AGENDA ITEM: 1  MEETING DATE: 4 September 2020  FILE: PA2020/0210

APPLICATION: Change of use from office to education establishment
APPLICANT/CONTACT: One Planning Consult – Israel-Tshepo Kgisiemang
LAND OWNER: Nationwide News Pty Ltd – Greg Thomson, General Manager
BENEFICIARY: Gajinder Paul, Director – Australian Campus Management Pty Ltd (t/a Canterbury Institute of Management)
LOCATION: Lot 3476 (2) Printers Place and Lot 8017 (3) Printers Place, Town of Darwin (Bookmark A)
ZONE: CB (Central Business)
AREA: 1300m² (Lot 3476) and 7050m² (Lot 8017)

1. PROPOSAL

The proposal is to change the use of part of an existing building on Lot 3476 (2) Printers Place, Town of Darwin, from office to education establishment.

A copy of the application is at Bookmark B1.

2. REASON FOR APPLICATION AND LEVEL OF ASSESSMENT

An application is required for planning permission as the proposal is Impact Assessable by virtue of the Zone CB (Central Business) Assessment Table.

<table>
<thead>
<tr>
<th>Zoning and Level of Assessment on Assessment Table</th>
<th>Part 3 Overlay</th>
<th>Consent required by virtue of Overlay Requirement</th>
<th>Part 5 – General and Specific Development Requirements</th>
<th>Level of Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone CB (Central Business) Impact Assessable</td>
<td>No</td>
<td>No</td>
<td>5.2.3 Buildings in Central Darwin 5.2.4 Vehicle Parking 5.2.6 Landscaping 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC 5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP and FD – MAY COMPLY 5.8.2 Education Establishment – DOES NOT COMPLY</td>
<td>Impact Assessable</td>
</tr>
</tbody>
</table>

The exercise of discretion by the consent authority that applies is clause 1.10 (4).
3. ASSESSMENT SYNOPSIS

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

4. BACKGROUND

The site is in close proximity to public car parks, public transport, active transport networks, high density residential living, commercial and tourist uses on the edge of the central Darwin area (Figure 1).

![Figure 1: Site analysis](image)

Lot 3476 (2) Printers Place, Town of Darwin was developed in 1984 under DV1254 for the purposes of a showroom with ancillary warehouse and offices (Table 1 and Bookmark C). The approval also granted temporary use as an archive building for a period of 3-6 years for NT Archives. The parking demand of 25 parking spaces was addressed by requiring the construction of 15 parking spaces and driveway within the Printers Place road reserve and a waiver of the remaining 10 car parks was granted which is understood to be paid to the City of Darwin as an ongoing levy under the Local Government (Darwin Parking Local Rates) Regulations 1982.
Table 1: Planning history

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Purpose</th>
<th>Affected parcels</th>
<th>Date signed</th>
</tr>
</thead>
<tbody>
<tr>
<td>DP10/0706A</td>
<td>Awning additions to an existing publishing facility</td>
<td>Lot 07668 Lot 01621 Lot 03476</td>
<td>18/12/2014</td>
</tr>
<tr>
<td>DP10/0706</td>
<td>Modifications to an existing publishing facility including an expanded press machine hall</td>
<td>Lot 3476 Lot 7668 Lot 1621</td>
<td>20/10/2010</td>
</tr>
<tr>
<td>DV1254</td>
<td>Showroom with ancillary warehouse and offices and approval for building complex to be used as an archive building for a period of 3-6 years</td>
<td>Lot 3476</td>
<td>26/04/1984</td>
</tr>
<tr>
<td>DV630</td>
<td>Showroom with ancillary warehouse and office</td>
<td>Lot 3476</td>
<td>3/06/1982</td>
</tr>
</tbody>
</table>

Figure 2: extract from Development Application that led to the approval for modifications to an existing publishing facility including an expanded press machine hall (DP10/0706)
Figure 3: Top: extract from current Development Application to show the part of the building on Lot 3476 to be used as an office. Middle: Extract from Development Application that lead to the approval for modifications to an existing publishing facility including an expanded press machine hall (DP10/0706). Bottom: proposed floor plan.
5. PUBLIC EXHIBITION

The application was advertised in the NT News on 17 July 2020 and placed on public exhibition for a period of two weeks. No public submissions were received under section 49(1) of the Planning Act 1999.

Exhibition finished on 31 July 2020 subsequent to the introduction of the amended Planning Act 1999 however there were no changes to the exhibition requirements that applied to the current application.

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 pursuant to Part 4 of the Planning Regulations 2000 section 14 (3)(d) states that there is no right of review for development on land that is not in a residential zone, adjacent or opposite a residential zone, or for which zone is specified.

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

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

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

Section 51 of the Planning Act 1999 provides that in considering a development application the Authority must take into account a range of matters including compliance with the planning scheme. A copy of the technical assessment of the proposal with the NT Planning Scheme 2020 is provided at Bookmark C and matters of significance discussed below.

An education establishment is impact assessable within Zone CB (Central Business). The assessment against the minimum requirements of Part 4 and Part 5 of the NT Planning Scheme 2020 finds the development continues to comply with controls relating to building height and landscaping. There is a parking demand of 11 spaces for the establishment of the new use and one car park is required for the remaining floor area where used as an office.
change of use does not generate a parking demand beyond that of the original approved use which generated 25 spaces, 15 of which are provided currently within the road reserve.

The applicant establishes that in addition to the parking within the road reserve, there is an opportunity to access 15 car parks on the adjacent Lot 8017, 3 Printers Place. The owner of the subject land also owns 3 Printers Place and has provided written support for Australian Campus Management. A copy of the letter was provided by the applicant and included within Bookmark B2.

The following identifies the non-compliance with clause 5.8.2 (Education Establishment) and discusses the reasons to support the variation of sub-clause 4.

Clause 5.8.2 (Education Establishment)

The purpose of Clause 5.8.2 (Education Establishment) is to ensure an education establishment:
(a) meets the needs of students and staff;
(b) contributes positively to amenity of the surrounding area;
(c) does not unreasonably interfere with the safe and efficient operation of the local road and pedestrian network; and
(d) promotes access via public transport and active transport networks.

The requirements of sub-clause 4 is to locate tertiary education facilities in designated education precincts within or adjacent to activity centres that are connected to public transport.

The Administration of the clause enables the consent authority to consent to an education establishment that is not in accordance with sub-clauses 2-5 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, nature, scale and impact on surrounding amenity. The following assessment is provided to consider the establishment of the use on land outside of a designated education precinct.

Clause 5.8.2 (Education Establishment) Purpose

In response to the purpose of the clause, the following is noted:

- the education establishment will meet the needs of students and staff as:
  - the building will be internally fit–out for the sole purpose of education delivery including classrooms, staff room, library and kitchenette;
  - its location is in close proximity to public car parks, public bus stops and the cycle network (Figure 5); and
  - 12 undercover bicycle parking spaces will be provided.
- the use contributes positively to the amenity of the surrounding area through the addition of conveniently accessible premises for tertiary education in close proximity (walking distance) to high density residential living, places of employment, public parking, public transport and active transport networks;
- does not unreasonably interfere with the safe and efficient operation of the local road and pedestrian network as there are no changes proposed to the network and no concerns raised by DIPL or City of Darwin; and
- promotes access via public transport and active transport networks due to the close proximity to the bus interchange and cycle network.
  - Existing footpaths, cycle path and bus stops are in close proximity to the building to support the safe and efficient operation of the local road and pedestrian network, and promote access via public transport and active transport networks.
The authority may wish to consider further enhancement of the pedestrian network to connect to the building entry on the site, however there were no issues raised by the road authorities in relation to crossing the road network, including McMinn Street, which is partly within Zone M (Main Road) and PM (Proposed Main Road).

Purpose of Zone CB

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

- The site is in close proximity to commercial uses, tourist accommodation and high density residential living on Carey Street and McMinn Street. The introduction of an education establishment at this site will increase activity within the CB zone with a potential for 200 students to occupy the building and access surrounding cafes, shops and other commercial premises.

Zone CB Outcomes

An assessment of the proposal against a selection of relevant Zone Outcomes for Zone CB is below:

<table>
<thead>
<tr>
<th>Outcomes</th>
<th>Proposals Response</th>
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<tbody>
<tr>
<td>A diverse mix of commercial, community, cultural, recreational and residential developments of a scale and intensity commensurate with the role and function of the central business district</td>
<td>The proposal contributes to the achievement of this outcome, due to the introduction of an education establishment in this location which offers a limited range of disciplines for a maximum of 200 students.</td>
</tr>
<tr>
<td>Developments such as veterinary clinic, plant nursery, shopping centre, showroom sales, education establishment, and passenger terminal are established in locations that complement and do not undermine the core functioning of the city precinct</td>
<td>The location of the education establishment complements the core functioning of the city precinct through contributing to the existing mixed use environment in close proximity (walking distance) to high density residential development.</td>
</tr>
<tr>
<td>Development incorporates innovative building design, site layout and landscaping that: (a) responds to and encourage pleasant microclimates, including through breeze capture and shading; (b) minimises privacy and overlooking impacts on private spaces; (c) maximises overlooking and passive surveillance of public spaces; (d) maximises pedestrian activity along primary street frontages; (e) reduces the appearance of building mass relative to its surroundings; and (f) creates attractive outdoor spaces and enhances the streetscape.</td>
<td>The existing single storey building incorporates generous roof overhang which provides shading to the glazed façade and the entry to the building. Together with retention of well-established landscaping between the building and the street, the building, site layout and landscaping creates a pleasant entry and views from the street.</td>
</tr>
</tbody>
</table>
Developments are designed and operated in a manner that avoids unreasonable loss of amenity for surrounding premises, having regard to the close proximity between residential and entertainment uses, and the overall mixed use nature of the zone. The nature of the use is not anticipated to contribute to an unreasonable loss of amenity for surrounding premises. The site is in close proximity to public car parks, public transport and the cycle path network.

Location, nature, scale and impact on surrounding amenity.

The site is on the fringe of the CB Zone, located in part of a building associated with the printing and publication of the newspaper, the NT News. The site is otherwise in close proximity to high density residential living, commercial and tourist uses. The nature of the use is such that there is no anticipated detrimental impact on the surrounding amenity. The building has the capacity for approximately 200 students and the type of courses offered at the proposed facility will be tertiary level comprising accounting, hospitality management, information systems and management. There is therefore minimal potential off-site impacts arising from the type of education establishment.

In summary, in the context of the site location within the central Darwin area in Zone CB (Central Business) and proximity to public transport and active transport networks, a variation to clause 5.8.2 (Education Establishment) sub-clause 4 is supported to enable a tertiary education establishment outside of an area designated for such a purpose.

5.5.3 Commercial and other development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T

The purpose of the clause is to promote site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment.

Sub-clause 10, 11 and 13 require the following:
- Provide safe and convenient movement of vehicles and pedestrians to and from the site.
- Provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces.
- Provide for loading and unloading of delivery vehicles and for refuse.

