24 June 2026

To the Development Consent Authority

**RE: Submission / Statement of Concern – Development Application PA2026/0196 39 Stokes Hill Road, Darwin City –Proposed Hotel/Motel (108 Suites)**

Larrakia Nation Aboriginal Corporation (LNAC), as the peak representative body for Larrakia Traditional Owners and a major Aboriginal organisation operating on Larrakia Country, writes to formally lodge this submission and statement of concern regarding Development Application PA2026/0196 for the proposed hotel development at 39 Stokes Hill Road, Darwin City.

LNAC acknowledges the importance of economic development, tourism and investment in Darwin and supports responsible development that delivers long-term benefit to the Northern Territory.

**LNAC's Position on Development**
LNAC wishes to make clear that Larrakia people are not opposed to development, investment or economic growth on Larrakia Country.

Larrakia Traditional Owners recognise the importance of responsible development in supporting Darwin's economy, creating jobs and contributing to the future prosperity of the Northern Territory.

However, development on Larrakia Country must occur in partnership with, not in isolation from, the Traditional Owners of this land and sea Country.

The core concern of LNAC is not development itself, but whether development occurs with genuine consultation, cultural respect, transparency and meaningful engagement with Larrakia people from the earliest stages of planning and design.

Larrakia people should not be placed in a position where they are expected to respond to advanced proposals after key decisions have already been made. Best-practice development on Aboriginal land is not merely about statutory compliance, but about building respectful partnerships with Traditional Owners.

Stokes Hill Wharf and the surrounding waterfront precinct hold profound cultural, spiritual and historical significance for Larrakia Traditional Owners. This area is far more than a commercial or tourism precinct; it forms part of an important cultural landscape connected to Larrakia dreaming, sacred sites, ancestral narratives, harbour connections and continuing cultural practice.

LNAC raises the following concerns:

**1. Legal Compliance Does Not Equate to Cultural Consent**
LNAC is aware that Authority Certificate C2004/004 applies to the broader Darwin Waterfront precinct and that recent amendments under section 24B of the Aboriginal Sacred Sites Act 1989 (NT) have added additional recorded parties to that certificate.

However, LNAC submits that the existence or extension of an Authority Certificate should not be interpreted as evidence of cultural consent by Larrakia custodians, nor as conclusive evidence that sacred site concerns have been adequately resolved.

LNAC notes advice from the Aboriginal Areas Protection Authority (AAPA) confirming that:

- the current legislative framework compelled AAPA to process the application without renewed consultation with custodians;
- the original Darwin Waterfront certificate did not specifically contemplate a high-rise hotel adjacent to the Convention Centre and nearby registered sacred site; and
- Larrakia custodians had clearly expressed that the proposed hotel design would impact the site.

This distinction is critically important. Procedural legal compliance must not be used to override or diminish Larrakia cultural authority.

**2. Lack of Meaningful and Contemporary Engagement with Larrakia Traditional Owners**
LNAC remains concerned that meaningful, culturally appropriate and contemporary engagement with relevant Larrakia custodians has not occurred in relation to this proposal.

Consultation must involve more than procedural notification or reliance on historical approvals. Genuine engagement requires direct dialogue with Traditional Owners regarding present-day impacts, community concerns and cultural considerations.

Given the significance of this site, LNAC submits that further engagement with Larrakia custodians is essential before any planning determination is made.

**3. Sacred Site and Cultural Landscape Impacts**
The proposed development must be assessed not only by reference to a physical footprint but by its broader impact on the cultural landscape.

Sacred site protection cannot be reduced solely to whether construction occurs inside or outside mapped boundaries. Height, scale, overshadowing, visual intrusion and the interruption of culturally significant sightlines may all affect cultural values and the integrity of surrounding sacred places.

LNAC is concerned that this proposal may adversely affect the cultural setting and significance of the broader Stokes Hill area and Darwin Harbour.

**4. Visual Amenity and Cultural Sightlines**
LNAC has particular concerns regarding impacts on important visual corridors across Darwin Harbour, including culturally significant sightlines associated with Larrakia cultural narratives and heritage values.

Although the current proposal is lower in height than previous hotel developments proposed within the waterfront precinct, reduced height alone does not eliminate concerns regarding visual dominance, overshadowing or cumulative intrusion.

A full and transparent visual impact assessment should be required, including line-of-sight modelling from Stokes Hill and other culturally significant vantage points.

**5. Consistency in Height Restrictions and Sacred Site Protections**
LNAC notes that the Aboriginal Areas Protection Authority, Authority Certificate issued for the Larrakia Cultural Centre (Certificate C2022/025) imposed specific development restrictions associated with sacred site

5073-93 (Stokes Hill), including a condition that no structure within Restricted Works Area 1 exceed a height of 20 metres Australian Height Datum (AHD).

These restrictions were imposed to protect the cultural integrity, structural integrity and significant sightlines associated with Stokes Hill.

LNAC submits that if strict height restrictions were considered necessary for development of the Larrakia Cultural Centre adjacent to Stokes Hill, then equivalent scrutiny and consistency should apply to any adjoining hotel or commercial development.

LNAC therefore seeks clarity as to the maximum proposed building height of the hotel development in Australian Height Datum (AHD), including any rooftop structures, plant equipment, signage or ancillary infrastructure, and whether any component exceeds the 20 metre AHD restriction previously applied in proximity to sacred site 5073-93.

Any inconsistency in the application of sacred site protections between the Larrakia Cultural Centre and adjoining commercial developments would raise serious concerns regarding fairness, consistency and the integrity of planning and cultural heritage protections.

**6. Interface with the Larrakia Cultural Centre**
LNAC is especially concerned given the proposed development's close proximity to the Larrakia Cultural Centre.

The Cultural Centre represents an important investment in preserving, celebrating and sharing Larrakia culture, history and identity. It should remain a prominent and respected cultural landmark within the waterfront precinct.

Any adjoining development must be carefully assessed to ensure it does not diminish, overshadow or compromise the cultural integrity, amenity or significance of the Cultural Centre.

**6. Public Interest and Planning Responsibility**
LNAC submits that the Development Consent Authority retains an independent obligation to consider broader planning matters, including public interest, heritage, visual amenity and cultural significance.

The existence of an Authority Certificate should not be treated as determinative of these broader considerations.

The DCA must independently assess whether approval of this development appropriately balances economic development with protection of cultural heritage and the rights and interests of Traditional Owners.

**Request**
Accordingly, LNAC respectfully requests that the Development Consent Authority:

1. Give serious consideration to deferring any final determination of Development Application PA2026/0196 until meaningful consultation with Larrakia Traditional Owners and LNAC has occurred;
2. Require further cultural, visual and heritage impact assessment;
3. Give substantial weight to the expressed concerns of Larrakia custodians and AAPA's stated concerns regarding the consultation process; and
4. Ensure any planning decision properly reflects the cultural significance of Stokes Hill Wharf and surrounding Larrakia Country.

LNAC respectfully submits that genuine partnership with Larrakia Traditional Owners will lead to stronger, more sustainable and culturally respectful development outcomes for all Territorians.

LNAC remains willing to meet with the applicant, Darwin Waterfront Corporation and relevant Northern Territory Government stakeholders to discuss a culturally respectful and collaborative pathway forward.

LNAC reserves the right to provide further submissions should additional documentation or assessment material become available.

Yours sincerely



Michael Rotumah
Chief Executive Officer

Contact Details: ceo@larrakia.com

Larrakia Cultural Centre
All Of Us. Together.

Thursday 25 June 2026

Development Assessment Services
Department of Lands, Planning and Environment
Northern Territory Government
Floor 1, Energy House, 18-20 Cavenagh Street,
Darwin City, 0800.

By Email: das.ntg@nt.gov.au

**RE: DEVELOPMENT APPLICATION – PROPOSED 6 STOREY HOTEL LOT 7495 TOWN OF DARWIN 39 STOKES HILL ROAD, DARWIN WATERFRONT**

Larrakia Cultural Centre Limited provides the following submission regarding the proposed six-storey hotel development at Lot 7495 Town of Darwin, 39 Stokes Hill Road, Darwin Waterfront.

The Larrakia Cultural Centre Limited is a new business entity set to commence operations in August 2026 in the Darwin Waterfront Precinct, the building being funded from National Indigenous funds. We recognise the important role tourism infrastructure plays in supporting economic growth and visitation to the Northern Territory. We warmly welcome architecturally and culturally appropriate development in the Waterfront Precinct. However, we feel the submitted application raises significant concerns to be addressed and considered by the Development Consent Authority in their review of this application.

**Lack of Consultation**

Despite the close physical relationship between the proposed hotel and the Larrakia Cultural Centre, we were not consulted during the preparation of the development application or even advised prior to advertising that the application was being made. Given the proposal directly interfaces with the Cultural Centre through shared boundaries, pedestrian connections, public realm interfaces and potential operational

impacts, meaningful engagement with the Larrakia Cultural Centre should have occurred prior to lodgement. The absence of consultation is reflected in numerous unresolved matters within the application and has resulted in a proposal that does not adequately respond to its immediate context or demonstrate how potential impacts on neighbouring land will be managed.

Larrakia Cultural Centre Limited is also of the understanding the proponent has not made any attempt prior to submission of the application to engage with any member of the Larrakia community. We have been contacted by several elders and community members very concerned about the impact of a development of this height on the nearby sacred site. The Larrakia people hold ongoing cultural, spiritual, and custodial responsibilities for the land and sea country where the development is proposed. The development is within proximity to a registered sacred site at Stokes Hill. Submitting this application without consultation or consideration of this sacred site and Larrakia stories, demonstrates a significant lack of respect.

**Impact to Larrakia Cultural Centre Appeal and Operations**

The Larrakia Cultural Centre, established to be a major cultural, educational and tourism facility that has been developed to celebrate and share the culture, history and continuing connection of the Larrakia people to Country and draw tourists to Darwin. The Cultural Centre has already drawn international attention for its architecture and proposed programs and has been listed together with Kakadu in the NY Times as 14/52 places to visit as well as already gaining publicity in the UK, Taiwan and elsewhere. Tourism Australia is featuring the Centre in a forthcoming pitch pack to be shared with Tourism Australia's PR representatives across 16 international markets

The development of a 6-storey hotel, of current design will significantly detract from the architecturally attractive waterfront precinct overall and the Larrakia Cultural Centre in particular. Located on the neighbouring property the design, as currently proposed will allow hotel guest direct line of sight into the amphitheatre and event spaces; with potential recording or observation of cultural activities. The operating model of the Larrakia Cultural Centre includes late night activities, events and dining at the restaurant which should not be limited by hotel bedrooms being proposed on the boundary after the Larrakia Cultural Centre has already been designed and constructed with its operating intentions clearly known. Any attempt to retrospectively impose limitations on the way the Larrakia Cultural Centre is able to operate the outdoor areas will significantly and detrimentally impact the tourism appeal and the business model and ability of the centre to operate sustainably.

**Building Height, Scale and Cultural Context**

The application states that the proposed building height is consistent with the adjoining Larrakia Cultural Centre. This is not correct. The proposed hotel exceeds the height of the Larrakia Cultural Centre by roughly two levels and introduces a substantially larger built form immediately adjacent to a culturally significant facility and within proximity of a registered Larrakia sacred site. The proposed hotel, at 25.6 AHD to the top level, within proximity to the sacred site will interfere with both the inward and outward views associated with the Dreamtime story. These views are intrinsic to the cultural, spiritual, and ceremonial significance of the site.

The Larrakia Cultural Centre was designed to respect the adjacent culturally significant site at Stokes Hill and limits the height of the building to the limitation set within the Aboriginal Areas Protection Authority clearance obtained for the construction.

The hotel application makes no mention of the significant sacred site within the precinct and does not address any approach made to Aboriginal Areas Protection Authority about proceeding with the works in proximity to this site.

**Pedestrian Access, Public Realm and Street Activation**

Larrakia Cultural Centre is particularly concerned about the operational impacts of the proposed pedestrian connection between the hotel and the Larrakia Cultural Centre. The plans indicate a narrow walkway just over 1 metre wide, which we would contend is inadequate to accommodate anticipated pedestrian movements associated with general public uses of the waterfront. It does not match the width of public access walkways in other areas throughout the Waterfront Precinct, which provide not only appropriate pedestrian movement but an open atmosphere appropriate to our tropical location.

It is a concern the design does not meet Crime Prevention Through Environmental Design (CPTED) principles and creates a potentially dangerous public space. The application fails to address public access arrangements; lighting and surveillance; after-hours security; emergency access; maintenance obligations; liability and insurance arrangements. The pathway is a critical interface between the hotel and the Larrakia Cultural Centre however, no meaningful assessment has been provided regarding how this space will function safely and effectively.

The provision of the publicly accessible path along the water's edge on this parcel of land, which connects to the newly constructed walkway in front of the Larrakia Cultural Centre site is a welcome addition. However, It is disappointing that the pathway does not provide a smooth and continuous connection to Stokes Hill wharf and ends at the existing building on the site. This dead-end is a missed opportunity to provide a continuous public path and raises concerns around the management and security of the area.

The proposal does not demonstrate how it is contributing to street activation and integration into the significant and culturally relevant landscaping and street frontage design of the Larrakia Cultural Centre site. The renders provided in the application do not accurately show the surrounding precinct or even the existing building on the same block of land. They appear to show the hotel on an imagined peninsula with water on all sides. Different fencing and other features are also shown in various versions of the renders making it very difficult to discern what is actually being proposed. The Statement of Effect under clause 4.7.7 does indicate that achieving an active street frontage is difficult for the site. Larrakia Cultural Centre submits the minimum requirements under the planning scheme for street activation are not being met by the proposed development in its current form.

**Setbacks and Easements**

Setbacks to the adjoining boundary are unclear, especially where there are windows in habitable rooms. It is understood a minimum setback from the side and rear boundaries is specifically required for walls containing windows to habitable rooms, balconies, and verandahs. The lack of appropriate setbacks triggers privacy concerns as raised above particularly for commercial, private and cultural activities for the Larrakia Cultural Centre. The development design appears to focus on maximising the footprint and the application does not address how the setback and boundary interaction is proposed to be managed.

Larrakia Cultural Centre is concerned by statements within the Statement of Effect suggesting that existing easement rights may no longer apply. No legal evidence has been provided to support this assertion. As an entity reliant on the infrastructure services as provided to our site it is imperative these are protected and not impacted by the proposed development.

**Car parking shortfall**

The assessment of car parking numbers is calculated with zero (0) car paces being allocated to the restaurant on the basis that it is currently vacant. It is not acceptable to assume it will continue to be vacant. The car parking shortfall should be calculated on the current approved use for the existing building as well.

**Impacts on Larrakia Cultural Centre**

The Planning Scheme requires that development be designed and arranged to minimise adverse impacts on surrounding land and infrastructure. Larrakia Cultural Centre Limited identify the following impacts of the development as not being adequately addressed or mitigated through the application.

- pedestrian circulation;
- public access arrangements;
- easement impacts; and
- management of interfaces with adjoining land uses.

**Conclusion**

Larrakia Cultural Centre supports architecturally and culturally appropriate development within the Darwin Waterfront Precinct. However, the current application does not provide sufficient information to demonstrate that impacts on adjoining land, public access, infrastructure and the operation of the Larrakia Cultural Centre have been appropriately considered, nor its consistency with other Waterfront infrastructure.

With its lack of consultation, the proposed development has demonstrated no regard for Larrakia people as custodians of the land and is in direct conflict with maintenance of the sacred site, proposing a height that would allow views in to the site and exceeding the height restrictions of the area by two stories.

Larrakia Cultural Centre submits that the Development Consent Authority should require the applicant to provide additional information addressing the matters identified above before determining the application.

Yours sincerely,



Helen M Garnett PSM CM FAICD FTSE
Chair,
Larrakia Cultural Centre Limited

**From:** Nicholas Kirlew
**To:** Das NTG
**Subject:** PA2026/0196 – Development 39 Stokes Hill Road
**Date:** Friday, 26 June 2026 6:46:30 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.

**SUBMISSION TO THE DEVELOPMENT CONSENT AUTHORITY (DCA) OBJECTION TO DEVELOPMENT APPLICATION / VARIATION WORKS AT LEE POINT**

**To:** The Chairman
Darwin Development Consent Authority
GPO Box 1680, Darwin NT 0801
Email: das.ntg@nt.gov.au

**Regarding Application/Permit Reference:** PA2026/0196 **Location of Works:** 39 Stokes Hill Road

I am lodging this formal submission under the provisions of the *Planning Act 1999* to declare my objection to the proposed development activities at 39 Stokes Hill Road

# Part 1.0 – Introduction: Statutory Framework and the Scope of Discretionary Scrutiny

PLan: the Planning Action Network Inc. formally registers its objection to the proposed 6-storey, 108-suite commercial hotel development on Lot 7495 (39 Stokes Hill Road, Darwin Waterfront). Because this development application is formally designated as **Impact Assessable** under Clause 3.1(4)(b) of the *Northern Territory Planning Scheme 2020* (NTPS), it triggers the highest tier of planning scrutiny and mandates a comprehensive, precinct-wide evaluation process.

The Impact Assessable designation is explicitly triggered by overlay escalation. While a hotel in Zone CB (Central Business) might ordinarily sit within a less rigorous assessment pathway, the physical reality that this site is constrained by both the **Land Subject to Storm Surge** (LSSS) and **Coastal Reclamation** (CR) overlays legally forces the entire application into this highest tier of evaluation.

Under **Clause 1.10(4)** of the Planning Scheme, the DCA is required to evaluate this development holistically against:

1. The core purpose, zoning objectives, and strategic outcomes of Zone CB.
2. Overarching strategic policies, specifically the *Darwin Regional Land*

*Use Plan* and the *Central Darwin Area Plan*.

3. The broad environmental, visual, and infrastructural impacts on the surrounding public realm and precinct identity.
4. The cumulative severity of the numerous zoning variations and waivers sought by the applicant—most notably regarding public open space contributions and active street frontages.

As an Impact Assessable application subject to mandatory public exhibition, this submission invokes the community's statutory right to challenge design compromises that threaten the public domain. PLan submits that the developer has used the site's environmental storm surge constraints as a justification to deliver a flawed, inward-facing layout that fails basic tropical design, pushes vehicle infrastructure onto a priority pedestrian corridor, and strips the public streetscape of safety and amenity.

Given that the DCA exercises complete, wide-open discretion under Clause 1.10(4), PLan urges the Authority to look past generic economic justifications, rigorously enforce baseline Central Business rules, and refuse consent to a compressed development that permanently damages the public realm.

# 2. KEY GROUNDS FOR OBJECTION

## Clause 1.10(4) & Focus Area B – Unacceptable Visual Intrusion and Obstruction of Public Harbor Views

PLan objects to the proposed development due to its irreversible adverse visual impact on the surrounding precinct. The applicant's Statement of Effect attempts to shield the project behind a mapping anomaly, asserting that because Lot 7495 is omitted from the strict numeric height maps of the Central Darwin Area Plan 2019, a 6-storey commercial block is contextually appropriate.

PLan urges the Development Consent Authority (DCA) to reject this flawed logic and pull the development back into strict strategic evaluation. Under this Impact Assessable pathway, Clause 1.10(4) requires the DCA to holistically evaluate the overarching visual relationship between the proposal and the existing public landscape.

Constructing a solid 25.6-meter-tall commercial wall right at the water's edge creates an aggressive "view blocker" that permanently cuts off established, historic sightlines between the elevated Darwin CBD grid, the heritage escarpment, and the public harbour front below. Even if the developer claims exemption from the explicit boundaries of Focus Area B (Darwin Waterfront Focus Area), they are heavily relying on its mixed-use tourist objectives to justify the hotel's presence. As such, they must be held to its core qualitative standards, which explicitly mandate the preservation of maritime character

and the protection of public view lines.
Allowing a building of this scale to block public views on an unmapped lot sets a precedent that threatens the visual integrity of the entire Darwin waterfront. A large-scale project that fails to respect the public air space and visual connectivity of the harbor precinct has no strategic merit and must be refused.

# Clause 3.7 – Land Subject to Storm Surge Overlay

PLan objects to the applicant's assertion that the proposed 6-storey hotel can be "safely established" on land directly exposed to the Primary and Secondary Storm Surge Area (PSSA & SSSA) overlays. The developer's structural strategy relies on a technicality—elevating all 108 guest suites to Levels 1 through 4, while leaving the ground floor as an open-air concrete car park and utility zone designed to be deliberately inundated during a severe marine event.
While this design may protect the physical shell of the upper suites from immediate wave action, it completely ignores the profound logistical and infrastructure failures inherent to this location. Stokes Hill Road is a low-lying, single-access bottleneck; the Statement of Effect fails to provide a viable emergency evacuation plan for hundreds of temporary domestic and international tourists who are entirely unfamiliar with Darwin's severe weather procedures.
Furthermore, a major storm surge event will inevitably flood the ground-floor utility core, knocking out the hotel's main electrical substation, reticulated water, and sewer connections which sit directly on active Power and Water easements. It could be asserted that exposing a commercial structure of this magnitude to catastrophic utility failure places an unacceptable recovery and financial burden on public infrastructure and precinct emergency management services.

# Part 4.2.2 – Strategic Framework, Mapping Anomalies, and Area Plan Boundary Deviations

PLan objects to the proposed development due to its reliance on a mapping anomaly to escape the strategic height and density protections governing the precinct. The applicant's Statement of Effect attempts to exploit a technicality, noting that because Lot 7495 is omitted from the shaded Study Area boundary map of the Central Darwin Area Plan 2019, the site carries "no prescribed height limit" under Focus Area B (Darwin Waterfront).
PLan urges the Development Consent Authority (DCA) to reject this opportunistic interpretation. It could be asserted that this exclusion is an administrative oversight rather than an intentional declaration that this specific waterfront lot should possess unlimited height capacity. Further to this it could then be asserted that because this project is undergoing an Impact

Assessable pathway, the absence of a localised numeric height rule strips the developer of any regulatory baseline or “entitled” compliance. Instead, it grants the DCA total, wide-open discretionary scrutiny under Clause 1.10(4) to evaluate the real-world contextual impact.

PLan argues that a 6-storey commercial block reaching 25.6m AHD sets a precedent for unmapped pockets of the harbor front, directly threatening the historic escarpment and public harbor views. Furthermore, because the developer is simultaneously seeking wholesale variations to multiple mandatory rules under Part 5 – including Building Design (Clause 5.9.2.1), Active Street Frontages (Clause 5.5.16), and Public Domain Contributions on Large Sites (Clause 5.9.2.9) – they cannot simultaneously claim the site is immune to localised strategic controls. If a large-scale project requires numerous zoning concessions while operating entirely outside a localised area plan framework, the DCA must enforce the baseline Zone CB rules with maximum rigor and refuse the application.

# Section 46(3)(d) – Absence of Exceptional Planning Merit and Erroneous Variations Justification

PLan objects to the proposed development due to its failure to demonstrate the unique planning merits required under Section 46(3)(d) of the *Planning Act 1999* to justify its extensive non-compliance. The applicant’s Statement of Effect relies on a highly inaccurate claim that “no significant variations to Part 5 of the NTPS are sought.” It is PLan’s opinion that in reality, this application represents a systemic breakdown of basic compliance, seeking variations or complete waivers for Active Street Frontages (Clause 5.5.16), Ground-Level Landscaping (Clause 5.2.6.2), Public Domain Contributions (Clause 5.9.2.9), and Building Design (Clause 5.9.2.1) by compressing the ground-floor ceiling down to an un-adaptable 3.4 meters.

The developer attempts to frame their high-level hotel suites as a form of “passive surveillance” to offset a dead ground floor. However, forcing visual observation up to the fourth floor creates a severe vertical blind spot at eye level; a tourist on a balcony cannot prevent anti-social behaviour or foster a sense of security next to a dark, concrete service lane at night.

Furthermore, the claim that this commercial block complements the precinct is entirely self-serving. Inserting a vehicle-first utility frontage directly adjacent to the architecturally significant Larrakia Cultural Centre actively degrades the visual appeal, public accessibility, and cultural integrity of the entire precinct. Under an Impact Assessable pathway, discretionary planning variations must only be granted in exchange for exceptional architectural and community outcomes. The developer has failed to present any unique planning merits, attempting instead to use generic economic buzzwords to force the Development Consent Authority into approving a severely under-designed building that permanently damages the public realm.

