AGENDA ITEM: 1  MEETING DATE: 07/08/2020  FILE: PA2020/0178

APPLICATION: Alterations and additions to an existing multiple dwelling development with a reduced front setback
APPLICANT/CONTACT: One Planning Consult / Tshepo Kgosiemang
LAND OWNER: Unit 1: Melissa Eu-Lin Wee
Units 2-6: Andrew Lay Beng Wee & Karen Mary Wee
Unit 7: Jarrod Eu-Chin Wee
LOCATION: Lot 1260 (6) Marsina Court, Town of Darwin (Bookmark A)
ZONE: HR (High Density Residential)
AREA: 769m²

1. PROPOSAL

The proposal is for the addition of an elevator to the front of an existing five storey building which is comprised of seven multiple dwellings (5 x 2 bedroom and 2 x 3 bedroom). The intention of the proposal being the improvement of accessibility to the upper levels of the building, providing access to the first four levels. The design of the elevator addition also includes planter boxes at levels one and three, open pergola roof structures to levels three and four, as well as landing areas at each level which join the elevator entrance door to the existing balconies on levels one to four.

A location plan is included at Bookmark A and site photos at Bookmark B1. A copy of application documents as exhibited are included at Bookmarks B3 – B4.

2. REASON FOR APPLICATION

An application is required for planning permission as Dwelling-multiple in Zone HR (High Density Residential) of the Northern Territory Planning Scheme 2020 (NTPS2020) is a Merit Assessable use and requires consent. Furthermore, the proposal requests a variation under Clause 5.2.4.1 (Parking Requirements), as well as a variation to the primary street setback required by Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

3. ASSESSMENT SYNOPSIS

This report concludes that the Authority should defer the application, in order to allow the applicant time to provide amended plans, so as to comply with the car parking requirements under Clause 5.2.4.1 (Parking Requirements) of NTPS2020.

4. BACKGROUND

The site is a square shaped lot of 769m² in Zone HR (High Density Residential), situated on the south-eastern side of Marsina Court which runs off Mitchell Street and meets Smith Street at the end of the cul-de-sac. The site is currently developed with seven Dwellings-multiple (5 x 2 bedroom and 2 x 3 bedroom). The adjacent sites are also within Zone HR (High Density Residential).

The site has the following planning history:
On 12 May 1999, Development Permit DP99/0179 was issued for the purpose of ‘5 x 2 and 2 x 4 bedroom flats in a five storey structure’. The approved design included an internal elevator within the centre of the building. A copy of the permit and endorsed drawings can be viewed at Bookmarks C3 & C4.

On 18 January 2000, a Variation to Development Permit DP99/0179 application for the purpose of ‘removing the lift from the building’ was refused by the NT Planning Authority for the reason that ‘the residential amenity of the dwellings will be compromised by the removal of the lift facility, as access to residences located on higher levels of the development will be inadequate’.

On 10 April 2000, a Variation to Development Permit DP99/0179 application for the purpose of ‘removing the lift from the building’ was approved by the NT Planning Authority for the reason that ‘the proposed building is considered to have improved residential amenity and architectural amenity’. A Copy of the variation permit and endorsed drawings can be found at Bookmarks C1 & C2.

5. PUBLIC EXHIBITION

The application was advertised in the NT News on 12 June 2020 and placed on public exhibition for a period of two weeks, as per the requirements of the Planning Act 1999, prior to the recent amendments to the Act being made. No public submissions were received under section 49(1) of the Planning Act 1999.

6. THIRD PARTY APPEAL RIGHTS

There is no right of appeal by a third party under section 117 of the Planning Act 1999 in respect of this determination, as no submissions were received under section 49(1) of the Planning Act 1999.

7. MATTERS TO BE TAKEN INTO ACCOUNT (SECTION 51 OF THE PLANNING ACT 1999)

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

An amendment to the Planning Act 1999 took effect on 31 July 2020. The amendment to the Planning Act 1999 includes transitional provisions in section 167(2) which states:

If:

a) an application was made to the former Authority as consent authority under section 48, 57 or 58 of the former Act; and

b) a hearing in respect of the application had not been commenced under the former Act, this Act applies to the application as if it were an application under section 46, 59 or 57, respectively, of this Act.

Subsequent to the application being submitted, the Northern Territory Planning Scheme (2007) was repealed and the Northern Territory Planning Scheme 2020 (NTPS2020) took effect on 31 July 2020.

It is noted that at the time the application was submitted, the Northern Territory Planning Scheme (2007) was in effect, and was addressed by the applicant in the Statement of Effect.

As a result of the application not having gone to a hearing before the commencement of the amendment to the Planning Act 1999, and to satisfy the requirements of Section 51 of the Planning Act 1999, the application is required to be assessed against NTPS2020. This
assessment has been undertaken by Development Assessment Services having regard to the applicant’s Statement of Effect and how this relates to the current provisions of NTPS2020 and amended Planning Act 1999.

The proposal has been assessed against the relevant clauses of NTPS2020 and a technical assessment against the plans is provided at Bookmark E.

Lot 1260 Town of Darwin situated within Zone HR (High Density Residential) of NTPS2020. The purpose of Zone HR (High Density Residential) is to provide for a range of high rise housing options close to activity centres, public transport, open space and community facilities, where reticulated services can support high density residential development.

Dwelling-multiple development in Zone HR is classed as Merit Assessable in the zoning table, thereby requiring the Authority to exercise discretion in determining the application. As prescribed under Clause 1.10(3) (Exercise of Discretion by the Consent Authority), the Merit Assessable level of assessment requires that any non-compliances are considered against the relevant Part 5 clause purpose, administration and requirements of NTPS2020. Additionally, proposed variations to the development standards in Part 5 must also be considered against the Zone HR purpose in Part 4 of NTPS2020, in this case Clause 4.5 (Zone HR – High Density Residential), where guidance is provided by the Zone Purpose and Outcomes relevant to the variations sought. Also consideration of variations must be made under any area plan over the site, where relevant guidance is provided concerning the proposed variations. In this case the site falls within the area of the Central Darwin Area Plan (CDAP).

Analysis and discussion of the proposal against the relevant parts of NTPS2020 in accordance with Clause 1.10(3) (Exercise of Discretion by the Consent Authority) is provided below.

PART 5

Non compliances have been identified against the following clauses within Part 5 of NTPS2020:

- Clause 5.2.4.1 (Parking Requirements);
- Clause 5.2.4.2 (Parking Reductions); and
- Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures).

The following sections address the proposals non compliances in consideration of the relevant clause purposes and requirements.

Clause 5.2.4.1 (Parking Requirements)

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

The table to Clause 5.2.4.1 (Parking Requirements) requires Dwellings-multiple to provide two car parking spaces per dwelling. The sites existing development consists of seven multiple dwellings within a five storey building which are currently provided with a total of 14 on site car parking spaces, each dwelling allocated 2 car parking spaces under the existing Unit Plan U2001/013 (Bookmark D). The proposed elevator addition includes the removal of one car parking bay that is currently allocated to Unit 1, creating a shortfall of one car parking bay and leaving Unit 1 within only a single parking bay. Refer to Figure 1 below.
Sub-clause 1 (Administration) states that the consent authority may consent to a use or development that is not in accordance with the table to this clause, only if it is satisfied the use or development is appropriate to the site having regard to the purpose of this clause and the potential impact on the surrounding road network and the amenity of the locality and adjoining property.

Reducing the number of on-site car parking spaces in this instance would leave Unit 1 (two bedroom) with only one on-site parking bay, which is likely to result in additional vehicles being parked on-street within the surrounding street network, thereby negatively impacting the amenity of the locality. Even if the current owners of Unit 1 purposefully consent to the loss of one of their allocated bays at this point in time, the unit will eventually be sold or ownership transferred, leaving the new owners to grapple with a parking deficiency. The proposed reduction of car parking is therefore assessed as not being aligned with the purpose of this clause and is likely to negatively impact the amenity of the locality.

Clause 5.2.4.2 (Reduction in Parking Requirements)

The purpose of this clause is to provide for a use or development with fewer car parking spaces than required by clause 5.2.4.1.

1. The consent authority may consent to a use or development with fewer car parking spaces than required by clause 5.2.4.1 if it is satisfied that a reduction is appropriate for the use or development, having considered all the matters at sub-clause 2.

2. An application to reduce the number of car parking spaces is to demonstrate the reduction is appropriate with regard to:
   (a) the zoning of the land, the use or development or proposed use or development of the land and the possible future use or development of the land;
   (b) the provision of car parking spaces in the vicinity of the land; and
   (c) the availability of public transport in the vicinity of the land.