The proposed change of use does not create any new non-compliances with this clause however it is noted that insufficient details was included to consider how the existing
development addresses refuse collection and delivery vehicles, provision for safe and convenient movement of pedestrians to and from the site and convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces. In relation to 14, the applicant identifies the intention to provide space undercover of the roof overhang for the storage of 12 bicycles, however a detailed drawing to show proposed works should be included.

It is recommended that, should consent be granted to the change of use, the plans be amended prior to endorsement to provide an appropriate level of detail to demonstrate consideration of the purpose and requirements of the clause.

(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 which affect this proposal.

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

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

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

There are no environmental protection objectives relevant to the land.

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

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.

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

The applicant considers the merits of the proposal include the:

- revitalisation of the area by re-using a vacant building;
- passive surveillance of the public realm;
- proximity of the development to major public transport and pedestrian corridors, especially by international students who mostly rely on public transport.

(j) the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development
The proposal is for the change of use of part of an existing building and no concerns have been identified with regards to the capability of the land.

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

There is no requirement for the provision of public facilities or open space as part of the proposed 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 and agencies for comment:

City of Darwin

City of Darwin initially raised no concerns or requirements for consideration however provided further correspondence to confirm:

Printers Place is located within the McMinn Street road reserve and currently maintained by City of Darwin.

City of Darwin request that:

- the surplus three parking bays (out of the 15 in the road reserve), are made available for public parking and not reserved; and
- a condition is included on any Development Permit issued to state that if the road reserve is required for road usage of any sort, the applicant acknowledge its liability to pay the City of Darwin, in accordance with its Car Parking Contribution, a shortfall of 12 parking bays.

City of Darwin’s response is at Bookmark E1 and E2.

It is noted that the existing parking area within Printers Place was provided as part of the development of the building in 1984 under DV1254, which issued for the purpose of a showroom with ancillary warehouse and offices (and approval for building complex to be used as an archive building for a period of 3-6 years).

This permit required construction of 15 car parks and driveway to the satisfaction of the road authorities (both NT Government and local Council). The permit waived the requirement for a further 10 car parking spaces.

The as constructed parking layout differs from the plan submitted with the application and endorsed through DV1254. As illustrated below, there are a total of 16 car parks in place (Figure 6), rather than 15.

It is noted that condition 2 of DV1254 has previously addressed the requirement for the developer to acknowledge its liability to pay the City of Darwin (prior to the construction of the parking area) by requiring the developer to enter into an agreement. Any changes to the previous agreement, including the return of any surplus car parking spaces, is a matter between the land owner and City of Darwin.
Figure 6: Extract from site plan annotated to indicate the as constructed differences with two additional parallel carparks and one less car park on one side of the building.

**Power and Water Corporation (PWC) Power Division**

Power and Water Corporation advises that the land owner/body corporate shall engage a licenced electrician to upgrade internal reticulation suitable for electricity billing purposes, to the requirements of Power and Water Corporation.

Power and Water Corporation’s response is at **Bookmark F**.

All requirements can be addressed through standard conditions and notes on any permit.

**Power and Water Corporation (PWC) Water Division**

Power and Water Corporation advises that a hydraulic consultant is required to confirm that the existing firefighting service is satisfactory to meet the firefighting requirements and upgrades may be required.

The developer will need to install the backflow prevention device at the water service and contact Power and Water Corporation to discuss trade waste requirements.

Power and Water Corporation’s response is at **Bookmark G**.

All requirements can be addressed through standard conditions and notes on any permit.

**Department of Infrastructure, Planning and Logistics – Transport and Civil Services Division**

The Department of Infrastructure, Planning and Logistics, Transport and Civil Services Division, advised that access shall not be permitted from the McMinn Street road reserve and all access shall be via the Printers Place road to the standards of the City of Darwin.

Department of Infrastructure, Planning and Logistics’ response is at **Bookmark H**.

It is noted that there is no change to the existing parking layout or access proposed.

**Department of Environment and Natural Resources**

The Department of Environment and Natural Resources has not identified any issues of concern.

Department of Environment and Natural Resources’ response is at **Bookmark I**.
(n) the potential impact on the existing and future amenity of the area in which the land is situated

No changes are proposed to the approved building form and design. The nature of the use is such that there is no anticipated detrimental impact on the surrounding amenity. The building has the capacity for approximately 200 students and the type of courses offered at the proposed facility will be tertiary level comprising accounting, hospitality management, information systems and management. There is therefore minimal potential off-site impacts arising from the type of education establishment.

(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

In relation to community safety through crime prevention principles in design, there are no changes to the external façade proposed and the existing building includes windows and doors which provide passive surveillance to the public realm. The parking area is visible from McMinn Street and from within the building. Bicycle racks are proposed at the building entry, between the parking area and the building with a clear line of sight from within the building.

The Disability Discrimination Act (DDA) is the primary legislation in Australia addressing discrimination against people with disabilities. Discrimination is seen to occur when a person with a disability is treated less favourably than someone who does not have a disability. AS 1428 ‘Design for Access & Mobility’ includes a suite of standards that are applicable to pedestrians. The primary focus of the standard consider the requirements of people who may have a mobility disability or vision impairment.

It is noted that through the change in use, the requirements for a new Building Permit will ensure that disabled compliance will be assessed in relation to the car park and building fit out. However, the footpath in Carey Street is on the far side of Printers Place (figure 7) and further consideration may be warranted to identify a pedestrian connection to the site (i.e. the building entry) that provides access for all.

Details such as surface treatments (tactile ground surface indicators), gradient, ramps to roadway or lower surface and dimensions are relevant considerations to provide access for all.

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

Not applicable to this application.
(r) any potential impact on natural, social, cultural or heritage values, including, for example, the heritage significance of a heritage place or object under the Heritage Act 2011

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

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

Beneficial uses are declared under section 73 of the Water Act 1992 for Darwin Harbour, which incorporates the land.

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

(t) other matters it thinks fit

Should the Authority find the existing 16 car parks constructed in Printers Place road reserve are sufficient to meet the requirements of the use, it is considered appropriate to remove Lot 8017, 3 Printer Place, from forming part of the permit.

If a higher standard of parking supply is favoured, by including the 15 parking bays on 3 Printers Place which the applicant identifies is available, the following is recommended:

- letter of authorisation from the land owner of 3 Printers Place to confirm the parcel as part of the permit; and
- a complete site plan which identifies all parking on 3 Printers Place and those 15 car parks to be exclusively allocated to the use.

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

Section 51(2) of the Planning Act 1999

If a development proposal is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, the consent authority must not make a decision under this Division in relation to a development application for the proposal unless:
(a) the NT EPA has determined that an environmental impact assessment is not required under that Act for that proposal; or
(b) if the NT EPA has determined that an environmental impact assessment is required – an environmental approval has been granted under that Act for the proposal and the decision is consistent with that approval; or
(c) the Environment Protection Act 2019 otherwise permits the making of the decision.

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

8. RECOMMENDATION

That, the Development Consent Authority vary the requirements of Clause 5.8.2 (Education Establishment) of the Northern Territory Planning Scheme 2020, and pursuant to section 53(a) of the Planning Act 1999, consent to the application to develop Lot 3476 (2) Printers Place Town of Darwin for the purpose of a change of use from office to education establishment for the following reasons:
CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), amended plans to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

(a) development changes on a site plan identifying the lot boundary at a scale not less than 1:500m which reflect the:
   i. as constructed parking layout;
   ii. existing landscaping;
   iii. 12 bicycle parking spaces;
   iv. design of site access which demonstrates the safe and convenient movement of pedestrians (incorporating access for the disabled) to and from the site;
   v. design and location of facilities for loading and unloading of delivery vehicles and for refuse.

(b) floor layout plan at a scale not less than 1:200 showing the boundary of the building to be modified and showing layout, partitioning, room sizes and uses that pertain to the education establishment.

GENERAL CONDITIONS

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

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

4. Access shall not be permitted to the subject Lot from the McMinn Street road reserve. All access arrangements shall be via the Printers Place road to the standards of the City of Darwin.

Notes

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

9. REASONS FOR THE RECOMMENDATION

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

The NT Planning Scheme 2020 applies to the land and an education establishment requires consent under Clause 1.8 (When development consent is required). It is identified as Impact Assessable under Clause 1.8(1)(c)(i), and therefore the strategic framework (Part 2 of the Scheme including the Darwin Regional Area Plan and Central Darwin Area
Plan, zone purpose and outcomes of Clause 4.10 (Central Business) and Clause 5.2.3 (Buildings in Central Darwin), Clause 5.2.4 (Vehicle Parking), Clause 5.2.6 (Landscaping), Clause 5.3.7 (End of Trip Facilities in Zones HR, CB, C, SC and TC), Clause 5.5.3 (Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP and FD) and Clause 5.8.2 (Education Establishment) of the NT Planning Scheme 2020, need to be considered. These clauses have been considered and it is found that as conditioned, the proposal complies with the relevant requirements of the Planning Scheme except for Clause 5.8.2 (Education Establishment).

2. Pursuant to Clause 1.10 (Exercise of Discretion by the Consent Authority), subclause 5 of the NT Planning Scheme 2020, the consent authority may consent to a proposed development which is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:

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

The proposal has been found not to be in accordance with Clause 5.8.2 (Education Establishment) because the proposal will result in a tertiary education establishment outside of a designated education precinct.

It is considered that a variation to this clause is appropriate in this instance because:

(a) The Administration of the clause enables the consent authority to consent to an education establishment that is not in accordance with sub-clauses 2-5 of Clause 5.8.2 (Education Establishment) 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, nature, scale and impact on surrounding amenity.

(b) The proposal is consistent with the purpose of Clause 5.8.2 (Education Establishment) in that the proposal:

- will meet the needs of students and staff as:
  - the building will be internally fit–out for the sole purpose of education delivery including classrooms, staff room, library and kitchenette;
  - its location is in close proximity to public car parks, public bus stops and the cycle network; and
  - 12 undercover bicycle parking spaces will be provided.

- contributes positively to the amenity of the surrounding area through the addition of conveniently accessible premises for tertiary education in close proximity (walking distance) to high density residential living, places of employment, public parking, public transport and active transport networks;

- does not unreasonably interfere with the safe and efficient operation of the local road and pedestrian network as there are no changes proposed to the network and no concerns or requirements raised by the Department of Infrastructure Planning and Logistics or City of Darwin; and

- promotes access via public transport and active transport networks due to the close proximity to the bus interchange and cycle network.

(c) The purpose of Zone CB is to promote an active and attractive mixed use environment that maximises its function as the commercial, cultural, administrative, tourist and civic centre for the surrounding region that is integrated with high density residential development. The site is in close proximity to commercial uses, tourist accommodation and high density residential living on Carey Street and McMinn Street. The introduction of an education establishment at this site will increase activity within the CB zone with a potential for 200 students to occupy the building and access surrounding cafes, shops and other commercial premises.