# Clauses 5.2.6.2 & 5.5.15 – Ground-Level Infrastructure, Landscaping Shortfall, and Pedestrian Amenities

PLan objects to the proposed development due to its deliberate failure to meet basic public infrastructure requirements, explicitly using private financial constraints to justify a compromised public realm. The applicant seeks a massive 50% waiver on mandatory ground-level landscaping (providing only 202m² of the required 408m²) and completely omits the legally mandated, continuous 3-meter-wide pedestrian awning along the Stokes Hill Road frontage.

The developer's Statement of Effect treats these failures as inevitable site constraints, arguing that the elevated ground floor required by the Storm Surge Overlay forces them to dedicate the entire footprint to 56 car parks and utilities, thereby rendering ground-level trees and complex structural awnings over the boundary swale drain "impractical" and economically unviable. Furthermore, their excuse that they should be exempt from providing an awning because pedestrians currently utilize the opposite side of the street is an exceptionally hostile approach to urban planning. Internal engineering costs and profit margins are the developer's private commercial risks; they cannot be used as a "merit" to permanently degrade public walking amenities. Under this Impact Assessable pathway, it could be asserted that if a site is physically and financially incapable of supporting a hotel without breaking basic tropical design laws, then a high-density commercial development of this scale is simply the wrong project for this piece of land.

# Clauses 5.2.4.3 & 5.2.4.4 – Vehicle Access and Design of Car Parking Areas

Due to its design compromises regarding Clause 5.2.4.3 (Vehicle Access) and Clause 5.2.4.4 (Design of Car Parking Areas). The applicant relies on vague planning platitudes—suggesting "it can be argued" that the layout is appropriate to talk past strict, black-and-white safety requirements. Forcing heavy service vehicles, commercial laundry trucks, waste disposal units, and 56 private cars to cross directly over the primary pedestrian access route to Stokes Hill Wharf creates an untenable and dangerous conflict zone. Furthermore, because the building footprint features zero street setbacks, the proposed ground-floor parking area sits flush with the pavement line at eye level. The applicant's assertion that perimeter greening and vertical planting will successfully mask this open-air parking deck is entirely self-serving. Landscaping cannot mitigate the real-world operational nuisances of car doors slamming, headlights flashing directly onto the pavement at night, and the structural clutter of 56 parked cars positioned immediately adjacent to a high-volume public path. PLan urges the Development Consent Authority to reject these speculative arguments and exercise its discretionary power to refuse a compressed, low-ceiling ground-floor layout that sacrifices public

safety and street amenity for internal commercial convenience.

# Clause 5.5.15 – Design in Commercial and Mixed-Use Areas

PLan objects to the proposed development due to its systemic failure to comply with Clause 5.5.15, which dictates that new buildings must seamlessly integrate into the public streetscape by offering high-quality tropical design, passive climate control, and pedestrian comfort. The applicant relies on sweeping, superficial assertions to bypass these critical urban design standards.

First, comparing the visual dominance of this 6-storey commercial hotel block to the height of the adjacent Larrakia Cultural Centre represents a major false equivalence; the Centre is an architectural building with public purpose, whereas this high-density structure threatens to overwhelm the historic escarpment and public harbor views.

Second, the developer explicitly breaches tropical design principles by failing to provide continuous pedestrian awnings along the Stokes Hill Road street frontage, falsely dismissing them as “impractical” due to an elevated ground floor.

Thirdly, it could be asserted that the decision to install individual split-system air conditioning units directly on guest balconies will create a massive cumulative acoustic and thermal impact, blowing hot air and compressor noise directly into the surrounding environment and completely undermining claims of a “pleasant microclimate.”

Finally, by failing to provide a basic public parenting room on the ground floor for a building whose area vastly exceeds 3,500m², the design actively cuts corners on public accessibility and community inclusivity. Far from weaving into the precinct, this layout is fighting against its location—using the site’s storm surge risk to justify a dead ground floor, which they then use to justify a total lack of street appeal and pedestrian comfort.

# Clause 5.5.16 – Active Street Frontages

PLan objects to the proposed design due to its non-compliance with Clause 5.5.16 (Active Street Frontages) under Zone CB of the Northern Territory Planning Scheme 2020. The developer’s attempt to justify a completely dead, inactive street facade along Stokes Hill Road by prioritizing internal layouts such as ground-floor parking, an electrical substation, a commercial laundry, and a bin room undermines the mandate to ensure pedestrian safety, vibrancy, and passive surveillance.

The developer’s arguments that waterfront activation and perimeter landscaping compensate for a dead wall, or that existing pedestrian flows on the opposite side of the road negate the need for compliance, are flawed. Stokes Hill Road is a high-volume public artery and tourist track leading to Stokes Hill Wharf; transforming this frontage into a vehicle-dominated utility zone creates a hostile “service alley” effect. Furthermore, landscaping and vertical gardens do not satisfy the requirement for human interaction and

clear sightlines, leaving the street a dark, un-surveilled “dead zone” at night. With the development situated next to the Larrakia Cultural Centre, it is reasonable to expect pedestrian dynamics will shift, requiring active frontages on both sides of the street.

Elevating rooms to solve a storm surge overlay must not result in an eye-level parking deck that destroys the public realm. If a hotel of this scale cannot accommodate a genuinely active ground floor that respects the public streetscape, the development is inappropriate for this site.

# Clause 5.9.2.1 – Architectural Innovation and Contextual Building Design

PLan objects to the proposed development due to its failure to achieve the urban design objectives set out under Clause 5.9.2.1. The applicant relies on superficial, subjective claims of “architectural innovation” to obscure severe compliance shortfalls.

First, the developer fails to provide any concrete data or wind-modeling to support their claim of encouraging a “pleasant microclimate”; in reality, inserting a solid 6-storey commercial block directly onto the water’s edge will disrupt vital land-sea breeze exchanges for the public pathways and properties situated directly behind it.

Second, the applicant’s assertion that a total height of 25.6m AHD is “modest” relies on a false equivalence with the adjacent Larrakia Cultural Centre, ignoring the fact that replacing a low-scale, 2-storey historic precinct dynamic with a high-density commercial block drastically increases the structural mass and visual dominance over the waterfront.

Finally, the claim that the project enhances the streetscape is deeply contradicted by a ground-floor facade dedicated entirely to an electrical substation, a commercial laundry, a loading bay, and a bin enclosure. Utilizing planter boxes and vertical green walls is a purely cosmetic cover-up for an inherently hostile, unappealing pedestrian environment. The developer cannot use storm surge constraints to justify an anti-pedestrian layout that fails the core legal requirements of quality tropical building design.

# Clause 5.9.2.7 – Development along Priority Pedestrian and Cycle Network

PLan objects to the proposed development due to its direct failure to comply with Clause 5.9.2.7, which governs development along a designated Priority Pedestrian and Cycle Network. The developer’s proposal seeks to satisfy this critical requirement by burying 44 bicycle parks inside a dead-frontage ground-floor garage, while deflecting broader network obligations toward a winding, harbor-side pedestrian boardwalk. A harbor-front walkway filled with tourists and hotel guests may not function as a safe, practical commuter bicycle path.

Furthermore, by maximizing the building footprint to squeeze in 56 car parking spaces, the proposed structure builds directly up to the edge of Lot

7495 along Stokes Hill Road. This zero-setback design physically boxes in the streetscape, leaving no room for the Northern Territory Government or the City of Darwin to expand the pavement into a dedicated, dual-use cycle path in the future. Forcing cyclists into an internal garage dominated by reversing vehicles, a commercial laundry loading bay, and bin enclosures creates a high-risk environment. By permanently compromising this priority corridor and creating a tight, hazardous bottleneck, the development actively blocks the long-term strategic goal of creating a seamless, safe bicycle highway connecting the CBD to the Stokes Hill Wharf.

# Clause 5.9.2.9 – Public Domain Contributions for Development on Large Sites and Section 46(3)(f) Statutory Deficit

PLan objects to the proposed development due to its perceived non-compliance with Clause 5.9.2.9 and a possibly misleading statutory response under Section 46(3)(f) of the *Planning Act 1999*. Because Lot 7495 encompasses 4,080m², it automatically triggers the strict public domain contribution mandates required for Central Darwin sites exceeding 2,000m². The applicant's Statement of Effect relies on a severe legal contradiction, factually claiming they are "not required under Part 5 of the NTPS" to provide public facilities or open space, completely glossing over the fact that they are simultaneously requesting a wholesale waiver to escape this exact rule.

By contributing 0m² of genuine public open space at the ground level, the developer acts as a "freeloader" on the precinct, extracting private commercial value while returning nothing to the public realm. The introduction of a high-density, 108-suite commercial hotel will inject hundreds of additional tourists and vehicles daily into a low-lying, single-access bottleneck where public parking is already heavily restricted.

This massive operational pressure directly shifts the infrastructural and open space burden onto the surrounding public pathways and waterfront areas. To legally satisfy Section 46(3)(f), an application must honestly evaluate existing public infrastructure and state how the project will replenish the public amenity it consumes. PLan urges the Development Consent Authority to reject this evasion of large-site obligations; a project that refuses to contribute to the public domain has no planning merit and is entirely inappropriate for the Darwin Waterfront.

Clause 5.9.2.9, also mandates that developments on Central Darwin sites exceeding 2,000m² must deliver tangible enhancements—such as pedestrian plazas, open spaces, or public art—back to the community. It could be said the developer relies on a highly cynical justification, arguing that constructing a bare-minimum harbor-side footpath and providing private, upper-level resort landscaping should exempt them from a formal public domain contribution, claiming any further obligation would impose an "unreasonable financial burden."

# Clause 5.5.16 & Clause 5.9.2.9 – Destruction of the Primary Pedestrian Artery to Stokes Hill Wharf

PLan objects to the proposed development due to its direct failure to account for the real-world pedestrian dynamics and traffic bottlenecks along Stokes Hill Road. The applicant's Statement of Effect relies on an artificial mapping analysis to argue that pushing pedestrian infrastructure to the harbor side of the hotel resolves their lack of an active street frontage.

PLan urges the Development Consent Authority to reject this justification, as it entirely ignores how Darwin residents and tourists interact with the precinct. Because vehicle parking at the end of the wharf is heavily restricted, Stokes Hill Road functions as the primary, high-volume pedestrian lifepath for hundreds of families, fishermen, and tourists walking daily from the CBD grid and the Waterfront multi-storey car park to the historic Stokes Hill Wharf eateries and tour boats.

By installing a completely "dead" ground floor packed with an eye-level parking deck, commercial laundry docks, and bin chutes, the hotel creates a bleak, poorly lit, and hostile "tunnel effect" along this critical walking route. Furthermore, forcing 56 private car parks and a heavy service loading bay to cross directly over this high-density pavement introduces a severe, high-risk vehicle-pedestrian conflict zone right where public walking traffic is highest. Instead of enhancing the public domain as strictly mandated for large central sites under Clause 5.9.2.9, this layout treats a vital public artery as a secondary service alley, permanently damaging the safety, utility, and tourism value of the wharf walk.

# Clause 10 – Amenity (Zone CB) and the Central Darwin Area Plan 2019

PLan objects to the applicant's claim that the proposed 6-storey, 108-suite hotel will have "no unreasonable impacts" on the area's amenity. The applicant relies on a technicality that the broader precinct is already a mixed-use zone to downplay a massive shift in site operation that fundamentally transforms low-scale land use into a high-density commercial driver.

The proposed ground-floor layout replaces the visual and physical safety of the streetscape with a bleak utility barrier consisting of an inactive parking lot, a commercial laundry, a substation, and a bin room. By forcing 56 car parking spaces and a commercial loading bay directly adjacent to a primary pedestrian corridor, the development creates a hazardous, vehicle-dominated access bottleneck.

This entirely disregards Clause 10's mandate to design with regard to the "close proximity between residential and entertainment uses." Injecting constant vehicular hunting and service truck movements into a high-volume walking path used by families and tourists to access the iconic Stokes Hill Wharf degrades the safe, relaxed public amenity that defines this waterfront

precinct.
The applicant's assessment of precinct amenity and public sightlines. Under their strategic analysis, the consultants claim that the hotel's 25.6m total height is "modest" and explicitly ensures that surrounding central business district premises maintain their "harbor aspect." However, when addressing the strict statutory mandates of Clause 10 (Amenity), the Statement of Effect shifts to a generic, boilerplate assertion that "no unreasonable impacts" to the broader waterfront precinct will occur. PLan urges the Development Consent Authority to reject this duplicitous reasoning; a building cannot function as a massive physical "view blocker" and cause "no impact to amenity" at the same time.
Inserting a solid, 6-storey commercial block directly onto the low-lying Stokes Hill Road alignment creates an aggressive visual barrier that severs this vital geographic and visual link for the general public. Under an Impact Assessable framework, the public and surrounding premises retain a entirely reasonable expectation that these long-established waterfront vistas will be preserved. Forcing a compressed, high-density commercial structure into this historically low-scale slot causes an immediate, permanent, and unreasonable loss of public visual amenity that cannot be mitigated by marketing rhetoric.
In conclusion PLan would like to point out we were unable to locate any illustration of the western boundary landscaping or "wall" facing Stokes Hill Road. While this may be an omission on our part it is reasonable to expect that others in the community may also be unable to assess the development application as is mandated by the legislation.

**Regards,**

**Nick Kirlew**
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# Submission to the Development Consent Authority

## Development Application PA2026/0196

Hotel / motel (108 suites) in a six storey building

Lot 07495 Town of Darwin, 39 Stokes Hill Road, Darwin City

**Submitted by:**

**Nigel Garamanak Browne**

Larrakia / Wulna Traditional Owner

Former Chief Executive Officer, Larrakia Development Corporation (2013-2025)

26 June 2026

**Requested outcome: refusal, or alternatively deferral pending proper consultation, cultural heritage assessment, and further public exhibition.**

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## Executive Summary

1. I object to Development Application PA2026/0196 in its current form. The proposal is for a hotel/motel comprising 108 suites in a six storey building at Lot 07495, 39 Stokes Hill Road, Darwin City. The application was publicly exhibited from Friday 12 June 2026 to midnight Friday 26 June 2026.

2. This submission is made as a Larrakia and Wulna Traditional Owner with strong cultural interests in the Stokes Hill and Darwin Waterfront precinct. It is also informed by my direct experience as Chief Executive Officer of the Larrakia Development Corporation from 2013 to 2025, during which I was intrinsically involved in the Larrakia Cultural Centre proposal, including its planning, advocacy, funding, precinct context and cultural heritage considerations.

3. The submission does not proceed on the basis that no development can occur on the subject land. It proceeds on the narrower and more important proposition that this particular development, at this particular scale, in this particular location, has not been adequately assessed against the cultural, planning, public interest and economic context in which it sits.

4. The Development Consent Authority is not merely assessing a hotel on a vacant waterfront lot. It is assessing whether a private commercial development should become part of the setting, arrival

sequence, visual environment, public realm and visitor experience of one of the most significant Aboriginal cultural infrastructure projects in the Northern Territory: the Larrakia Cultural Centre.

5. The Larrakia Cultural Centre is publicly described as a flagship cultural infrastructure project, located on Larrakia Country at Stokes Hill, funded through a $58.6 million Aboriginals Benefit Account investment, with the Northern Territory Government 'contributing' land valued at $16.9 million. Public material describes the Centre as including exhibition and gallery space, education facilities, art studios, function rooms, a cafe/restaurant, retail shop, outdoor auditorium and landscaped grounds reflecting Larrakia Country. It is intended to be a place of truth-telling, learning, celebration, tourism, repatriation and economic participation.

6. The Larrakia Cultural Centre Strategic Plan 2025-2030 states that Larrakia people have pursued plans for a cultural centre for over 20 years and have now secured funding to develop the Centre at the Darwin Waterfront, adjacent to the Stokes Hill sacred site. The Strategic Plan describes culture as being at the core of the Centre business model, with Larrakia culture to be shared with visitors from around the world through art, language, storytelling, ceremonies and history.

7. Against that background, it is not sufficient to assess the proposed hotel as a generic Zone CB commercial development. The DCA should ask whether the proposal enhances, is neutral to, or detracts from the strategic, cultural, tourism and economic purposes of the Larrakia Cultural Centre and the broader Stokes Hill precinct.

8. Serious information gaps existed throughout the public exhibition period. On 22 June 2026, AAPA advised me that Lot 7495 is not covered by an existing Authority Certificate and that AAPA had not received an Authority Certificate application for this proposal. AAPA also advised that it was first informed of the proposal on 12 June 2026 by Development Assessment Services as part of the public consultation process.

9. I requested further and better particulars from the Development Consent Authority, AAPA, Darwin Waterfront Corporation, the applicant and other relevant parties. Apart from AAPA and Development Assessment Services, I did not receive substantive responses before the close of submissions. In particular, I received no substantive response from the applicant, Darwin Waterfront Corporation or the Minister for Lands, Planning and Environment before the deadline.

10. Development Assessment Services refused my request for an extension of time, but acknowledged that the proposal is located within an area of very significant cultural, historical and community interest. DAS also advised that, although not standard practice, I may provide a further submission with additional detail in the future. That acknowledgement should be treated as significant: the planning authority itself accepts the special cultural and historical character of the location.

11. For the reasons set out below, I respectfully request that the DCA refuse the application. If the DCA is not minded to refuse the application, it should defer determination and require, at a minimum: proper consultation with Larrakia Traditional Owners and relevant Larrakia organisations; an Aboriginal cultural heritage assessment; an assessment of impacts on the Larrakia Cultural Centre; an assessment of impacts on public investment, tourism objectives and visitor experience; confirmation of sacred site status and Authority Certificate requirements; and further public exhibition once that material is available.

## Requested Determination

I respectfully request that the Development Consent Authority:

1. refuse Development Application PA2026/0196 in its current form; or

2. defer determination until the applicant has undertaken proper consultation and provided additional information; and
3. if further information is provided after the close of exhibition, require further public exhibition or otherwise provide submitters an opportunity to respond before any decision is made.

In the alternative, if the DCA is minded to approve the application notwithstanding the significant matters raised in this submission, I request that any approval be subject to stringent conditions requiring cultural heritage consultation, an Authority Certificate process if applicable, design review, visual impact mitigation, public realm improvements, protection of the Larrakia Cultural Centre interface, and a mechanism for ongoing consultation with Larrakia representatives before detailed design, construction and operation.

## 1. Author and Interest in the Proposal

I make this submission as Nigel Garamanak Browne, a Larrakia and Wulna Traditional Owner. I have cultural interests in the broader Stokes Hill, Darwin Harbour and Waterfront precinct.

I was the Chief Executive Officer of the Larrakia Development Corporation from 2013 to 2025. During that period I was intrinsically involved in the Larrakia Cultural Centre proposal, including its evolution from long-standing aspiration to funded cultural infrastructure project. My involvement included engagement with governments, funding advocacy, project planning, precinct discussions, consultation issues and matters concerning the protection of Stokes Hill and its cultural setting.

I was also involved in public advocacy and objection concerning the earlier Darwin Waterfront hotel proposal by a Singapore-related developer, including concerns about impacts on the Stokes Hill sacred site and the setting of the Larrakia Cultural Centre. I also opposed changes to the Northern Territory Aboriginal Sacred Sites Act to the extent that those changes undermined proper consultation with custodians and the independent role of AAPA.

This submission should therefore be understood as combining three forms of material:

- firstly, publicly available information concerning PA2026/0196, the Larrakia Cultural Centre, the Darwin City Deal and the planning context;
- secondly, the correspondence I sent and received during the exhibition period; and
- thirdly, my firsthand evidence and opinion arising from more than a decade of direct involvement in the Larrakia Cultural Centre and related Stokes Hill planning issues.

Where this submission relies on publicly available material, I have identified the source in the endnotes. Where it relies on my own experience, I have made that clear.

## 2. The Proposal

The Development Applications Online listing identifies the application as PA2026/0196, affecting Lot 07495 Town of Darwin, 39 Stokes Hill Road, Darwin City. The site is in Zone CB (Central Business). The proposal is described as a hotel/motel of 108 suites in a six storey building. The exhibition period was Friday 12 June 2026 to midnight Friday 26 June 2026.

Public reporting and planning material describe the proposal as a six storey, high-end hotel comprising 54 one-bedroom suites and 54 two-bedroom suites, with car parking, end-of-trip facilities and a rooftop communal recreation area. Architectural reporting states that a new public walkway along the harbour frontage is proposed to connect the retained existing building to the hotel and the Larrakia Cultural Centre beyond.

The application site is not merely proximate to the Larrakia Cultural Centre. It is immediately adjacent to it and forms part of the visitor, visual and public realm context in which the Centre will be experienced. The relationship between the two developments is therefore a central planning issue.

## 3. Statutory and Planning Context

The DCA must determine the application according to the Planning Act 1999, the Northern Territory Planning Scheme 2020 and the material properly before it. I do not attempt to set out a complete legal opinion in this submission. However, the following matters are relevant to the DCA's statutory task.

First, the site is in Zone CB. The purpose of Zone CB is to promote an active and attractive mixed use environment that maximises its function as the commercial, cultural, administrative, tourist and civic centre for the surrounding region, integrated with high density residential development. That purpose is important. It expressly includes cultural and tourist functions, not merely commercial intensity.

Second, public material reviewing the application indicates that the proposal is impact assessable and that variations or performance-based assessments are involved. Where a proposal is impact assessable, the DCA should not treat compliance with selected numerical requirements as determinative. It should consider the proposal holistically in its actual physical, cultural and strategic context.

Third, the location is exceptional. The proposal is within the Darwin Waterfront / Stokes Hill precinct, beside the Larrakia Cultural Centre and adjacent to areas of recognised cultural significance. It therefore raises issues well beyond the footprint of Lot 7495.

Fourth, the relevant question is not whether 'hotel/motel' is an acceptable use somewhere in Zone CB. The question is whether this specific proposal is acceptable in this specific location having regard to its height, bulk, interface, cultural context, public realm impacts, traffic/service arrangements, relationship to the Larrakia Cultural Centre, sacred site implications and available information.

## 4. The Larrakia Cultural Centre

The Larrakia Cultural Centre is central to this submission. It is not a peripheral neighbouring development. It is the principal cultural and public interest project that gives the immediate precinct its contemporary meaning.

### 4.1 Public funding and public purpose

Public Commonwealth material describes the Centre as a flagship cultural infrastructure project located on Larrakia Country at Stokes Hill, developed through a $58.6 million investment from the Aboriginals Benefit Account. The Northern Territory Government has contributed land valued at $16.9 million. Earlier public material described a $56 million ABA grant and the NT Government's grant of Crown land valued at $16.9 million, bringing the project closer to construction.

This is a substantial public investment. The DCA should therefore consider whether the proposal enhances, undermines or fails to address the intended public return on that investment. The return is not simply financial. It includes cultural, educational, tourism, employment, enterprise, truth-telling, civic and place-making outcomes.

### 4.2 Strategic purpose

The Larrakia Cultural Centre Strategic Plan 2025-2030 states that its vision is “A living Larrakia culture for all Larrakia People now and for future generations.” Its mission is to be “a place for Larrakia people to share, celebrate and showcase Larrakia Country, Language, Culture and Knowledge with the World.”

The Strategic Plan states that Larrakia people are the Traditional Owners of the lands and waters in and surrounding Darwin, including Darwin Harbour; that Larrakia people have pursued plans for a cultural centre for over 20 years; and that funding has been secured to develop the Centre at the Darwin Waterfront adjacent to the Stokes Hill sacred site.

The Strategic Plan further states that the Centre’s logo and building design evoke a Larrakia ancestral being, a bird in flight, protecting the land and people. Culture is described as being at the core of the Centre’s business model, with Larrakia culture to be shared with visitors from around the world through art, language, storytelling, ceremonies and history.

### 4.3 Facilities and visitor experience

Public ministerial material describes the Centre as providing exhibition and gallery space, education facilities, art studios, function rooms, a cafe/restaurant, retail shop, outdoor auditorium and landscaped grounds reflecting Larrakia Country. It is also to house repatriated cultural items from national and international collections, cared for according to Larrakia cultural protocols.