In consideration of the proposed car parking reduction against this clause, it is noted that there are no changes anticipated in respect to the future zoning of the land. The subject site and the immediate area surrounding the site are currently within Zone HR. As the building on site is only 20 years old, changes are not expected in the near future in relation to the existing use and development of the land as multiple dwellings. Alternative off-site car parking options in the vicinity of the development are limited to on-street parking in the local street network, which is not considered a desirable outcome given the potential negative impact on the amenity of neighbouring properties and the surrounding locality. As stated in the application material, the

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Figure 1. Changes to Car Parking Layout

Existing Site Plan

Proposed Site Plan

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development is located close to multiple bus routes, with a bus stop located at the corner of Mitchell Street and Marsina Court. However this is only one criteria met out of the three which are required to be satisfied under this clause. As such, the proposal does not sufficiently satisfy the multiple provisions of sub-clause 2 and is therefore assessed as not compliant with the clause purpose and requirements.

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

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

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

1. The consent authority may consent to a development that is not in accordance with sub-clause 5 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

5. Subject to clause 5.2.7, residential buildings and ancillary structures are to be setback from lot boundaries in accordance with table A or B (as the case requires) to this clause noting that no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum building setbacks (subject to the Building Code of Australia) from the lot boundaries.

The proposed elevator is four storeys tall, only servicing the first four levels of the existing five storey building. Therefore the applicable setback is prescribed by Table A to Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), which requires a 7.5m primary street setback.

The elevator addition is proposed to be setback by 4.15m and the attached open pergola roofs to levels three and four of the elevator structure setback 3.2m from the primary street (Marsina Court), in lieu of the 7.5m setback requirement under this clause. It is noted that the elevator itself is 2.375m wide and also includes planter boxes of 1.7m wide located on either side of the elevator structure on the first and third floors, which are supported by slimline poles running vertically between the planters on levels one and three. The proposed setback reduction is considered to be in accordance with the purpose of this clause as well as sub-clause 1, as the elevator structure only takes up a small proportion of the buildings front facade, thereby avoiding the perception of visual bulk or excessive expanse of blank walls when viewed from the street or adjoining properties. Furthermore, the inclusion of the planter boxes at levels one and three, combined with the pergola roof structures to levels three and four achieve additional architectural interest and modulation of the front facade, lessening any negative impact to the amenity of the streetscape or adjoining developments. Additionally, the elevator structure will not create any new overlooking issues, nor will it impede breeze penetration to any buildings on the subject site or adjoining properties.
PART 4

Clause 4.5 (Zone HR – High Density Residential)

The purpose of Zone HR is to provide for a range of high rise housing options close to activity centres, public transport, open space and community facilities, where reticulated services can support high density residential development.

This clause contains the following zone outcomes that are considered relevant to the proposed variations detailed in the sections above.

6. Innovative building design, site layout and landscaping that:
   a) responds to microclimates, including breeze flow;
   b) minimises privacy and overlooking impacts;
   c) reduces the appearance of building mass relative to its surroundings; and
   d) creates attractive outdoor spaces and enhances the streetscape.

The Zone HR (High Density Residential) purpose and outcomes detailed above do not provide any specific detail in respect to the provision of car parking and the related variation to Clause 5.2.4.1 (Parking Requirements). However the proposed primary street setback variation in relation to Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), being a reduced setback of 4.15m and 3.2m in lieu of 7.5m is interpreted to be consistent with zone outcomes listed under Clause 4.5(6) (Zone HR – High Density Residential), as the design of the elevator addition avoids creating the perception of excessive building mass or bulk, given its minimal footprint, the avoidance of blank walls, the inclusion of multi-level planter boxes and the attached open pergola roof structures which address the street. The proposed design also avoids the creation of overlooking issues, whilst ensuring the sites outdoor areas are maintained so as to be attractive in the context of the broader streetscape.

PART 2

Central Darwin Area Plan (CDAP)

CDAP provides a framework to guide progressive growth and development within central Darwin. The subject site is located within the CDAP study area, however it falls outside of the area plans focus areas. The site is broadly classified by CDAP as being in the Residential
Theme (High Density). Within established residential areas, such as Larrakeyah and Cullen Bay, this Area Plan supports development to the densities allowed by the current zoning to protect amenity. Objective 1.2 of the residential theme is to “encourage development that contributes to the amenity of the public realm and reflects the character of the area”. The corresponding acceptable responses to objective 1.2 are as follows:

i. “Building design responds to adjacent buildings and environments or adjacent buildings and environments reasonably anticipated.

ii. Development fronting existing and future public spaces responds to the role and function of the individual space and provides opportunities for passive surveillance.

iii. Bulk and scale of wide buildings is addressed through architectural design including, but not limited to, the presentation of multiple frontage types to the streetscape, modulation of the facade, or changes in material.

iv. Buildings provide interest and active frontages at street level. Large expanses of blank walls or inactive frontages are to be avoided”.

As detailed within the objective and acceptable responses outlined above, the proposed addition of an elevator includes a reduced setback to the primary street (Marsina Court), as well as the loss of one car parking bay which is required under the schemes car parking provisions as detailed above. These two variations to NTPS2020 requirements are considered in the context of CDAP as follows:

Car Parking Reduction
All of the subject sites seven existing multiple dwellings are currently provided with the required number of two car parking spaces each, 14 in total. The proposal seeks to remove one of the two car parks allocated for exclusive use to Unit 1, as indicated on Unit Plan U2001/013. Unit 1 is a two bedroom multiple dwelling located on the ground floor. This proposed car parking reduction to leave only a single car park for Unit 1 is not considered to be consistent with the relevant objectives of CDAP, as a shortage of car parking on site is likely to result in increased pressure on off-site street parking in the vicinity, thereby impacting negatively on the amenity of surrounding residential area and local road network.

Reduced Front Setback
The proposed elevator addition requires a reduced primary street setback of 4.15m (elevator) and 3.2m (open air pergola roof structures) to Marsina Court in lieu of the required 7.5m for a four storey structure. The elevator itself is 2.375m wide, the design also including planter boxes of 1.7m wide on either side of the elevator structure, included on both the first and third floors, supported by slimline poles running vertically between the planters on levels one and three, as well as the attached open pergola roofs to levels three and four of the elevator structure. The proposed setback reduction is considered to be consistent with the relevant objective of CDAP, as the elevator structure only takes up a small proportion of the buildings front facade, thereby avoiding the perception of visual bulk or excessive expanse of blank walls. Furthermore, the inclusion of the planter boxes and open pergola roof structures achieve additional architectural interest and modulation of the front facade, lessening any negative impact to the amenity of the streetscape.

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

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

(c) an interim development control order, if any, in respect of the land to which the application relates
There are no interim development control orders relevant to the site.

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

There are no environmental protection objectives relevant to the land.

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

No public submissions were received during the exhibition period under Section 49 of the Planning Act 1999 with respect to the proposal.

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

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

(g) if a public environmental report, or an environmental impact statement, has been prepared or is required under the Environmental Assessment Act in relation to the proposed development – the report or statement and the results of any assessment of the report or statement under that Act by the Minister administering that Act

The proposed development does not require the preparation of any environmental reports or impact statements under the Environmental Assessment Act 1982.

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

The Statement of Effect suggests the following merits of the development:

The provision of a lift facility in a 5 storey building will significantly improve accessibility to the all levels of the building. The proximity of the development to Darwin CBD area and major public transport and pedestrian corridor minimise the need to use private cars for travel especially by the development’s residents who work in the city.

The applications primary motivation to provide better access to the upper floors of the building is acknowledged as holding significant merit. Particularly the enhancement of access for those with physical disabilities who may find stairs difficult to use.

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

There are no concerns about the capability of the land to accommodate the proposed development. The site is 769m² and generally flat in its topography. The site is already developed with seven multiple dwellings within an existing five storey building. The lot being situated above the 1% AEP flood event.

(k) the public facilities or public open space available in the area in which the land is situated and the requirement, if any, for the facilities, or land suitable for public recreation, to be provided by the developer
There is no requirement to provide public facilities or public open space as part of the development.

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

The proposal was circulated to the following service authorities for comment. Summaries of comments received are provided below:

City of Darwin - Bookmark F1

The City of Darwin’s letter requests that any development permit granted include standard conditions and notes in respect to stormwater, verge landscaping works, dilapidation report, site construction management plan and easements.

Power Networks, Power and Water Corporation - Bookmark F2

Power Networks request the inclusion of a standard conditions and notes regarding any applicable electrical installations and upgrades for the development, as well as safety requirements concerning electrical work on high-rise buildings.

Water Services, Power and Water Corporation - Bookmark F3

Water Services has no objection to the proposal and requests standard conditions and notes be included in relation to easements and any required upgrades of sewer and water infrastructure.

Department of Environment and Natural Resources - Bookmark F4

DENR have assessed the information contained in the application and have not identified any issues or concern.

Power and Water Corporation’s and City of Darwin’s requirements can be addressed via the inclusion of standard conditions and notes on any development permit issued.

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

The proposed development is assessed as having a number of mixed impacts on the amenity which are summarised below.