(d) An assessment of the proposal against a selection of relevant Zone Outcomes for Zone CB finds that:
• The proposal contributes to the achievement of this outcome, due to the introduction of an education establishment in this location which offers a limited range of disciplines for a maximum of 200 students.

• The location of the education establishment complements the core functioning of the city precinct through contributing to the existing mixed use environment in close proximity (walking distance) to high density residential development.

• The existing single storey building incorporates generous roof overhang which provides shading to the glazed façade and the entry to the building. Together with retention of well-established landscaping between the building and the street, the building, site layout and landscaping creates a pleasant entry and views from the street.

• The nature of the use is not anticipated to contribute to an unreasonable loss of amenity for surrounding premises. The site is in close proximity to public car parks, public transport and the cycle path network.

(e) In consideration of the location, nature, scale and impact on surrounding amenity, the site is on the fringe of the CB Zone, located in part of a building associated with the printing and publication of the newspaper, the NT News. The site is otherwise in close proximity to high density residential living, commercial and tourist uses. The nature of the use is such that there is no anticipated detrimental impact on the surrounding amenity. The building has the capacity for approximately 200 students and the type of courses offered at the proposed facility will be tertiary level comprising accounting, hospitality management, information systems and management. There is therefore minimal potential off-site impacts arising from the type of education establishment.

The considerations listed under Clause 1.10(4) have been given regard to and it has been found that the proposal complies with all relevant requirements of the NT Planning Scheme 2020, except for Clause 5.8.2 (Education Establishment), as identified above.

Further, amended plans have been specified to be provided in response to Clause 5.5.3 (Commercial and other development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T). The purpose of the clause is to promote site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment. Sub-clause 10, 11 and 13 require development in Zone CB to address the following:

• Provide safe and convenient movement of vehicles and pedestrians to and from the site.
• Provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces.
• Provide for loading and unloading of delivery vehicles and for refuse.

3. Pursuant to section 51(j) of the Planning Act 1999, the consent authority must take into consideration the capability of the land to which the proposed development relates to support the proposed development and the effect of the development on the land and on other land, the physical characteristics of which may be affected by the development.

The proposal is for the change of use of part of an existing building and no concerns have been identified with regards to the capability of the land.

4. Pursuant to section 51(n) of the Planning Act 1999, the consent authority must take into consideration the potential impact on the existing and future amenity of the area in which the land is situated.
No changes are proposed to the approved building form and design. The nature of the use is such that there is no anticipated detrimental impact on the surrounding amenity. The building has the capacity for approximately 200 students and the type of courses offered at the proposed facility will be tertiary level comprising accounting, hospitality management, information systems and management. There is therefore minimal potential off-site impacts arising from the type of education establishment.

AUTHORISED:

................................................
SENIOR PLANNER – DARWIN PLANNING
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

AUSTRALIAN CAMPUS MANAGEMENT PTY LTD

Name

GAJINDER PAUL

Signed

Date 23/6/20

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) 3 PRINTER PLACE

Town/Location of land DARWIN NT

Herewith, authorise (name of agent/applicant) MR. ISRAEL

ONE PLANNING CONSULT

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

Description of development application:

DA Application to use premises

FOR EDUCATIONAL USAGE FOR

Australian Campus Management

Owner/authorising person’s contact phone number

0417 780 573
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 ________ NATION WIDE NEWS PTY LTD

Name ________ GREG THOMSON ___________ Signed ________ Date ________ 23/6/20

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) ___________ 2 PRINTERS PLACE

Town/Location of land ________ DARWIN NT

Herewith, authorise (name of agent/applicant)

AUSTRALIAN CAMPUS MANAGEMENT PTY LTD

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

Description of development application:

EDUCATION ESTABLISHMENT

Owner/ authorising person’s contact phone number

(0123) 456789
APPLICATION FOR DEVELOPMENT CONSENT

SECTION 46 – PLANNING ACT

LOT 3476 (2) PRINTERS PLACE
TOWN OF DARWIN

PURPOSE:

EDUCATION ESTABLISHMENT IN AN EXISTING BUILDING
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1. Preliminary

1.1 Introduction Summary

One Planning Consult has been engaged by Australian Campus Management Pty Ltd t/a Canterbury Institute of Management to lodge development application for the purpose of education establishment in an existing building. The subject site is Lot 3476 (2) Printers Place and has an area of 1300m2 contained within land zoned CB (Central Business). The site has an existing single storey building which was previously used as an office. The building is currently vacant and located in the outskirts of Darwin Central Business District. The proposed use will add to commercial activity within this area of the CBD.

1.2 Nature of Application

Pursuant to section 46 (1) of the Planning Act the application seeks planning approval for the purpose of education establishment in an existing single storey building entailing internal modification of the building comprising:

- 5 classrooms
- IT Lab
- Library
- Staff room
- Meeting room
- Toilet facilities
- Kitchenette
- Reception area
- 12 bicycle parking areas

Education establishment is a discretionary use 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 1300m² in area and located in Darwin Central Business area. The site is zoned CB (Central Business) and gains access from Printers Place. It is located adjacent and amongst land zoned CB (central Business). The immediate and surrounding developments are a mix of single to multi storey developments.

The existing building is currently vacant and the proposed use which comprises internal modification of the building to suit intended purpose is consistent and compatible with the built form within the area.
The land is zoned CB (Central Business) and therefore subject to all the relevant clauses of the Planning Scheme that apply to the land within Zone CB. The proposed development is consistent with the primary purpose of this zoning which is “... to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible activities.”

### 3.0 Access

The site has designated access through Printers Place which provides exclusive access to Lots 3476 and 8017 (2 & 3) Printers Place. Figure 2 below shows the existing roadway access within Printers Place road reserve towards 2 and 3 Printers Place sites.

**Figure 2:** Roadway access within Printer Place road reserve
The proposed education establishment comprises internal modification of existing building to accommodate approximately 200 students and staff members. The proponent intends to offer up to tertiary level educational courses for both local and international students, however, most of its recruitment comprises international students.

The proposed development will add to commercial activity within the locality and promote diversity of land uses in the area. The site is fully developed with 2 car parks partially onsite and 15 car parks located within the road reserve to Printers Place. It is evident from the past land uses that the 15 car parks adjacent to the site are intended to serve development over the site.

In addition, and as part of an agreement between the proponent and the landowner to both 2 and 3 Printers Place sites, there are additional 15 car parks available for use by the proponent over the neighbouring 3 Printers Place site. Whilst the proposed use generates a requirement of 11 car parks for education establishment on land zoned CB, the car parks over 3 Printers Place are underutilised (see below photos – Figure 3) and hence a lease offer by the landowner (APPENDIX B) for the proponent to use some of the available car parks. The proposed development therefore has access to 32 car parks and 12 bicycle parking areas.

**Figure 3:** Underutilised car parks on 3 Printers Place

![Underutilised car parks on 3 Printers Place](image-url)
The NT Planning Scheme technically requires provision of car parking on site. The subject site has a partial provision of 2 car parks on site and 15 car parks adjacent to the site and within the Printers Place road reserve. This results in a technical shortfall of 9 car parks on site or 11 if the 2 partially located onsite are excluded for technical reasons. The application is seeking reduction in overall car parking requirement on site due to the reasons discussed under Clause 6.5.2 below.

5.0 Strategic Planning

5.1 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 2.8 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.

5.2 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 informs 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:

- providing a city centre flexible to the evolving needs of the commercial and retail sectors;
- supporting the efficient delivery of infrastructure and ongoing viability of the city centre.

This Area Plan works to enhance Darwin’s role and identity by recognising and reinforcing the Darwin city centre as the heart of the Northern Territory and home for a growing inner-city population.

The subject site is located along McMinn Street and within proximity (420m) to focus area for education and civic precinct as identified under this plan. The plan indicates that Garramilla
Boulevard and McMinn Street will have a strong influence on activity and movement within the village. Garramilla Boulevard has been planned to provide cyclist and pedestrian amenity through both shade and nominated movement corridors. There are provisions to guide the similar development of McMinn Street as a shady boulevard offering priority to public and active transport users.

### 5.3 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 land use will enable one of the key objectives of this guide under the mixed-use areas and activity context which is to increase the level of activity within areas to enhance passive surveillance opportunities. The proposed use utilises the floor space on an existing and vacant building. The building presents towards McMinn Street and designated Printers Place road access. The existing window glazing which wraps around the façade encourages casual surveillance of the public realm and interface with the streetscape.

### 6.0 Statutory Planning and Consideration

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

#### 6.3.1 Building Heights in Central Darwin

1. *The purpose of this clause is to limit the height of buildings within Central Darwin to achieve a city form with the highest buildings and structures at the centre of the peninsula, stepping down towards the perimeter optimising opportunities for harbour views.*

2. *All buildings within Central Darwin Perimeter Area and the Central Darwin Core Area are to be in accordance with the diagram to this clause.*

The diagram to Clause 6.3.1 sets building heights in Central Darwin Core Area and maximum 55m AGL in the Esplanade Character Area only, inclusive of any plant or equipment or aerials (as shown in the diagram to this clause). The proposal is located within an existing building with alterations limited to internal areas. The proposed works do not alter the height of the existing single storey building.

#### 6.3.2 Volumetric Control in Central Darwin

1. *The purpose of this clause is to ensure the siting and mass of buildings within Central Darwin promotes*
   - *a built form that maximises the potential for view corridors to Darwin harbour;*
   - *the penetration of daylight and breeze circulation between buildings*
   - *promotes privacy for residents of adjoining properties; and*
**d) a built form that reasonably anticipates the future development of adjoining sites.**

The Table to Clause 6.3.2 requires the following:

**Tier 1**, or podium level, to a maximum of 25 metres above ground level

The proposed development is located entirely within the existing building, with modifications limited to internal partitioning and fit-out to the building. The existing building has a maximum height of approximately 5m metres above ground level. The use occurs within existing building with no changes to external built form which presents towards both street frontages and in full view of the street.

**Tier 2**

The existing building is well below 25m prescribed under Tier 1. The requirements of Tier 2 are therefore not applicable to the proposed works.

**6.3.3 Urban Design Requirements in Central Darwin**

1. **The purpose of this clause is to promote exemplary urban design in Central Darwin.**
2. **This clause applies to land within Zone CB (Central Business) in Central Darwin.**
3. **The design of buildings in Central Darwin is to provide 75% of the length of the site boundary at ground level as active street frontage through such treatments as:**
   
   a) frequent, operational and legible entrances; that are directly accessible from the public footpath;
   
   b) clear glass windows with views to and from the street;
   
   c) open space incorporating active street frontages, landscaping and retention of significant existing landscaping;
   
   d) areas that are attractive, safe and functional for pedestrians within the development site;
   
   e) areas that allow for alfresco dining;
   
   f) limiting services at street level on building frontages to the following:
      
      i. fire egress;
      
      ii. single vehicle entry and exit point to and from the building except on larger sites where additional access points are supported by a Traffic Study for the site;
      
      iii. direct single point access to service equipment by all service authorities; and
      
      iv. fire booster connection points.