The Larrakia Cultural Centre website describes an immersive experience in Larrakia culture, including Larrakia history, arts exhibits, authentic Larrakia arts and crafts, language, dining with harbour views and landscaped gardens. That is not merely a building program. It is a curated cultural, arts, tourism and hospitality experience.

Accordingly, the setting of the Centre matters. The arrival sequence, surrounding buildings, views, sound, movement, shadow, pedestrian safety, interface, ceremonies, outdoor gathering spaces and public realm are part of the Centre’s success. A hotel immediately adjoining the Centre will inevitably form part of that visitor experience whether it is intended to or not.

### 4.4 Larrakia ownership and economic sustainability

The Strategic Plan states that the Centre will be owned and governed by Larrakia for future generations, providing employment, business and income opportunities, and that the Centre seeks to establish and maintain an economically sustainable Larrakia owned and governed Cultural Centre.

This is an important planning consideration. The proposed hotel may generate tourism and accommodation benefits. However, the question is whether the application has assessed its impact on the commercial and cultural sustainability of the Larrakia Cultural Centre, including events, retail, hospitality, functions, outdoor programming, visitor flows, cultural product, marketing, arrivals, parking, public realm and precinct identity.

I have not seen any material in the application that demonstrates that this relationship has been properly assessed, nor considered.

## 5. The Hotel Becomes Part of the Cultural Centre Experience

A central proposition of this submission is that the proposed hotel cannot be treated as merely adjoining the Larrakia Cultural Centre. Because of its location, height, land use and physical relationship to the site, the hotel becomes part of the Centre’s setting and visitor experience.

Visitors to the Cultural Centre will not experience the Centre in isolation. They will experience the approach through Stokes Hill Road, the relationship to the harbour, the views towards and from the precinct, the adjoining building mass, traffic movements, service areas, pedestrian crossings, lighting, noise, shadows and the overall sense of place.

If the adjoining development is poorly integrated, visually dominant, culturally insensitive or operationally intrusive, the Cultural Centre's intended effect will be diminished. That effect is not limited to aesthetics. It can affect ceremony, outdoor programming, tourism marketing, visitor dwell time, commercial tenancies, café/restaurant experience, retail spend, event hire, education programs and the Centre's identity as a prominent Larrakia place.

The application should therefore have included a specific assessment of the proposal's interface with the Larrakia Cultural Centre. Such an assessment should have considered, at a minimum:

- visual impact on the Centre, including views to and from the bird-shaped roof, harbour-facing areas and public approaches;
- effects on the Centre's intended arrival sequence and cultural interpretation;
- shadowing, overlooking, noise, servicing and traffic interactions;
- pedestrian safety and cultural visitor movement between the Waterfront, Stokes Hill Wharf and the Centre;
- impacts on outdoor auditorium use, landscaped cultural grounds and ceremonial areas;
- the relationship between hotel guests, balconies, rooftop recreation areas and cultural activities;
- whether the development supports, competes with or dilutes the Centre's hospitality and event functions; and
- whether Larrakia Traditional Owners, Larrakia Development Corporation, and Larrakia Cultural Centre have been consulted on those issues.

In my view, the absence of such an assessment is a fatal material deficiency.

## 6. Impact on the $58.6 Million Larrakia Cultural Centre Build

This section addresses the serious impact that the proposal may have on the success of the Larrakia Cultural Centre.

### 6.1 Public investment at risk of being diminished

The Centre represents a public and Aboriginal community investment of exceptional significance. The $58.6 million ABA investment and $16.9 million NT land contribution were not made to establish an isolated structure. They were made to create a landmark Larrakia cultural destination at Stokes Hill.

The DCA should consider whether approving a substantial private hotel immediately adjoining the Centre could diminish the return on that public investment. That question should be asked expressly. It cannot be assumed away by saying that both uses are tourism-related. A private hotel may benefit from proximity to the Centre while also diminishing the Centre's identity, visual primacy and economic opportunity if not carefully planned.

As the individual responsible for securing the ABA investment, and spearheading the land acquisition, I categorically state that this proposal will have a deleterious impact on the Larrakia Cultural Centre and its future success.

### 6.2 Risk to visual primacy and landmark identity

The Centre's bird-shaped roof has been publicly described as an architecturally striking feature resembling a bird in flight, a Larrakia ancestral being symbolising protection of the land and people. Public material states that the Centre will be a striking feature of the Darwin Waterfront. It is a design that will likely win praise in national and international architectural award programs.

An uninspired six storey hotel immediately adjacent to that building has the potential to compete with, frame, dominate or diminish the Centre's landmark identity. That is a planning issue. It should be supported by independent visual impact assessment, photomontages and sightline analysis from key public viewpoints, including Stokes Hill Road, the Waterfront promenade, Stokes Hill Wharf, the harbour edge, the escarpment and key arrival points.

### 6.3 Risk to cultural programming and outdoor use

The Centre is intended to include an outdoor auditorium and landscaped grounds reflecting Larrakia Country. Outdoor cultural programming is likely to depend on atmosphere, dignity, safety, visual context, sound environment and the ability of visitors to understand they are entering a Larrakia cultural place. There are dedicated Larrakia Men's and Women's areas that may also be impacted by the hotel's presence.

Hotel balconies, rooftop recreation, service access, traffic, noise, lighting and potential overlooking may affect the conditions in which outdoor cultural activities occur. This does not mean the hotel cannot operate near cultural infrastructure. It means the interface must be assessed and designed with that cultural purpose in mind. I have not seen evidence that this has occurred.

### 6.4 Risk to economic sustainability

The Centre is intended to be economically sustainable and to provide employment, business and income opportunities for Larrakia people. Its economic model is likely to depend on visitation, events, retail, hospitality, education, conferences, tourism partnerships and place identity.

The hotel may increase visitation to the precinct, but it may also capture commercial value that the Centre was intended to generate, particularly if the hotel's hospitality, rooftop recreation, accommodation and event offerings are not planned in a complementary way. The application should not be assessed on the assumption that all tourism activity is mutually beneficial. The DCA should require evidence of complementarity, not assertion. This was an argument and a flaw of the Singaporean hotel proposal, where DWC made similar assertions that its development would benefit the Cultural Centre, assertions that were without data, research and ultimately, without foundation.

### 6.5 Risk to authenticity and cultural authority

A core purpose of the Larrakia Cultural Centre is to enable Larrakia people to share, celebrate and showcase Larrakia Country, language, culture and knowledge with the world. That purpose depends on authenticity and cultural authority.

A private commercial development immediately adjoining the Centre, if advanced without demonstrable consultation with Larrakia Traditional Owners and the entity responsible for the Centre, risks appearing to appropriate the cultural value of the precinct while failing to respect the cultural authority that created that value. That is a public interest and planning issue, not merely an internal Aboriginal governance issue.

## 7. Sacred Sites and Aboriginal Cultural Heritage

AAPA's response to my request for information is highly significant. AAPA advised that Lot 7495 is not covered by an existing Authority Certificate and that AAPA had not received an Authority Certificate application for this proposal. AAPA also advised that it was first informed of the proposal on 12 June 2026 by Development Assessment Services as part of the public consultation process and was assessing the proposal with a view to providing comments by the closing date.

This does not, by itself, determine the planning application. However, it demonstrates that sacred site issues had not been resolved before the public exhibition process commenced. It also demonstrates that, at the time I was required to make a submission, the public did not have access to any completed AAPA assessment or Authority Certificate process specific to this proposal.

The DCA should be very careful not to treat the absence of a registered heritage listing or the absence of an Authority Certificate as evidence that there is no cultural issue. Sacred sites, Aboriginal cultural heritage, cultural landscapes, intangible values, ceremonial use and Larrakia cultural authority are related but distinct matters.

The previous Darwin Waterfront hotel controversy demonstrates why a cautious approach is required. In September 2025, AAPA publicly stated that the old 2004 Waterfront Certificate did not detail a high-rise hotel next to the Convention Centre or alongside the registered sacred site, and that more recent certificates for development around Stokes Hill, including the Larrakia Cultural Centre, set strict height limits to protect the sacred site. AAPA also stated that Larrakia custodians had been clear that the then hotel design would impact the site.

The present proposal is a different application and a different, but proximate, site. It should be assessed on its own merits. However, the planning lesson is the same: development around Stokes Hill must not rely on assumptions, outdated approvals or generic references to the Waterfront precinct. It requires contemporary, proposal-specific consultation and assessment. The area is of significant Larrakia cultural value, not just the area identified by AAPA maps.

## 8. Consultation and Procedural Fairness

I requested information from multiple relevant parties during the exhibition period. Those requests were not tactical. They were necessary to enable informed participation in the planning process.

### 8.1 Information requested

On or about 17 June 2026, I sent requests for further and better particulars to the Development Consent Authority, AAPA, Darwin Waterfront Corporation and the applicant. The requests sought information including development application material, cultural heritage or sacred site assessments, visual impact and height assessments, Authority Certificate details, consultation with Traditional Owners, impacts on the Larrakia Cultural Centre precinct, public land interfaces and related approvals.

The request to AAPA specifically asked whether PA2026/0196 was covered by an existing Authority Certificate, whether Certificate C2004/04 or any subsequent Stokes Hill certificate was being relied on, whether a new Authority Certificate application had been lodged, whether custodians had been consulted regarding this specific proposal, and whether any restrictions relating to height, sight lines, cultural values, sacred sites or buffer areas applied.

### 8.2 Responses received

AAPA provided a substantive response dated 22 June 2026. Development Assessment Services responded by email, advising that the application had been accepted for exhibition, that the exhibition period was 14 days, that my request for an extension was refused, and that the DCA would consider submissions under section 51 of the Planning Act. DAS also acknowledged that the proposal is located within an area of very significant cultural, historical and community interest.

The Minister's office acknowledged receipt of my email but had not provided a substantive response before the submission deadline. I did not receive a substantive response from Darwin Waterfront Corporation or the applicant before the submission deadline.

### 8.3 Effect on public participation

In those circumstances, the exhibition process did not allow fully informed public participation on issues that go to the heart of the proposal. The public was asked to comment before the following matters were available or resolved:

- AAPA's final position on the proposal;
- any Authority Certificate or Authority Certificate application specific to the proposal;
- evidence of consultation with Larrakia Traditional Owners;
- evidence of consultation with the Larrakia Development Corporation and the Larrakia Cultural Centre;
- an Aboriginal cultural heritage assessment;
- a dedicated impact assessment of the Larrakia Cultural Centre interface;
- an assessment of the proposal's effect on the public investment in the Centre;
- independent visual impact assessment or photomontages focused on the Centre and Stokes Hill setting; and
- clear information from Darwin Waterfront Corporation on public land, boardwalk, easement, interface and precinct matters.

The DCA should not treat the close of exhibition as curing those deficiencies. If further information is received after the exhibition period, submitters should have a fair opportunity to respond before the application is determined.

## 9. Darwin Waterfront Corporation and Public Land Interface

Darwin Waterfront Corporation is a critical stakeholder. The proposal appears to interact with the Waterfront precinct, harbour frontage, pedestrian movement, public realm, boardwalk connectivity and potentially government-controlled assets or land interfaces.

I requested information from Darwin Waterfront Corporation concerning correspondence with the applicant, consideration of Aboriginal sacred sites, cultural heritage or Traditional Owner interests, Authority Certificate matters, impacts on Stokes Hill and the Larrakia Cultural Centre precinct, design guidelines, development covenants, public land interfaces, boardwalk works, pedestrian links and government-controlled assets.

I had not received a substantive response before the deadline. In my submission, that absence matters. The DCA should not approve the application unless it is satisfied, on evidence, that DWC has assessed and resolved the proposal's interface with public land, public infrastructure, pedestrian networks, precinct objectives, cultural heritage issues and the adjoining Larrakia Cultural Centre.

# 10. Planning Impacts

## 10.1 Visual impact, height and bulk

Public material reviewing the application describes the proposed building as approximately 25.6 metres high and raises concern that it would introduce a significant change to the Stokes Hill Road streetscape and public sightlines between the CBD grid, escarpment and harbour precinct. The DCA should require independent visual impact assessment rather than relying on assertions of contextual fit.

The height and mass of the building should be assessed not only against numeric controls but also against the qualitative purpose of the precinct, the maritime character of Stokes Hill, the visual primacy of the Larrakia Cultural Centre, public harbour views and the cultural landscape.

## 10.2 Public realm and pedestrian safety

Public material reviewing the application raises concerns about the absence of ground-level public open space, reduced ground-level landscaping, omission of a continuous pedestrian awning and a ground-floor design that routes vehicles, service transport and waste management access across a primary pedestrian pathway to Stokes Hill Wharf.

Those concerns are particularly significant because the site is not a generic CBD lot. It is part of a high-value public tourism and cultural precinct used by families, visitors, Larrakia community members, tourists, workers and pedestrians moving between the Waterfront, Stokes Hill Wharf and the Cultural Centre.

## 10.3 Traffic, servicing and cumulative impacts

The traffic material is said to project 43 peak-hour vehicle trips and a 4.5 per cent increase at the Stokes Hill Road / McMinn Street / Kitchener Drive intersection. Even if traffic volumes are acceptable in network terms, the DCA should separately assess localised conflicts at the site interface, including servicing, waste, ride-share, taxis, buses, emergency access, pedestrians and cultural centre visitation peaks.

Traffic engineering conclusions about intersection capacity do not answer the cultural and public realm questions arising from a hotel beside the Larrakia Cultural Centre.

## 10.4 Storm surge and resilience

Public material indicates that the site is affected by storm surge and coastal constraints. A hotel accommodating visitors unfamiliar with Darwin conditions should be assessed for evacuation, emergency management, service continuity, ground-level utility vulnerability, flood recovery and effects on public infrastructure.

# 11. Response to Potential Benefits of the Proposal

I acknowledge that the proposal may be said to provide benefits, including additional visitor accommodation, construction activity, employment, tourism supply and activation of an underutilised site. Those are legitimate considerations.

However, those benefits do not answer the central issues in this submission. A proposal can have economic benefits and still be entirely inappropriate in a particular location, or require redesign, deferral, conditions or further consultation. The question is not whether Darwin needs tourism investment. The question is whether this particular proposal properly protects and complements the

already established Larrakia Cultural Centre, the Stokes Hill cultural landscape, sacred site considerations and the public realm.

If the applicant contends that the hotel will support the Cultural Centre, it should be required to demonstrate that contention through evidence, consultation and design response. It should not be assumed merely because both developments relate to tourism. This is particularly so, given the applicant operates from an office space located on the adjacent side of this proposed hotel, and to my knowledge, has never given any indication of the project to Larrakia Development Corporation, nor the Larrakia Cultural Centre. This is development by stealth.

## 12. The Previous Waterfront Hotel Controversy

The previous high-rise hotel proposal at the Darwin Waterfront is relevant background because it demonstrates the sensitivity of Stokes Hill and the consequences of inadequate cultural assessment. Public reporting in 2025 described Larrakia elders' concerns that a proposed 47 metre hotel would interfere with the Dreaming story of the Stokes Hill sacred site. AAPA publicly expressed serious concerns about the use of an older certificate to progress the SH Darwin Hotel proposal and said more recent certificates around Stokes Hill, including for the Larrakia Cultural Centre, set strict height limits to protect the sacred site.

I was involved in objecting to that earlier proposal. My concern then, as now, was not opposition to development for its own sake. It was opposition to development that failed to respect the cultural significance, custodial authority and planning context of Stokes Hill.

The present proposal should not be treated as safe merely because it is lower than the earlier 11 storey proposal. The appropriate question is whether this proposal, at six storeys and immediately adjacent to the Larrakia Cultural Centre, has been designed and assessed in a culturally informed and planning-sensitive way. On the material available to me, it has not.

## 13. Information Deficiencies Requiring Deferral

The following information deficiencies should be resolved before any approval is considered:

- No completed, proposal-specific AAPA process was available to submitters during exhibition.
- AAPA confirmed there was no existing Authority Certificate covering Lot 7495 and no Authority Certificate application had been lodged for this proposal.
- No Aboriginal cultural heritage assessment was available to submitters.
- No evidence of meaningful consultation with Larrakia Traditional Owners was available.
- No evidence of consultation with the Larrakia Development Corporation or Larrakia Cultural Centre was available.
- No dedicated assessment of impacts on the Larrakia Cultural Centre was available.
- No public investment impact assessment was available.
- No independent visual impact assessment focused on the Cultural Centre and Stokes Hill setting was available.
- No substantive response from Darwin Waterfront Corporation was provided to me before the submission deadline.
- No substantive response from the applicant was provided to me before the submission deadline.
- No substantive response from the Minister was provided before the submission deadline.

These deficiencies are not minor. They relate to the central issues the DCA should consider before determining the application.

## 14. Matters the DCA Should Require Before Determination

If the DCA is not minded to refuse the application now, it should require the applicant to provide the following before determination:

- A proposal-specific Aboriginal cultural heritage assessment prepared with appropriate Larrakia consultation.
- A clear statement of whether an Authority Certificate is required, whether one has been sought, and the outcome of any AAPA process.
- Evidence of consultation with Larrakia Traditional Owners, including custodians with interests in Stokes Hill.
- Evidence of consultation with the Larrakia Development Corporation and the Larrakia Cultural Centre project team.
- A dedicated assessment of the proposal's impact on the Larrakia Cultural Centre, including visitor experience, public realm, outdoor programming, hospitality, retail, event operations, visual identity and economic sustainability.
- Independent visual impact assessment, photomontages and sightline analysis from key public and cultural viewpoints.
- A public realm and pedestrian safety assessment addressing Stokes Hill Road, the harbour frontage, the boardwalk, service access and the Cultural Centre interface.
- A design response explaining how the hotel complements rather than dominates the Cultural Centre.
- Clarification from Darwin Waterfront Corporation on public land, public infrastructure, boardwalk, covenants, design guidelines and precinct objectives.
- Further public exhibition once the above information is available.

## 15. Additional Issues for Conditions if Approval is Contemplated

For the avoidance of doubt, I submit that conditions cannot cure every deficiency identified above. In particular, consultation and cultural heritage assessment should occur before consent, not merely after consent. Conditions should not be used to defer fundamental questions of land use compatibility, cultural impact, sacred site protection or the relationship with the Larrakia Cultural Centre.

However, if the DCA is nevertheless minded to approve the application, I request that the following minimum matters be addressed by enforceable conditions. These are put in the alternative only, and without prejudice to my primary position that the application should be refused.

| Issue | Requested minimum condition |
|---|---|
| Cultural heritage and sacred sites | No works, including demolition, excavation, piling, civil works or service relocation, should commence until the applicant has completed all relevant AAPA processes and provided evidence to the satisfaction of the consent authority that sacred site requirements have been resolved. |
| Larrakia consultation | The applicant should be required to prepare and implement a Larrakia consultation plan, developed in consultation with relevant Larrakia Traditional Owners and Larrakia organisations, before detailed design and construction. |
| Cultural Centre interface | The applicant should be required to prepare a Cultural Centre Interface Plan addressing visual amenity, pedestrian movement, servicing, noise, light spill, landscaping, outdoor |

| | |
|---|---|
| | auditorium impacts, ceremonial use, visitor experience, interpretive opportunities and ongoing operations. |
| Design review | The proposal should be referred to an independent design review process with expertise in tropical architecture, cultural precincts and public realm design. |
| Visual impact | The applicant should provide photomontages and sightline analysis from agreed viewpoints, including the Larrakia Cultural Centre, Stokes Hill Road, Stokes Hill Wharf, the Waterfront promenade and harbour-facing approaches. |
| Public realm | The applicant should provide a public realm plan demonstrating safe, shaded, legible and culturally appropriate pedestrian movement between the hotel, Cultural Centre, Waterfront and Stokes Hill Wharf. |
| Construction management | The applicant should prepare a construction management plan addressing impacts on the Cultural Centre's opening, operations, cultural programming, ceremonies, public access and tourism activity. |
| Operational management | The applicant should provide an operational management plan for loading, waste, buses, taxis, ride-share, events, noise, rooftop recreation, light spill and guest behaviour affecting the Cultural Centre. |
| Ongoing engagement | The applicant should be required to establish an ongoing engagement mechanism with Larrakia representatives and the Cultural Centre operator during construction and early operations. |

Even if such conditions were imposed, I submit that they should not substitute for further public exhibition where new cultural, visual, traffic, public realm or interface material is produced after the current exhibition period.

## 16. Conclusion

The Larrakia Cultural Centre represents the culmination of more than two decades of vision, advocacy and determination by the Larrakia people, supported by successive Commonwealth and Northern Territory Governments through one of the most significant public investments in Aboriginal cultural infrastructure in Australia. Its location beside Stokes Hill was not chosen by chance. It was deliberately selected because of its cultural significance, its connection to Country, and its capacity to become the cultural heart of Garramilla (Darwin).

The proposed hotel is not simply another neighbouring development. By virtue of its scale, location and relationship to the Cultural Centre, it will become an integral part of the precinct. It will influence how visitors arrive, what they first see, how they experience the Centre, and ultimately how the Larrakia story is presented to hundreds of thousands of visitors over coming decades.

What is most concerning is not merely the scale of the proposal, but the apparent absence of any demonstrated vision for how a major private commercial development should coexist with a nationally significant Aboriginal cultural institution. Despite the obvious relationship between the two developments, no material has been made available demonstrating meaningful consideration of the Cultural Centre's objectives, visitor experience, cultural setting or long-term commercial success. Nor has any evidence been provided to me that meaningful engagement was undertaken with the Larrakia people or the organisations responsible for delivering and operating the Cultural Centre before lodging this application.

Good planning requires more than demonstrating that a building can physically fit on a parcel of land. It requires consideration of the place it will create, the values it may affect, and the legacy it will leave. A proposal immediately adjoining a landmark Aboriginal cultural institution should aspire to complement and strengthen that institution, not proceed as though it exists in isolation.

The Development Consent Authority now has an opportunity—and, in my respectful submission, an obligation—to consider not only whether this hotel satisfies the technical requirements of the Planning Act, but whether it advances or undermines decades of public investment, careful planning and cultural aspiration for this unique precinct.

For the reasons set out throughout this submission, I respectfully submit that the Development Consent Authority should refuse Development Application PA2026/0196.

Alternatively, if the Authority is not presently minded to refuse the application, I respectfully request that it defer any determination until comprehensive cultural, heritage, planning and economic assessments have been undertaken; meaningful engagement has occurred with the Larrakia people and the organisations responsible for the Larrakia Cultural Centre; all relevant statutory processes have been completed; and the community has been afforded a further opportunity to comment on that additional information before any final decision is made.

The decisions made in relation to this proposal will endure long after this application has been determined. The Larrakia Cultural Centre is intended to stand for generations as the cultural heart of Larrakia Country. Any adjoining development should be held to the same standard of vision, respect and responsibility.