Disabled Access
The addition of an elevator to the development will no doubt increase the amenity in terms of disabled access for both visitors and occupants of the subject sites existing a five storey building which contains seven multiple dwellings. This aspect of the proposal is supported in principal.

Reduced Primary Street Setback
The proposed reduction of the primary street setback requirement of 7.5m prescribed by Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures) to 4.15m and 3.2m for the elevator and pergola roof structures respectively, is not in keeping with the locality and is out of line with development on adjoining lots. However, the elevator structure has a minimal footprint relative to the existing building and only takes up a small proportion of the buildings front facade, thereby avoiding the perception of visual bulk or excessive expanse
of blank walls. Furthermore, the inclusion of the planter boxes at levels one and three, as well as open pergola roof structures to levels three and four achieves additional architectural interest and modulation of the front facade, lessening any negative effect to the amenity of the streetscape. Despite the amenity impacts noted above, the department does support the setback reductions as the proposal is assessed as meeting the purpose and requirements of Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures), as discussed in detail above.

**Car Parking Reduction**
The proposal in its current form will result in the reduction of one on-site car parking space, requiring a variation to Clause 5.2.4.1 (Parking Requirements). The car parking space proposed to be removed is currently allocated to Unit 1 within Unit Plan US2001/013. Under NTPS2020 provision, all Dwellings-multiple are required to have two on-site car parking bays. As there are no surplus car parking bays on-site, the loss of a car parking bays would leave Unit 1 with only one car park. The resulting car parking shortfall is likely to negatively impact the amenity of the development for current and future owners/occupants of Unit 1, which is a two bedroom multiple dwelling. Additionally, the proposed car parking reduction will result in an overflow of parking from the subject site onto the street, which will negatively impact the amenity of the surrounding area.

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

No detriment to public interest has been identified. The addition of an elevator to the existing building will improve access to the building for occupants of the multiple dwellings and visitors who have a physical disability.

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

Not applicable to this application.

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

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

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

Beneficial uses are declared under section 73 of the *Water Act 1992* for Darwin Harbour which incorporates the site. It is the responsibility of the developer and land owner to ensure that the land does not result in a contravention of the *Water Act 1992*.

(t) **other matters it thinks fit**

The following additional matters are raised for the Authorities consideration:
Permit History
As outlined in part 4 of this report, it is worth emphasising that on 12 May 1999, Development Permit DP99/0179 was issued for a development over the site for the purpose of ‘5 x 2 and 2 x 4 bedroom flats in a five storey structure’. The approved design under this permit did include an internal elevator within the centre of the building, whilst managing to provide the required number of fourteen car parking spaces (two spaces per dwelling). A copy of the permit and endorsed drawings can be viewed at Bookmarks C3 & C4.

The applicant then sought to remove the internal elevator through a Variation to Development Permit DP99/0179 application, which was refused by the NT Planning Authority for the reason that ‘the residential amenity of the dwellings will be compromised by the removal of the lift facility, as access to residences located on higher levels of the development will be inadequate’.

In response to the refusal, a second Variation to Development Permit DP99/0179 application was lodged for the purpose of ‘removing the lift from the building’. Under this second variation application, the proponent made improvements to elements of the overall design unrelated to the issue of access, such as higher quality windows and doors, in order to improve ventilation to the dwellings, so as to compensate for the proposed removal of the elevator. This application was subsequently approved by the NT Planning Authority for the reason that ‘the proposed building is considered to have improved residential amenity and architectural amenity’. A copy of the variation permit and endorsed drawings can be found at Bookmarks C1 & C2.

Unit Plan
Unit Plan U2001/013 was approved under the Unit Titles Act on 7 March 2001, a copy is available at Bookmark D. The second page of the Unit Plan shows the 14 car parks provided onsite and their allocations to the seven multiple dwellings, each dwelling allocated 2 spaces. The plan submitted with this current application for the proposed addition of an elevator, indicates the removal of one car bay currently allocated to Unit 1, located adjacent to the ground floor patio of Unit 1. If the proposal’s current design was to be approved, it would result in an inconsistency between the development permit and approved Unit Plan 2001/013. Furthermore, Unit 1 which is a 2 bedroom multiple dwelling would be left with only one car park which may negatively impact the use of the unit by future owners. Whilst the recommendation is to defer the application to allow the applicant to provide amended plans showing the required number of 14 car parking spaces, it is noted that any reconfiguration or reduction to the existing car parking layout will impact the approved Unit Title Subdivision. The Authority may wish to discuss alternate options and related issues with the applicant during the hearing.

8. RECOMMENDATION
That, pursuant to section 46(4)(b) of the Planning Act, the Development Consent Authority defer consideration of the application to develop Lot 1260 (6) Marsina Court, Town of Darwin for the purpose of alterations and additions to an existing multiple dwelling development with a reduced front setback, to require the applicant to provide the following additional information which is necessary in order to enable the proper consideration of the application:

- Amended plans which provide the required 14 car parking bays.

9. REASONS FOR THE RECOMMENDATION
1. The proposed development results in the loss of one car parking space, which may result in overflow of on-street parking from the site, thereby negatively impacting the amenity of the surrounding locality.
AUTHORISED: ................................................
EMMET BLACKWELL
PLANNER
DEVELOPMENT ASSESSMENT SERVICES
OWNER (S) AUTHORISATION FOR AN AGENT TO LODGE A DEVELOPMENT UNDER THE PLANNING ACT APPLICATION

Attention: Planning Branch – Department of Lands, Planning and the Environment

I/We ____________________________________________________________ Signed __________________________ Date ____________

Name ____________________________________________________________ Signed __________________________ Date ____________

Name ____________________________________________________________ Signed __________________________ Date ____________

(sign or affix company seal)

The owner/s / being duly authorised as signatory/s on behalf of the owner/s (delete as appropriate)

of Lot/NT Portion/Section No(s) __________________________________________

Town/Location of land __________________________________________________

Herewith, authorise (name of agent/applicant)

Mr TK Israel of One Planning Consult

to lodge a development application under the Planning Act in relation to the above-mentioned land.

Description of development application:

Installation a lift (elevator) to the multi-storey residential property.

Owner/ authorising person’s contact phone number

0419810141 or 89819777
1. Discussion

AW explained to all unit owners of the complex there had been many and constant requests over the years by tenants living on the high levels to install an elevator.

AW had sought the advice of Ray White Estate Agent, the property manager. The agent is of the opinion that the availability of an elevator would definitely help to attract tenants apart from increasing the value of the property.

2. Decision

It was unanimously resolved to proceed with the idea to add an elevator (lift) to the complex.

AW is tasked with the carriage of the project and report back to the owners as appropriate.

AS there was no further matter the meeting was declared closed.
APPLICATION FOR DEVELOPMENT CONSENT

SECTION 46 – PLANNING ACT

LOT 1260 (6) MARSINA COURT
TOWN OF DARWIN

PURPOSE:

LIFT FACILITY ADDITION TO AN EXISTING 5 STOREY BUILDING WITH A REDUCED FRONT SETBACK
1. Preliminary

1.1 Introduction Summary

The subject site is Lot 1260 (6) Marsina Court and has an area of 769m2 contained within zone HR (High Density Residential). The site has an existing 5 storey building with 7 multiple dwellings approved under Development Permit DP99/0179. The proposed lift will improve accessibility to the upper levels of the building.

1.2 Nature of Application

Pursuant to section 46 (1) of the Planning Act the application seeks planning approval for the purpose of adding a lift facility to an existing 5 storey building with a reduced front setback. The application is seeking a variation to the requirement of clause 7.3 (Building Setbacks of Residential Buildings) under the NT Planning Scheme and therefore requires planning consent.

1.3 Dimension Plans

This report has been prepared based on the drawings attached at APPENDIX A.

2.0 The Location and Zoning of Land

The subject site is 769m² in area and located in Larrakeyah suburb. It is nominated as HR (High Density Residential) land zoning and takes frontage to Marsina Court. The site is located adjacent and amongst land zoned HR (high Density Residential). The immediate and surrounding residential developments are a mix of two (2) to six (6) storey developments. The existing development and proposed addition which comprises a lift facility serving up to 4th storey of existing building is consistent and compatible with the built form within the area.

Figure 1 – location and zoning of the subject site, extract NT Atlas
The land is zoned HR (High Density Residential) and therefore is subject to all the relevant clauses of the Planning Scheme that apply to the land within Zone HR. The proposed development is consistent with the primary purpose of this zoning which is “... to provide high density housing options close to major roads, schools and other community facilities.”

3.0 Proposal

The proposed lift addition to an existing 5 storey building will enable easy access to the upper levels of the development and meet the current Building Code Australia standards for disabled compliant buildings. The proposed improvements will provide an increased level of amity and accessibility to future patrons including people with disability. The lift structure meets Australian standards relation to the use of lifts within the built environment. The look of the current building and proposed works are depicted at Figures 2 and 3 below.