There are no proposed changes to the façade of the building except for new signage along the awning fascia. The extent of active street frontage of the existing building is not altered by the proposal and therefore the existing vistas are preserved. The existing landscaping towards the front of the building will be retained.

4. **Buildings in Central Darwin are to:**

   a) provide awnings to streets for the full extent of the site frontage that allow for the planting and growth of mature trees within the road reserve;
The site does not have direct frontage to main streets being McMinn and Carey Streets. It is however noted that the site has established vegetation along perimeter of the building façade towards the street. The remaining parts of site’s frontages are occupied with access roadway, car parks and grassed areas.

b) provide mid-block pedestrian linkages (arcades) at ground level from one street to the other in buildings that have dual frontages;

The subject land and existing single storey building do not provide mid-block pedestrian linkages.

c) have facades that have a clearly articulated base, middle and top; and
The proposal has a clearly articulated building façade which is visually separated by use of different materials for the walls and the roof awning.

d) integrate plant rooms and service equipment on roof tops.

Existing plant equipment is located at the rear of the building and away from public view.

5. Ground level car parking areas in building are limited only to the number of car parking spaces required for ground level retail tenancy customers.

The existing building is single storey with access to existing ground level parking. There are no changes to existing car parking arrangement serving the site development.

6. All car parking areas are to be screened so that they are not visible from the street or public spaces.

There are no proposed changes to existing car parking layout.

7. The consent authority may consent to an application that is not in accordance with sub-clause 3 only if it is satisfied that compliance would be impractical.

Given the nature of the proposed development comprising the use of an existing building with changes mostly limited to internal layout, full compliance with sub-clause 3 is clearly impractical for the proposed development.

8. An application for a development in Central Darwin should prior to consideration by the consent authority include an acknowledgement in writing, from the agency responsible for power and water; the agency responsible for fire rescue services and Darwin City Council that the requirement for service provisions has been discussed with a view to minimise their impact on active street frontages.

The application is subject to public exhibition which entails comments from relevant service authorities. It is expected that response to public exhibition will occur prior to consideration of the application by the consent authority.
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.

Education establishment on land zoned CB (Central Business) requires 2 car parks for every 100m$^2$ of net floor area. The proposed development has a net floor area of 525m$^2$. The proposed use therefore requires 10.5(11) car parks onsite.

Table to Clause 6.5.1 requires that on-site car parking be provided for the respective proposed uses. The proposed development has 2 angled car parks partly located onsite. The proposed development therefore has a shortfall of 9 car parks onsite. 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 CB (Central Business) and the proposed land use (education establishment) is in keeping with the established land uses within the locality. The site has exclusive roadway access which is ideally intended to serve the subject site and the neighbouring property under the same land ownership.

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

There are 15 existing car parks located adjacent to the site and within the road reserve as shown at APPENDIX A. These car parks plus the 2 partially located onsite brings a total of 17 car parks directly accessible to the site. In addition to the 17 car parks available to the site, the landowner to 3 Printers Place has permitted access to 15 car parks over 3 Printers Place in favour of the proposed development. Whilst there are sufficient car parks adjacent to the development site to meet the required car parks for the proposed land use, car parks on 3 Printers Place are underutilised as discussed above (Proposal). This would result in 32 car parks (11 required) available for the proposed development. There are 12 bicycle parking bays proposed onsite.

In addition, there is a public car parking facility that stretch to almost the length of the road (McMinn Street) between Carey Street and Garramilla Boulevard with at least 200 all day car parking bays.

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

The subject site is located approximately 500m from Darwin Interchange Bus Terminal. The site is located within proximity to pedestrian and cyclist linkage leading into Darwin Central Business District.
(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.

There is no proposed change to existing car parking layout. Access to the site is gained through Printers Place roadway.

8.2 Commercial and Other Development in Zones ....CB, C, SC, TC......

1. The purpose of this clause is to promote site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment.

2. The design of buildings in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T should:

(a) preserve vistas along streets to buildings and places of architectural, landscape or cultural significance;

The façade of existing building remains largely unchanged with the vistas of existing development retained. The proposed medications occur with the existing single storey building that presents towards two street frontages.

(b) be sympathetic to the character of buildings in the immediate vicinity;

The existing building is well established as part of the locality, and the proposed internal use is unlikely to have adverse impact on the character of surrounding buildings.

(c) minimise expanses of blank walls;

The proposed land use occupies an existing building with façade treated to provide visual articulation.

(d) add variety and interest at street level and allow passive surveillance of public spaces;

There are no major changes to the façade of existing building at street level. The building is currently vacant, and the proposed use will encourage more activity within the locality and in turn promote passive surveillance of the public realm.

(e) maximise energy efficiency through passive climate control measures;
The proposed alterations are for internal works which entails use of appropriate material with adequate circulation areas to ensure energy efficiency of air conditioning system is maximised.

(f) control on-site noise sources and minimise noise intrusion;

The proposed use is unlikely to operate at a level beyond what is expected for an area that has ongoing business activities. The immediate land uses are compatible with the proposed use which is anticipated to have reasonable amenity impacts.

(g) conceal service ducts, pipes, air conditioners, air conditioning plants etc;

Services are located away from public view and located in areas where they are accessible for servicing.

(h) minimise use of reflective surfaces;

The existing building incorporates use of selective materials and colours that reduce reflective surfaces.

(i) provide safe and convenient movement of vehicles and pedestrians to and from the site;

The existing vehicle and pedestrian access arrangements will be maintained.

(j) provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces;

The development provides disabled car park and bicycle racks close to the building. The site is within proximity to Central Business area pedestrian linkages leading towards the site.

(k) provide protection for pedestrians from sun and rain;

The site does not have common boundary with street frontages, however, the existing awning around the front of the building provides protection for pedestrians from sun and rain.

(l) provide for loading and unloading of delivery vehicles and for refuse collection;

The proposed uses will share the existing loading / unloading area accessed from the road reserve to Printers Place.

(m) provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;

The existing development has areas designated for landscaping throughout the site.

(n) provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities; and
The proposed use entails refurbishing of existing ablution facilities within the building.

(a) provide bicycle access, storage facilities and shower facilities.

The proposal has designated area for 12 bicycle parking racks on site.

3. A development application must in addition to the matters described in sub-clause 2, demonstrate consideration of and the consent authority is to have regard to the Community Safety Design Guide (as amended from time to time) produced by the Department of Lands and Planning.

The Community Safety Design Guide seeks to ensure development considers the principles of Community Protection through Environmental Design (CPTED). Wi regards to the objectives of the guide; the proposed use of a vacant building will increase opportunities for passive surveillance of the public realm whilst reviving economic opportunities within the locality at large.

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 proposed educational establishment will revitalise the area by re-using a vacant building and encourage passive surveillance of the public realm. The proximity of the development to major public transport and pedestrian corridors minimise the need to use private cars for travel especially by international students who mostly rely on public transport.

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 CB (Central Darwin) 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 are available to service the proposed development.
**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. Given the range of existing uses within the immediate area, the location of the subject building and the nature of proposed use, the proposal is unlikely to unreasonably affect existing amenity.

**46(3)(j) - Public Interest**

The existing development and proposed use 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*.

**7.0 Conclusion**

Overall, the development largely meets the intent of land zoning which is to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential and retail and other business activities with a commitment to the separation of incompatible activities. The use of an existing building located adjacent to an office type land use is in keeping with existing land uses. The site is located close to Darwin Bus Interchange and within proximity to transport corridors with opportunities for cyclist and pedestrian linkages. The proposal is appropriate in the context of the subject land and surrounding locality.
The Design Scheme (drawings documents information) contained within this set have been prepared by Talpe Wijesinghe (TW) purely for the purpose of providing information about potential design schemes. The information should not be considered to be error free or to include all relevant data.

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All work to be carried out in accordance with the Building Code of Australia. All Local and State Ordinances relevant Australian Standards, local electricity, Water Regulations and all other relevant Authorities concerned.

All structural and site drainage to be subject to Engineers details or certification where required by the PCA. This shall include R.C. Slabs & footings & steel beams and columns, wind bracing to AS 1170 & AS 4055 anchor rods or bolts, tie downs, fixings etc., driveway slabs & drainage to the PCA’s satisfaction.

All work to be carried out in a professional & workmanship manner according to the plans and specification. Do not scale off the drawings unless otherwise stated and use figured dimensions in preference.

All dimensions & levels are subject to final survey and set out, all dimensions are to be checked & verified on site before the commencement of work.

CHANGE OF USE
FROM OFFICE TO EDUCATION CENTRE
(BCA Class 9B)
@ 02 Printers Place
DARWIN NT 0800
NOTES

All work to be done in conjunction with the working drawings, this specification and engineer's details if required.

Items not shown on drawings or in the specification but required to obtain a workman like finish are to be allowed for as per the standards if required.

All work to be in accordance with the Building Code of Australia. Local government requirements and all other relevant authorities.

The builder is to arrange and pay for all inspections, approvals etc. as may be required by the authorities concerned. Excepting amplification of electrical power major sewer extensions and water amplification.

Builder is to ensure against public risk as is required by the Workers Compensation Act of NSW.

Builder is to check all dimensions, levels etc. prior to any works proceeding. Figure dimensions take preference to scale.

Unless otherwise noted the builder shall provide a defects liability period of three months.

Builder is to provide for himself and his workers on site amenities as may be required if other arrangements have been made with the owners or the local authorities.

WORKMANSHIP

Do all work in the best and most tradesman like manner to the satisfaction of the superintender or building inspector.

Remove all waste items after completion of works. 

EXCAVATION

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ELECTRICIAN - in accordance with AS3000 / AS3006

Supply and install all power points and light points as per plans are as directed by ownerbuilder.

All work is to be carried out in accordance to the SAA wiring rules.

All materials shall be first quality and installed in a workmanlike manner. All fees and connection charges shall be applied for and paid. Certificate of compliance shall be provided to ownerbuilder.

The switch board shall be applied for shall be of circuit breaker type conforming to current standards. Power circuits 15 amp single phase and 10 amp 3 phase.

Construction of alec duties shall be applied for and paid. Certificate of compliance shall be provided to owner/builder.

All work is to be carried out in accordance to the SAA wiring rules.

All materials shall be first quality and installed in a workmanlike manner. All fees and connection charges shall be applied for and paid. Certificate of compliance shall be provided to ownerbuilder.

The switch board shall be applied for shall be of circuit breaker type conforming to current standards. Power circuits 15 amp single phase and 10 amp 3 phase.

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The switch board shall be applied for shall be of circuit breaker type conforming to current standards. Power circuits 15 amp single phase and 10 amp 3 phase.

Construction of alec duties shall be applied for and paid. Certificate of compliance shall be provided to owner/builder.

All work is to be carried out in accordance to the SAA wiring rules.

All materials shall be first quality and installed in a workmanlike manner. All fees and connection charges shall be applied for and paid. Certificate of compliance shall be provided to ownerbuilder.