Signed:



Nigel Garamanak Browne

Larrakia / Wulna Traditional Owner

26 June 2026

## Annexure A - Chronology of Correspondence

| Date | Correspondence / event | Significance |
|---|---|---|
| 17 June 2026 | Requests for further and better particulars sent to DCA, AAPA, Darwin Waterfront Corporation and the applicant. | Information sought to enable informed participation before submissions closed. |
| 18 June 2026 | DAS email from Kaleb Thomas. | Advised application was accepted for exhibition under s 46 and that assessment would occur under s 51 after exhibition. |
| 18 June 2026 | DAS response to extension request. | Extension refused, but DAS acknowledged the area is of very significant cultural, historical and community interest and noted a later further submission may be made. |
| 22 June 2026 | AAPA letter. | AAPA confirmed no existing Authority Certificate covers Lot 7495 and no Authority Certificate application had been lodged for this proposal. |
| 22 June 2026 | Minister's office acknowledgement. | Receipt acknowledged, no substantive response received before submission deadline. |
| 26 June 2026 | Public submissions close. | Key information remained unavailable to submitters. |

## Annexure B - Sources and References

**Development Applications Online listing for PA2026/0196:**
https://www.ntlis.nt.gov.au/planningPopup/lta.dar.submitOpinion/65068471

**PLan community alert and document review for PA2026/0196:** https://planinc.org.au/pa2026-0196-development-39-stokes-hill-road/

**Larrakia Cultural Centre Strategic Plan 2025-2030:** https://www.larrakiaculturalcentre.com.au/wp-content/uploads/2023/12/LCC-Strategic-Plan-2025-2030.pdf

**Ministerial media release: Larrakia Cultural Centre soars with new bird-shaped roof:**
https://ministers.pmc.gov.au/mccarthy/2025/larrakia-cultural-centre-soars-new-bird-shaped-roof

**Ministerial media release: land deal signing brings Larrakia Cultural Centre a significant step closer:** https://ministers.pmc.gov.au/former-ministers/burney/2022/land-deal-signing-brings-larrakia-cultural-centre-significant-step-closer

**Indigenous.gov.au: Larrakia Cultural Centre construction set to begin:**
https://www.indigenous.gov.au/news/larrakia-cultural-centre-construction-set-to-begin

**Larrakia Cultural Centre website:** https://www.larrakiaculturalcentre.com.au/

**AAPA media release, 25 September 2025:** https://www.aapant.org.au/news/the-nt-government-sh-darwin-hotel-and-the-darwin-waterfront-corporation-the-first-to-use-the

**ArchitectureAU: Plans lodged for hotel on Darwin's waterfront:**
https://architectureau.com/articles/plans-lodged-for-hotel-on-darwins-waterfront/

**NT Planning Scheme 2020 Part 4, Zone CB purpose:** https://dli.nt.gov.au/media/docs/reviews-and-consultations/planning-reform/draft-nt-planning-scheme-2020/draft-nt-planning-scheme-2020.pdf

**AAPA letter to Nigel Browne dated 22 June 2026:** Correspondence from AAPA to Mr Nigel Browne - PA2026 0196 development application.pdf

**Request letters from Nigel Browne to AAPA, DCA, DWC and the applicant:** Uploaded correspondence files dated June 2026

**DAS emails from Kaleb Thomas dated 18 June 2026:** Screenshots supplied by Nigel Browne on 26 June 2026

**Ministerial acknowledgement email dated 22 June 2026:** Screenshot supplied by Nigel Browne on 26 June 2026

20 July 2026

Development Assessment Services

Department of Lands, Planning and Environment

By email: Kaleb Thomas, Senior Planner

Dear Mr. Thomas,

**RE: Further response to the Applicant's viewshed material and amended plans - Development Application PA2026/0196**

I refer to the material emailed by Development Assessment Services on 17 July 2026, including the Applicant's "Viewshed Diagrams Response" and the purportedly amended architectural plans.

This response is deliberately confined to that new material. My objection, dated 26 June 2026, stands in full. I do not propose to repeat it simply because the Applicant has chosen to answer only a narrow-self-selected portion of the issues raised.

I am, however, not prepared to allow a plainly false and materially misleading assertion to enter the assessment record unchallenged.

The Applicant's statement that the hotel is "exactly the same height" as the Larrakia Cultural Centre is demonstrably false on the Applicant's own drawings. The conclusion of "no impact" built upon that statement is inherently unreliable.

**1. The central height claim is false**

The Applicant states that the proposed motel is "exactly the same height as the Larrakia Cultural Centre". It then uses that assertion to claim that the hotel will sit behind the western wing and cause no further obstruction or impact.

The Applicant's own material shows otherwise:

| Reference | Level shown | Difference above LCC roof |
|---|---|---|
| Larrakia Cultural Centre western wing roof | RL 19.405 AHD | — |
| Hotel level in the viewshed material | RL 25.600 AHD | 6.195 metres higher |
| Hotel Level 06 in the architectural plans | RL 26.200 AHD | 6.795 metres higher |

There is no credible reading of those figures under which the hotel is "exactly the same height" as the identified Cultural Centre roofline. It is between approximately 6.2 and 6.8 metres higher.

The likely explanation is that the Applicant has confused a relative building-height dimension with an Australian Height Datum level. That is not a technical subtlety. It is a basic measurement error in the very document advanced to dismiss serious cultural and planning concerns.

The Applicant's material is also internally inconsistent. The viewshed response uses RL 25.600 AHD, while the architectural plans use RL 26.200 AHD. The unexplained 600-millimetre difference further undermines the reliability of the Applicant's assertions.

Whether the false statement arose through carelessness or design is ultimately beside the point. The statement is false, it is material, and it should be withdrawn. DAS should not repeat, paraphrase or sanitise it in the assessment report.

**2. This is not an acceptable assessment**

The Applicant's response is presented as though it resolves the viewshed issue. It does no such thing. It is a diagram prepared by the project design team, accompanied by an absolute conclusion favourable to its own client.

The document does not disclose:

- the surveyed coordinates or reduced levels of the selected viewpoint;
- the observer height, field of view, camera position, lens or rectification method;
- the source and verification of the Cultural Centre and hotel geometry;
- whether rooftop structures, balustrades, planting, lighting and actual activity were included;
- why that single viewpoint was selected;
- any assessment from the Cultural Centre, Stokes Hill Road, Stokes Hill Wharf, the Waterfront promenade, the escarpment or harbour approaches; or
- any independent review by a surveyor or visual-impact specialist.

A red outline placed over another drawing is not an independent visual impact assessment. It is not evidence of cultural neutrality. It is certainly not a sound basis for the categorical statement that the development will have "no impact".

The DCA should give this document no more weight than it deserves. It is the Applicant marking its own homework and doing so with the wrong answer written at the top.

**3. The Applicant has again chosen not to consult**

The response expressly says it addresses submissions concerning cultural or heritage values. Yet it was again prepared without any demonstrated consultation with Larrakia Traditional Owners, relevant custodians, the Larrakia Development Corporation or the Larrakia Cultural Centre project team.

That is not an incidental omission. The Applicant is purporting to determine that there is no cultural impact while excluding the people and institutions with the cultural authority and direct operational knowledge to speak to that impact.

The pattern is now clear. The Application was lodged without meaningful Larrakia engagement. Cultural concerns were then raised publicly. Rather than consult, the Applicant produced a desktop diagram and dismissed those concerns itself.

That is not consultation. It is unilateral dismissal dressed up as technical analysis.

A developer seeking to place a substantial commercial building immediately beside the Larrakia Cultural Centre should understand that proximity to Aboriginal cultural infrastructure is not merely a marketing advantage. It carries obligations of respect, engagement and design responsibility. To date, the Applicant has demonstrated none of them.

**4. The response deliberately narrows the issue**

My original objection did not rise or fall on one harbour view cone. It addressed the visual primacy, cultural setting, arrival sequence, public realm, outdoor programming, ceremonial use, economic sustainability and long-term operation of the Larrakia Cultural Centre.

The Applicant has ignored those matters and answered a question of its own choosing: whether part of the hotel appears behind part of the Cultural Centre from one selected point.

That is an obvious diversion. A six-storey building can sit behind another structure from one angle and still dominate the precinct from every other relevant approach. The Cultural Centre is not a cardboard silhouette, and its setting is not confined to a line drawn across a single diagram.

The assertion that the hotel creates “no impact” also ignores scale, bulk, overlooking, noise, lighting, movement, guest behaviour and the transformation of the immediate setting from a culturally led precinct into one substantially framed by a private accommodation development.

**5. The amended plans make the concerns worse**

The plans show a substantial rooftop recreation area containing a pool, playground, gym, multipurpose room, landscaped gathering spaces and outdoor seating.

Those uses create obvious interface issues with the Cultural Centre, including overlooking, amplified activity, children’s play, guest gatherings, evening use, light spill, noise and conflict with outdoor cultural programming or ceremony.

The Applicant’s response says nothing about any of this.

The plans are also described as amended while continuing to carry ‘Revision A’ and the date 28 May 2026. No proper amendment schedule, revision clouds or comparative package has been provided. Public submitters should not be expected to conduct an architectural scavenger hunt to determine what has changed.

**6. The DAS report should record the deficiencies plainly**

I request that the DAS assessment report state clearly that:

- the equal-height assertion is incorrect;
- the Applicant’s height information is internally inconsistent;
- the viewshed material is Applicant-prepared and not independently verified;
- the document does not address the broader Cultural Centre interface issues raised in submissions;
- the Applicant has provided no evidence of consultation in preparing its response to cultural and heritage concerns; and
- the conclusion of “no impact” is not supported by the material provided.

I do not accept that this material cures, narrows or answers the concerns in my original submission. It does the opposite. It demonstrates the risk of allowing the proponent to define the cultural issue, select the evidence and then certify its own conclusion.

**Summary**

The Applicant was given an opportunity to respond to serious concerns about development beside the Larrakia Cultural Centre. It used that opportunity to provide a materially misleading height claim, an unverified diagram and another response prepared without consultation.

That is not good enough for an ordinary development application. It is indefensible in this location.

I expect the Development Consent Authority to treat the “exactly the same height” statement as incorrect, the “no impact” conclusion as unsupported, and the response as incapable of carrying meaningful evidentiary weight.

The Larrakia Cultural Centre and the Stokes Hill precinct deserve considerably more rigour and respect than the Applicant has shown.

Yours sincerely



Nigel Garamanak Browne
Larrakia / Wulna Traditional Owner
Former Chief Executive Officer, Larrakia Development Corporation (2013–2025)

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Friday 26 June 2026

Development Assessment Services
Department of Lands, Planning and Environment
Northern Territory Government
Floor 1, Energy House, 18-20 Cavenagh Street,
Darwin City

RE: DEVELOPMENT APPLICATION – PROPOSED 6 STOREY HOTEL LOT 7495 TOWN OF DARWIN 39 STOKES HILL ROAD, DARWIN WATERFRONT

Larrakia Development Corporation welcomes the opportunity to make a submission regarding the proposed six-storey hotel development at Lot 7495 Town of Darwin, 39 Stokes Hill Road, Darwin Waterfront.

Larrakia Development Corporation supports appropriate investment and development within the Darwin Waterfront Precinct and recognises the important role tourism infrastructure plays in supporting economic growth and visitation to the Northern Territory. The submitted application raises concerns to be addressed and considered by the Development Consent Authority in their review of this application.

**Lack of Consultation**
Larrakia Development Corporation is the owner of the adjoining Larrakia Cultural Centre and will also hold freehold title to the neighbouring land upon completion of the project.
Despite the close physical relationship between the proposed hotel and the Larrakia Cultural Centre, Larrakia Development Corporation was not consulted during the preparation of the development application or even advised prior to advertising that the application was being made. Further, the proponent has made no attempt prior to submission of the application to engage with any member of the Larrakia community that we are aware of about the application. The Larrakia people hold ongoing cultural, spiritual, and custodial responsibilities for the land and sea country where the development is proposed. The development is in close proximity to a registered sacred site at Stokes Hill. Submitting this application without consultation or consideration of this scared sites and Larrakia stories, demonstrates a significant lack of respect to us as Traditional Owners and custodians.

Given the proposal directly interfaces with the Larrakia Cultural Centre through shared boundaries, pedestrian connections, public realm interfaces and potential operational

impacts, Larrakia Development Corporation considers that meaningful engagement should have occurred prior to lodgement. The absence of consultation is reflected in unresolved matters within the application and has resulted in a proposal that does not adequately respond to its immediate context or demonstrate how potential impacts on neighbouring land will be managed.

**Building Height, Scale and Cultural Context**

The application states that the proposed building height is consistent with the adjoining Larrakia Cultural Centre. Larrakia Development Corporation disputes this assessment. The proposed hotel exceeds the height of the Larrakia Cultural Centre and introduces a substantially larger built form immediately adjacent to a culturally significant facility. The proposed hotel, at 25.6 AHD to the top level, within proximity to the sacred site will interfere with both the inward and outward views associated with the Dreamtime story. These views are intrinsic to the cultural, spiritual, and ceremonial significance of the site. The Larrakia Cultural Centre was designed to respect the adjacent culturally significant site at Stokes Hill and limits the height of the building to the 20 AHD limitation set within the Aboriginal Areas Protection Authority clearance obtained for the project.

The hotel application makes no mention of the significant sacred site within the precinct and does not address any approach made to Aboriginal Areas Protection Authority about proceeding with the works in proximity to this site. Larrakia Development Corporation has complied with stringent restrictions for our own Larrakia Cultural Centre and expect consistency be applied for similar developments.

**Pedestrian Access, Public Realm and Street Activation**

Larrakia Development Corporation is particularly concerned about the proposed pedestrian connection between the hotel and the adjoining Larrakia Cultural Centre precinct. The plans indicate a narrow walkway just over 1 metre wide between the two developments. Based on the information provided, the walkway appears inadequate to accommodate anticipated pedestrian movements associated with general public users of the waterfront and does not match to the width of public access walkways in other areas throughout the Darwin Waterfront Precinct. It is a concern the design does not meet Crime Prevention Through Environmental Design (CPTED) principles and creates a potentially dangerous public space. The application fails to address public access arrangements; lighting and surveillance; after-hours security; emergency access; maintenance obligations; and liability and insurance arrangements. The pathway is a critical interface between the hotel and the Larrakia Cultural Centre however, no meaningful assessment has been provided regarding how this space will function safely and effectively.

The provision of the publicly accessible path along the water's edge is a positive addition to the waterfront and will enhance the Larrakia Cultural Centre site connecting to the newly constructed walkway along the water's edge. It is disappointing that the pathway proposed in the development does not provide a smooth and continuous connection to the Stokes Hill wharf and ends at the existing building on the site. This dead-end is a missed opportunity to provide a continuous public path with the site being one of only two privately held properties in the Darwin Waterfront Precinct. A development proposal like this is the only opportunity to achieve this connectivity inline with the Central Darwin Area Plan, which includes that was when this allotment in question was to develop, the intention was to continue the boardwalk and connect back to Stokes Hill Road.

The Larrakia Cultural Centre development boardwalk is designed to the minimum specification required by the Darwin Waterfront Corporation. This standard requires the size suitable for security carts to access this zone. Little to no information is available on the proposed design of the boardwalk for the development to confirm it will align with the overall precinct vision. The 1.0m wide walkway between our lots is tokenistic and will not contribute to the precinct pedestrian movement strategy.

The proposal does not demonstrate how the proposed development is contributing to street activation and integration into the immediate urban context of the site, and appears to not meeting CB zone site minimum requirements for activated frontage. The Larrakia Development Corporation has invested significantly on the public interface of the building with the street frontage, including landscaping and street furniture. The proposal does not demonstrate how the footpath on Stokes Hill Road will be treated and how this landscaped public space extends to their development. Drawing A206 does not show the footpath along the hotel lot side of Stokes Hill Road. It is not clear that there is sufficient width between the corner or proposed parking bay 49 and the edge of the road to allow pedestrian movement through this area.
Landscaping is shown in pocket planters and the roof, however they are little benefit at the ground plane. There seems to be a shortfall in landscaping to alleviate the large parking area. The renders provided in the application do not accurately show the surrounding precinct or even the existing building on the same block of land. They appear to show the hotel on an imagined location, similar but not accurate to the actual site and surroundings. Different fencing and other features are also shown in various versions of the renders making it very difficult to discern what is actually being proposed.

**Impact to Larrakia Cultural Centre Operations**
Larrakia Cultural Centre is a major cultural, educational and tourism facility that has been developed to celebrate and share the culture, history and continuing connection of the Larrakia people to Country. The development of a 6-storey hotel on the neighbouring property in the design currently proposed will allow hotel guest direct line of sight into the amphitheatre and event spaces; with potential recording or observation of cultural activities. The operating model of the Larrakia Cultural Centre will include evening activities, events and dining at the restaurant which should not need to be limited by hotel bedrooms being proposed on the boundary after the Larrakia Cultural Centre has already been designed and constructed. Any limitations to be retrospectively imposed on the way the Cultural Centre is able to operate the outdoor areas will significantly and detrimentally impact the business model and ability of the Larrakia Cultural Centre to operate sustainably.

**Setbacks and Easements**
Setbacks to the adjoining boundary are unclear especially where there are habitable windows. It is understood a minimum setback from the side and rear boundaries applies specifically to walls containing windows to habitable rooms, balconies, and verandahs. This triggers privacy concerns as raised above particularly for commercial, private and cultural activities for the Larrakia Cultural Centre. The development appears to only be maximising built footprint, and the application does not address how the setback and boundary interaction is proposed to be managed.

The site is affected by a number of easements and existing infrastructure constraints. The application does not adequately demonstrate how infrastructure within easement areas will

be protected; how future maintenance access will be maintained; or that existing legal access rights will not be adversely affected.

Larrakia Development Corporation is particularly concerned by statements within the Statement of Effect suggesting that existing easement rights may no longer apply. No legal evidence has been provided to support this assertion. While the lot numbers have changed due to a subdivision undertaken as part for the Larrakia Cultural Centre project, the land and infrastructure has not changed.

**Insufficient Information for Assessment**
Larrakia Development Corporation feels that the application material does not provide sufficient information to enable a full assessment of the proposal. In particular, insufficient information has been provided regarding:

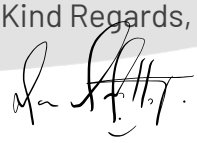
- operation of the existing building retained on the site;
- pedestrian circulation;
- public access arrangements;
- easement impacts; and
- management of interfaces with adjoining land uses.

The Planning Scheme requires that development be designed and arranged to minimise adverse impacts on surrounding land and infrastructure. In the absence of adequate supporting information, the Development Consent Authority cannot be satisfied that these requirements have been met. We also raise concern with the timing of public advertising, the minimal 2-week advertising window is insufficient for many impacted parties to adequately respond to the application.

**Conclusion**
Larrakia Development Corporation supports appropriate development within the Darwin Waterfront Precinct. However, the current application does not provide sufficient information to demonstrate that impacts on adjoining land, public access, infrastructure and the operation of the Larrakia Cultural Centre have been appropriately considered. The lack of consultation by the proponent has demonstrated no regard for Larrakia people as custodians of the land and is in direct conflict with maintenance of the sacred site, proposing a height that would allow views into the site and exceeding the height restrictions of the area by two stories.

Accordingly, Larrakia Development Corporation submits that the Development Consent Authority should require the applicant to adequately engage with their neighbours and the impacted community on the matters identified to address these issues before the application is reviewed further.

Kind Regards,



Mark Motlop
**Chairperson**
**Larrakia Development Corporation**

26 June 2026 Our ref: NLC - 592353385

Development Consent Authority (Darwin division)

**By email:** das.ntg@nt.gov.au

Dear Members of the Development Consent Authority

**PA2026/0196 - Development Application - Proposed Hotel Development, Stokes Hill Road, Darwin**

## 1. Introduction

1.1. This submission in relation to the proposed hotel development at Stokes Hill in Darwin (PA2026/0196) (**Proposed Development**) is made by the Northern Land Council (**NLC**) on behalf of Ms Helen Secretary, Larrakia Senior Traditional Aboriginal Owners, who in turn make this application on behalf of Larrakia people. Larrakia people are the Traditional Aboriginal Owners of lands and waters of the Darwin region. Mr Bill Risk OAM, who is also a Larrakia Senior Traditional Aboriginal Owner, has also expressed his support for making this submission, but the NLC has been unable to confirm instructions as to whether he wishes for the submissions to be made on his behalf by 26 June 2026, the day they are due.

1.2. Stokes Hill is a sacred site and significant Larrakia area which would be impacted by the Proposed Development. Those areas within the southern viewshed of Stokes Hill form part of the same significant Larrakia area (**Stokes Hill Sacred Site**). Mr Risk and Ms Secretary are custodians of Stokes Hill Sacred Site.

1.3. The Proposed Development mass and height of 25.6m AHD will cause an irreparable severance of visual and spiritual connections to Larrakia sacred sites.

1.4. The DCA must consider the factors in s 51 of the ***Planning Act*** *1999* (NT) and cl 1.10 of the *Northern Territory Planning Scheme 2020* (**NTPS**), which weigh against granting the application for the Proposed Development for the following reasons.

1.5. The NLC is a Commonwealth statutory authority established under s 21 of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth). The functions of the NLC include to protect the interests of traditional Aboriginal owners and other Aboriginal people with interests in Aboriginal land in its area and to assist Aboriginal people in the taking of measures likely to assist in the protection of sacred sites. The NLC has prepared this application in performance of both of those functions and the exercise of powers incidental to these functions.

## 2. Details about the Proposed Development

2.1. The Proposed Development is a proposed 162-guest room, 6-storey commercial hotel at 39 Stokes Hill Road, Darwin Waterfront. The land is part of Lot 7495. The Proposed Development would be located on land which is presently used as a car park. The proponent is Sheridan Planning & Development (**Proponent**).

2.2. The Proposed Development to be situated south-south-east of Stokes Hill, between that site and Darwin Harbour. The Proposed Development is to be in the southern viewshed of Stokes Hill.

**3. Previous consultations and application under the ATSIHP Act**

3.1. Previously, a different developer, **SH Darwin** Pty Ltd (formerly CEL Australia) sought to develop a 11-storey hotel on lot 7637 (**Previous Proposal**), which is in a close proximity to the existing Proposed Development. The Previous Proposal received approval under the *Planning Act* in 2024.

3.2. Around this time Larrakia custodians for Stokes Hill sought height restrictions on the Previous Proposal, which are related to protection of lines of sight, or 'viewshed', from Stokes Hill to the south.

3.3. From 2022 to 2025 several rounds of consultation occurred between SH Darwin, the Darwin Waterfront Corporation and representatives of the Territory Government and Larrakia representatives (including custodians for Stokes Hill Sacred Site and other Larrakia representatives). The Aboriginal Areas Protection Authority (**AAPA**) was also involved in consultations. In each instance, Larrakia representatives conveyed their opposition to the Proposed Development on the basis of its obstruction and interference to the viewshed from Stokes Hill.

3.4. Larrakia representatives have repeatedly informed Territory Government representatives of the need for height restrictions on any development in order to avoid interference with Larrakia tradition associated with Stokes Hill.

3.5. On 20 November 2025, the NLC submitted an application in relation to the Previous Proposal to the Federal Minister for the Environment and Water for a declaration under s 10 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) (**ATSIHP Act**) on behalf of Mr Bill Risk and Ms Helen Secretary who acted on behalf of Larrakia people.

3.6. On 2 December 2025, Mr Robert Lee of the Singhaiyi Group (the parent company of SH Darwin) published a media statement saying that it would not be moving forward with the proposed hotel development at the Darwin Waterfront.

3.7. On 20 March 2026, the NLC wrote to the Federal Department of Climate Change, Energy, the Environment and Water withdrawing Mr Risk and Ms Secretary's application under s 10 of the ATSIHP Act.

3.8. Like the Previous Proposal, the Proposed Development would have an adverse impact on Larrakia sacred sites.

**4. Stokes Hill Sacred Site and Larrakia tradition relating to that Site**

4.1. Stokes Hill is a low hill in the vicinity of the Darwin Waterfront, now adjacent to Stokes Hill Road. Stokes Hill is situated less than 100m North of the Darwin Convention Centre and approximately 150m North of the Proposed Development site, which is currently a car park.

Stokes Hill is situated at the east end of an escarpment that naturally borders the land on which the Darwin Waterfront is now located.

4.2. Relevantly to Larrakia tradition, Darwin's urban area is relatively flat and it has few substantial hills or areas of raised land. Stokes Hill therefore is an area naturally providing substantial views, or viewshed, within the Darwin area.

4.3. Stokes Hill is registered as Sacred Site 5073-93 with AAPA. It was registered as a sacred site 28 September 2006. Its geographic coordinates are Easting: 700955, Northing: 8621280, Zone: 52, Datum: GDA94. The registered features include the hill itself and the lookout point (peak) inclusive of the crown of Stokes Hill and the trees on the top. Five Authority Certificates issued (or re-issued) by AAPA apply or have applied to Stokes Hill Sacred Site. Relevantly, an Authority Certificate issued in 2022 for construction of the Larrakia Cultural Centre directly adjacent and to the south of Stokes Hill, included a condition that 'no structure shall exceed a height of 20m (Australian Height Datum).' That condition expressly was intended to avoid obstruction or interference to the southern viewshed of Stokes Hill.

4.4. Stokes Hill, including its southern viewshed, is a site of major importance to Larrakia people.

4.5. The basis in Aboriginal tradition of registration of Stokes Hill as a sacred site under the Sacred Sites Act is, as we understand it, accepted by AAPA.