The proposed addition results in loss of one (1) car park to dwelling unit number one (1) onsite. There are currently 14 car parks onsite with 2 car parks allocated for each of the 7 units onsite. The proponents own all the 7 units on site. The proposed lift is located towards the front boundary in the most practical area for access to all existing levels of the building. The application is seeking reduction (1 car park) in overall car parking requirement on site due to the reasons discussed under Clause 6.5.2 below.

Figure 2: The look of existing building development – Marsina Court Street View
4.0 Strategic Planning

4.1 NT Planning Scheme

Clause 2.7 of the NT Planning Scheme provides requirements regarding reference to policy documents in development applications. Clause 2.7 provides:

1. The interpretation of this Planning Scheme and the determinations of a consent authority must have regard to the policies and planning concepts expressed in those documents appearing in Part 8 or Schedule 2 and ensure that a use or development or proposed use or development is consistent with them.

2. Where there is an inconsistency between any applicable policy and this Planning Scheme, the provisions of the Planning Scheme will prevail.

Clause 2.7 of the NT Planning Scheme provides requirements regarding reference to guidelines documents in development applications. Clause 2.8 provides:

1. Applications for a use or development must demonstrate consideration of and the consent authority must have regard to any guidelines applicable to the use or development appearing in Schedule 3 and ensure that a use or development or proposed use or development is consistent with them.

2. Where there is an inconsistency between any applicable guideline and this Planning Scheme, the provisions of the Planning Scheme will prevail.

4.2 Central Darwin Area Plan

The Central Darwin Area Plan’s purpose is to guide the future development of land within Central Darwin. The Area Plan will inform the exercise of discretion when assessing requests to vary scheme provisions, change land use, and/or rezone property.

This Area Plan caters for the needs of the future population and business by...... recognising the established character of the residential areas of Larrakeyah and Cullen Bay, and the role these localities and the Darwin Waterfront play in providing housing diversity in close proximity to the city centre”. This Area Plan does not prevent the use of land consistent with the current town planning zone that applies to a site.

This Area Plan encourages housing designed to meet the needs of a wide variety of households. It encourages residential buildings that provide for a broad spectrum of demographic groups. The proposed lift addition will enhance accessibility to the building and provide options for a wide variety of households to have easy access to all levels of the building

4.2 Community Safety Design Guide

This Community Safety Design Guide advocates and encourages urban environments in the Northern Territory that are safe and feel safe. It is intended to be a guide that can be used by applicants as part of the design process, and as an assessment tool when the Consent Authority considers development applications. The Guide sets out recommended solutions as
to how development applications can comply with the key principles. Some guidelines may be more or less relevant to particular circumstances.

The proposed structure will enable one of the objectives of this guide under the residential urban context which is to promote a sense of community and improve the quality of life within residential areas. The design of the lift facility preserves the existing openings to the façade of the building in order to encourage casual surveillance of the public realm.

5.0 Statutory Planning and Consideration

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

6.5.1 Parking Requirements

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

Multiple dwellings development requires 2 car parking bays per dwelling.

The proposal is for a lift facility addition which results in a loss of 1 car parking bay onsite. Table to Clause 6.5.1 requires that on-site car parking be provided for the respective proposed uses. The proposed changes results in provision of a total 13 car parking spaces on site rather than 14 required.

Clause 6.5.2 (2) allows the Consent Authority to approve a use or development with fewer car parking spaces than required by Clause 6.5.1 if it is satisfied that a reduction is appropriate for the use or development, having considered:

(a) the zoning of the land, the use or development or proposed use or development of the land and the possible future use or development of the land;

The land is zoned HR (High Density Residential) and the existing use for multiple dwellings residential with prosed addition of a lift facility. The proposed access improvement to an existing 5 storey will enable easy access to all levels of the building.

(b) the provision of car parking spaces in the vicinity of the land; and

The subject site is located close to an area where there is an opportunity for on-street carparking, in particular, along Smith Street with generous road reserve. It is however noted that a reduction of one (1) on-site car park is unlikely to have adverse effect on the parking demands of the site as most of the residents on site have 1 car park per dwelling.

(c) the availability of public transport in the vicinity of the land; or

Public bus stop number 74 is located within walking distance from existing development. The bus stop is located along bus routes number 4 (Casuarina - Darwin via Charles Darwin University), 6 (Darwin - Darwin via Museum, Fannie Bay and Parap) and 14 (Darwin - Darwin via Cullen Bay and Darwin Waterfront Precinct including Convention Centre). The
site is located within proximity to pedestrian and cyclist linkage leading to Darwin Central Business District and Cullen Bay.

(d) the use or development relates to a heritage place and the Minister responsible for the administration of the Heritage Act supports the reduced provision of car parking spaces in the interest of preserving the significance of the heritage place.

There are no public records to suggest that the site is listed as heritage place.

6.5.3 Parking Layout

The purpose of this clause is to ensure that a car parking area is appropriately designed, constructed and maintained for its intended purpose. The NT Planning Scheme defines “car parking area” as an area set aside or designated for the parking of three or more motor vehicles.

The minimum car parking dimensions under the requirements of this clause are; 6m width for drive-way aisle and 5.5m x 2.5m for car parking bay. There are no significant changes proposed to alter existing access arrangements and general parking layout. Minor adjustment to the 2 car parks opposite the front of the building results in a loss of 1 car park to make way for the lift facility as shown on the site plan to proposed changes at APPENDIX A. Access to 90° angled car parks is maintained with a driveway projecting 1m beyond the last parking space (car park 11).

7.1 Residential Density and Height Limitations

7.1.1 Residential Density Limitations

There are no proposed changes to existing residential density. N/A

7.1.2 Residential Height Limitations

The purpose of this clause is to ensure that residential development is of a height that:
(a) is compatible with adjoining or nearby existing development or development reasonably anticipated; and
(b) does not unduly overlook adjoining properties.

The existing building is 5 storeys in height (16m actual maximum height) and the proposed lift facility is approximately 4 storeys in height (13m actual maximum height). The site (zoned HR) could potentially be developed up to 8 storeys under this clause.

7.3 Building Setbacks of Residential Buildings

The purpose of the clause is to ensure residential buildings and structures without external walls are located so:
• they are compatible with the streetscape and surrounding development including residential buildings on the same site;
• as to minimise any adverse effects of buildings massing when viewed from adjoining land and the street;
• as to avoid undue overlooking of adjoining properties; and
• as to encourage breeze penetration through and between buildings.

The existing and proposed building setbacks are as follows:

**To the Primary Street (Smith Street)**

Existing building is setback 9m from Marsina Court front lot boundary.
Existing verandah/balconies are setback at least 7.6m from Marsina Court front lot boundary.
Proposed lift facility is setback 4.15m from Marsina Court front lot boundary.
Proposed pergola at level 3 and 4 are setback 3.2 from Marsina Court front lot boundary.

A variation to reduce the setback requirement of 7.5m to 4.1m for the proposed lift facility is sought due to the following reasons:

• The proportion of encroaching structure is less imposing to the affected boundary due to the facades treatment which incorporates using a mixture of hard and light materials coupled with vertical vegetation planting to minimise visual bulk.

• The structural foot-print (21m2) of the encroaching facility is minor and designed in a staggered setback manner from the affected boundary with openings to the façade to promote a diminishing effect when viewed from the street.

• An addition of a lift structure to the development provides an increased level of amenity to the occupants of the building and future residents especially people with disability.

• The proposed pergolas to level 3 and 4 are light materials and open roof structures used to provide architectural embellishment to the lift structure and articulation at height when viewed the street.

**To the north eastern side boundary**

The existing building is setback 4.5m from the north eastern side boundary.

**To the south western side boundary**

The existing building is setback 4.5m from the south western side boundary.

**To the south eastern rear boundary**

The existing building is setback 6.24m from the south eastern rear boundary.
The existing balconies are setback 5m from the south eastern rear boundary.

**7.6 Communal Open Space**

The purpose of this clause is to ensure that suitable areas for communal open space are provided for hostels, multiple dwellings and supporting accommodation. A minimum of 15% of the site, being not less than 6m wide at any point, is to be communal open space.
7.7 Landscaping for multiple dwellings, hostels and supporting accommodation

1. The purpose of this clause is to ensure that landscaping for hostels, multiple dwellings, and supporting accommodation complements and enhances the streetscape, is attractive and pleasant and contributes to a safe environment.

2. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for hostels, multiple dwellings and supporting accommodation is to be landscaped.

There is no change to existing landscaping layout as the lift is in an area previously used as a car park. It is however noted additional landscaping is provided on garden beds at upper levels adjacent to the lift structure.

7.8 Building Design for multiple dwellings, hostels and supporting accommodation

The purpose of this clause is to promote site-responsive designs for hostels, multiple dwellings and supporting accommodation which are pleasant for the occupants and do not unreasonably affect the use and enjoyment of adjacent land.