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FOR APPROVAL PURPOSE ONLY

DEALER

* All work to be carried out in accordance with the Building Code of Australia. All Local and State Ordinances relevant Australian Standards, local electricity, Water Regulations and all other relevant Authorities concerned.

* All structural and site drainage to be subject to Engineers details or certification where required by the PCA.

* All work to be carried out in a professional & workmanship manner according to the plans and specifications.

* All dimensions & levels are subject to final survey and set out, all dimensions are to be checked & verified on site before the commencement of work.

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FOR REVIEW

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<th>Issue</th>
<th>Date</th>
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| DRAWING ORIG/DATE | AS 3 |

DECLARATION

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* All structural and site drainage to be subject to Engineers details or certification where required by the PCA.

* All work to be carried out in a professional & workmanship manner according to the plans and specification.

* Do not scale off the drawings unless otherwise stated and use figured dimensions in preference.

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* All structural and site drainage to be subject to Engineers details or certification where required by the PCA. This shall include R.C.Slabs & footings & steel beams and columns, wind bracing to AS 1170 & AS 4055 and all other drainage etc., drive way slabs & drainage to the PCA’s satisfaction.

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Project Name: CHANGE OF USE FOR R8 EDUCATION

Client: CANTERBURY INSTITUTE OF MANAGEMENT

Site: 02 PRINTERS PLACE / BUILDING B

DRAWING TITLE: CONTEXTUAL SITE PLAN

Scale: 1:100

Date: 29/06/2020

Drawn:                           Approved:                          

North Point

Job No.: CIM/2020

Drawing No.: DRA004

Sheet No.: 04
This logo will be displayed in reception back & entry doors.

The Design Scheme (drawings documents information) contained within this set have been prepared by Talpe Wijesinghe (TW) purely for the purpose of providing information about potential design schemes. The information should not be considered to be error free or to include all relevant data. Nothing in this report in any way comprises advice or a representation by Talpe Wijesinghe (TW) nor does the transmission or sending of these materials create any contractual obligations. Talpe Wijesinghe (TW) nor any of his employees, agents or contractors, will be liable for any direct or indirect loss/damage you may suffer or incur arising directly or indirectly from the use of any materials or information from this report. Talpe Wijesinghe (TW) retains copyright and all present and future moral rights in all intellectual property in all the materials authored by it and in any works created from these drawings and documents.

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All work to be carried out in a professional & workmanship manner according to the plans and specification. Do not scale off the drawings unless otherwise stated and use figured dimensions in preference.

All dimensions & levels are subject to final survey and set out, all dimensions are to be checked & verified on site before the commencement of work.

FOR APPROVAL PURPOSE ONLY

FOR REVIEW

S.No  |  Issue  |  Date

DRAWING ORIGINAL SIZE A3

DESIGNER

Project Name: CHANGE OF USE FOR 9B EDUCATION

Client: CANTERBURY INSTITUTE OF MANAGEMENT

Site: 02 PRINTERS PLACE / BUILDING B DAWSON NY 6000

Drawing Title: SITE PHOTOGRAPHS

Date: 20/06/2020

Designers / Drafters

North Point

Job No: CIM/20

Drawing No: DRA005

Sheet No: 05
June 22, 2020

G Paul
Australian Campus Management Pty Ltd
PO Box 331, Croydon Park NSW 2133

Subject: Lease/ Parking

Dear Mr Paul

Thanks for signing heads of agreement. The lease is currently being prepared and will be with you shortly.

I wish to confirm that there are (30) Parking and 12 cycle racks available to Australian Campus Management for use 2 Printers Place, Darwin NT as marked on the site plan.

All the best with application process to convert to Education use and I look forward to having you as long term tenants at our premises.

If you need any further documents, please let us know

Sincerely

Greg Thomson
General Manager
Nationwide News Pty Ltd
Hi Julie,

Following the introduction of the new NT Planning Scheme, we note that the new Scheme came into effect (published on 31 July 2020) at the time when the application was already going through assessment process. We however wish to address some of the issues raised in the Technical assessment under the requirements of the new Scheme.

The subject site is located along McMinn Street and within proximity (approximately 360m) to boundary focus area for education and civic precinct as identified under Central Darwin Area Plan. The plan indicates that Garramilla Boulevard and McMinn Street will have a strong influence on activity and movement within the village. Garramilla Boulevard has been planned to provide cyclist and pedestrian amenity through both shade and nominated movement corridors. There are provisions to guide the similar development of McMinn Street as a shady boulevard offering priority to public and active transport users.

It is envisaged by the proponent that the proposed education facility will in the future complement the educational activities offered by developments in the nearby education and civic precinct as identified under Central Darwin Area Plan. The plan indicates that Garramilla Boulevard and McMinn Street will have a strong influence on activity and movement within the village. Garramilla Boulevard has been planned to provide cyclist and pedestrian amenity through both shade and nominated movement corridors. There are provisions to guide the similar development of McMinn Street as a shady boulevard offering priority to public and active transport users.

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5.8.2 EDUCATION ESTABLISHMENT

Purpose
Ensure an education establishment:
(a) meets the needs of students and staff;

The existing building will meet future needs of students and staff.

(b) contributes positively to amenity of the surrounding area;

Given the range of existing uses within the immediate area, the location of the subject building and the nature of proposed use, the proposal is unlikely to unreasonably affect existing amenity.
(c) *does not unreasonably interfere with the safe and efficient operation of the local road and pedestrian network;* 

and

The site is located within proximity to existing cycling and pedestrian linkage networks. There are no proposed changes to existing road network or access points.

**(d) promotes access via public transport and active transport networks.**

The subject site is located within proximity public transport hub and other transport networks.

**Administration**

1. The consent authority may consent to an education establishment that is not in accordance with sub-clauses 2-5 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, nature, scale and impact on surrounding amenity.

The land is zoned CB with the purpose to promote an active and attractive mixed use environment that maximises its function as the commercial, cultural, administrative, tourist and civic centre for the surrounding region that is integrated with high density residential development. The proposed development will accommodate approximately 200 students at its peak.

The building is existing and subject to regulatory controls under the Building Act which limits the number of students for the building to meet class 9B requirements. The intensity of the proposed land use is limited to 560m² of floor area with maximum 200 students at any given time. The scale of proposed private institution is insignificant and can only add to diversity of educational experiences within Central Darwin.

The proposed education establishment achieves the following outcomes of the zoning:

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

The proposed education establishment will complement future educational development within the nearby Education and Civic Precinct by providing option or educational choice within the central Darwin in a small private institution. Some of the courses offered can be further developed through advance training at university level or prepare students for university entry level.

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

There is no unreasonable loss of amenity as a result of the proposed land use given the nature of the proposed use and the location of the subject building in relation to surrounding developments.

**Requirements**

2. Locate pre-school, primary and secondary school facilities to maximise access by public transport, safe walking and cycling routes, and are provided with safe vehicular drop-off zones. N/A

3. Provide a designated student car park in secondary schools. N/A

4. Locate tertiary education facilities in designated education precincts within or adjacent to activity centres that are connected to public transport.

The reasons for considering the proposed location are discussed throughout the report and above.
5. Ensure mechanical plant and service areas are designed and screened to minimise adverse amenity impacts when viewed from adjoining streets and properties, and are not located where they adjoin an existing residential use.

The building is existing with mechanical plants located away from public view.

**CAR PARKING**

The subject site was originally developed as warehouse and showroom. The permit and endorsed plans associated with the planning approval for these land uses is provided at **APPENDIX A3** attached. The content of the permit confirms that the Consent Authority at the time consented to a development with reduced car parking and subject to the applicant constructing 15 car parks on the road reserve at their expense and to the satisfaction of Darwin City Council and Department of Transport and Works. It is for this reason that subsequent land uses continued to use these car parks to serve developments over Lot 3476. The proposed land use is accordingly intending to use these car parks as acknowledged in the application.

It is worth noting that the owner to Lot 8017 (3) Printers Place, who also owns Lot 3476 (2) Printers Place has given the proponents to the application authority to access 15 car parks located on adjacent Lot 8017, **APPENDIX A1**. These car parks are enough to meet the parking requirement resulting from the proposed land use over Lot 3476. The letter of authority is attached at **APPENDIX A4**.

In confirming requirement of car parks to serve existing development on Lot 8017, attached (**APPENDIX A2**) is the site plan showing car parks and land uses over the site. The existing land uses on Lot 8017 require 30 car parks. There are 57 marked car parks onsite. The existing development has a surplus of 27 car parks. 15 of these car parks are allocated to serve the proposed education establishment.

Kind regards,

Israel
Dated 22 June, 2020

G.Paul
Australian Campus Management Pty Ltd
PO Box 331
Croydon Park NSW 2133

Subject: Lease/ Parking

Dear Mr Paul

Thanks for signing heads of agreement. The lease is currently being prepared.

I wish to confirm that there are 15 car parks on Lot 8017 (3) Printers Place Darwin available for use by Australian Campus Management, Darwin NT, as marked on the site plan.

All the best with application process to convert to Education use and we look forward to have you as a long term tenants at our premises.

If you need any further documents, please let us know

Sincerely

Greg Thomson
General Manager
Nationwide News Pty Ltd
NORTHERN TERRITORY PLANNING AUTHORITY

Planning Authority Section 113

INSTRUMENT OF DETERMINATION

DV630

Development application lodged pursuant to section 104 of the Planning Act by Redco Investments Pty. Ltd., B.M. Smith and R.N. Cook, of 36 Knuckey Street, Darwin on 21 January 1982, for the purposes of showroom with ancillary warehouse and office.

WE, RONALD JOHN WITHNALL and CECIL ALBERT BLACK by virtue of a delegation from the Northern Territory Planning Authority, waive the on site parking shortfall of 25 spaces for the development referred to in this determination and pursuant to section 112(1)(a) of the Planning Act grant consent to develop lot 3476 McMinn Street, town of Darwin, for the purpose of showroom with ancillary warehouse and office in accordance with drawing number 82/514B endorsed by us and subject to the following conditions:

1. The applicant shall construct on the road reserve in McMinn Street opposite Lot 3476, Town of Darwin, fifteen (15) carparking bays to be paved with bitumen or concrete to the satisfaction of the City Engineer, Darwin City Council and the Director, Roads Division of the Department of Transport and Works, at no cost to anyone except the applicant.

2. Before commencing the construction of the carparking bays referred to in the last condition the applicant shall enter into an agreement with the Darwin City Council which shall acknowledge that if the said road reserve is required for road usage of any sort it will acknowledge its liability to pay to the Darwin City Council in respect of a shortfall of fifteen (15) parking bays such amount as the Darwin City Council may the lawfully levy in respect of that shortfall.

3. Nothing in this instrument shall affect the liability of the applicant to pay any levy lawfully imposed by the Darwin City Council in respect of the waiver of ten (10) carparking bays that this instrument grants.