4.6. The information included below on Larrakia tradition associated with Stokes Hill and related areas is conveyed from and with the authority of Mr Risk and Ms Secretary. It is consistent, as far as are presently aware, with information held on AAPA records.

4.7. Stokes Hill is on Larrakia Country. The site is associated in Larrakia lore and tradition with the figure (Dreaming) of the Tawny Frogmouth. The site is associated closely and intrinsically with frog Dreamings, including the Green Tree Frog, both at the site of Stokes Hill itself and with other key Larrakia sites (including registered sacred sites) onshore and offshore in the coastal area around Darwin and on the Cox Peninsula to the south of Darwin. The Tawny Frogmouth Dreaming is situated on Stokes Hill and it is also part of the hill itself.

4.8. The Larrakia term for Stokes Hill and the Tawny Frogmouth Dreaming is *delila*.

4.9. In Larrakia lore and tradition, the Tawny Frogmouth Dreaming has key characteristics:

(a) it functions as a sentinel for approaching danger or threats from the water, such as storms or people coming through or from the harbor;

(b) the Tawny Frogmouth Dreaming looks out to the water in Darwin Harbour in order to perform these functions;

(c) the primary purpose of the Tawny Frogmouth Dreaming is to protect sacred sites, other Dreamings, and Larrakia people;

(d) the Tawny Frogmouth Dreaming will fly up to warn the Frog Dreaming at Stokes Hill (termed *gulpbala* in Larrakia language). *gulpbala* calls out in order to warn other Dreamings around the Darwin coast, offshore and on the Cox Peninsula. There is an inherent communicative relationship between the Tawny Frogmouth Dreaming and the

various frog Dreamings. Those Dreamings are also frog Dreamings embodied in those landscape features, including:

(i) *ngartba-ngartba*, which is the three-eyed saltwater frog associated with Bullocky Point (near the current site of Darwin High School); and

(ii) *binybinya*, which is a frog Dreaming on the Cox Peninsula.

(e) the Tawny Frogmouth Dreaming is also linked to other Dreaming sites around the Darwin coast, each of which perform similar sentinel functions, such as *nungalinya* (Old Man Rock) offshore of Casuarina Beach;

(f) these Dreamings function as a whole and through the relationships with each other to perform this protective function. They are also recognized and registered as sacred sites, within a dense collection of sacred sites across the Darwin area; and

(g) it is important therefore that the Tawny Frogmouth Dreaming has an unimpeded or uninterrupted view toward the water and it will become upset and it will punish custodians or persons responsible for causing interruption. This interruption would amount to injury or desecration under s 9 of the Act, as we consider further below.

4.10. As such, lines of sight, view-lines, or the viewshed, from Stokes Hill toward Darwin Harbour is integral to the existence, character, function and relationships of the Larrakia tradition associated with Stokes Hill (Tawny Frogmouth Dreaming, *delila*). In this respect, the viewshed from Stokes Hill toward the south generally is integral to Larrakia tradition.

4.11. We are instructed that other developments and works in the vicinity of Stokes Hill have been the subject to height restrictions for the purposes of protection of Larrakia tradition associated with Stokes Hill, such as the Larrakia Cultural Centre presently under construction directly adjacent (see paragraph 4.3 above). Regulatory controls in respect of that latter development operate under an Authority Certificate issued by AAPA.

4.12. The Larrakia tradition is set out in summary form above. We are further instructed that substantial documentation and recording of the relevant Larrakia tradition, having occurred over many years, is held on records in the possession of AAPA. Those records include, non-exhaustively, records of consultations between Larrakia holders of lore and tradition and AAPA and others concerning tradition associated with Stokes Hill.

4.13. We also note that sight lines to Aboriginal sacred places have been accepted as showing a connection between sites. In *Kirkness v Gosford City Council* [2012] NSWLEC 1060, Commissioner Pearson and Sullivan AC held that 'the concept of sight lines should be read in a broad sense and that the key issue is the maintenance of context and connection between the sites' (at [78]), before concluding that the development application in that case was to be refused (at [92]).

## 5. Cultural or heritage values: s 51(1)(r) of the *Planning Act*

5.1. The DCA *must* take into account "any potential impact on natural, social, cultural or heritage values": s 51(1)(r) of the *Planning Act*. The Proposed Development would have an adverse impact on Larrakia cultural and heritage values.

5.2. Specifically, the Proposed Development is likely to affect adversely and, or alternatively, be inconsistent with important Larrakia lore, including Dreaming stories, which are integrally connected to Stokes Hill. Further, an inherent component of the significance of Stokes Hill, in accordance with Larrakia tradition is the viewshed, including relevant lines of sight, from Stokes Hill toward Darwin Harbour, generally toward the south. The significance of the viewshed from Stokes Hill includes its existence, its form and protective function in the conduct of Dreaming entities in Larrakia tradition and the related existence and function of those Dreaming entities for Larrakia society. The Proposed Development will impact, in that it will obstruct and impede, the viewshed. This impact would significantly undermine the purpose, function and character of Larrakia tradition attaching to Stokes Hill Sacred Site.

5.3. **Annexure A** to these submissions contains three figures that shows the Proposed Development and the impact on the view. We note that the building footprints in these figures were modelled based on the publicly available plans and the 3D building models were created by the NLC's Geographic Information System (**GIS**) team for the purpose of creating these figures. We do not wish to convey that these figures were created using an existing, survey-accurate 3D building model created by the Proponent. While every effort has been made by the NLC's GIS team to accurately represent the available information, the models are based on the source plans and associated interpretation.

5.4. The impact on the viewshed when a viewer stands at 21.86 metres AHD is demonstrated in the Spatial Analysis Report at **Figure 1**.

5.5. This spatial analysis clearly shows the Proposed Development would impose a major obstruction, impairment or interference to the viewshed from Stokes Hill toward the Proposed Development and Darwin Harbour. More specifically, between an arc of 131.0 to 149.3 degrees (looking from Stokes Hill at 21.86 AHD in the vicinity of the development site), around 45.77% of the viewshed would be obstructed by the Proposed Development on the horizontal plane from Stokes Hill (see **Figure 1**).

5.6. Obstruction from Stokes Hill can be seen in modelling of the viewshed (to 1200m) without development (**Figure 2**) and with the Proposed Development (**Figure 3**).

5.7. This spatial viewshed analysis provides technical input into explanation of the key cultural value of the Stokes Hill site to Larrakia people. On the basis of the viewshed analysis, it is clear that the Proposed Development will have adverse effects on Larrakia tradition as related to this viewshed and that development will be a use of the area inconsistent with Larrakia tradition.

5.8. There has been no consultation with Larrakia people from the proponent, the Darwin Waterfront Corporation or the NTG. I am instructed that there are other areas on the Darwin Waterfront that would be more appropriate for the Proposed Development (if it were under a certain height) and that would not interfere with Larrakia dreamings and sites. If such a

consultation had occurred, these areas could have been identified.Larrakia Cultural Centre: ss 51(1)(p) and (r) of the *Planning Act*

5.9. The proposal must be assessed against the public interest: s 51(1)(p) of the *Planning Act*. Ensuring that any development respects its foundational Indigenous history and does not interrupt important Larrakia dreamings and sites is in the broader public interest. This includes avoiding any interference with the Larrakia Cultural Centre (Lot 11275), which is expected to open in September 2026.

5.10. The proximity to the Larrakia Cultural Centre is noted in the document entitled "**Statement of Effect** 6-storey hotel comprising 54 x 2-bedroom & 54 x 1-bedroom suites" (May 2026), but only to justify the hotel's height as being "consistent" with it. We are unable to ascertain the height of the Larrakia Cultural Centre from publicly available resources, but understand that it will be a two-storey building. We assume that the Larrakia Cultural Centre will be approximately the same height as the Darwin Convention Centre and would therefore be shorter than the Proposed Development.

5.11. Even if the Larrakia Cultural Centre and the Proposed Development are the same height, the Proponent's assertion that a 25.6m AHD height is acceptable simply because it aligns with the Larrakia Cultural Centre is misconceived. Consistency in planning is not solely about comparing the height of different building. As noted above, s 51(1)(p) of the *Planning Act* requires that the DCA accounts for land use, social value and the public interest. The Larrakia Cultural Centre is a specialised community facility designed to celebrate, protect and provide a vantage point for the traditional owners' connection to the harbour. In contrast, the Proposed Development is a private commercial enterprise that seeks to profit from the views that it simultaneously restricts for other people.

5.12. The Statement of Effect also fails to consider the difference in building mass and permeability between the two sites. The Larrakia Cultural Centre is designed in the shape of a bird in flight, a Larrakia ancestral being which protects the people. In contrast, the Proposed Development is a bulky and rectangular 6 story block which would block the line of sight of the Tawny Frogmouth dreaming. This violates objective 12.4 of the Central Darwin Area Plan (**CDAP**), which mandates "aesthetic integration of development across the locality". True integration would involve a building design that provided distance from and space around the Larrakia Cultural Centre. We are also concerned that the Proposed Development would deter people from the Larrakia Cultural Centre as there will be less parking and less favourable views.

5.13. We also note that an Authority Certificate was obtained from AAPA before the construction of the Larrakia Cultural Centre, yet it appears that the Proponent has not obtained any such Authority Certificate (as explained in more detail in section 8 below).

## 6. Failure to meet impact assessable standards: cl 1.10 of the NTPS

6.1. The Proponent explicitly acknowledges in the Statement of Effect that while a hotel is typically merit assessable, this specific development is impact assessable pursuant to cl 3.1(4)(b) of NTPS.

6.2. An impact assessable development triggers the exercise of discretion under cl 1.10(4) of the NTPS, which is also acknowledged by the Proponent in the Statement of Effect. Under cl 1.10(4) of the NTPS, the DCA must take into account the Strategic Framework (Part 2).

6.3. The CDAP is a core component of the Strategic Framework (Part 2) mentioned in Clause 1.10(4). Within the CDAP, the site of the Proposed Development falls under Focus Area B - Darwin Waterfront. Objective 12.5 of the CDAP requires developments to "reflect the historical connections of the locality in the design of development".

6.4. Section 46(3)(a) of the *Planning Act* states that development application is to contain an assessment demonstrating how the Proposed Development will comply with any planning scheme that applies to the land.

6.5. The Proponent has a duty under s 46(3)(a) of the *Planning Act* to prove it meets objective 12.5 of the CDAP. That is, the impact-assessable status, combined with the Proponent's duty under s 46(3)(a) of the *Planning Act*, mandates a "comprehensive demonstration" of how the proposal responds to the site's unique physical and cultural constraints. However, the Proponent's Statement of Effect focuses narrowly on European history (Goyder's Camp) and the "maritime industry".

6.6. As the Proponent has not consulted the Larrakia people, they have failed to provide the "assessment" required by s 46(3)(a) of the *Planning Act*. For this reason the DCA lacks the necessary evidence to exercise its discretion under Clause 1.10(4) to find that the proposal satisfies Strategic Objective 12.5.

**7. Failure to obtain an Authority Certificate**

7.1. There is no publicly identified or referenced Authority Certificate issued by AAPA for the Proposed Development in the application materials currently on exhibition. We have been told by AAPA that neither the Territory government nor the Proponent have applied for an Authority Certificate for the Proposed Project.

7.2. The *Sacred Sites Act* establishes institutions, procedures and measures for the protection of Aboriginal tradition in the Northern Territory in relation to land in the context of conflicting or inconsistent use or development of land to which that tradition attaches.

7.3. In addition to establishing AAPA, primarily composed of Aboriginal 'custodians' of sacred sites, the *Sacred Sites Act* establishes procedures for registration of sacred sites (Part III Division 2) and for works on or uses of land that is a sacred site to proceed in certain circumstances (Part III Division 1). This form of works or land use approval occur through a process of certification of those works or uses by AAPA. Under s 22(1) of the *Sacred Sites Act*, AAPA may only issue such an Authority Certificate where it is satisfied the works or use 'could proceed or be made without there being a substantive risk of damage to or interference with a sacred site on or in the vicinity of the land' or by agreement with the relevant Aboriginal custodians of the site at issue.

7.4. Under Pt IV of the *Sacred Sites Act* it is an offence to enter onto, work on or desecrate a sacred site. A person who wishes to use or carry out work on land in the Northern Territory may apply for an authority certificate under s 19B of the *Sacred Sites Act*, which may provide

a defence to prosecution under Pt IV of the *Sacred Sites Act*. An Authority Certificate would describe the part or parts of the land on which the work proposed in the application under s 19B may be carried out or used with sufficient particularity to enable the land and part or parts to be identified and may contain conditions on which the work may be carried out or use made.

7.5. An Authority Certificate would identify the sacred sites within or near the Proposed Development area, impose enforceable conditions for protection of those site and provide statutory immunity for compliance.

7.6. Accordingly, the DCA should not finalise assessment of the application until it is confirmed whether an Authority Certificate has been obtained or an application for certification is underway with AAPA. This is particularly the case given the known cultural sensitivity of the broader Darwin Harbour and Stokes Hill Wharf precinct.

7.7. Any Authority Certificate must be specifically in relation to the Proposed Development.

**8. Requested decision**

8.1. Ms Secretary requests that the DCA refuse the Proponent's application in relation to the Proposed Development in its current form due to the lack compliance with s 51 of the *Planning Act* and cl 1.10 of the NTPS.

8.2. In the alternative, Ms Secretary requests that the DCA defer any further consideration of the Proposed Development until the Proponent:

(a) provides evidence of a registered Authority Certificate issued by AAPA (which must be obtained in 2026 and specifically for the Proposed Development; and

(b) engages with the Larrakia people about the Proposed Development and implements the outcomes of such consultations into its development plans.

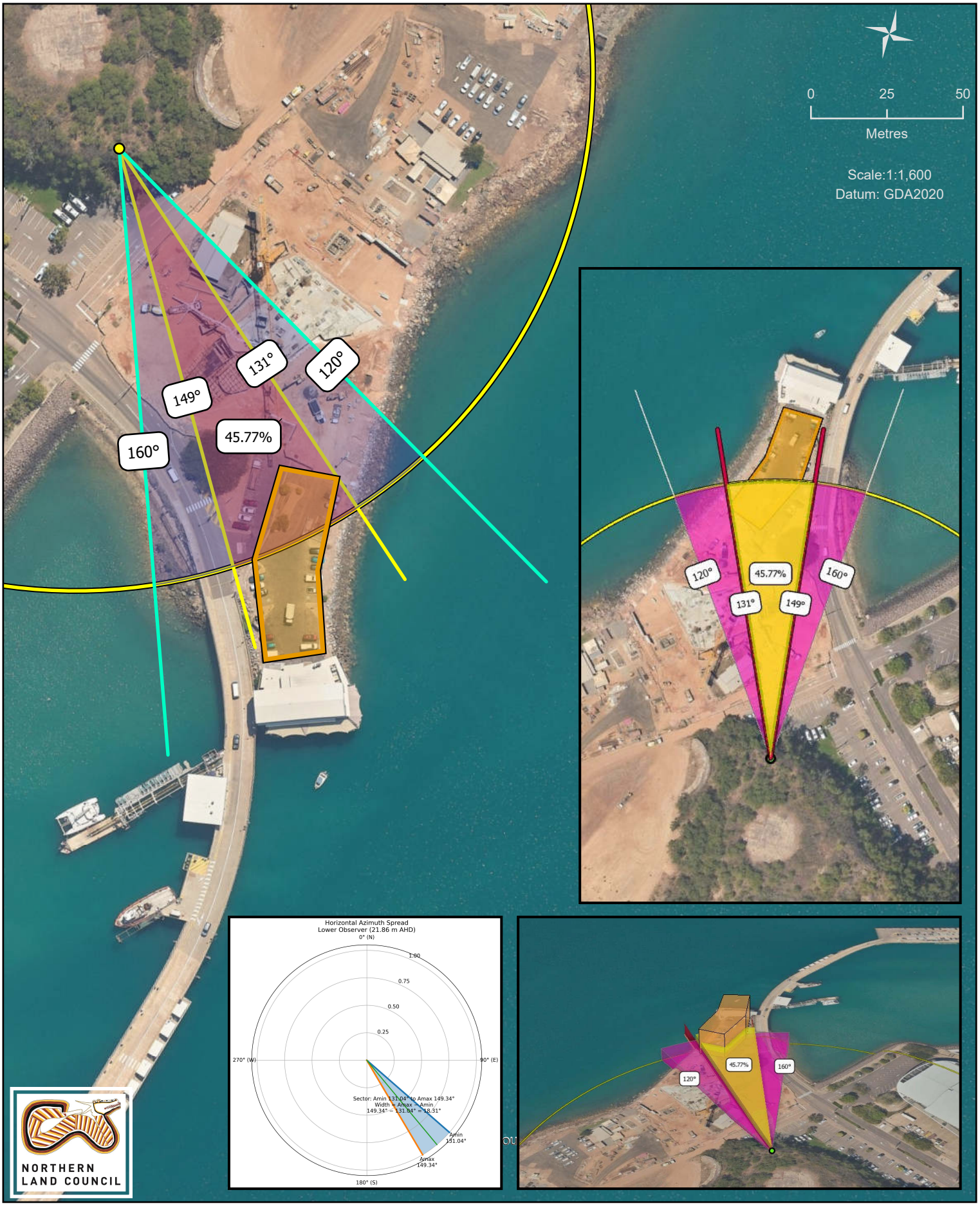
OF

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**Olivia Freeman**

Lawyer, Northern Land Council

# Annexure A




# Visual Obstruction Across 131.0°–149.3° Sector from Stokes Hill

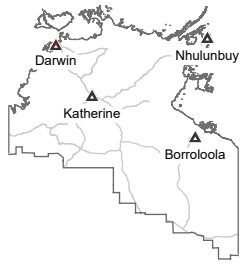
Figure 1

Requesting Officer: Olivia Freeman
Produced: 24/06/2026
GIS#: 2026_0963_A4P_Scale_Degree_Sheridan_21.865m

- Observer Point: ~21.86 m AHD (Above Sea Level)
- Building Height: ~25.60 m AHD (Roof Level)
- Coordinate System: GDA2020 / MGA Zone 52 for X-Y; vertical datum AHD for Z
- Surfaces: 5 m DEM/DSM, and a 0 m AHD constant raster for sea level.
- The horizontal analysis sector was defined from A_min = 120° to A_max = 160°
- Obstructed segment: ~131.04°–149.34° → obstructed width = 149.34 − 131.04 = 18.31°.
- ~45.77% of the 120°–160° sector is obstructed, covering the arc from ~131.04° to ~149.34°.

Observer Point
Proposed Hotel
120°–160° Analysis Sector Boundaries
120°–160° Analysis Sector
131°–149° Obstruction Boundaries
Obstructed View Sector (45.77%)

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# Viewshed Analysis from Stokes Hill Lookout - With the Proposed Hotel

Figure 2

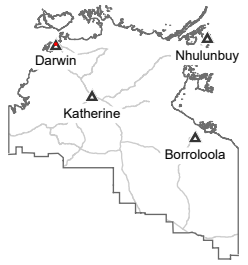
Requesting Officer: Olivia Freeman
Produced: 24/06/2026
GIS#: 2026_0963_A4P_Viewshed_Sheridan_21.865m

- Observer Point: ~21.86 m AHD (Above Sea Level)
- Target Point: ~158–203 m horizontally from Observer
- Building Height: ~25.60 m AHD (Roof Level)
- Coordinate System: GDA2020 / MGA Zone 52 for X-Y; vertical datum AHD for Z
- Surfaces: 5 m DEM/DSM, and a 0 m AHD constant raster for sea level.

Viewshed With Building (1200m From Stoke Hill)

- Not Visible
- Visible
- Proposed Hotel
- Observer Point ~21.86 m AHD (Above Sea Level)
- Destination Points

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# Viewshed Analysis from Stokes Hill Lookout - Without the Proposed Hotel

Figure 3

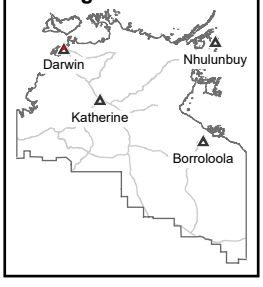
Requesting Officer: Olivia Freeman
Produced: 24/06/2026
GIS#: 2026_0963_A4P_Viewshed_Sheridan_21.865m_WOB

- Observer Point: ~21.86 m AHD (Above Sea Level)
- Coordinate System: GDA2020 / MGA Zone 52 for X-Y; vertical datum AHD for Z
- Surfaces: 5 m DEM/DSM, and a 0 m AHD constant raster for sea level.

Viewshed Without Building (1200m From Stoke Hill)

- Not Visible
- Visible
- Observer Point ~21.86 m AHD (Above Sea Level)
- Destination Points

**Regional Guide**



To whom it may concern

Re: PA2026/0196

My submission is that the proposed development is in conflict with the Northern Territory Planning Scheme Clause 5.9.2.4 – Darwin Waterfront Building Heights and View Lines, and the Central Darwin Area Plan Objective 12.4 – "Maximise opportunities for physical and aesthetic integration of development across the locality and with neighbouring localities, particularly the City Centre", and should not be approved.

A requirement of Clause 5.9.2.4 is that "Development does not obstruct view lines identified in the Diagram to this clause". It is apparent that the Diagram to Clause 5.9.2.4 is outdated as it does not include the walkway that links the Cruise Ship Terminal to the Convention Centre. Given that this walkway is included as part of the "Priority Pedestrian/Cycle Network" in the Diagram to Clause 5.9.2 (Darwin City Centre Extent and Features), the application should consider how the proposed development does not obstruct view lines from this priority walkway across Darwin Harbour to Charles Darwin National Park.

The proposed development does not satisfy 'acceptable responses' to iv. of Objective 12.4 that, "Development is of a scale that relates to the surroundings and reflects the established character."

The under construction Larrakia Cultural Centre has been architecturally designed by Rossi Architects in collaboration with Susan Dugdale & Associates to represent a bird in flight and is situated between a sacred site (Stokes Hill) and Darwin Harbour. Rossi Architects describe this as "an essential relationship." Crawford Architects, one of the design architects for the Darwin Convention Centre describes, "The mussel shell, a source of food for the indigenous people, was the inspiration for the design" and "The iconic design embraces the history and culture of the community."

Given that the Larrakia Cultural Centre and Convention Centre have been designed to be iconic landmark buildings with architectural and cultural significance, it is difficult to see how the proposed development is of a scale that relates to those architectural merits or the significance and established character of those buildings, as is expected by acceptable responses to iv. of Objective 12.4.

The Darwin Waterfront Precinct is expected to expand as proposed by the Darwin Waterfront Masterplan. This means that the Larrakia Cultural Centre and Convention Centre are central to the Darwin Waterfront Precinct. This, and the fact that the proposed development does not relate to the surroundings, as recommended by acceptable response iv. of Objective 12.4, means that the proposed development will be central to key view lines.

Regards
Peter Morante

Dear Development Consent Authority,

I would like to submit my opposition to proposed Development Application PA2026/0196 for the following reasons.

My objection is generally in relation to the location and massing of the proposal which is not sympathetic to its surroundings. This is considered against the requirements of the NT Planning Scheme as follows:

Part 4 Clause 4.10 Zone CB Central Business

- The proposal does not meet Zone Outcome sub-clause 8(e) to reduce the appearance of building mass relative to its surroundings, and sub-clause 10, for development to be designed and operated in a manner that avoids unreasonable loss of amenity for surrounding premises.

  The proposed 6 storey building is set back less than a metre from its Northern boundary and towers 6 storeys into the air. This has major visual amenity impacts on the outlook from the Larrakia Cultural Centre intended as a key tourism and cultural facility for the city, and which is intended to have connections with the harbour as the Larrakia are 'Saltwater People'. The proposal also creates a line of building massing for the length of the approach onto the Wharf and public view of Frances Bay is removed until well and truly out over the water on the Wharf itself.

Part 5 Clause 5.5.3 General Building and Site Design

- I arguably consider the proposal is a Tourist development accommodating tourists within the area and therefore consider this Clause applicable.

- The proposal does not meet sub-clause 2 requirements for the preservation of vistas along streets to places of landscape or cultural significance, specifically in relation to preserving vistas from the Larrakia Cultural Centre and vistas to Frances Bay when entering the Wharf area.