2. Building design should:

(a) locate development on the site for correct solar orientation;

The building is existing, and the proposed addition does not affect the orientation of the building.

(b) minimise expanses of walls by varying building heights, building setbacks and façades;

The design integrates the lift structure to existing building’s façades in a manner that portions of the structure are recessed with openings and use of different material and colours to give a visual look that is softer and reduces massing when viewed from the street.

(c) locate air conditioners where they are accessible for servicing; N/A

(d) conceal service ducts, pipes, air conditioners, air conditioning plants etc; N/A

(e) avoid overlooking of private open spaces and habitable rooms of adjacent residences on the same and adjacent sites; N/A

(f) locate bedrooms and private open spaces away from noise sources; N/A

(g) control its own noise sources and minimise the transmission of noise between dwellings;

The lift component is encased within prefabricated concrete structure and located at least 11.5m from nearest side boundary.

(h) where close to high noise sources (such as busy roads and airport flight paths), be of
appropriate acoustic design and construction; N/A

(i) balance the achievement of visual and acoustic privacy with passive climate control features;

The design incorporates land pads with separation screen wall at each level in order to preserve both visual and acoustic privacy of residents. The left incidentally provides passive shading to the balconies of the building.

(j) allow breeze penetration and circulation;

The design provides a 1.5m wide breezeway penetration pathway between the existing building and the lift structure.

(k) minimise use of reflective surfaces; and

The building design and use of selective materials and openings along the facades of building reduce reflective surfaces and bulk.

(l) provide internal drainage of balconies and coving on the edge of balconies.

The landing pad to each level of the facility is internally drained onto a stormwater down pipe.

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

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

46(3)(c) - Environmental Reports

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

46(3)(d) – Merits

The provision of a lift facility in a 5storey building will significantly improve accessibility to the all levels of the building. The proximity of the development to Darwin CBD area and major public transport and pedestrian corridor minimise the need to use private cars for travel especially by the development’s residents who work in the city.

46(3)(e) - Land Capability

The impact of the proposed addition and existing development is not beyond what would be normally expected of this type of development.

46(3)(f) - Public Facilities and Public Open Space
The land is nominated for zone MD (Multiple Dwelling Residential) and the proposed development is not expected to create an additional need for public facilities or public open space as the needs are catered for within the requirements of the locality.

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

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

46(3)(h) – Amenity

The NT Planning Scheme defines amenity, in relation to a locality or building, as any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable. The proposed lift addition aims to enhance the accessibility of the existing development and thereby provide an increased level of amenity to both current and future residents of the site.

46(3)(j) - Public Interest

The existing development and proposed works are considered to be consistent with the public’s expectation of the land use in the area.

46(3)(k) - Building Act Compliance

The site has an existing building and therefore all proposed building works are subject to regulatory controls under the Building Act.

6.0 Conclusion

Overall, the development largely meets the intent of land zoning which is to provide high density housing options close to major roads, schools and other community facilities. The lift addition improves the development and brings the building to a non-discriminatory building design standard. The site is located close to Darwin CBD area and between Smith Street and Mitchell Street which are Secondary Collector Transport corridors with opportunities for cyclist and pedestrian linkages.
PROPOSED LIFT SECURITY GATE & SCREENED FIRE WALL 1800 HIGH PROPOSED LANDING

EXISTING BUILDING & PROPOSED LIFT ADDITION TO SECOND FLOOR
Scale 1:200

EXISTING BUILDING & PROPOSED LIFT ADDITION TO THIRD FLOOR
Scale 1:200

EXISTING BUILDING & PROPOSED LIFT ADDITION TO FOURTH FLOOR
Scale 1:200

PROJECT
PROPOSED ELEVATOR ADDITION TO EXISTING BUILDING
LOT 1260, MARSINA COURT, DARWIN NT

savvas architect
39/61 Macrossan Road, Cullen Bay, Darwin NT, 0820
Office: 08 8943 7777 Web: www.savvasarchitects.com.au
Email: info@savvasarchitects.com.au

PAG 2020/15
JOE NUMBER
5-05-2020
Copyright

PROPOSED LIFT HEIGHT
11.0M

STREET ELEVATION
Scale 1:200

SITE BOUNDARY
EXISTING BUILDING & PROPOSED LIFT ADDITION TO FIRST & SECOND FLOOR

Scale 1:50

EXISTING BUILDING

EXISTING BEDROOM
EXISTING LIVING ROOM
EXISTING LIVING ROOM
EXISTING BEDROOM

EXISTING BALCONY
EXISTING BALCONY

GARDEN BED
GARDEN BED

PROPOSED LIFT

2150
1500
1700
1700
1750
1750

PROPOSED 1000 HIGH RAISED CONCRETE GARDEN BED LEVELS 1 & 4 ONLY

PROPOSED CONCRETE LANDING NON SLIP TILE FINISH
PROPOSED POWDERCOAT ALUMINIUM BALUSTRADES
PROPOSED 1800 HIGH RC BLOCK SCREEN WALL RENDERED AND PAINTED.

PROPOSED LIFT / DISABLED COMPLIANT

1700
2375

E 1500

270°

NOTE:
THIS DRAWING IS FOR THE PURPOSES OF OBTAINING A DEVELOPMENT PERMIT.

Copyright

savvas architect
3075 Main Road South, Cullen Bay Darwin NT 0820
Ph: 89217371 Mob: 0438184644
Email: savvasarchitects@internode.on.net

PROJECT
PROPOSED ELEVATOR ADDITION TO EXISTING BUILDING
LOT 1260, MARSINA COURT, DARWIN NT

JOB NUMBER
PAG 2020/15

DRAWING NUMBER
A3

5-05-2020
EXISTING BUILDING & PROPOSED LIFT ADDITION TO THIRD FLOOR

Scale 1:50

PROPOSED 1000 HIGH RAISED CONCRETE GARDEN BED LEVELS 1 & 4 ONLY

PROPOSED CONCRETE LANDING NON SLIP TILE FINISH

PROPOSED POWDERCOAT ALUMINIUM BALUSTRADES

PROPOSED 1800 HIGH RC BLOCK SCREEN WALL RENDERED AND PAINTED.

EXISTING BALCONY

EXISTING BEDROOM

EXISTING LIVING ROOM

EXISTING BEDROOM

EXISTING LIVING ROOM

EXISTING LIVING ROOM

EXISTING BALCONY

EXISTING BUILDING
NORTHERN TERRITORY PLANNING AUTHORITY

Planning Act

Section 58

VARIATION TO DEVELOPMENT PERMIT

DP99/0179A

DESCRIPTION OF LAND THE SUBJECT OF THIS PERMIT

Lot No: Lot 1260

Town/Hundred: Town of Darwin

Street Address: Marsina Court

PURPOSE

Consent is hereby granted, in pursuance of section 58(2) of the Planning Act to the application to amend Development Permit Number DP99/0179 for the purpose stated below.

VARIATION GRANTED

To remove the lift facility from the building, in accordance with drawing numbers TP-1(a)-6(a). In all other respects Development Permit Number DP99/0179 remains unchanged.

REASON FOR THE DECISION

The proposed building is considered to have improved residential amenity and architectural merit.

BASE PERIOD OF PERMIT

As provided for under section 55 of the Act and subject to the provisions of sections 56 and 57, this permit will lapse two years from the date of the original permit (12/5/01).

Dated this 10th day of April 2000

F A FINCH
Delegate
Northern Territory Planning Authority
NORTHERN TERRITORY PLANNING AUTHORITY

Planning Act

Section 52

DEVELOPMENT PERMIT

DP99/0179

DESCRIPTION OF LAND THE SUBJECT OF THIS PERMIT

Lot No: Lot 1260

Town/Hundred: Town of Darwin

Street Address: 6 Marsina Court

PURPOSE

Consent is hereby granted, in pursuance of section 52(1)(a) of the Planning Act for the purpose of 5x2 and 2x4 bedroom flats in a five storey structure, subject to the conditions in the Schedule and for the reasons set out in the attached statement of reasons.

Dated this 12th day of May 1999

F A FINCH
Delegate
Northern Territory Planning Authority
1. Works carried out under this permit shall be in accordance with drawing numbers 990216/1-3 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, Northern Territory Planning Authority.

4. Kerb crossovers to and driveways to the site shall be provided and disused crossovers removed, public footpath/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 Technical Services Manager, Darwin City Council at no cost to Council.

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

6. Electrical reticulation to the site to be provided to the requirements and satisfaction of the Power and Water Authority, at no cost to the Authority.

7. Water reticulation to the site and sewage disposal from the site to be provided to the requirements and satisfaction of the Power and Water Authority, at no cost to the Authority.

8. Nature strips shall be reinstated and landscaped to the requirements and satisfaction of the Technical Services Manager, Darwin City Council.