4. It is a further condition of this instrument that the applicant shall perform all undertakings entered into in the agreement referred to in condition (2) above whether or not in law those undertakings may be enforced by the Darwin City Council.
5. A detailed landscaping plan indicating the type of trees and shrubs to be planted, the extent of grassed areas on the McMinn Street, road reserve shall be submitted to the City Engineer, Darwin City Council, for his approval. All landscaping shall be carried out in accordance with the landscaped plan approved by the City Engineer and shall thereafter be maintained to his satisfaction.

6. Kerb crossovers to the site, the driveway to the site boundary and stormwater drainage shall be provided to the requirements and satisfaction of the City Engineer, Darwin City Council, at no cost to the Council.

7. The consent to the usage of this site given by this instrument shall not be operative until all conditions of the instrument have been complied with.

Reasons for Conditions

1-4. To ensure the provision of adequate parking facilities in the area.

5. In the interest of amenity; to minimise the impact of the carparking area from the surrounding environment.

6. To ensure the provision of suitable access to the site, in the interest of road safety and better administration of community services.

7. In granting consent to the proposal with no parking provision on site the Authority took the view that all conditions specified in this instrument should be complied with prior to building occupancy in order to prevent undue parking and traffic problems in the locality.

Dated this 3 - day of June 1982

R.J. WITHNALL
Chairman
Northern Territory
Planning Authority

C.A. BLACK
Northern Territory
Planning Authority
NOTE: The applicants attention is drawn to the right of appeal which exists in relation to the above decision in accordance with section 114 of the Planning Act. Within 28 days of receiving this Instrument of Determination an appeal may be lodged to the Appeals Committee.

Pursuant to section 116 consent to this development application lapses at the expiration of 2 years from the date of this consent if no development has occurred. An extension of time may be granted by the consent authority pursuant to section 117.

Working drawings and specifications to comply with the Darwin Area Building Manual and other relevant statutes and are subject to approval by the Building Authority Branch of the Department of Lands.
side elevation scale 1:200

front elevation scale 1:200

case thru scale 1:200

existing building, warehouse

existing building, seafood retail outlet

title boundary

garbage collection area

title boundary

PROPOSED DEVELOPMENT SITE

landscaped area

location plan scale 1:800

floor plan scale 1:200

Note: Type A partitioning to be possible future wall division.

Site area, 1289 m²

Gross floor area, 921 m²

Carparking requirements, 16 cars

MCMINN STREET

LOT 3478

VACANT LAND.
Development application lodged pursuant to section 104 of the Planning Act by Redco Investments Pty Ltd and B.M. Smith of G.P.O. Box 904, Darwin, N.T. 5794 on 17 February, 1984 for consent to develop Lot 3476 McMinn Street, Town of Darwin for the purposes of a showroom complex with ancillary warehouse and offices; and approval for the building complex to be used as an archives building for a temporary period of 3-6 years.

I, RONALD JOHN WITHNALL by virtue of a delegation from the Northern Territory Planning Authority, at its meeting of 6 March, 1984 determine the application pursuant to section 112(1)(a) of the Planning Act by rescinding Instrument of Determination DV839 dated 3 February, 1983 and granting consent to the application in accordance with the site plan shown on drawing 82/519 1/4 and the floor plan and elevations shown on drawing 82/514 B both drawn by G. Rohde & Associates and endorsed by me; subject to the following conditions:-

1. The applicant shall construct on the road reserve in McMinn Street opposite Lot 3476, Town of Darwin, fifteen (15) carparking bays and driveway area to be paved with bitumen or concrete and constructed to the approval and satisfaction of the City Engineer, Darwin City Council and the Director, Roads Division of the Department of Transport and Works, at no cost to anyone except the applicant. Carparking bays and driveways shall be located in accordance with Drawing No. D533:7A drawn by W.L. Meinhardt and Partners.

Reason
To ensure the provision of adequate parking facilities in the area.

2. Before commencing the construction of the carparking bays referred to in the last condition the applicant shall enter into an agreement with the Darwin City Council which shall acknowledge that if the said road reserve is required for road usage of any sort it will acknowledge its liability to pay to the Darwin City Council in respect of a shortfall of fifteen (15) parking bays such amount as the Darwin City Council may then lawfully levy in respect of that shortfall.

Reason
To ensure the provision of adequate parking facilities in the area.
3. Nothing in this instrument shall affect the liability of the applicant to pay any levy lawfully imposed by the Darwin City Council in respect of the waiver of ten (10) carparking bays that this instrument grants for the showroom/warehouse and ancillary office complex. (The parking waiver does not apply in relation to the temporary usage as an archives building).

**Reason**

To ensure the provision of adequate parking facilities in the area.

4. It is a further condition of this instrument that the applicant shall perform all undertakings entered into in the agreement referred to in condition (2) above whether or not in law those undertakings may be enforced by the Darwin City Council.

**Reason**

To ensure the provision of adequate parking facilities in the area.

5. A detailed landscaping plan indicating the type of trees and shrubs to be planted and the extent of grassed areas on the McMinn Street road reserve shall be submitted to the City Engineer, Darwin City Council, for his approval. All landscaping shall be carried out in accordance with the landscaped plan approved by the City Engineer and shall thereafter be maintained to his satisfaction.

**Reason**

In the interest of amenity; to minimise the impact of the carparking area from the surrounding environment.

6. Kerb crossovers to the site, the driveway to the site boundary and stormwater drainage shall be provided to the requirements and satisfaction of the City Engineer, Darwin City Council, at no cost to the Council.

**Reason**

To ensure the provision of suitable access to the site, in the interest of road safety and better administration of community services.

7. The consent to the usage of this site given by this instrument shall not be operative until all conditions of the instrument have been complied with.

**Reason**

In granting consent to the proposal with no parking provision on site the Authority took the view that all conditions specified in this instrument should be complied with prior to building occupancy in order to prevent undue parking and traffic problems in the locality.
8. A side entry pit with an outlet pipe discharging stormwater into the existing gully, and other stormwater drainage works as may be required, shall be constructed to the requirements and satisfaction of the Director, Roads Division, Department of Transport and Works, at the applicants' expense.

Reason

In the interest of better administration of community services.

Dated this 26 day of April 1984

R.J. WITHNALL
Chairman
Northern Territory
Planning Authority

NOTE: The applicants attention is drawn to the right of appeal which exists in relation to the above decision in accordance with section 114 of the Planning Act. Within 28 days of receiving this Instrument of Determination an appeal may be lodged to the Appeals Committee.

Pursuant to section 116 consent to this development application lapses at the expiration of 2 years from the date of this consent if no development has occurred. An extension of time may be granted by the consent authority pursuant to section 117.

Working drawings and specifications to comply with the Darwin Area Building Manual and other relevant statutes are subject to approval by the Building Authority Branch of the Department of Lands.
side elevation scale 1:200

front elevation scale 1:200

section thru scale 1:200

existing building, furniture warehouse

CARY STREET

LOT 3476

PROPOSED DEVELOPMENT SITE

LANDSCAPED AREA

Site area: 1289 m²
Gross floor area: 921 m²
Car parking requirements: 16 cars

floor plan scale 1:200

NOTE: A partitioning to be possible future wall divisions.
TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME

Application No: PA2020/0210
Lot number: Lot 3476 and Lot 8017
Town/Hundred: Town of Darwin
Zone: CB (Central Business)
Site Area: 1300m² and 7050m² (8350m²)
Proposal: Change of use from office to education establishment
Plans used for assessment: DRA003 and floor plan
Date assessment finalised: 28 August 2020

The proposed development requires consent under the Northern Territory Planning Scheme 2020. This has been triggered as described in the below table:

<table>
<thead>
<tr>
<th>Zone CB (Central Business)</th>
<th>Use</th>
<th>Assessment Category</th>
<th>Overlays</th>
<th>General Development Requirements</th>
<th>Specific Development Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education Establishment</td>
<td>Impact</td>
<td>Nil</td>
<td>5.2.3 Buildings in Central Darwin 5.2.4 Vehicle Parking 5.2.6 Landscaping 5.3.7 End of Trip Facilities in Zones HR, CB, C, SC and TC</td>
<td>5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, and FD 5.8.2 Education Establishment</td>
<td></td>
</tr>
</tbody>
</table>
2.4 Strategic Framework

The following is relevant to the subject site.

**Darwin Regional Land Use Plan 2015**

The purpose of the Darwin Regional Land Use Plan 2015 is to identify the essential characteristics and needs that will shape future development in the region and establish an overarching framework for development.

The DRLUP identifies the subject land as within the urban/peri-urban extent in Darwin and an Existing Regional Centre, the Darwin CBD. The CBD provides a full range of facilities and services and performs the critical capital city role and higher order function as the Northern Territory's dominant commercial, cultural, administrative, tourist and civic centre. The Key Activity Centre Objectives include:

- Identify a regional hierarchy of activity centres to:
  - establish an efficient and equitable framework for the distribution of retail, commercial and other community needs and to provide a range of residential opportunities
  - encourage vibrant centres providing a mix of activities appropriate to the type of centre and the target population
  - maximise local employment opportunities to encourage diversification of the regional economy
  - encourage active transport including walking and cycling and enhanced access to public transport
  - foster liveable and sustainable communities

- Promote regional activity centre viability and vitality via a proactive planned approach to land use policies and infrastructure provision.

**Central Darwin Area Plan 2019**

The Central Darwin Area Plan 2019 (CDAP) identifies the site for mixed use (Commercial, Civic, Residential, Education, Tourism, Recreation and Retail). The mixed use theme key objective is to support a dynamic mix of uses that contribute to safe, active, attractive and diverse localities.

The proposal seeks to use an existing building for educational purposes with a focus on international students. The building is in a group of buildings used for the production of the NT News newspaper, and in close proximity to multiple dwellings, motels and shops.