  I encourage the DCA to request the applicant accurately demonstrate how the view lines from the Larrakia Cultural Centre looking out to Frances Bay, will be impacted. And how the view lines from vehicles approaching the Wharf looking out to Frances Bay will be impacted. This should be done prior to making any decision.

- The proposal does not meet sub-clause 3 requirements to be sympathetic to the character of buildings in the immediate vicinity, again imposing on the Larrakia Cultural Centre due to its being located within a metre of the northern boundary (closes point to the Larrakia Centre) and towering over the Larrakia Cultural Centre.

The proposal does not provide a visual of the relationship with the Larrakia Cultural Centre in terms of heights.

I encourage the DCA to request an accurate to scale elevation and section of the proposal and Larrakia Cultural Centre, including heights at which visitors to the Larrakia Cultural Centre will be standing when looking at the proposed building, to better understand how it addresses requirement sub-clause 3. This should also be done prior to making any decision.

<u>Part 5 Clause 5.9.2.4 Development within the Darwin Waterfront</u>

- While the Diagram to Clause 5.9.2.4: Darwin Waterfront Building Heights and View Lines does not provide details for the subject lot, I urge the DCA to consider why it is omitted from this diagram and what could be considered an appropriate height and view lines in relation to the previous comments in this submission.

- Whilst I understand that the DCA is not required to consider the applicable Part 2 Strategic Framework for the proposal, I note for the DCA's awareness that the Central Darwin Area Plan appears to purposefully avoid including the subject lot within the boundary of Focus Area B – Darwin Waterfront (Pg 47).




Could I please request the DCA look into this as it does appear glaringly suspicious that this lot would be intentionally unregulated and undermines the public's trust in the planning processes at hand.

That is all.

Kind regards,

Toni Willis.

The Chairman,
Darwin Development Consent Authority,
GPO Box 1680
Darwin NT 0801

cc Minister for Lands, Planning and Environment Minister.Burgoyne@nt.gov.au

Dear Chairman,

Re: Planning application number: **PA2026/0196 Lot 07495 39 Stokes Hill Rd. Town of Darwin**

That the ground floor is unusable as a welcoming foyer and unusable as hotel/motel rooms, due to it being in the Primary and Secondary storm surge zone surely is enough to indicate that this Lot is unsuitable for this 6-storey commercial building. The proposed developers have applied 'Variations' to the NT Planning Scheme, regulations should be regulations and adhered to.
Not having safe access by service vehicles reduces public safety at the wharf.
This building would be a 25.6 metre visual barrier that would cut the view between the Darwin CBD and the harbour.
How is it possible to request a 50% variation to **mandatory** ground-level landscaping?
The omission of a continuous 3-meter-wide pedestrian awning along the street frontage as per regulations?
Apart from the fact that, in my opinion, it's a bit of an eyesore.

And once again I am objecting to a proposal which does not conform with the NT Planning Scheme. These proposals, in my opinion, shouldn't even be considered.

I am lodging this formal submission under the provisions of the *Planning Act 1999* to declare my strong objection to the proposed 6-storey, 108-suite commercial hotel development at 39 Stokes Hill Road (Lot 7495, Darwin Waterfront).

Yours faithfully,

Carolyn Marriott
2/106 Dick Ward Drive
Coconut Grove NT 0810
26th June, 2026

camarriott@bigpond.com

**From:** Margaret Clinch
**To:** Das NTG
**Cc:** margaret Clinch
**Subject:** TRM: PA2026/0196. Lot 07495, 39 Stokes Hill Road, Town of Darwin
**Date:** Friday, 26 June 2026 11:45:54 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.

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26.6.2026

The Manager,
Development Assessment Services,
Department of Lands and Planning.
Cavenagh Street,
Darwin, NT.

Dear Sir, or Madam,

1. This is a submission relating to a recent planning application from Sheridon Consulting.

2. The application was for a six storey hotel/motel development in the Darwin Waterfront precinct.
The proposed location is beside Stokes Hill Road, as it approaches Stokes Hill Wharf.

3. The current space is used as a car park.

4. The size of the land is approximately 4080 square metres.
It is unclear whether the proposal incorporates the existing restaurant which appears to be partly built 0ver harbour waters.
Documents show that there have been several prior interests in the land since 2001. The latest permit is DP23/0071A dated 7 June, 2024.

5. The land is zoned CBD, as is most of the precinct.

6. The proposal is for the hotel to have 108 rooms, plus another 'community area' set up for a pool and other restful activities for visitors. Green landscapping was to be a feature of the development, and opportunities for cycling and walking.

7. Provision for parking was to be within the building, but I am not aware a number of places.

8. The proponents were aware of the NT Planning Scheme requirements, and of the NT Planning Act, etc. but seemed at one time to actually make a list of variations sought, for from the established system. They also wrote in favour of how some of their alternatives would work better in the type of development they were planning.

9. However, a very serious major concern was the proposal of having

the hotel/motel built so close to Darwin harbour, because of maintenance, storm surge, and possible cyclones.

Regards,

Margaret Clinch
margaret.clinch@bigpond.com
08-89271999

17/06/2026

To Whom it may concern,

I strongly support the proposed hotel development at 39 Stokes Hill Road.

Darwin needs continued investment in quality accommodation and tourism infrastructure to support our growing economy, attract more visitors, and strengthen the CBD. A development like this brings jobs during construction and ongoing employment once operational, while also increasing activity and vibrancy in the city.

Stokes Hill Road is a key gateway into Darwin and an appropriate location for this type of development. Well considered projects like this help modernise our city, increase confidence for further private investment, and contribute to the long-term growth of Darwin as a destination and place to live.

Progressive development is critical for Darwin's future, and I believe this proposal is a positive step forward.

Darwin needs to be forward thinking, and these are the projects the strongly support that growth and our future.

Regards,

Andrew Harding
Director | Ray White Darwin & Palmerton

0408 108 698
Andrew.harding@raywhite.com

Andrew Harding

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17 June 2026

**Submission in Support of Proposed Development**
**Lot 07495, Town of Darwin**
**39 Stokes Hill Road, Darwin City**
**Proposed Development: Hotel/Motel (108 Suites) in a 6-Storey Building**

Development Assessment Services,

I write in support of the proposed development of a hotel/motel comprising 108 suites within a six-storey building at Lot 07495, Town of Darwin, located at 39 Stokes Hill Road, Darwin City.

This proposal represents an appropriate and beneficial use of land at the Darwin Waterfront and aligns with the strategic objectives of encouraging investment, tourism, and economic activity within the Darwin.

The development will provide several positive outcomes for the community, including:

- **Supporting Tourism Growth:** The addition of 108 accommodation suites will increase the availability of quality visitor accommodation in a prime location, helping meet the needs of both leisure and business travellers visiting Darwin.
- **Economic Benefits:** Construction of the development will generate employment opportunities, while ongoing operation of the hotel will create permanent jobs and support local businesses, hospitality venues, and tourism operators.
- **Activation of the Darwin Waterfront:** Increased visitor numbers and activity will contribute to a more vibrant and active environment, supporting nearby commercial and retail businesses and enhancing the vitality of the Darwin Waterfront.
- **Appropriate Scale and Land Use:** A six-storey hotel development is consistent with the character and intended function of the Darwin Waterfront area. The proposal makes efficient use of a strategically located urban site and contributes to the ongoing development and renewal of the area.
- **Contribution to Darwin's Growth:** As Darwin continues to strengthen its position as a gateway to Northern Australia and an important tourism destination, additional accommodation infrastructure is necessary to support future growth and investment.

I believe the proposed development will deliver significant benefits to Darwin and should be supported.

Accordingly, I respectfully urge the Development Consent Authority to approve the application.

Regards,



Warwick Bryant
Growth Manager - NT

Kelli Reinke
PO Box 2497
Palmerston NT 0831
E: Kelli.reinke@outlook.com.au
M: 0434 037 327

To Whom It May Concern,

**PA2026/0196 – Development - 39 Stokes Hill Road, Darwin City**

I support the proposed hotel development at 39 Stokes Hill Road.

Darwin benefits from thoughtful investment that creates jobs, attracts visitors and contributes to the long-term growth of our city. Additional hotel accommodation in this location will support tourism, business travel and major events while increasing economic activity for surrounding businesses.

The proposal has the potential to activate the precinct, enhance the visitor experience and demonstrate confidence in Darwin's future. As our city continues to grow, it is important that well-designed developments are considered on their merits and their contribution to the broader community.

While all developments should appropriately address planning, cultural and environmental considerations, I believe this proposal offers significant benefits for Darwin and should be supported.

Kind regards,



Kelli Reinke

**GENEXA ADVISORY PTY LTD**

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**Commercial in Confidence**

17 June 2026

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

**Lodged via: NT Planning Notices Online portal**

Dear Sir / Madam

**Re: Submission in support of the proposed hotel development at Stokes Hill Wharf, Darwin Waterfront**

I write to record my support for the application lodged by Sheridan Consulting for a six-storey, 108-room hotel at the entry to Stokes Hill Wharf, adjacent to the Jetty Restaurant and next to the Larrakia Cultural Centre. I make this submission in my own name and capacity as a Darwin resident and as Managing Director of Genexa Advisory, a firm that advises governments and industry on infrastructure investment and regional economic development across Northern Australia.

My support rests on the development's contribution to Darwin's visitor economy and the activation of the Waterfront precinct, and I set out the basis for that view below.

**Accommodation capacity and the visitor economy**

Darwin's ability to grow tourism and to host business events is constrained by the supply of quality short-stay accommodation, particularly in the dry season when demand peaks. A 108-room hotel offering one and two-bedroom suites adds genuine capacity in a location that is already a destination in its own right. This is the kind of supply the city needs if it is to convert visitor interest into longer stays and higher spend.

**Precinct activation and public benefit**

The proposal brings day and night activity to the Stokes Hill Wharf end of the Waterfront and complements the existing dining and entertainment offer rather than competing with it. I particularly welcome the new publicly accessible pedestrian boardwalk along the harbour frontage. This is a tangible public benefit that improves access and amenity for residents and visitors alike, well beyond the patrons of the hotel itself. Retaining and building alongside the existing Jetty Restaurant building, rather than demolishing it, is a sensible approach that preserves a working part of the precinct.

**Design and environmental response**

The use of green walls, vertical landscaping and glazing as passive climate-control

measures is an appropriate response to Darwin's tropical conditions and helps soften the visual bulk of the building. A six-storey scale at this location is, in my view, proportionate to the precinct and to the harbour setting.

**Matters for the assessment**

My support is offered on the merits of the development, and not in opposition to any other party with an interest in the site.

I consider the development a positive addition to the Darwin Waterfront and to the Territory's visitor economy, and I commend it to the authority for approval subject to the usual conditions.

I am happy to expand on any aspect of this submission if that would assist.

Yours sincerely



**Gaurav Sareen**
Managing Director, Genexa Advisory Pty Ltd

'WE'VE BUILT A REPUTATION ON BUILDING'

RE: SUPPORT FOR PROPOSED DEVELOPMENT – LOT 07495 TOWN OF DARWIN, 39 STOKES HILL ROAD, DARWIN CITY

I write in support of the proposed development at Lot 07495 Town of Darwin, 39 Stokes Hill Road, Darwin City, comprising a 108-suite hotel/motel within a six-storey building.

The proposed development represents a positive investment in Darwin's tourism, hospitality and economic sectors and is well suited to its location within the Central Business (CB) Zone. The development aligns with the strategic intent of the zone by encouraging commercial activity, increasing visitor accommodation capacity and supporting the continued revitalisation of Darwin's CBD and waterfront precinct.

Darwin continues to experience growth in tourism, business travel and major events, creating increasing demand for quality accommodation options. The addition of 108 suites will contribute significantly to the city's accommodation inventory, providing greater choice for visitors while supporting local businesses, restaurants, retailers and tourism operators.

The location at Stokes Hill Road is particularly appropriate for hotel accommodation due to its proximity to the Darwin Waterfront Precinct, CBD commercial core, tourism attractions, transport connections and hospitality venues. The development will encourage increased visitor activity within the city centre, contributing to a vibrant and active urban environment.

From an economic perspective, the project will generate employment opportunities throughout both the construction and operational phases. Local contractors, suppliers and service providers will benefit from the investment, while the completed hotel will create ongoing jobs within the hospitality sector.

The proposed six-storey building is considered an appropriate scale and form of development within the Central Business Zone and is consistent with the ongoing evolution and densification of Darwin's city centre. Developments of this nature contribute to the efficient utilisation of centrally located land while strengthening the city's position as a destination for tourism, business and investment.

Importantly, the proposal supports broader planning objectives aimed at encouraging economic growth, increasing accommodation capacity and enhancing the attractiveness of Darwin as a destination for visitors and investors alike.

For these reasons, I strongly support the proposed development and respectfully encourage its approval.

Yours faithfully,

Brendan Cunningham
Managing Director
BTC Constructions NT

20 June 2026
Development Consent Authority
Northern Territory Government
Darwin NT

**Re: Submission in Support of Development Application – Proposed Hotel Development, Lot 7495, 39 Stokes Hill Road, Darwin Waterfront**

Dear Members of the Development Consent Authority,

I write to support the proposed hotel development at Lot 7495, 39 Stokes Hill Road, Darwin Waterfront. This is the type of practical, confidence-building private investment Darwin needs. It is well located, responsive to market demand, and capable of delivering immediate and long-term benefits for the city, the visitor economy and the broader Northern Territory.

Darwin is at an important point in its growth trajectory. To support population growth, attract workers, grow tourism and strengthen economic resilience, the city needs continued investment in well-located accommodation, hospitality and mixed-use infrastructure. The proposed hotel responds directly to that need and should be viewed as a positive contribution to Darwin's future.

Approving developments of this nature sends an important signal that Darwin is open to investment. Private capital is essential to stimulating the Territory economy, creating jobs, improving visitor infrastructure and unlocking the full potential of strategic precincts such as the Waterfront.

The Darwin Waterfront is one of the Territory's most important tourism, lifestyle and civic precincts. Its continued success depends on active uses, high-quality accommodation, strong pedestrian activity and a mix of offerings that encourage people to stay, spend and return. A new hotel in this location will help achieve exactly that.

The proposal will support increased visitor capacity and help Darwin better service tourists, business travellers, conference delegates, project teams and visiting professionals. This is particularly important in a jurisdiction where major projects, seasonal tourism and government activity all create peaks in demand for short-stay accommodation.

The site is within an established urban precinct, close to tourism infrastructure, public open space, pedestrian networks, commercial activity and the CBD. Supporting development in locations such as this makes efficient use of existing land & infrastructure that reflects sound planning outcomes.

Well-considered infill and precinct-based development should be supported where it contributes to activation, amenity and economic productivity. The proposed hotel does this by bringing more people into the Waterfront, supporting surrounding businesses and improving the intensity of use in a strategically significant part of Darwin.

The broader benefit is not limited to the development itself. Projects like this create construction activity, generate ongoing employment, support local suppliers and contractors, and contribute to growing Darwin as an investable and forward-looking capital city.

For these reasons, I support the proposed hotel development at Lot 7495, 39 Stokes Hill Road, Darwin Waterfront. The application represents a positive, timely and commercially realistic investment that aligns with Darwin's need for growth, tourism infrastructure, housing support, jobs and economic momentum.
I respectfully urge the Development Consent Authority to support this application and approve a development that will contribute meaningfully to the future of the Darwin Waterfront and the Northern Territory economy.

Sincerely,



Elliott Avishai

19 June 2026

**Attn: Development Assessment Services**

**Re: Public Submission of Proposed Hotel Development**
**39 Stokes Hill Road, Darwin Waterfront**

To the Development Consent Authority,

I am writing in support of the proposed hotel development at 39 Stokes Hill Road, Darwin Waterfront.

As someone familiar with the Darwin market, I consider this to be the type of project the city needs more of. Darwin has a strong tourism identity, a growing events and conference market, a nationally significant waterfront location, and a lifestyle offering that is genuinely unique. However, there is a noticeable shortage of quality hotel accommodation in premium locations, particularly accommodation that feels contemporary, well-located and suited to both leisure and business travellers.

The Waterfront is one of Darwin's most important public and visitor precincts. It already benefits from restaurants, cafés, bars, the Convention Centre, the Wave Lagoon, Stokes Hill Wharf, harbour views, public open space, tourism activity and the emerging cultural offering in the area. In my view, a hotel in this location is a logical and complementary use. It would not sit in isolation and would directly support the surrounding businesses and public infrastructure already in place.

At present, parts of the site are underutilised relative to the quality and prominence of the location. A well-designed hotel would help activate this part of the Waterfront, bring more people into the precinct, and create more consistent day and evening activity. That is important for existing operators at the Wharf and Waterfront, particularly hospitality, tourism and retail businesses that rely on foot traffic and visitor spend.

The proposal represents broader economic benefits for Darwin, supporting employment during construction and providing ongoing jobs once operational. More importantly, it would help Darwin better capture visitor expenditure from tourists, conference delegates, business travellers, cruise-related visitors and people attending major events. Good accommodation in the right location has a flow-on effect across the wider economy including restaurants, tour operators, transport providers, local attractions and small businesses that all benefit.

Darwin often competes with other northern Australian and interstate destinations for events, tourism and investment. Improving the quality and range of accommodation is part of making the city more competitive. I see this as a positive contribution not only to the Waterfront, but to Darwin's broader positioning as a visitor and investment destination.

The proposal also appears to have considered how it connects with the existing Waterfront environment, rather than simply placing a building on the site. The inclusion of landscaping, guest amenity and improved pedestrian connectivity is important. The harbour-front location deserves a development that contributes to the public realm and complements the existing uses around it. From what I have seen, the proposal has the potential to do that.

Overall, I am supporting as it represents a sensible and positive use of a prominent site, adding needed accommodation capacity to the Darwin market, supporting existing Waterfront and Wharf businesses, and would contribute to the ongoing growth and maturity of the Darwin Waterfront Precinct.

Yours faithfully,



**Victor Harris**

QS SERVICES
QUANTITY SURVEYORS & COST CONSULTANTS

22 June 2026

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MEMBER OF AIQS
AUSTRALIAN INSTITUTE OF QUANTITY SURVEYORS

**Submission in Support of Proposed Development (PA2026/0196)**
**Lot 07495, Town of Darwin**
**39 Stokes Hill Road, Darwin City**
**Proposed Development: Hotel/Motel (108 suites) in a 6-storey building**
**Current Zone: CB (Central Business)**

To Whom It May Concern,

I wish to express my full support for the proposed hotel/motel development at Lot 07495, 39 Stokes Hill Road, Darwin City, Planning Application reference: 2026/0196.

The site is located within the Central Business (CB) zone, where commercial, tourism, and accommodation developments are both appropriate and consistent with the strategic intent of the area. A 108-suite hotel in a six-storey building represents a sensible and complementary use of land in a key CBD location.

Darwin and the Northern Territory at large economy benefits and relies significantly from tourism, business travel, conferences, and events. Additional quality accommodation in the city centre will support visitors, strengthen the local tourism sector, and encourage greater economic activity for surrounding businesses, including restaurants, cafes, retailers, tour operators, and service providers.

The location at Stokes Hill Road is particularly suitable for visitor accommodation, given its proximity to the Darwin Waterfront, the CBD, the Convention Centre, and other major attractions. A well-designed hotel development in this area has the potential to enhance the visitor experience while contributing to the ongoing activation and vitality of the City centre.

The proposed six-storey scale appears appropriate for a central urban setting and reflects the type of development expected within Darwin's CBD. Investment of this nature demonstrates confidence in Darwin's future and will contribute to employment opportunities during both the construction phase and ongoing operation of the hotel.

As Darwin continues to grow and develop, it is important that appropriate projects within established commercial precincts are supported. In my view, this proposal represents a positive investment in the City and will deliver economic and tourism benefits for the broader community, far and wide.

For these reasons, I support the approval of the proposed development.

Yours faithfully,
**QS Services**



Paul Gurr
Director and Manager
BConstMgt, MAIQS, CQS

Ph: (08) 8941 0116
Email: paul.gurr@qsservices.com.au

22/06/2026

ATT: Development Consent Authority

To Whom It May Concern,

Re: LETTER OF SUPPORT – 39 Stokes Hill Road, Darwin

I'm writing to support the proposed hotel development at 39 Stokes Hill Road.

Our team has previously worked on the Darwin Waterfront precinct redevelopment masterplan, and I've also had an office in the area and stayed at Adina many times, so I'm very familiar with the area.

I love the Darwin Waterfront and it's the main area I recommend people stay when visiting. It's a great location and there's strong demand for accommodation there. Having more hotels in the area will give people more options and flexibility.

The proposed 6-storey hotel feels like a natural fit. It will add more accommodation, bring more activity into the area, and continue to build on the Waterfront as a key destination.
Overall, I think it will be a great addition and I support the application.

Kind Regards,

Peer Major
Director

Major Consultancy Pty Ltd
Admin@majorconsultancy.com.au
1300 MAJORC





**Submission in Support of the Proposed Hotel Development – 39 Stokes Hill Road, Darwin Waterfront**

I write in strong support of the proposed hotel development at 39 Stokes Hill Road, Darwin Waterfront.

This proposal represents an exciting investment in Darwin's future and is exactly the type of high-quality development needed to strengthen the city's position as a vibrant tourism, business and lifestyle destination.

The Darwin Waterfront has become one of the Territory's most successful public precincts, yet there remains a need for additional premium accommodation that complements the Convention Centre, Waterfront attractions, Larrakia Cultural Centre and surrounding hospitality venues. This development will help meet that demand while encouraging visitors to stay longer and contribute more to the local economy.

Importantly, the proposal is much more than simply another hotel. The design incorporates significant landscaping, green walls, rooftop recreation spaces and high-quality architecture that will enhance the visual character of the Waterfront. These features will soften the built form while creating an attractive addition to Darwin's skyline.

One of the strongest aspects of the proposal is its commitment to improving public access. The inclusion of a publicly accessible waterfront pedestrian connection linking the existing building with the neighbouring Larrakia Cultural Centre is a genuine community benefit. Rather than restricting access, the development enhances connectivity and encourages greater public enjoyment of the harbour foreshore.

The development has also been carefully designed to integrate with the surrounding precinct. It maintains pedestrian and cycling connections, provides bicycle facilities, retains existing landscaping where possible and introduces substantial new planting throughout the site. The proposed building height is appropriate within the context of the Darwin Waterfront and has been designed to preserve the character of the precinct while complementing neighbouring developments.

Traffic, parking and building scale have been considered through the planning process and addressed. As a purpose-built hotel located within Darwin's principal tourism precinct, adjacent to existing transport infrastructure and major visitor attractions, the development is appropriately

located and will generate activity that supports nearby businesses rather than detracting from them.

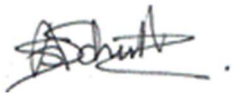
Projects such as this create employment during construction and ongoing operational jobs once completed. More importantly, they send a positive message that Darwin continues to attract private investment and believes in its future. High-quality developments encourage further investment, improve confidence in the city and contribute to a stronger economy.

Darwin cannot grow without thoughtful investment in tourism infrastructure. This proposal makes efficient use of an underutilised site, delivers a modern architectural outcome and provides lasting economic and community benefits for both residents and visitors.

I respectfully encourage approval this application. It represents a well-considered development that aligns with the vision for the Darwin Waterfront, enhances the public realm and will make a positive contribution to Darwin for many years to come.

Yours faithfully,

Stefney Schultz
Interior Designer



**Submission in Support of Development Application – Lot 7495, 39 Stokes Hill Road, Darwin Waterfront**

To: Darwin Division Development Consent Authority,

I write in strong support of the proposed 108-suite hotel development at 39 Stokes Hill Road, Darwin Waterfront.

As long-term investors and operators within the Darwin Waterfront precinct, including hospitality, tourism and adventure tourism businesses, we have witnessed firsthand the positive economic impact that quality tourism infrastructure delivers to Darwin and the Northern Territory.

The original vision of the Darwin Waterfront by the Northern Territory Government and TOGA has transformed a former industrial area into one of Australia's most successful mixed-use waterfront destinations. This proposed hotel is entirely consistent with that vision and represents the next logical stage in the precinct's evolution.