9. Car parking areas and driveways shall be screened from the road and adjoining properties at completion of building, to the satisfaction of the Chairman, Northern Territory Planning Authority.

F A FINCH
Delegate
Northern Territory Planning Authority

6/5/1999
SCHEDULE OF CONDITIONS

DEVELOPMENT PERMIT

DP99/0179

10. Where windows to habitable rooms face car parking areas, the car parking areas shall be screened to the satisfaction of the Chairman, Northern Territory Planning Authority and thereafter maintained to the satisfaction of that Officer.

11. Waste bin storage shall be provided in accordance with Council guidelines.

Base Period of Permit

As provided for under section 55 of the Act and subject to the provisions of sections 56 and 57, this permit will lapse two years from the date of issue.

F A FINCH
Delegate
Northern Territory Planning Authority

24/5/1999
PROPOSED 5 x 2 BEDROOM & 2 x 4 BEDROOM, 5 STOREY RESIDENTIAL DEVELOPMENT AT LOT NO. 1260 MARSINA COURT, TOWN OF DARWIN.
PROPOSED 5 x 2 BEDROOM & 2 x 4 BEDROOM, 5 STOREY RESIDENTIAL DEVELOPMENT AT LOT NO. 1260 MARSINA COURT, TOWN OF DARWIN.
PROPOSED 5 x 2 BEDROOM & 2 x 4 BEDROOM, 5 STOREY RESIDENTIAL DEVELOPMENT AT LOT NO 1260 MARSINA COURT, TOWN OF DARWIN.
NORTHERN TERRITORY OF AUSTRALIA

FIRST FLOOR PLAN

NOTE: FH denotes hydrant (common property)

METRES

- DELETE IF INAPPLICABLE
NOTE: FH denotes hydrant (common property)
NOTE: FH denotes hydrant (common property)
FORTH FLOOR PLAN

NORTHERN TERRITORY OF AUSTRALIA

UNIT PLAN No. 2001/13 SHEET 6 OF 7

THIS SHEET REPLACES
LOT / PORTION / SECTION NO. 1260
TOWN / HUNDRED OF DARWIN

PROPRIETOR DATE LICENSED SURVEYOR DATE
ANDREW LAY BENG WEE 18/10/2000
KAREN MARY WEE 18/10/2000
JOHN YAW KIEW LIEW

MINISTER OR DELEGATE DATE
D. BIM 7/3/2001

PART UNIT 7
Balcony

PART UNIT 6
Balcony

METRES 5 0 5 10
* ...DELETE IF INAPPLICABLE

UP5

VIEWED AT 10:23:10 ON 23/07/2020 BY BEMME.

Page 6 of 7.
## Northern Territory of Australia

### Schedule of Unit Entitlement

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</tbody>
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The aggregate unit entitlement is: 500

The Certificate of Title for the common property is: Volume 634, Folio A74.
TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME 2020

Application No: PA2020/0178
Lot number: Lot 1260
Town/Hundred: Town of Darwin
Zone: Zone HR (High Density Residential)
Site Area: 769m²
Proposal: Alterations and additions to an existing multiple dwelling development with a reduced front setback

Subdivision of land requires consent and is subject to the following provisions:

- Area Plan
- Clause 4.5
- Clause 5.2.4.1
- Clause 5.2.4.2
- Clause 5.2.4.3
- Clause 5.2.6
- Clause 5.4.2
- Clause 5.4.3
- Clause 5.4.4
- Clause 5.4.6
- Clause 5.4.7
- Clause 5.4.8

Central Darwin Area Plan (CDAP)
Zone HR – High Density Residential
Parking Requirements
Reduction in Parking Requirements
Parking Layouts
Landscaping
Residential Height Limitations
Building Setbacks of Residential Buildings and Ancillary Structures
Extensions and Ancillary Structures to a Dwelling-group or Dwelling-multiple
Private Open Space
Communal Open Space
Building Design for Dwelling-group, Dwelling-multiple, Rooming Accommodation and Residential Care Facility

Date Assessment finalised: 27 July 2020
Plans used for assessment: A1 – A9 (5-05-2020)

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme and is no indication of whether or not approval will be given by the Development Consent Authority. It is noted that clause 2.5 (Exercise of Discretion by the Consent Authority) allows the Development Consent Authority discretion to vary standards only where special circumstances justify the giving of consent or impose a condition requiring a higher standard if it considers it necessary to do so.
ASSESSMENT AGAINST PART 2 REQUIREMENTS OF THE SCHEME

Central Darwin Area Plan (CDAP)

CDAP provides a framework to guide progressive growth and development within central Darwin. The subject site is located within the CDAP study area, however is outside of the focus areas. The site is broadly classified in Figure 1 below as being in the Residential Theme (High Density).

Within established residential areas, such as Larrakeyah and Cullen Bay, this Area Plan supports development to the densities allowed by the current zoning to protect amenity.

Objective 1.2 of the residential theme is to "encourage development that contributes to the amenity of the public realm and reflects the character of the area". The corresponding acceptable responses to objective 1.2 are as follows:

i. “Building design responds to adjacent buildings and environments or adjacent buildings and environments reasonably anticipated.

ii. Development fronting existing and future public spaces responds to the role and function of the individual space and provides opportunities for passive surveillance.

iii. Bulk and scale of wide buildings is addressed through architectural design including, but not limited to, the presentation of multiple frontage types to the streetscape, modulation of the facade, or changes in material.

iv. Buildings provide interest and active frontages at street level. Large expanses of blank walls or inactive frontages are to be avoided”.

The proposed addition of an elevator include a reduced front setback, as well as the loss of one car parking bay. These two variations are considered in the context of CDAP as follows:

Car Parking Reduction – Clause 5.2.4.1 (Parking Requirements)
Currently all of the subject sites seven existing multiple dwellings are provided with the required number of two car parking spaces each, 14 in total. The proposal seeks to remove one of the two car parks allocated for exclusive use by unit one, as indicated on Unit Plan U2001/013. Unit one is a two bedroom multiple dwelling located on the ground floor. This proposed car parking reduction to a single car park for unit one is not considered to be consistent with the relevant objectives of CDAP, as a shortage of car parking on site is likely to lead to increased pressure on off-site car parking in the vicinity, thereby impacting negatively on the amenity of surrounding residential areas.

Reduced Front Setback – Clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures)
The proposed elevator addition included a reduced primary street setback of 4.15m and open pergola roof structures to level 3 and 4 of the elevator structure setback 3.2m to Marsina Court in lieu of the required 7.5m for a four storey structure. The elevator itself is 2.375m wide, the design also including planter boxes of 1.7m wide on either side of the elevator structure, included on both the first and third floors, supported by slimline poles running vertically between the planters on levels one and three. The proposed setback reduction is considered to be in line with the relevant objectives of CDAP, as the elevator structure only takes up a small proportion of the buildings front facade, thereby avoiding the perception of visual bulk or excessive expanse of blank walls. Furthermore, the inclusion of the planter boxes at levels one and three combined with the open pergola roof structures to levels 3 and 4 achieves additional architectural interest and modulation of the front facade, lessening any negative effect to the amenity of the streetscape.

NOTED
ASSESSMENT AGAINST PART 4 REQUIREMENTS OF THE SCHEME

4.5 Zone HR – High Density Residential

Purpose
Provide for a range of high rise housing options close to activity centres, public transport, open space and community facilities, where reticulated services can support high density residential development.

Zone Outcomes
1. High density residential developments generally not exceeding eight storeys in height that maximise the utilisation of the reticulated services and the development potential of the site.
2. Home based businesses and dwellings-community residence are conducted in a manner consistent with residential amenity.
3. Hotel/motels, residential care facilities and rooming accommodation are operated in a manner that is compatible with the amenity associated with high density residential development.
4. Non-residential activities, such as education establishment, leisure and recreation, medical clinic, place of worship, and restaurant:
   a) are integrated with residential uses;
   b) avoid adverse impacts on the local road networks;
   c) are managed to minimise unreasonable impacts to the amenity of surrounding residents; and
   d) are of a scale, intensity and nature that reflects the predominantly residential character of the zone.
5. Development integrates with walking, cycling and public transport networks to promote accessibility and use.
6. Innovative building design, site layout and landscaping that:
   a) responds to microclimates, including breeze flow;
   b) minimises privacy and overlooking impacts;
   c) reduces the appearance of building mass relative to its surroundings; and
   d) creates attractive outdoor spaces and enhances the streetscape.
7. 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.

The Zone HR (High Density Residential) purpose and outcomes detailed above do not provide any specific detail in respect to the provision of car parking. However the proposed primary setback reduction is interpreted to be consistent with clause 6(c), as the design of the elevator addition avoids creating the perception of excessive building mass or bulk, given the avoidance of blank walls and inclusion of garden planter boxes as well as articulated roof structures to levels 3 and 4 within the proposed design.