<table>
<thead>
<tr>
<th>Mixed Use Theme</th>
<th>Support a dynamic mix of uses that contribute to safe, active, attractive and diverse localities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objectives</strong></td>
<td><strong>Acceptable Responses</strong></td>
</tr>
</tbody>
</table>
| 2.1 Encourage development that provides for a mix of uses. | i. Where there is reasonable capacity to do so, buildings and sites include a vertical mix of land uses on different floors/storeys such as:  
  a) residential;  
  b) commercial and retail; | The proposed education establishment is within an existing ground level building and requiring a vertical mix of uses in this instance is not reasonable to require. |
| 2.2 Encourage building design for new buildings that can be adapted to changing demand. | i. Proposed development demonstrates how ground floor tenancies have been designed to enable future conversion to commercial land use, i.e. sufficient ceiling heights.  
ii. Floors constructed for car parking within mixed use buildings are to have level surfaces (excluding ramps) and ceiling heights that enable future conversion to commercial or residential use. | An existing building is proposed to be used. |
|---|---|---|
| 2.3 Provide activated frontages with ground floor commercial activities in priority locations. | i. Ground floor commercial and retail activation is provided within areas depicted as ‘Activated Frontages’ within the Residential and Mixed-Use Map.  
ii. Buildings provide interest and active frontages at street level.  
Large expanses of blank walls or inactive frontages are to be avoided. | There are no ‘Activated Frontages’ identified within the Residential and Mixed-Use Map.  
There is no proposed change to the external façade. |
| 2.4 Development mitigates against potential conflicts both within and between buildings | i. Building design mitigates against potential conflicts between uses within the building and surrounds which are existing or can be reasonably anticipated.  
ii. Building design mitigates against potential conflicts between uses of existing buildings and adjacent and/or nearby buildings and environments which are existing, or can be reasonably anticipated. | Potential conflicts between uses are expected to be mitigated through the design of appropriate acoustic buffering between the classroom areas, adjacent uses in the same building and external environment. |
| 2.5 Provide landscaping and greening that contributes to the quality and amenity of communal and public spaces. | i. Where there is reasonable capacity to do so, building design incorporates and maintains opportunities for planting on structures through techniques such as: a) green walls, living walls or vertical gardens; b) wall design that incorporates trellis structures; c) landscaping of podiums; d) planter boxes; and / or e) landscaping incorporated into podium car parking screens. | There is no proposed landscaping incorporated into the building design. |

| 2.6 Encourage development that contributes to the amenity of the public realm and reflects the character of the area. | i. Building design mitigates against potential conflicts between uses within the building and surrounds which are existing or can be reasonably anticipated. ii. Development fronting existing and future public spaces and/or pedestrian and cyclist links: a) responds to the role and function of the individual space; and b) locates habitable rooms, or private open spaces of dwellings, overlooking the public space. iii. For areas not within an area depicted as ‘Activated Commercial Frontage’, development may include ground floor residential including communal open space that enables passive surveillance from the ground floor. iv. Communal facilities and meeting spaces near the building entry, such as bicycle parking and seating, are integrated into building design. v. Sheltered pedestrian thoroughfares are integrated into the design of buildings. This may include, but is not limited to: awnings, covered Mitigation between buildings on the site and adjacent sites is expected to be achieved. |

There is no change to the external façade.

At the entrance to the building, there are existing bicycle racks identified in the application.

The roof overhang on the building provides protection from sun and rain along two sides of the building frontage, including the entry.
### 2.7 Design bus stops to enhance user comfort and safety.

i. **Bus stops and associated infrastructure are well considered components within development and road reserve design. This may include, but is not limited to:**
   a) high amenity pedestrian connections to the bus stop with protection from the elements;
   b) technologically advanced bus stops displaying real time information; and
   c) implementation of crime prevention through environmental design (CPTED) principles for bus stop design.

ii. **Bus stop locations facilitate access to efficient, linear and frequent public transport.**

- Bus stops and associated infrastructure are not proposed as part of the development.
- Darwin interchange is approximately 500m walking distance to the site.

### 2.8 Design vehicle access points and onsite movement for new buildings to minimise streetscape impacts and avoid conflicts between pedestrians and vehicles.

i. **Locate and consolidate vehicle access, parking and loading areas away from street frontages.**

ii. **Car park entry and access is from the lowest order vehicle access way. In order of priority access is from:** a laneway, a secondary street, or a primary street if no other access is possible (refer to Transport Network Map).

iii. **Vehicles entering and manoeuvring within sites is minimised.**

- There is no change to the vehicle access, parking or loading areas.
- Car park within the Printer Place road reserve is accessed via an entry from Carey Street.
<table>
<thead>
<tr>
<th>2.9 Encourage sustainable development.</th>
<th>i. Buildings and the urban environment demonstrate reasonable responses to support cooling, heat mitigation, greening, waste reduction, and water and energy efficiency.</th>
<th>There is no change to the building identified in relation to sustainable development.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.10 Design new buildings to address prominent corners and ‘Gateway Precincts.’</td>
<td>i. Development proposed at locations identified as a ‘Gateway Precinct’, as indicated on the Residential and Mixed Use Map, provides: a) vertical elements, such as additional storeys, raised parapets, spires, roof sections and similar structures, as part of the building design; b) public art and signage within the design of buildings and related public spaces; and c) effective and visually appealing all-weather protection.</td>
<td>There is no new building proposed.</td>
</tr>
</tbody>
</table>
### 2.11 Prevent any new use or intensification of development that would prejudice the safety or efficiency of an airport.

i. Any proposed development determined to exceed the heights prescribed by the Defence (Aviation Areas) Regulations 2018, or Civil Aviation legislation, will need approval by the relevant airport authorities.

<table>
<thead>
<tr>
<th>2.11 Prevent any new use or intensification of development that would prejudice the safety or efficiency of an airport.</th>
<th>There is no new building proposed.</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Any proposed development determined to exceed the heights prescribed by the Defence (Aviation Areas) Regulations 2018, or Civil Aviation legislation, will need approval by the relevant airport authorities.</td>
<td></td>
</tr>
</tbody>
</table>

### 2.12 New developments consider and respond to the potential use of laneways as shared spaces.

i. Providing windows and balconies at upper levels above the ground floor to overlook laneways.

ii. Providing facades of buildings fronting laneways that create visual interest and architectural animation, particularly at the ground level, with large expanses of blank walls avoided.

<table>
<thead>
<tr>
<th>2.12 New developments consider and respond to the potential use of laneways as shared spaces.</th>
<th>There is no change to the building façade proposed.</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Providing windows and balconies at upper levels above the ground floor to overlook laneways. ii. Providing facades of buildings fronting laneways that create visual interest and architectural animation, particularly at the ground level, with large expanses of blank walls avoided.</td>
<td></td>
</tr>
</tbody>
</table>

### 3. Overlays

There are no relevant overlays.

### 4.10 Zone CB – Central Business

**Zone Purpose**

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

**Zone Outcomes**

1. A diverse mix of commercial, community, cultural, recreational and residential developments of a scale and intensity commensurate with the role and function of the central business district.
2. Residential developments that cater for residents and tourists, including dwelling-multiple, serviced apartment, rooming accommodation, residential care facility, and hotel/motel, are usually of high density and are integrated with complementary commercial and entertainment activities that are located nearby or contained within the same building.

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

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

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

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

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

8. Development incorporates innovative building design, site layout and landscaping that:
   (a) responds to and encourage pleasant microclimates, including through breeze capture and shading;
   (b) minimises privacy and overlooking impacts on private spaces;
   (c) maximises overlooking and passive surveillance of public spaces;
   (d) maximises pedestrian activity along primary street frontages;
   (e) reduces the appearance of building mass relative to its surroundings; and
   (f) creates attractive outdoor spaces and enhances the streetscape.

9. Development contributes to the creation of an active, safe and legible public realm by:
   (a) incorporating and responding to high quality public open spaces including town squares, civic plazas and forecourts where appropriate; and
   (b) integrating with walking, cycling and public transport networks to promote accessibility and use.

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

11. An efficient pattern of land use with all lots connected to reticulated services, integrated with existing transport networks and with convenient access to open space, community and educational facilities.

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

COMPLIES
5.2.3 BUILDINGS IN CENTRAL DARWIN

5.2.3.1 Building Heights in the Esplanade Character Area

**Purpose**

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

**Administration**

1. The consent authority may consent to a development in the Esplanade Character Area that is not in accordance with the requirements of sub-clause 5, only if it is satisfied that the design of the development provides an equivalent or higher standard of urban amenity through an exemplary response to building bulk, scale, street interface and on-site landscaping.
2. The information required by sub-clause 6 is to be to the satisfaction of the consent authority.
3. For the purposes of this clause, the height of any point of a building is to be measured from the highest natural point on the site boundary.
Requirements
4. All buildings within the Esplanade Character Area are to have a maximum height of 55m Above Ground Level (AGL).

5. Despite sub-clause 5, a building in the Esplanade Character Area (as shown in the diagram to this clause) may have a building height greater than 55m Above Ground Level (AGL) if the development:
   (a) provides podiums to a reduced height of 15m, or 4 storeys (i.e. lower than the maximum permitted height of 25m);
   (b) provides tower elements which promote the visual separation between buildings, i.e. slender tower forms;
   (c) provides activated facades and/or habitable rooms to podiums which front a street(s);
   (d) does not provide ground floor car parking or a car parking area that is visible from the street;
   (e) does not provide impermeable fencing within the front setback;
   (f) provides deep soil planting zone(s) and generous landscaping within a setback area(s).

6. An application for a development under sub-clause 5 must include a site analysis and urban design study prepared by appropriately qualified professionals that demonstrate that the proposed development responds to the attributes of the site and the surrounding neighbourhoods.

NOT APPLICABLE

5.2.4 VEHICLE PARKING

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.

Editor’s Notes:
(1) Clauses 5.2.4.2 and 5.2.4.3 provide for the reduction in parking requirements
(2) Clause 5.2.4.4 provides for the design of a car parking area
The parking requirement for the proposed use is two car parks per 100m$^2$. The net floor area is 525m$^2$ and a parking requirement of 11 car parks applies. The remaining part of the building has a requirement for 1 car park as an office. It is noted that the parking requirements for an office are the same as education establishment (where net floor area is over 500m$^2$) and therefore no net change in parking requirements apply. The plans do not show parking allocated to the proposed use within the boundary of the lot however 15 bays are shown directly in front of the building within the Printers Place road reserve.

The existing parking was provided as part of the development of the building in 1984 under DV1254 which issued for the purpose of a showroom with ancillary warehouse and offices (and approval for building complex to be used as an archive building for a period of 3-6 years). This permit required construction of 15 car parks and driveway to the satisfaction of the road authorities (both NT Government and local Council). The permit waived the requirement for a further 10 car parking spaces.

**COMPLIES**

### 5.2.4.4 Parking Layout

**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;
   (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
   (j) be designed so that parking spaces at the end of and perpendicular to a driveway be with 3.5m wide or so that the driveway projects 1m beyond the last parking space.
4. Despite sub-clause 3, dust suppression may be an acceptable alternative to sealed surfaces in non-urban areas.

NOT APPLICABLE

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.

There is no landscaping within Lot 3476 however established landscaping exists within the parking area in Printers Place as shown in the application, which is attractive, water efficient and contributes to a safe environment provided to enhance the streetscape and overall amenity of the locality.

There are no measurable aspects as specified in sub-clause 4 and 5 and it is considered that the change of use does not create non-compliance with this clause by virtue of the landscaping in the road reserve approved and completed as part of DV1254.

COMPLES

5.3.7 END OF TRIP FACILITIES IN ZONES HR, CB, C, SC AND TC

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

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

Requirements
2. All new buildings in Zones HR, CB, C, SC and TC should provide bicycle parking facilities with a number of bicycle parking spaces calculated at the rate specified in the table to this clause (rounded up to the nearest whole number).
3. All bicycle parking facilities and associated bicycle parking devices should be designed in accordance with Australian Standard AS2890.3 – Bicycle Parking and must:
   (a) be located in a convenient and safe location with adequate security for the storage of bicycles;
   (b) have an appropriate mix of long and short term, wall and floor mounted bicycle parking;
   (c) where secure parking is provided, provide e-bike charging facilities, as necessary;
(d) not require access via steps;
(e) be protected from the weather;
(f) enable the wheels and frame of a bicycle to be locked to the device without damaging the bicycle;
(g) be located outside pedestrian movement paths;
(h) be easily accessible from the road;
(i) be arranged so that parking and manoeuvring motor vehicles will not damage adjacent bicycles;
(j) be protected from manoeuvring motor vehicles and opening car doors;
(k) be as close as possible the cyclist’s ultimate destination;
(l) be well lit by appropriate existing or new lighting; and
(m) be sympathetic in design, material and colour to compliment the surrounding environment.