The development will:

- Increase much-needed visitor accommodation capacity in Darwin's premier tourism precinct.
- Support local restaurants, bars, attractions and tourism operators through increased visitor expenditure.
- Strengthen the Darwin Waterfront as a destination of national significance.
- Create additional employment opportunities during construction and ongoing operations.
- Increase activation of the waterfront throughout the year, supporting a safer and more vibrant public realm.
- Complement existing tourism assets including the Convention Centre, Wave Lagoon, Stokes Hill Wharf, cruise ship terminal and cultural attractions.
- Encourage longer visitor stays and greater tourism spending within the local economy.

From our experience operating hospitality venues and tourism businesses, including 5 x waterfront food and beverage operations and an adventure tourism experiences, additional accommodation stock directly benefits surrounding businesses and improves the overall visitor experience. Increased visitation creates stronger commercial outcomes for all operators within the precinct while enhancing Darwin's competitiveness as a tourism destination.

Importantly, the proposal aligns with the original objectives of the Darwin Waterfront redevelopment and continues the long-term investment made by both TOGA and the Northern Territory Government to establish a world-class waterfront destination.

We respectfully encourage the Development Consent Authority to support approval of this application.

**Darren Lynch**

D Lynch

**Director**
On behalf of DLG Group and 00Seven Adventures
Darwin Waterfront, NT
24 June 2026

**Submission Supporting Development Application**

**39 Stokes Hill Road, Darwin Waterfront**

To the Darwin Division Development Consent Authority,

As the General Manager of Wharf One Food & Wine and F3 Social, a Board Member of Tourism Top End, and a member of the Northern Territory Cruise Ship Committee, I am pleased to provide my support for the proposed hotel development at 39 Stokes Hill Road, Darwin Waterfront.

Having worked extensively within the tourism, events, hospitality and conference sectors for more than ten years, including significant involvement with the business events and convention market, I understand the direct relationship between accommodation capacity and the economic success of destination precincts such as the Darwin Waterfront.

The Darwin Waterfront has become one of the Northern Territory's most recognised tourism and lifestyle destinations. It attracts convention delegates, corporate groups, cruise ship passengers, interstate visitors and international tourists, all of whom contribute significantly to local businesses and the wider economy.

One of the greatest opportunities for Darwin's continued growth lies in increasing our ability to attract larger conferences, incentive groups and business events. Event organisers consistently assess accommodation availability and proximity to venues when selecting destinations. Additional accommodation within walking distance of the Darwin Convention Centre is a significant advantage and strengthens Darwin's competitiveness against larger interstate destinations.

From a hospitality operator's perspective, increased visitor numbers create flow-on benefits throughout the precinct. More guests staying at the Waterfront translates into greater patronage of restaurants, bars, tourism experiences, cultural attractions and retail businesses. These outcomes support employment, encourage further private investment and contribute to a more vibrant and active precinct year-round.

The proposal also aligns with the long-term vision established by the Northern Territory Government and TOGA for the Darwin Waterfront as a premier mixed-use destination that combines tourism, hospitality, recreation, culture and business activity in a world-class waterfront setting.

Importantly, this development complements existing assets rather than competing with them. The addition of quality accommodation strengthens the overall destination offering and helps maximise the value of major investments already made in the Convention Centre, Stokes Hill Wharf, cruise ship facilities, waterfront attractions and surrounding hospitality venues.

In my view, the development represents a positive investment in Darwin's tourism future and will contribute to the continued growth, activation and economic sustainability of the Waterfront Precinct.

I respectfully encourage the Development Consent Authority to support the application.

**Pina Sommerville**

P. Sommerville

**General Manager – Wharf One Food & Wine & F3 Social**

Board Member – Tourism Top End
Member – Northern Territory Cruise Ship Committee
Darwin, Northern Territory

June 24 2026

25 June 2026

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

**RE: Development Application – Proposed Hotel Development**
**Lot 7495, Stokes Hill Road, Darwin City NT**

To Whom It May Concern,

I provide this letter in support of the Development Application for the proposed hotel development at Lot 7495, Stokes Hill Road, Darwin City.

The proposal comprises the construction of a contemporary six-storey hotel development positioned within the Stokes Hill precinct, a prominent waterfront location that continues to evolve as a key tourism, recreation and cultural destination for Darwin. The development has been carefully designed to provide quality short-stay accommodation while contributing positively to the character and activation of the surrounding area.

The ground floor incorporates reception facilities, staff amenities, service areas, bicycle parking, loading facilities and on-site vehicle parking. Upper levels accommodate hotel guest suites, providing a range of accommodation options designed to support tourism and visitation to Darwin. The rooftop level incorporates communal recreational facilities including a swimming pool, gymnasium, multipurpose room, playground and landscaped recreation spaces for guests.

A key design objective has been to create a building that responds appropriately to the tropical climate and its highly visible waterfront setting. The building incorporates extensive landscaping throughout the development, including ground-level planting, vertical green wall elements and landscaped rooftop and balcony planter areas. These initiatives soften the built form, improve visual amenity and contribute to urban greening outcomes within the precinct.

The proposed development has been positioned to respect existing site constraints, easements and surrounding infrastructure while maintaining efficient vehicle circulation, servicing arrangements and pedestrian access. Existing significant site features, including the retained tree adjacent to the development, have been incorporated into the overall site design.

Architecturally, the building adopts a contemporary form and material palette that complements the ongoing revitalisation of the Darwin Waterfront and Stokes Hill precinct. The scale and massing have been carefully considered to provide an appropriate transition within the surrounding urban context while delivering an attractive and functional tourism accommodation facility.

The scale and overall development yield proposed for the site is not unprecedented within the Stokes Hill precinct. The proposed building height, footprint and accommodation capacity are broadly consistent with development concepts previously prepared for the site, including a combination apartment / hotel proposal investigated by a different private developer in approximately 2016 (although its feasibility meant it did not proceed further than concept design). While the architectural expression and design response of the current proposal have evolved to reflect contemporary expectations, planning objectives and environmental considerations, the overall scale of development remains generally aligned with the development potential historically contemplated for this strategic waterfront location. As such, the proposal should be viewed as a continuation of the long-term vision for the site rather than an overdevelopment of the land.

The proposed development also represents an important opportunity to activate a strategically located parcel of land that has remained substantially underutilised for many decades. Despite its prominent waterfront position and proximity to major tourism, cultural and commercial destinations, the site has remained largely undeveloped while significant investment and growth have occurred throughout the surrounding precinct. The development of long-vacant urban land is a key planning objective, promoting more efficient use of existing infrastructure, supporting economic growth and contributing to a vibrant and active city environment. The proposal will transform an underutilised site into a productive tourism asset, delivering lasting benefits to the local economy while enhancing the character and vitality of the Stokes Hill waterfront area.

The development will provide several broader community and economic benefits, including:

- Increased tourism accommodation capacity within Darwin City;
- Support for local businesses, tourism operators and hospitality services;
- Additional employment opportunities during both construction and ongoing operation;
- Enhanced activation and passive surveillance within the Stokes Hill precinct;
- Improved streetscape presentation through integrated landscaping and architectural design; and
- Contribution to the continued growth and investment in the Darwin waterfront area.

I note that I have no financial or ownership interest in the proposed development and do not stand to benefit from its approval. My support for the proposal is based solely on my professional assessment of its merits and the positive contribution it will make to the Darwin community. Having been born and raised in Darwin and having lived here throughout my life, I have a strong appreciation for the city's history, character and long-term development needs. It is my view that well-considered projects such as this play an important role in supporting economic growth, strengthening tourism infrastructure and contributing to the ongoing evolution and prosperity of Darwin as a vibrant and progressive capital city.

It is my opinion that the proposal represents an appropriate and well-considered development outcome for the site. The design responds positively to the opportunities and constraints of the location, enhances the visual character of the area and supports the strategic objectives of increasing tourism infrastructure within Darwin.

Accordingly, I respectfully request that the consent authority give favourable consideration to this application and grant development approval.

Should you require any additional information, please do not hesitate to contact the undersigned.

Yours faithfully,



**Irma Lamaya**

Registered Architect NT AR1051

26 June 2026

To the Development Consent Authority
GPO Box 1680
Darwin NT 0801

Re: Development Application PA2026/0196
Lot 07495, 39 Stokes Hill Road, Darwin City

I am writing to express my support for the proposed development at 39 Stokes Hill Road, Darwin City.

I believe this development is a fantastic opportunity for Darwin and the Waterfront precinct. As a local, I think it's great to see continued investment in our city, particularly in an area that is already one of Darwin's biggest attractions for both locals and visitors.

Having more quality accommodation at Stokes Hill Wharf will encourage more people to visit Darwin and stay longer. With our beautiful harbour, waterfront restaurants, cruises, events and tourist attractions all within walking distance, this is exactly the type of location where visitors want to stay.

More visitors means more people spending money in our local economy. Hotels don't just benefit tourists—they also support local cafés, restaurants, bars, tour operators, retailers and many other small businesses. Increased tourism creates jobs, encourages further investment and helps strengthen Darwin's economy for everyone.

I also think developments like this help showcase Darwin as a modern and vibrant destination. When visitors have more accommodation choices in premium locations, it makes Darwin a more attractive place for holidays, conferences and business travel. This is especially important as we continue to grow tourism in the Top End.

The Stokes Hill Wharf precinct has become one of Darwin's most iconic destinations, and this development complements what is already there. Rather than taking away from the area, I believe it will bring more life, more people and more opportunities for local businesses to thrive.

Overall, I strongly support this proposal and believe it will have a positive impact on Darwin's tourism industry, local businesses and the wider community.

Thank you for considering my submission.

Kind regards,



Jasmine Miller

23 June 2026

Northern Territory Government
Development Consent Authority
Darwin Division

Dear Members

**RE: Development Application – Proposed Hotel Development at 39 Stokes Hill Road, Darwin Waterfront**

Darwin Hotel Partnership Pty Ltd (DHP) and DCW Hospitality Pty Ltd (DCW), as co-owners of the Adina Apartment Hotel Darwin Waterfront and Vibe Hotel Darwin Waterfront, welcome the opportunity to provide comments regarding the proposed hotel development at 39 Stokes Hill Road, Darwin Waterfront.

As long-term investors and landowners in the Darwin Waterfront precinct, DHP and DCW support investment that strengthens Darwin's visitor economy and contributes positively to the continued growth and success of the Waterfront.

Importantly, DHP and DCW do not object to additional tourism infrastructure within the Darwin Waterfront precinct and do not seek to comment on the commercial merits of the proposed hotel development.

Our comments relate solely to the proposal's relationship with the adjacent Larrakia Cultural Centre and the broader role that facility is intended to play within the Darwin Waterfront and the Northern Territory's tourism and cultural landscape.

The Larrakia Cultural Centre represents a significant public investment and an important cultural and tourism asset for the Northern Territory. It has the potential to become a landmark destination that provides visitors with a deeper understanding of the history, culture and continuing connection of the Larrakia people to Darwin Harbour and the surrounding region.

DHP and DCW recognise that matters relating of cultural significance are appropriately matters for the Traditional Owners and relevant cultural stakeholders. Our submission is made from the perspective of adjoining landowners and long-term investors in the Darwin Waterfront precinct. We respectfully submit that the significance of the Cultural Centre warrants careful consideration in the assessment of any major adjoining development.

As adjoining landowners and long-term investors in the precinct, DHP and DCW have a strong interest in ensuring that major developments within the Waterfront are planned in a manner that enhances the overall visitor experience, respects significant cultural infrastructure and contributes positively to the long-term success and character of the precinct.

In particular, we encourage the Development Consent Authority to consider whether the proposed development adequately protects and respects:

- the prominence and visibility of the Larrakia Cultural Centre within the Waterfront precinct;
- the visitor arrival experience and sense of place associated with the Centre;
- key sightlines and visual connections between the Centre, Darwin Harbour and surrounding public spaces;
- opportunities for future outdoor cultural activities, gatherings and activation associated with the Centre;
- the overall setting and character of the Cultural Centre as a landmark destination within the Waterfront precinct; and
- the long-term strategic objective of establishing the Centre as a nationally significant Indigenous cultural attraction.

We note that the planning documentation references the relationship between the proposed development and the Larrakia Cultural Centre and presents the proposal as complementary to the surrounding precinct. Given the significance of the Cultural Centre, we respectfully suggest that the Authority satisfy itself that sufficient consideration has been given to the cumulative impacts of the proposal on the Centre's prominence, setting, visitor experience and long-term success.

The Darwin Waterfront is one of the Northern Territory's most important tourism destinations. Its future success will be strengthened through the thoughtful integration of tourism, cultural and community infrastructure. The Larrakia Cultural Centre has the potential to become a defining cultural anchor within the precinct and a key element of Darwin's visitor experience for generations to come.

Accordingly, DHP and DCW respectfully submit that, before determining the application, the Authority should be satisfied that the proposal will not adversely affect the prominence, setting, visitor experience or future role of the Larrakia Cultural Centre as a landmark cultural destination.

We thank the Authority for considering our submission.

Yours faithfully





**Anna Guillan AM**
Chair
Darwin Hotel Partnership Pty Ltd

**Conor O'Toole**
Owner's Representative
DCW Hospitality Pty Ltd

**From:** Samuel Burke
**To:** Kaleb Thomas
**Cc:** Ralph Dsouza; Madison Harvey
**Subject:** DWC Comment - PA2026/0196
**Date:** Monday, 20 July 2026 2:29:04 PM

Dear Development Consent Authority

Darwin Waterfront Corporation (DWC), as the statutory authority responsible for the management and operation of the Darwin Waterfront Precinct, provides the following comments on the referred application in its capacity as precinct manager and as the authority responsible for adjoining public infrastructure, assets and open space.

DWC notes that this proposal is a private development on privately owned land within the Waterfront Precinct. DWC is not the landowner, applicant, developer or planning consultant and has had no involvement in the design, preparation or lodgement of the development application.

While the proposed hotel use is generally consistent with the established role and function of the Darwin Waterfront Precinct, the planning merits of the proposal, including its built form, height, design and compliance with the Northern Territory Planning Scheme 2020, are matters for the Authority's assessment, and DWC makes no comment on them. The comments below are confined to infrastructure, access and precinct operational matters within DWC's responsibilities.

## Traffic, Servicing and Construction

DWC notes that vehicular access is proposed via the existing access arrangements from Stokes Hill Road and that servicing, loading and waste collection activities are proposed to occur within the site. The Corporation considers it important that the development does not adversely impact the operation of the surrounding road network, nearby businesses, public facilities or precinct users during either construction or operation.

Should development approval be granted, DWC recommends that construction and operational arrangements be managed to ensure:

- A Construction Management Plan, prepared in consultation with DWC, be submitted and complied with, addressing construction traffic, pedestrian management and protection of precinct operations;
- safe and efficient vehicle and pedestrian access is maintained;
- servicing and waste collection activities occur wholly within the site; and
- construction traffic does not unreasonably impact precinct operations.

## Car Parking

The proposal includes on-site car parking intended to service both the proposed hotel and existing approved uses associated with the site. DWC notes that the applicant's parking assessment relies in part upon the availability of surrounding public parking facilities within the Waterfront Precinct, including parking associated with the Darwin Convention Centre and other public parking assets.

DWC considers that public parking infrastructure within the precinct is an important asset

supporting visitors, events, businesses and community activities. Limited additional parking has been provided as part of the Larrakia Cultural Centre development. Accordingly, parking demand generated by the development should not unreasonably displace existing users or adversely affect the operation of public parking facilities.

## Foreshore Pedestrian Connection

DWC strongly supports the provision of the proposed public foreshore pedestrian connection along the harbour frontage and through the site connecting to Stokes Hill Road. This connection has the potential to improve pedestrian permeability and strengthen long-term connectivity throughout the Waterfront Precinct by linking existing and future sections of the public foreshore network.

DWC notes that while a high-quality foreshore walkway and associated easement have been delivered as part of the neighbouring Larrakia Cultural Centre development, public access through that site was not secured as part of that approval, with the consequence that the foreshore pathway is presently fenced and inaccessible at both ends. The proposed development presents an opportunity to rectify this outcome and establish a continuous publicly accessible foreshore connection.

To ensure this public benefit is preserved, DWC recommends conditions requiring that:

- Public access over the foreshore pathway area be secured in perpetuity by a registered easement or other statutory instrument acceptable to Darwin Waterfront Corporation, at the developer's cost and in a form satisfactory to DWC; and
- ongoing maintenance, lighting, public liability insurance and management of the publicly accessible pathway remain the responsibility of the landowner at its cost.

## Works Affecting DWC Assets

Any works affecting Waterfront infrastructure, public spaces, pedestrian networks, services, landscaping or other assets under the control or management of DWC should be subject to DWC's prior approval and undertaken at the developer's cost.

Any damage to DWC assets or infrastructure resulting from construction or operation of the development should be rectified by the developer at its cost to the satisfaction of DWC.

## Conclusion

DWC's comments are limited to precinct management, access and infrastructure matters within its statutory responsibilities.

Should the Authority determine to grant consent, DWC requests that the matters outlined above be addressed through appropriate conditions of approval.

We would be pleased to provide any additional comments or clarifications if required.

Sam Burke

Deputy Chief Executive Officer | **Darwin Waterfront Corporation**
Level 5 Hospitality Complex, 7 Kitchener Drive, Darwin NT 0800
p. (08) 8999 5145

e. samuel.burke@nt.gov.au
w. waterfront.nt.gov.au | ABN 99 071 308 452

Civic Centre
Harry Chan Avenue
Darwin NT 0800

GPO Box 84
Darwin NT 0801

P 08 8930 0300
E darwin@darwin.nt.gov.au

Manager Urban Planning
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Please Quote: PA2026/0196

26 June 2026

To whom it may concern

**Parcel Description:** **Lot 07495 Town of Darwin**
**9 Stokes Hill Road, Darwin City**

**Proposed Development:** **Hotel/Motel (108 Suites) in 6 Storey Building**

Thank you for the development application referred to this office on 12 June 2026 concerning the above.

The subject site is located outside City of Darwin's municipal boundary and as a result, Council has no comments in relation to the above-mentioned application.

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

Signed by:
Nick Fewster
588889B041FDA219

**NICK FEWSTER**
**ACTING GENERAL MANAGER INNOVATION**

PowerWater

**Phone** 1800 245 092
**Web** powerwater.com.au

Record No: D2026/174692
Container No: NE200/7495

Your Ref: PA2026/0196

Kaleb Thomas
Development Assessment Services
GPO Box 1680
Darwin NT 0810

Dear Kaleb

**Re: Lot 7495 (39) Stokes Hill Road Darwin City Town of Darwin**

In response to your letter of the above proposal for the purpose of hotel/motel (108 suites) in a 6-storey building, Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. Existing power service from pillar P136CY to Lot 7495 does not have capacity to provide power supply to the proposed dwelling-multiple development.

2. There is no provision for substation power servicing for the proposed development on any submitted plan in the current application. The Proponent, The Pumphouse Gang Pty Ltd, (Pumphouse Gang) shall engage an accredited electrical consultant (from the attached accreditation list) to:
   - prepare a suitable location and appropriate dimensions of a suitable substation to PWC for acceptance assessment.
   - Submit details of AS-3000 maximum demand calculation of the hotel/motel including existing building on lot 7495.
   - Apply for a Negotiated Connection application under the Australian Energy Regulator (AER) compliance process.
   - Submit detailed power servicing design drawings in consultation with PWC.

3. PWC shall check and approve the consultant's electrical design drawings for construction by the Pumphouse Gang's engaged accredited contractor and carry out final connection works at applicable cost under the AER assessment process.

4. The Pumphouse Gang shall engage a licensed electrician to carry out the customer's internal electricity reticulation upgrade including new main switchboard for the proposed development in accordance with the PWC's current NP018-Service and Installation Rules 2024 and NP010-Meter Manual.

5. The Pumphouse Gang shall carry out the survey work and registration of all required electricity easements to Land Titles Office at no cost to Power and Water.

If you have any further queries, please contact Thanh Tang, Manager Distribution Development on 8924 5729 or email: PowerDevelopment@powerwater.com.au

Yours sincerely

(Caesar Yik)

for Thanh Tang
**Manager Distribution Development**

16 June 2026

PowerWater

**Phone** 1800 245 092
**Web** powerwater.com.au

Container No: LD200/7495

DLPE - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Kaleb Thomas

**RE: PA2026/0196 - Lot 07495 Town of Darwin - 39 Stokes Hill Rd, Darwin City NT - Hotel/motel (108 suites) in a 6 storey building**

In response to your correspondence regarding the above development application proposal, Power and Water Corporation (PWC), Water Services provides the following advice in relation to water and sewer enquiries:

1. The developer will be required to upgrade the existing water and sewer services and should contact Development Services prior to the commencement of construction.

2. The developer must ensure that the following requirements are met:

    a) Backflow prevention is installed at the water service in accordance with AS/NZS 3500.1 – Plumbing and Drainage - Water Services

    b) Where applicable, the device is tested annually in accordance with AS/NZS 2845.3 field testing and maintenance of testable devices.

    Visit https://www.powerwater.com.au/developers/water-development/backflow-prevention or contact BackflowPrevention.PWC@powerwater.com.au for all backflow prevention enquires.

3. An internal break tank may be required for firefighting purposes, as direct pumping from PWC water mains is not permitted.

    PWC recommends that the developer's hydraulic consultant confirm internal firefighting requirements with PWC prior to development, to ensure that flow capability can be adequately assessed.

4. The existing water and sewerage easements within the subject Lot are to be retained. Structures must not be located on or over a water supply or sewerage easement, or, where no easement exists, within a road reserve without obtaining prior written approval from PWC.

5. The development application drawings (Nos. A2206, A210 and A211) indicate proposed encroachments, in the form of car parking and a loading bay, over the easement. PWC has not granted approval for the proposed encroachments. The developer will be required to either remove the encroachments from the design or seek formal approval from PWC as a matter of urgency.

6. The developer must contact PWC regarding the temporary installation of cranes within the road reserve prior to the commencement of building construction. The developer must demonstrate how existing PWC assets affected by crane operations and crane foundations will be structurally protected, and obtain approval from PWC (and other relevant service authorities) prior to the installation of any cranes.

7. All works outlined above are to be carried out in accordance with PWC's Connection Code and at the developer's expense. A separate letter has been issued to the applicant outlining the applicable fees and charges for this development. All standard, quoted and contribution charges will be valid for a period of six (6) months from the date of issue of that letter. As required, PWC reserves the right to reassess the applicable charges for the development.

8. PWC advises that the Water and Sewer Development Services section (developer.concierge@powerwater.com.au) and the Power Networks Engineering Section (powerdevelopment@powerwater.com.au) must be contacted via email at least one (1) month prior to the commencement of construction works.

Should you have any further queries, please contact the undersigned on (08) 9463 2089 or via email Developer.concierge@powerwater.com.au.

Yours sincerely

Craig Thomas

Craig Thomas
**Development Services**

26 June 2026

cc: Joseph Sheridan
email: joe@sheridanconsulting.au

NORTHERN TERRITORY GOVERNMENT
Department of **LANDS, PLANNING AND ENVIRONMENT**

Level 1
Goyder Centre
25 Chung Wah Terrace

Postal address
PO Box 496
Palmerston NT 0831

E DevelopmentAssessment.DLPE@nt.gov.au

T 08 8999 4446

30 June 2026

Mr Kaleb Thomas
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Our Ref: DLPE2026/0232
Your Ref: PA2026/0196

Dear Mr Thomas

**Re: PA2026/0196 Hotel/motel (108 suites) in a 6-storey building**

The information provided for the above application has been assessed by the relevant divisions within the department, and the following comments are provided:

## Environment and Heritage Division

### Heritage Branch

In accordance with the provisions of the Northern Territory Planning Scheme (NTPS), the application should demonstrate how it's design and scale respond to and respects the role, character and constraints of the waterfront area and the surrounding escarpment, which includes heritage and cultural values (NTPS part 5 - Clause 5.9.2.4 Development within the Darwin Waterfront).

The application should also address Clause 5.9.2.9 – Public Domain Contributions for Development on Large Sites, with the requirement for open space to integrate and connect with '*sites of significant natural, cultural or heritage value'*.