NOTED

ASSESSMENT AGAINST PART 5 REQUIREMENTS OF THE SCHEME

5.2.4.1 Parking Requirements

Purpose
Ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a site.
Administration
1. The consent authority may consent to a use or development that is not in accordance with the table to this clause only if it is satisfied the use or development is appropriate to the site having regard to the purpose of this clause and the potential impact on the surrounding road network and the amenity of the locality and adjoining property.

2. If a proposed use or development which is not listed in the table to this clause requires consent, the number of car parking spaces required for that use or development is to be determined by the consent authority.

3. The consent authority may require the provision of car parking spaces for any ancillary use or development in addition to that specified for the primary use or development in the table to this clause.

4. Despite anything to the contrary in this clause, on land within an area depicted as ‘Activated Frontages’ within the ‘Residential and Mixed Use Map’ of the Central Darwin Area Plan, an alfresco dining area that results in the loss of up to 25 ground level car parking spaces associated with any existing development is exempt from providing replacement car parking spaces ordinarily required by this clause.

5. 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 requirements of this clause.

Requirements
6. A use or development specified in column 1 of the table to this clause is to provide the number of car parking spaces (rounded up to the next whole number) required for that development and is to be calculated in accordance with the formula specified opposite in column 2 or, if the development is within Zone CB in Darwin, column 3.

<table>
<thead>
<tr>
<th>Table to Clause 5.2.4.1: Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COLUMNS</strong></td>
</tr>
<tr>
<td>COLUM 1</td>
</tr>
<tr>
<td>Use or Development</td>
</tr>
<tr>
<td>Dwelling-multiple</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

The sites existing development consists of seven multiple dwellings within a five storey building which are currently provided with a total of 14 on site car parking spaces, each dwelling allocated 2 car parking spaces under the Unit Plan U2001/013. The proposed elevator addition includes the removal of one car parking bay currently allocated to unit one, creating a shortfall of one car parking bay, leaving unit one within only a single parking bay.

DOES NOT COMPLY

5.2.4.2 Reduction in Parking Requirements

Purpose
Provide for a use or development with fewer car parking spaces than required by clause 5.2.4.1.
Administration
1. The consent authority may consent to a use or development with fewer car parking spaces than required by clause 5.2.4.1 if it is satisfied that a reduction is appropriate for the use or development, having considered all the matters at sub-clause 2.

Requirements
2. An application to reduce the number of car parking spaces is to demonstrate the reduction is appropriate with regard to:
   (a) the zoning of the land, the use or development or proposed use or development of the land and the possible future use or development of the land;
   (b) the provision of car parking spaces in the vicinity of the land; and
   (c) the availability of public transport in the vicinity of the land; or
   (d) 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.

There are no changes anticipated in respect to the future zoning of the land, it will likely remain in Zone HR. Nor are there any changes expected in relation to the existing use and development of the land as multiple dwellings. Alternative car parking options in the vicinity of the development are limited to on street parking in the local street network, which is not considered a desirable outcome. The development is located close to multiple bus routes, with a bus stop located at the corner of Mitchell Street and Marsina Court. The proposal does not sufficiently satisfy the multiple requirements of this clause.

DOES NOT COMPLY

5.2.4.3 Parking Layouts

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

Administration
1. The consent authority may consent to a car parking area that is not in accordance with sub clause 3 if it is satisfied that the non-compliance will not:
   (a) result in adverse impacts on the local road network or internal functionality of the car parking area; and
   (b) unreasonably impact on the amenity of the surrounding locality.

Requirements
2. A car parking area is to be established, used and maintained for the purpose of vehicle parking only.
3. A car parking area is to:
   (a) be of a suitable gradient for safe and convenient parking;
   (b) be sealed and well drained;
   (c) be functional and provide separate access to every car parking space;
   (d) limit the number of access points to the road;
   (e) allow a vehicle to enter from and exit to a road in a forward gear;
   (f) maximise sight lines for drivers entering or exiting the car parking area;
   (g) be not less than 3m from a road, and the area between the car parking area and the road is to be landscaped with species designed to lessen the visual impact of the car parking area;
   (h) be in accordance with the dimensions set out in the diagram to this clause;
   (i) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one-way traffic flow; and
4. Despite sub-clause 3, dust suppression may be an acceptable alternative to sealed surfaces in non-urban areas.

The proposed removal of one car parking bay to allow the addition of the elevator does not impact the development compliance with the requirements of this clause.

COMPLIES

5.2.6 Landscaping

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

Administration
1. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
2. The consent authority may consent to landscaping that is not in accordance with sub-clauses 4 and 5, only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and is appropriate to the site having regard to the amenity of the streetscape, and the potential impact on the amenity of the locality and adjoining property.

Requirements
3. Where landscaping is required by this Scheme it should be designed so that:
   (a) planting is focused on the area within the street frontage setbacks side setbacks, communal open space areas and uncovered car parking areas;
   (b) it maximises efficient use of water and is appropriate to the local climate;
   (c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;
   (d) significant trees and vegetation that contribute to the character and amenity of the site and the streetscape are retained;
   (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;
   (f) the layout and choice of plants permits surveillance of public and communal areas; and
   (g) it facilitates on-site infiltration of stormwater run-off.

4. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a site that is used for rooming accommodation, dwellings-group, dwellings-multiple and residential care facility is to be landscaped.
5. In Zones LI, GI and DV all street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.
6. The quality and extent of the landscaping consented to must be maintained for the life of the development.

The proposed addition of an elevator to the existing multiple dwellings does not impact the developments compliance with the requirements of this clause.

COMPLIES
5.4.2 Residential Height Limitations

Purpose
The purpose of this clause is to ensure that residential development is of a height that:
   a) is compatible with adjoining or nearby existing development or development reasonably anticipated; and
   b) does not unduly overlook adjoining properties.

Requirements
The height of a residential building that may be constructed on a site is to be determined in accordance with the table to this clause.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum Number of Storeys and Maximum Dwelling Height above Ground Level for Residential Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR</td>
<td>8+</td>
</tr>
</tbody>
</table>

The existing multiple dwelling development is a maximum of 5 storeys tall, with an approximate height of 16 metres. The proposed elevator addition is a maximum height of 13 metres, providing access up to the fourth storey.

COMPLIES

5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures

Purpose
Ensure that residential buildings and ancillary structures are located in a manner that:
   (a) is compatible with the streetscape and surrounding development including residential buildings on the same site;
   (b) minimises adverse effects of building massing when viewed from adjoining land and the street;
   (c) avoids undue overlooking of adjoining properties; and
   (d) facilitates breeze penetration through and between buildings.

Administration
1. The consent authority may consent to a development that is not in accordance with sub-clause 5 only if it is satisfied that the reduced setback is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

Requirements
5. Subject to clause 5.2.7, residential buildings and ancillary structures are to be setback from lot boundaries in accordance with table A or B (as the case requires) to this clause noting that no part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum building setbacks (subject to the Building Code of Australia) from the lot boundaries.
The required primary street setback to Marsina Court for the elevator, which is a maximum of 4 storeys high, is 7.5m under the clause’s Table A, however a reduced setback of 4.15m is proposed for the elevator structure and open pergola roof structures to level 3 and 4 of the elevator setback 3.2m. All other setbacks comply with the provisions of this clause.

**DOES NOT COMPLY**

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

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

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

**Requirements**
2. An extension or ancillary structure to a dwelling-group or dwelling-multiple is:
   a) to be located in accordance with clause 5.4.3 (Building Setbacks of Residential Buildings and Ancillary Structures);
   b) to be contained wholly within the respective unit title and not on or over a registered easement;
   c) to be of a scale and design compatible with the existing dwellings and the streetscape and surrounding development including residential buildings on the same site;
   d) not to result in:
      i. the creation of a habitable area capable of separate occupancy;
      ii. an additional storey; or
      iii. an increase in the maximum height of the development; and
   e) to include adequate measures to prevent the discharge of concentrated stormwater onto an adjacent lot or unit title.

The proposed addition of an elevator to the existing multiple dwelling development complies with all of the requirements of this clause except for the setback requirements prescribed under clause 5.4.3 which is detailed above within this technical assessment. Therefore the proposed additions are considered Merit Assessable and a development application has been required.

**NOTED**
5.4.6  Private Open Space

Purpose
Extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that is:

a) of an adequate size to provide for domestic purposes;
b) appropriately sited to provide outlook for the dwelling;
c) open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the site; and
d) inclusive of areas for landscaping and tree planting.

Administration
1. The consent authority may consent to private open space that is not in accordance with sub-clauses 4 and 5 only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate to the site having regard to such matters as its location, scale and impact on adjoining and nearby property.

2. If a dwelling within a dwelling-multiple development has no direct access at ground level to private open space, and where on-site communal open space is provided, compliance with purpose provisions (c) and (d), and sub-clauses 4(d), (e) and (f) is not required.