4. A locker should accompany every secure bicycle parking space provided, and should be:
(a) of suitable volume and dimensions to allow storage of clothing, cycling helmets and other personal items;
(b) well ventilated, secure and lockable; and
(c) located close to shower and changing facilities.

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

6. Shower and changing facilities must be secure facilities capable of being locked, and should:
(a) be located as close as practical to the associated bicycle parking facilities;
(b) provide one change space per shower; and
(c) Provide for separate male and female facilities where more than one shower is provided.

<table>
<thead>
<tr>
<th>Use or Development</th>
<th>Minimum number of bicycle parking spaces</th>
<th>Minimum number of showers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings - multiple</td>
<td>1 space for every 3 dwellings</td>
<td></td>
</tr>
<tr>
<td>Hotel/motel, rooming accommodation</td>
<td>1 space for every 3 guest rooms</td>
<td>1 shower for up to 50 staff, plus 1 additional shower for up to every 50 staff thereafter.</td>
</tr>
<tr>
<td>Non-residential buildings (except as identified in this table)</td>
<td>1 space per 300m² net floor area</td>
<td>1 shower for up to 50 staff, plus 1 additional shower for up to every 50 staff thereafter.</td>
</tr>
<tr>
<td>Office</td>
<td>1 space per 300m² net floor area</td>
<td>1 shower for up to 1500m² net floor area, plus 1 additional shower for up to every 1500m² thereafter.</td>
</tr>
<tr>
<td>Serviced apartments</td>
<td>1 space for every 3 dwellings</td>
<td>1 shower for up to 50 staff, plus 1 additional shower for up to every 50 staff thereafter.</td>
</tr>
<tr>
<td>Shop (including shopping centres)</td>
<td>1 space per 300m² net floor area up to 5000m² net floor area, plus 1 space per 600m² net floor area above every 5000m² net floor area thereafter.</td>
<td>1 shower for up to 5000m² net floor area, plus 1 additional shower for up to every 5000m² thereafter.</td>
</tr>
</tbody>
</table>

NOT APPLICABLE – no new building proposed
5.5.3 COMMERCIAL AND OTHER DEVELOPMENT IN ZONES HR, CV, CB, C, SC, TC, OR, CP, FD AND T

**Purpose**
Promote site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment.

**Administration**
1. A development application must, in addition to the matters described in sub-clauses 2-16, demonstrate consideration of and the consent authority is to have regard to the Community Safety Design Guide (as amended from time to time) produced by the Department of Lands and Planning.

**Requirements**
2. Preserve vistas along streets to buildings and places of architectural, landscape or cultural significance.
3. Be sympathetic to the character of buildings in the immediate vicinity.
4. Minimise expanses of blank walls.
5. Add variety and interest at street level and low passive surveillance of public spaces.
6. Maximise energy efficiency through passive climate control measures.
7. Control on-site noise sources and minimise noise intrusion.
8. Conceal service ducts, pipes, air conditioners, air conditioning plants etc.
10. Provide safe and convenient movement of vehicles and pedestrians to and from the site.
11. Provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces.
12. Provide protection for pedestrians from sun and rain.
13. Provide for loading and unloading of delivery vehicles and for refuse.
14. Provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking.
15. Provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities.
16. Provide bicycle access, storage facilities and shower facilities.

The proposed change of use does not create any new non-compliances with this clause however it is noted that insufficient details was included to consider how the existing development responds to 10, 11 and 13, relating to refuse collection and delivery vehicles, provision for safe and convenient movement of pedestrians to and from the site and convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces.

In relation to 14, the applicant identifies the intention to provide space undercover of the roof overhang for the storage of 12 bicycles.

**MAY COMPLY**
5.8.2 EDUCATION ESTABLISHMENT

**Purpose**

Ensure an education establishment:

(a) meets the needs of students and staff;

(b) contributes positively to amenity of the surrounding area;

(c) does not unreasonably interfere with the safe and efficient operation of the local road and pedestrian network; and

(d) promotes access via public transport and active transport networks.

**Administration**

1. The consent authority may consent to an education establishment that is not in accordance with sub-clauses 2-5 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, nature, scale and impact on surrounding amenity.

**Requirements**

2. Locate pre-school, primary and secondary school facilities to maximise access by public transport, safe walking and cycling routes, and are provided with safe vehicular drop-off zones.

3. Provide a designated student car park in secondary schools.

4. Locate tertiary education facilities in designated education precincts within or adjacent to activity centres that are connected to public transport.

5. Ensure mechanical plant and service areas are designed and screened to minimise adverse amenity impacts when viewed from adjoining streets and properties, and are not located where they adjoin an existing residential use.

Future information could be provided to address the provision of infrastructure, or availability of existing infrastructure, to support the safe and efficient operation of the local road and pedestrian network, and promote access via public transport and active transport networks.

The site is a tertiary education facility not within a designated education precinct.

**DOES NOT COMPLY**
28 July 2020

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

Dear Ms Parkes

Parcel Description: Lot 8017 & 3476 - Town of Darwin
2 & 3 Printers Place, Darwin City

Proposed Development: Change of use from office to education establishment

Thank you for the development application referred to this office 16 July 2020, concerning the above.

No issues are raised for this development application in relation to matters that fall within the responsibility of City of Darwin.

If you require any further discussion in relation to this application, please feel free to contact me on 8930 0683.

Yours faithfully

BRIAN SELLERS
ACTING MANAGER CITY PLANNING
Hi Israel, Julie

In relation to this development application and our ongoing discussions, City of Darwin understands that the proposed education establishment will require 11 car parking bays and an additional parking bay would be required for the existing office space on site, resulting in a total car parking requirement of 12 bays.

As there will be a surplus of three bays and with the bays being located in the road reserve, City of Darwin requests that the surplus bays be made available for public car parking. This will require the removal of the NT News Parking Only sign and the individual ‘Reserved’ parking signs in each of the car parking bays. Further discussions in relation to the regulatory signage for the public car parking bays will also be required to be undertaken at a later date.

City of Darwin also requests that a condition relating to the remaining 12 car parking bays located within the road reserve be included on any Development Permit issued. The condition should state that if the road reserve is required for road usage of any sort, the applicant will acknowledge its liability to pay to the City of Darwin in accordance with its Car Parking Contribution Plan a shortfall of twelve (12) parking bays.

Regards,

Brian

Please contact me if you require any further information.

BRIAN SELLERS
ACTING MANAGER CITY PLANNING

CIVIC CENTRE Harry Chan Avenue | GPO Box 84 Darwin NT 0801
P 08 8930 0683
www.darwin.nt.gov.au

Please consider the environment before printing this email.
Hi Israel, Julie

Thank you for your emails relating to the car parking within the road reserve in Printers Place.

After reviewing the conditions of the original DP, and provided that the relevant car parking condition/s is included within any new Development Permit issued, City of Darwin has no further issues with the car parking being used to offset any car parking shortfalls.

Notwithstanding the above, City of Darwin maintains Printers Place, however the road reserve is owned by the Northern Territory Government. The Northern Territory Government were planning to carrying out road works in McMinn Street, however, Council is not aware of any details regarding the works.

Regards,

Brian

Please contact me if you require any further information.

BRIAN SELLERS
ACTING MANAGER CITY PLANNING

CIVIC CENTRE Harry Chan Avenue | GPO Box 84 Darwin NT 0801
P 08 8930 0683
www.darwin.nt.gov.au

Please consider the environment before printing this email.
Julie Hillier
Development Assessment Services
Development Consent Authority
GPO Box 1680
Darwin NT 0810

Dear Julie,

Re: Lots 3476 and 8017 Printers Place Darwin City Town of Darwin

In response to your letter of the above proposal for the purpose of education establishment (Canterbery Institute of Management, CIM Australia) in existing single storey building on Lot 3476, Power and Water Corporation advises the following with reference to electricity enquiries:

1. The Landowner/Body Corporate shall engage a licensed electrician to upgrade the customer’s internal electricity reticulation suitable for electricity billing purposes for CIM Australia tenant in accordance with Power and Water’s current Service Rules, Installation Rules and Metering Manual.

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

Yours sincerely,

Thanh Tang
Manager Distribution Development

23 July 2020
Dear Julie,

RE: PA2020/0210 - Lot 3476 Town of Darwin - 2 Printers Place Darwin City - Change of use from office to education establishment

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. Hydraulic Consultant to confirm if existing firefighting service is satisfactory to meet firefighting requirements. If the fire service requires upgrading, then it is required that the service connects to the existing DN225 water main on Carey Street.

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 enquires.

3. The developer will need to contact Power and Water’s Trade Waste Department (TradeWasteDept.PWC@powerwater.com.au) to discuss trade waste requirements for the proposed development.

4. All required works mentioned above must all be at according to Power and Water’s Connection Code and at the developer’s expense. A letter has been sent to the applicant outlining the fees and charges applicable for this development. All standard and quoted charges, as well as contribution charges will be valid for a period of 6 months from date of letter issue. As required, Power and Water will reassess the charges for the development.

5. 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 email waterdevelopment@powerwater.com.au

Yours sincerely

Hayden Watling

Services Development

31st July 2020

cc: Tshepo Rejoice Kgosiemang
email: Israel.k@oneplanningconsult.com.au
29 July 2020

Julie Hillier
Development Assessment Services
GPO Box 1680
DARWIN NT 0801

Dear Julie

Re: DARWIN - LOT 3476 AND 8017 TOWN OF DARWIN - 2 AND 3 PRINTERS PLACE, DARWIN CITY - CHANGE OF USE FROM OFFICE TO EDUCATION ESTABLISHMENT - ONE PLANNING CONSULTANT - DAS

I refer to the Development Assessment Services’ correspondence PA2020/0210 on 17 July 2020.

I am pleased to advise that the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics has no objections in principle to the above mentioned development, subject to the following:

- Access shall not be permitted to the subject Lot from the McMinn Street road reserve. All access arrangements shall be via the Printers Place road to the standards of the City of Darwin.

Should you wish to discuss the above mentioned further, please contact Corridor Access at the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics on telephone 8924 7524.

Please quote the TCSD Project No 2020-0126 in all correspondence.

Yours sincerely

Bruce Michael
Executive Director, Transport Planning
Mrs Julie Hillier  
Department of Infrastructure, Planning and Logistics  
GPO Box 1680  
Darwin NT 0801

Dear Mrs Hillier  

Re: PA2020/0210 – Lots 3476 and 8017 Town of Darwin, Change of use from office to education establishment  

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  

20 July 2020