The Darwin Waterfront's established role, character and constraints include the heritage and cultural values of the Larrakia people, sacred sites, the landscape, visitation, arrival, early contact, settlement, trade and defending territory. A heritage and cultural trail marked with interpretive signage is distributed throughout the Darwin Waterfront Precinct and also highlights declared heritage places that recognise these values. A copy of the heritage and cultural trail is available online[1].

The Darwin Waterfront Precinct and its connection to Darwin Harbour sits within a significant historic and cultural place. Development that is appropriately scaled, suitably massed and with consideration for siting and orientation can enhance the Darwin Waterfront Precinct character.

[1] https://territorystories.nt.gov.au/10070/493176/0

Enhancing the historic and cultural elements help knit the area together to create a meaningful and character filled Darwin Waterfront Precinct.

The Heritage Branch recommends that the application be supported by an assessment on how the heritage and cultural values are included in the proposed development to demonstrate how it responds to and acknowledges the role, character and constraints of the Darwin Waterfront that is inclusive of heritage and cultural values (NTPS Clause 5.9.2.4 – Development within the Darwin Waterfront).

The application should address the proposed development's ability to respond to:

- Continuing views of the wharf and Darwin Harbour.
    - Darwin Harbour was the prime site of early visitation to the region with Port Darwin becoming a recognised point of arrival for visitation, early cross-cultural contact, trade and defence.
    - The harbour was the stage on which many crucial scenes of World War II were played out; this story is currently told along the pedestrian sea wall (site 6 on the heritage and cultural trail) that is afforded a relatively uninterrupted view of the wharf and harbour including across Lot 7495, Town of Darwin.
- Enhancing the interpretation of the Darwin Waterfront Precinct's heritage and cultural values, through public domain contributions (NTPS - 4.6.4 Clause 5.9.2.9). The reclamation of Lot 7495 Town of Darwin's would have concealed part of the early stone embankment along the edge of the road leading to the wharf. A small amount of this locally quarried stone embankment exists at the termination of Stokes Hill Road/the beginning of the wharf (Picture 1). Proposed development of Lot 7495 Town of Darwin has an opportunity to interpret the historic and cultural layers associated with the Lot. The heritage and cultural trail identify the historic railway, stone embankment, the abutment (land to sea) and the building and rebuilding of Stokes Hill Wharf (previously the Port Darwin Jetty or Railway Jetty) in this area.



**Picture 1** - Termination of Stokes Hill Road/the beginning of the wharf

- Considering views to and from the escarpment. Notably a Larrakia sacred site connected with Stokes Hill is in proximity to this proposed development. This site was impacted by the Naval Fuel Installation (NFI), which became a declared heritage place marking the broader impact of wartime build-up within the Northern Territory (NT) for the defence of Australia and the

Pacific. Views to and from these heritage and cultural places should be considered by the proposed development.

- The location of the new Larrakia Cultural Centre which will constitute a significant place of culture and history into the future.

Responses should consider the built form as well as interpretive strategies.

The Heritage Branch can provide further information on the historic and cultural values of the Darwin Waterfront Precinct, please contact heritage.branch@nt.gov.au.

## Land Resources Division

### Land Management Unit

Based on a desktop assessment the Land Management Unit provides the following advice.

Due to proximity of sensitive receiving environments and the duration of the proposed works, it is recommended that preparation and implementation of an Erosion and Sediment Control Plan (ESCP) be included as a condition on the Development Permit, in accordance with the wording below.

Condition Precedent:

1. Prior to the commencement of works, a Type 2 Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Lands, Planning and Environment (DLPE) ESCP Procedures (Note 1).

2. The ESCP must be certified by a suitably qualified and experienced professional (Note 2) and must be submitted to Development Assessment Services (via email: das.ntg@nt.gov.au).

General Condition:

1. Should the certified Type 2 ESCP require amendment, the revised ESCP must be certified by a suitably qualified and experienced professional and submitted to Development Assessment Services (via email: das.ntg@nt.gov.au).

2. All works relating to this permit must be undertaken in accordance with the certified Type 2 ESCP.

3. At completion of works, certification must be provided by a suitably qualified and experienced professional regarding satisfactory implementation of permanent erosion and sediment control measures and site stabilisation. This certification must be submitted to Development Assessment Services via email: das.ntg@nt.gov.au.

Permit Notes:

1. The DLPE Erosion and Sediment Control Plan (ESCP) Procedures factsheet is available at: https://environment.nt.gov.au/rangelands/technical-notes-and-fact-sheets/land-management-technical-notes-and-fact-sheets.

2. A suitably qualified and experienced professional in erosion and sediment control as defined by the International Erosion Control Association (IECA) Australasia – https://austieca.com.au/esc-certification/suitably-qualified-professional.

3. Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at https://austieca.com.au/home and Land Management Factsheets available at https://nt.gov.au/environment/soil-land-vegetation. For further advice, contact the Development Coordination Branch on (08) 8999 4446.

### Land Assessment Branch

The proposed development has the potential to create acid sulfate soils and consideration should be made to manage and mitigate acid sulfate soils during the development. Any proposed works should be undertaken in accordance with the National Acid Sulfate Soils Guidance[2]. Jurisdictional guidelines such as the Queensland Acid Sulfate Soil Technical Manual, Soil Management Guidelines, Version 5.1 (Dear et al. 2024)[3] and the Western Australian Acid Sulfate Soils Guidelines Series (DER 2015)[4] may also be referenced.

Essential to an investigation is the requirement for Chromium Reducible Sulfur (CRS) soil testing at an appropriate site density and to a soil depth immediately below the proposed disturbance. If acid sulfate soils are detected through CRS testing, and exposure of these soils is unavoidable then an acid sulfate soil management plan is required. Depending on the scale of the project, the acid sulfate soil management plan should include the following:

- exact location of the proposed disturbance;
- depth and volume of soil to be disturbed ($m^3$);
- clearly presented CRS results;
- acid base accounting results which clearly indicate an accurate liming rate;
- appropriately designed treatment pads; lime/soil mixing regimes; and
- an appropriate monitoring program.

## Lands and Planning Division

### Building Advisory Services

All building works on the site are to comply with the *Building Act 1993*, the Building Regulations 1993, and the National Construction Code. Based on the information currently available, Building Advisory Services do not foresee any potential issues with the proposed development. This advice is subject to the relevant building practitioners and stakeholders being engaged, and all legal obligations being met.

## Environmental Regulation Division

Based on the information provided, the proposal does not appear to trigger the licensing requirements of an Environment Protection Approval under the *Waste Management and Pollution Control Act 1998* (WMPC Act). Activities requiring authorisation are listed in Schedule 2 of the WMPC Act.

[2] https://www.waterquality.gov.au/issues/acid-sulfate-soils
[3] https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/6d880993-4b80-45e3-9110-5c24fa7a7e75/soil-management-guidelines-version-5.1_1nov-2024_final.pdf?ETag=4174c06c44ba197679d49cf58cbb8f88
[4] https://www.wa.gov.au/system/files/2023-04/Identification-and-investigation-of-acid-sulfate-soils-and-acidic-landscapes.pdf

Under the WMPC Act, all persons have statutory obligations to take all reasonable and practicable measures to prevent or minimise pollution and environmental harm, and to reduce the amount of waste generated. This is known as the General Environmental Duty, set out in section 12 of the WMPC Act. The proponent is responsible for ensuring that their activities comply with these obligations.

Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website[5].

The proponent is advised to take notice of this non-exhaustive list of environmental issues that should be considered to help satisfy General Environmental Duty:

1. **Dust**: The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.

2. **Noise:** The proponent must ensure that noise levels from the premises comply with the latest version of the Northern Territory Noise Management Framework Guideline[6].

   If the proposal is situated where there are existing activities nearby that may already generate noise, please see the Guideline: Recommended Land Use Separation Distances[7].

3. **Erosion and Sediment Control (ESC):** The proponent must ensure that pollution and/or environmental harm do not result from soil erosion.

   ESC measures must be employed prior to and throughout the construction stage of the development. Larger projects should plan, install and maintain ESC measures in accordance with the current International Erosion Control Association (IECA) Australasia guidelines[8].

   Where sediment basins are required by the development, the NT EPA recommends the use of at least Type B basins, unless prevented by site specific topography or other physical constraints.

   Basic advice for small development projects is provided by the NT EPA document: Guidelines to Prevent Pollution from Building Sites[9].

4. **Storage:** Where an Environmental Protection Approval or Environmental Protection Licence is required, the proponent must act in accordance with that authorisation.

   If an Environment Protection Approval or Environment Protection Licence is not required, the proponent must store liquids only in secure bunded areas in accordance with VIC EPA Publication 1698: Liquid storage and handling guidelines[10]. Where these guidelines are not relevant, the storage must be at least 110% of the total capacity of the largest vessel in the area.

5. **Site Contamination**: If the proposal relates to a change of land use or if the site is known to be contaminated, a contaminated land assessment may be required in accordance with the National Environment Protection (Assessment for Site Contamination) Measure (ASC NEPM).

[5] https://ntepa.nt.gov.au/publications-and-advice/environmental-management
[6] https://ntepa.nt.gov.au/__data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf
[7] https://ntepa.nt.gov.au/__data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf
[8] https://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document
[9] https://ntepa.nt.gov.au/__data/assets/pdf_file/0010/284680/guideline_prevent_pollution_building_sites.pdf
[10] https://www.epa.vic.gov.au/about-epa/publications/1698

The proponent is encouraged to refer to the information provided on the NT EPA website[11] and the NT Contaminated Land Guidelines[12].

6. **Waste Management - Import and Export of Fill**: The proponent must ensure all fill imported or exported as part of the activity must be certified virgin excavated natural material (VENM) in accordance with the NSW EPA guidelines[13].

   All imported fill material must be accompanied by details of its nature, origin, volume, testing and transportation details. All records must be retained and made available to authorised officers upon request. The proponent should also consider the following NT EPA Fact Sheet: Illegal Dumping - What You Need to Know[14].

7. **Odour or Smoke**: The proponent must ensure that nuisance odours or smoke are not emitted beyond the boundaries of the premises.

   If the proposal is situated where there are existing activities nearby that may already generate odour or smoke, please see the Guideline: Recommended Land Use Separation Distances[15].

8. **Water:** The proponent must ensure stormwater is not polluted, refer to water management in the NT EPA guidelines to Prevent Pollution from Building Sites[16].

   If this activity requires the discharge of waste to water or could cause water to be polluted, then a waste discharge licence under the *Water Act* 1992 may be required. Please refer to the Guidelines on Waste Discharge Licencing under the Northern Territory *Water Act 1992*[17].

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentAssessment.DLPE@nt.gov.au or phone (08) 8999 4446.

Yours sincerely

Maria Wauchope
Executive Director Land Resources

[11] https://ntepa.nt.gov.au/your-environment/contaminated-land
[12] https://ntepa.nt.gov.au/__data/assets/pdf_file/0020/434540/guideline_contaminated_land.pdf
[13] https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/virgin-excavated-natural-material
[14] https://ntepa.nt.gov.au/__data/assets/pdf_file/0008/285740/factsheet_illegal_dumping_what_you_need_know.pdf
[15] https://ntepa.nt.gov.au/__data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf
[16] https://ntepa.nt.gov.au/_media/waste-and-pollution/pdf/guidelines/guideline_prevent_pollution_building_sites.pdf
[17] https://ntepa.nt.gov.au/__data/assets/pdf_file/0005/950603/guidelines-waste-discharge-licensing.pdf

NORTHERN TERRITORY GOVERNMENT
Department of **LANDS, PLANNING AND ENVIRONMENT**

Level 1
Goyder Centre
25 Chung Wah Terrace

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PO Box 496
Palmerston NT 0831

E DevelopmentAssessment.DLPE@nt.gov.au

T 08 8999 4446

30 July 2026

Mr Kaleb Thomas
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Our Ref: DLPE2026/0293
Your Ref: PA2026/0196

Dear Mr Thomas

**Re: PA2026/0196 Hotel/motel (108 suites) in a 6-storey building- amended plans submitted**

The amended plans provided for the above application has been assessed by the relevant divisions within the department, and the following comment is provided:

## Environment and Heritage Division

### Heritage Branch

The Heritage Branch has reviewed the additional information provided and advises that it has no further comments.

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentAssessment.DLPE@nt.gov.au or phone (08) 8999 4446.

Yours sincerely

Maria Wauchope
Executive Director Land Resources

**From:** Bhakthi Rao on behalf of DevRoads NTG
**To:** Kaleb Thomas
**Cc:** DevRoads NTG; Das NTG
**Subject:** TRM: RE: "PA2026/0196 Lot 07495 Town of Darwin" - New Application Submitted
**Date:** Tuesday, 7 July 2026 4:58:28 PM
**Attachments:** image001.png
image003.png

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Good afternoon, Kaleb

I refer to the Development Assessment Services' correspondence of 2 July 2026 regarding Planning Application PA2026/0196 on Lot 07495 Town of Darwin.

I am pleased to advise that Transport and Civil Infrastructure (TCI), Department of Logistics and Infrastructure (DLI) has no objection or comments in principle to the above mentioned development.

Kind Regards,

**Bhakthi Rao**
Assessment Officer
Corridor Management and Design, Transport & Civil Infrastructure
Department of Logistics and Infrastructure

Floor 3, Highway House, Palmerston Circuit, Palmerston
PO Box 61, Palmerston, NT 0831
t. 08 89994550
e. bhakthi.rao@nt.gov.au




The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.

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**From:** Kaleb Thomas <Kaleb.Thomas@nt.gov.au>
**Sent:** Thursday, 2 July 2026 9:34 AM
**To:** DevRoads NTG <DevRoads.NTG@nt.gov.au>
**Subject:** 'PA2026/0196 Lot 07495 Town of Darwin' - New Application Submitted

Good morning

A new development application has been received over:

Lot 7495 (39) Stokes Hill Road, Darwin City, Town of Darwin

For the purpose of:

Hotel/motel (108 suites) in a 6 storey building

I note that the application was originally publicly exhibited between 12 June and 26 June 2026, and not circulated to TCI during this time as the site is not located adjacent to an NTG managed road (T20-1040 Darwin Region - map 1). However, a review of nearby applications found that TCI have been previously circulated applications in the Darwin Waterfront, and as such, we're belatedly seeking comments in this instance.

As such, TCI are invited to review the application material through ILIS/as attached and provide written advice or comments no later than 17/07/2026 (2 weeks). As the exhibition period has ended on ILIS, I have attached a copy of the application and you may need to provide any comments directly to me.

You can request a longer submission period to provide advice or comment on this application if required, by emailing myself. Please include reasons in support of the extension.

Thank you

Kaleb

**Kaleb Thomas**

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

Floor 1, Energy House, 18-20 Cavenagh Street, Darwin City
GPO Box 1680, Darwin City, NT 0801

P: **+61 8 8999 7414**
E: kaleb.thomas@nt.gov.au

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Please consider the environment before printing this email

**From:** Bhakthi Rao on behalf of DevRoads NTG
**To:** Das NTG
**Cc:** Kaleb Thomas; DevRoads NTG
**Subject:** RE: PA2026/0196 | Amended documents received - Part 1 of 2
**Date:** Wednesday, 29 July 2026 3:50:04 PM
**Attachments:** image001.png

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Good afternoon, Kaleb

I refer to the Development Assessment Services' correspondence of 17 July 2026 regarding Planning Application PA2026/0196 (Amended documents) on Lot 7495 Town of Darwin.

I am pleased to advise that Transport and Civil Infrastructure (TCI), Department of Logistics and Infrastructure (DLI) has no objection or comments in principle to the above mentioned development.

Kind Regards,

**Bhakthi Rao**
Assessment Officer
Corridor Management and Design, Transport & Civil Infrastructure
Department of Logistics and Infrastructure

Floor 3, Highway House, Palmerston Circuit, Palmerston
PO Box 61, Palmerston, NT 0831
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The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.

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**From:** Kaleb Thomas <Kaleb.Thomas@nt.gov.au> **On Behalf Of** Das NTG
**Sent:** Friday, 17 July 2026 6:33 PM
**To:** Kaleb Thomas <Kaleb.Thomas@nt.gov.au>
**Subject:** PA2026/0196 | Amended documents received - Part 1 of 2

Good afternoon

This email is in relation to PA2026/0196, which is for a hotel/motel (108 suites) in a 6 storey building at Lot 7495 (39) Stokes Hill Road, Darwin City, Town of Darwin.

Please see attached for amended plans provided by the applicant in response to queries from Development Assessment Services (DAS), and matters raised by public submissions and service authorities. Please note that this email will contain the amended plans, with a

subsequent email to contain a response to viewshed matters.

While we are willing to accept any further responses from public submitters or service authorities, the attached documentation is provided for your reference, with no response being necessary. However, if you would like to provide an additional response/comments, please provide them by 31 July 2026 to allow for them to be incorporated into the DAS report to the DCA, or alternatively as an addendum to that report.

All public submitters will receive an invitation to attend the Development Consent Authority meeting for this application, which has been tentatively scheduled for Friday 7 August 2026. Please note that you will receive an email invitation to the DCA meeting 1 to 2 weeks before that scheduled meeting from the DCA secretary, following standard practice.

Let me know if you would like to clarify or query the above.

Thank you

Kaleb

**Kaleb Thomas**
Senior Planner
Development Assessment Services
Department of Lands, Planning and Environment

Floor 1, Energy House, 18 Cavenagh Street, Darwin CIty
GPO Box 1680, Darwin City, NT 0800

**t.** 08 8999 7414
**w.** https://environment.nt.gov.au/

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The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.

**From:** Danielle Freemantle on behalf of GMTSS DLI
**To:** Das NTG
**Cc:** GMTSS DLI
**Subject:** TRM: DLI Comment: "PA2026/0196 Lot 07495 Town of Darwin" New Application Submitted
**Date:** Wednesday, 17 June 2026 9:54:00 AM

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Good morning,

The Department of Logistics and Infrastructure, Public Transport, advises nil comment as this DA will not be an impact on buses as they do not operate in the vicinity of 39 Stokes Hill Road.

Kind Regards,

**Danielle Freemantle**
Senior Executive Officer
Transport Safety and Services
Department of Logistics and Infrastructure

Level 2, Energy House, 18-20 Cavenagh Street Darwin
GPO Box 2520, Darwin, NT 0801

**t.** 08 8924 7835
**e.** danielle.freemantle@nt.gov.au

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The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.

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**From:** Das NTG <Das.NTG@nt.gov.au>
**Sent:** Friday, 12 June 2026 8:46 AM
**To:** Cindy-Lee McDonald <Cindy-Lee.McDonald@nt.gov.au>
**Subject:** 'PA2026/0196 Lot 07495 Town of Darwin' - New Application Submitted

Dear Passenger Transport - DLI,

A new development application has been received over:

- Lot 07495 Town of Darwin, 39 Stokes Hill Rd, Darwin City NT

For the purpose of:

- Hotel/motel (108 suites) in a 6 storey building

In accordance with the requirements of the Planning Act 1999, you are invited to

review the application material through ILIS and provide written advice or comments no later than 26/06/2026.

You can request a longer submission period to provide advice or comment on this application if required, by emailing the project officer or das.ntg@nt.gov.au. Please include reasons in support of the extension.

If you have any enquiries, please feel free to contact Development Assessment Services Darwin, 8999 6046.

Kind Regards,
Development Assessment Services

Aboriginal Areas
Protection Authority
protecting sacred sites across the territory

Development Assessment Services
Department of Lands, Planning and the Environment

*Via email:* DAS.NTG@nt.gov.au

To whom it may concern,

**RE: DEVELOPMENT APPLICATION PA2026/0196 – LOT 07495 TOWN OF DARWIN – HOTEL/MOTEL (108 SUITES) IN A 6 STOREY BUILDING.**

Thank you for the opportunity to comment on the above application (the Application).

The Aboriginal Areas Protection Authority (the Authority) is an independent statutory authority established under the *Northern Territory Aboriginal Sacred Sites Act 1989* (the Act). The Authority is responsible for assisting in the protection and registration of Aboriginal sacred sites across land and waters in the Northern Territory.

The protection of sacred sites is recognised as an important element of the Territory's cultural heritage. In performing its functions, the Authority seeks to facilitate the protection of sacred sites while enabling appropriate development outcomes.

The Authority has reviewed the Application and notes that Lot 7495 Town of Darwin (the Lot) is not covered by an existing Authority Certificate, and that no application has been lodged in relation to the proposed hotel development.

While Authority Certificates are not mandatory (other than under the *Petroleum Act*), they provide an effective mechanism for identifying and avoiding impacts to sacred sites. An Authority Certificate also provides proponents with certainty regarding sacred site constraints and may afford a defence to prosecution under section 34(1) of the Act where its conditions are complied with.

The Lot is located in the vicinity of Stokes Hill, which is a registered sacred site. Larrakia custodians have previously expressed the view that development in proximity to Stokes Hill should not exceed the height of the site.

While the proposed development appears to be lower than Stokes Hill, this assessment is preliminary and based on limited publicly available information (including desktop review tools such as Google Earth), rather than a detailed or verified survey.

Yours sincerely,

Jayde Manning
Ministerial and Policy Officer
25 June 2026

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Airport Development Group

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Eaton NT 0820
T +61 8 8920 1811
E informationdarwin@adgnt.com.au
ABN 77 081 422 915

25 June 2026

**Development Assessment Services**
Department of Lands, Planning and Environment
GPO Box 1680
Darwin NT 0801
das.ntg@nt.gov.au

*Submission uploaded direct to NT Government ILIS*

Dear Development Assessment Services,

**RE: PA2026/0196 Lot 07495 Town of Darwin, 39 Stokes Hill Rd, Darwin City – Hotel/motel (108 suites) in a 6 storey building**

Thank you for your email of 12 June 2026, with reference to online exhibition material and the opportunity for Airport Development Group (ADG) to provide comment.

ADG notes the Statement of Effect describes the proposal as a 6-storey hotel comprising 54 x 2-bedroom suites & 54 x 1-bedroom suites 39 Stokes Hill Road, Darwin Waterfront.

ADG offers the following comments for Development Assessment Services' consideration:

1. **Location in relation to the airport**

   Darwin International Airport is a joint-user operation with the Department of Defence (RAAF Base Darwin).

   The site lies approximately 6.5km south-west of the aerodrome reference point.

2. **Assessment against National Airports Safeguarding Framework (NASF)**

   Guideline A – Managing impacts of aircraft noise (ANEF)

   - The site lies outside the 20 ANEF contour of the joint military–civil 2043 ANEF.
   - The site lies outside the 2043 joint military–civil N70 contours.
   - The site lies outside the 2043 civil only Night N60 contours.

Guideline B – Building-generated windshear and turbulence

The site lies outside the assessment footprints for building-generated windshear and turbulence.

Guideline C – Wildlife hazard management

The site lies within 13km of the Darwin International Airport aerodrome reference point. There must be no site activity that attracts birds and wildlife that could create a hazard for aircraft operations.

In accordance with NASF Guideline C, the site lies within Area B (within 3-8km of the airport). The NASF Wildlife Hazard Management Action Table advises that a 'hotel/motel' land use type in Area B is considered a 'very low' wildlife attraction risk. It is assigned the action 'No Action'.

Guideline E – Lighting in the vicinity of the airport

The site lies outside the 6km radius compliance limit of Darwin International Airport.

Guideline F – Safeguarding airspace

Airspace around leased federal airports such as Darwin is protected under the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 2026*. As Darwin is a joint-user airport with RAAF Base Darwin the *Defence Regulations 1996* also apply.

ADG has assessed this proposal against the protected airspace for Darwin International Airport:

- The Ground RL at the site is 5.9m AHD.
- Development plan and drawings indicate the max height of the building (hotel rooftop access) to be 26.6m (i.e. 32.5m AHD).
- The location falls under the Conical Surface (140m AHD).
- The structure is below the OLS surface.
- The structure is below the PANS-OPS surface.
- Crane operations used during the construction may infringe the OLS or PANS-OPS surface and will require submission of a separate crane application, subject to approval.

Should you have any queries regarding ADG's comments, feel free to contact me at planning@adgnt.com.au.

Yours sincerely,

Victoria Moore

**Victoria Moore**
Regulatory & Planning Manager