3. The consent authority may consent to dwellings-multiple comprising serviced apartments in Zone TC that is not in accordance with sub-clauses 4 and 5 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.

Requirements
4. Private open space for a dwelling-single, dwelling-group, dwelling-multiple or dwelling-independent should:
   a) satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;
   b) be directly accessible from the dwelling and enable an extension of the function of the dwelling; and
   c) be located to provide views from the dwelling to open space and natural features of the site or locality, and to reduce overlooking from neighbouring open space and dwellings;
   d) ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site;
   e) include at least one area of at least 5m², with no dimension less than 1.5m, for the deep soil planting of trees and vegetation for shade or screening; and
   f) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

5. Where the private open space is at ground level and other than for a dwelling-single, or a dwelling-single and associated dwelling-independent it should be:
   a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or
   b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Private Open Space Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling-multiple without direct ground level access</td>
<td>12m² with no dimension less than 2.8m</td>
</tr>
</tbody>
</table>
The proposed elevator addition to the existing multiple dwelling development does not alter the existing private open space areas approved and currently provided to each of the dwellings in accordance with the previously endorsed plans (DP99/0179A). The slight modification to third floor balconies to account for the elevator landing platform slightly increases the usable balcony area. No compliance issues are generated by the proposed elevator addition in respect to the private open space requirements prescribed under this clause.

**COMPLIES**

### 5.4.7 Communal Open Space

#### Purpose

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

#### Requirements

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

4. The design of the communal open space should address:
   a. the overall dwelling density proposed for the site;
   b. the proximity and quality of alternative private or public open space;
   c. the need to clearly distinguish communal open space from private and public open space and the need to maintain the reasonable privacy of nearby dwellings;
   d. the type of activities to be provided for;
   e. the projected needs of children for outdoor play;
   f. the provision of landscaping and shade;
   g. safety issues including lighting and informal surveillance;
   h. on-site traffic circulation; and
   i. future maintenance and management requirements.

The proposed elevator addition to the development does not impact compliance with this clause. The site provides in excess of 15% communal open space in accordance with the relevant requirements prescribed within this clause.

**COMPLIES**

### 5.4.8 Building Design for Dwelling-group, Dwelling-multiple, Rooming Accommodation and Residential Care Facility

#### Purpose

Promote site-responsive designs for dwelling-group, dwelling-multiple, rooming accommodation and residential care facility, which provide a pleasant living environment for the occupants and a sympathetic interface with adjoining lots, to minimise unreasonable impacts on the privacy and amenity of surrounding residents.

#### Requirements

3. Locate development on the site for correct solar orientation.

4. Minimise expanses of walls by varying building heights, building setbacks and façades.

5. Locate air conditioners where they are accessible for servicing.

6. Conceal service ducts, pipes, air conditioners, air conditioning plants etc.
7. Avoid overlooking of private open spaces and habitable rooms of adjacent residences on the same and adjacent sites.
8. Locate bedrooms and private open spaces away from noise sources.
9. Control its own noise sources and minimise the transmission of noise between dwellings.
10. Where close to high noise sources (such as busy roads and airport flight paths), be of appropriate acoustic design and construction.
11. Balance the achievement of visual and acoustic privacy with passive climate control features.
14. Provide internal drainage of balconies and coving on the edge of balconies.

The proposed addition of an elevator is assessed as being compliant with the relevant provisions of this clause. The design of the elevator is considered appropriate in terms of minimising expanses of blank walls and concealing related infrastructure within the elevator structure.

COMPLIES
25 June 2020

Ms Dawn Parkes
Manager Urban Planning
Department of Infrastructure, Planning & Logistics
GPO Box 1680
DARWIN NT 0801

Dear Ms Parkes

Parcel Description: Lot 1260 - Town of Darwin
6 Marsina Court, Larrakeyah

Proposed Development: Alterations and additions to an existing multiple dwelling development with a reduced front setback

Thank you for the development application referred to this office 11 June 2020, concerning the above.

The following issues are raised for consideration by the Authority:

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

   a). A dilapidation report covering infrastructure within the road reserve to the satisfaction of City of Darwin at no cost to Council.

   b). **Stormwater**
   City of Darwin request that the Authority requires an engineered plan, completed by a suitably qualified civil engineer, demonstrating the on-site collection of stormwater and its discharge into the local underground stormwater drainage system to be submitted to, and be approved by City of Darwin.

   The plan shall include details of site levels, Council’s stormwater drain connection point/s and connection details.
Please note:
A civil engineering plan demonstrating stormwater flows, including surface levels, is required to be submitted to City of Darwin prior to the stormwater condition precedent being cleared.

c). Site Construction Management Plan
City of Darwin requests that a Site Construction Management Plan (SCMP) be required.

The SCMP should specifically address the impact to Council owned public spaces and include the following:

- waste management plan for disposal of waste to Shoal Bay
- traffic control for affected City of Darwin roads,
- haulage routes,
- storm water drainage & sediment control,
- use of City of Darwin land, and
- how this land will be managed during the construction phase,

all to the satisfaction of City of Darwin.

Note: Sediment control measures are to be established and maintained, to prevent silt and sediment escaping the site or producing erosion.

Building rubbish or debris must not be placed, or be permitted to be placed, on any adjoining public reserve, footway or road, without first obtaining a works approval from City of Darwin.

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

- Designs and specifications for landscaping of the road verges adjacent to the property shall be submitted for approval by City of Darwin and all approved works shall be constructed at the applicant’s expense, to the requirements of City of Darwin.

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

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

If you require any further discussion in relation to this application, please feel free to contact me on 8930 0528.

Yours faithfully

CINDY ROBSON
MANAGER CITY PLANNING
Emmet Blackwell  
Development Assessment Services  
Development Consent Authority  
GPO Box 1680  
Darwin NT 0801

Dear Emmet

Re: Lot 1260 Marsina Court Larrakeyah Town of Darwin

In response to your letter of the above proposal for the purpose of alterations and additions (lift facility) to an existing multiple dwelling development with a reduced front setback, Power and Water advises the following with reference to electricity enquiries:

1. This property is currently provided with limited capacity of power supply from the overhead low voltage electricity reticulation. Any new development that requires additional power supply will be subject to assessment by Power and Water, in accordance with the current Networks Capital Contributions Policy (NCCP).

2. The Proponent shall engage a licensed electrician to submit any additional power demand calculation of the proposed development to Power and Water for assessment.

3. The Proponent’s licensed electrician shall upgrade customer’s associated internal electricity reticulation for the proposed development in accordance with Power and Water’s current Service Rules, Installation Rules and Meter Manual.

4. The Proponent is responsible for safety clearance compliance between existing overhead power lines in the area and any construction activities as per the NT Electricity Reform (Safety and Technical) Regulations 2000.

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

Yours sincerely

Thanh Tang  
Manager Distribution Development  
16 June 2020
Emmet Blackwell  
Development Assessment Services  
GPO Box 1680  
Darwin NT 0801

Dear Emmet

RE: PA2020/0178 - Lot 1260 Town of Darwin - 6 Marsina Court Larrakeyah - Alterations and additions

In response to your letter of the above proposal for development application purpose, Power and Water Corporation Water Services advises the following with reference to water and sewer enquiries:

1. The developer may need to upgrade the existing water and sewer service and should contact Services Development prior to start of construction.

2. The developer must install the backflow prevention device at the water service. The backflow prevention device must be installed in accordance with the requirements of the AS/NZS 3500.1 – Plumbing and Drainage - Water Supply. It must be maintained in accordance with AS/NZS 2845.1 Water Supply. Contact BackflowPrevention.PWC@powerwater.com.au for all backflow prevention enquiries.

3. The existing sewerage easements within Lot 1260 is still required. Structures must not be located on or over a water supply or sewerage easement, or where no easement exists such as within a road reserve without obtaining the prior written approval of Power and Water.

4. Power and Water advises that the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) must be contacted via email a minimum of 1 month prior to construction works commencing.

If you have any further queries, please contact the undersigned on 89245174, or email waterdevelopment@powerwater.com.au

Yours sincerely

Lindy Eres  
Lindy Eres  
Services Development

16th June 2020

cc: Israel Tshepo Kgosiemang  
email: israelk@oneplanningconsult.com.au
Mr Emmet Blackwell
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

Dear Mr Blackwell

Re: PA2020/0178 - Lot 1260 Town of Darwin, Alterations and additions to an existing multiple dwelling development with a reduced front setback

The Department of Environment and Natural Resources has assessed the information contained in the above application and has not identified any issues of concern with respect to this submission.

Should you have any further queries regarding these comments, please contact Maria Wauchope by email maria.wauchope@nt.gov.au or phone (08) 8999 3692.

Yours sincerely

Luis Da Rocha
Executive Director, Rangelands

12 June 2020