



## **DEVELOPMENT CONSENT AUTHORITY**

### **DARWIN DIVISION**

### **MINUTES**

**MEETING No. 184 – FRIDAY 9 MARCH 2012**

**BROLGA ROOM  
NOVOTEL DARWIN ATRIUM  
100 THE ESPLANADE  
DARWIN**

**MEMBERS PRESENT:** Peter McQueen (Chairman), Grant Tambling, David Hibbert  
Bob Elix and Heather Sjoberg

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Hanna Stevenson, Peter Sdraulig, Steven  
Conn, Israel Kgosiemang and Jamie Castles (Development Assessment  
Services)

**COUNCIL REPRESENTATIVE:** Nil

**Meeting opened at 9.45 am and closed at 10.45 am**

**THE MINUTES RECORD OF THE EVIDENTIARY STAGE AND THE DELIBERATIVE STAGE ARE RECORDED SEPARATELY. THESE MINUTES RECORD THE DELIBERATIVE STAGE. THE TWO STAGES ARE GENERALLY HELD AT DIFFERENT TIMES DURING THE MEETING AND INVITEES ARE PRESENT FOR THE EVIDENTIARY STAGE ONLY.**

**ITEM 1**                    **4 X 3 BEDROOM MULTIPLE DWELLINGS IN 2 X 2 STOREY BUILDINGS**  
**PA2012/0022**           **LOT 2085 (31) EDEN STREET, TOWN OF DARWIN**  
**APPLICANT**           **GEORGE SAVVAS**

The applicant did not attend.

**RESOLVED**  
**48/12**

That the Development Consent Authority vary the requirements of clause 7.1.1 (Residential Density Limitations) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 2085 (31) Eden Street, Town of Darwin for the purpose of 4 x 3 bedroom multiple dwellings in 2 x 2 storey buildings, subject to the following conditions:

#### **CONDITION PRECEDENT**

1. Prior to commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater can be collected on the site and discharged to Council's stormwater drainage system, to the requirements of City of Darwin.
2. Prior to commencement of works (including site preparation), the applicant is to prepare a landscaping plan for the site, with this to include a planting schedule specifying plant species, quantities, pot sizes and size at maturity for all plants to be provided on site. This plan is to be to the satisfaction of the consent authority and is to be endorsed by this permit.

#### **GENERAL CONDITIONS**

3. Works carried out under this permit shall be in accordance the plans endorsed as forming part of this permit.
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.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity and telecommunications services to the land shown on the endorsed plan in accordance with the authorities' requirements.
6. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the Council, to the satisfaction of the consent authority.

7. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of, and be at no cost to City of Darwin, to the satisfaction of the consent authority.
8. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;All to the technical requirements of, and at no cost to, City of Darwin, and to the satisfaction of the consent authority.
9. Before the use or occupation of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat; and
  - (d) drained;to the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
10. No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and the public street.
11. Before the use/ occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
13. All air-conditioning condensers are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed to ground level in a controlled manner to the satisfaction of the consent authority.
14. All balconies are to be internally drained and discharge is to be disposed of at ground level and in a manner consistent with stormwater disposal arrangements for the site to the satisfaction of the consent authority.
15. Storage for waste disposal bins is to be provided to the requirements of City of Darwin, to the satisfaction of the consent authority.

## NOTES:

1. The developer is to contact Telstra via the following website prior to any work commencing to facilitate the installation of the Telstra network: <http://www.telstrasmartcommunity.com/>.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and the Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the servicing requirements of the Corporation, and the need for upgrading of on-site and/or surrounding infrastructure.

## REASONS FOR THE DECISION

1. The proposal to develop the site for the purpose of 4 x 3 bedroom multiple dwellings in 2 x 2 storey buildings is consistent with the primary purpose of Zone MD (Multiple Dwelling Residential), which is to "provide for a range of housing options to a maximum height of two storeys above ground level", and that the development is considered to be of a "scale, character and architectural style [that is] compatible with the streetscape and surrounding development".
2. A variation to clause 7.1.1 (Residential Density Limitations) of the Northern Territory Planning Scheme is supported as the development satisfies the purpose of the clause, in that it is "of a density compatible with the existing and planned provision of reticulated services and community facilities that will service the area, and is consistent with land capability", and is in line with clause 4.2(a)(iii) of the Planning Scheme, which seeks to provide for the "orderly and appropriate expansion of development in the [Darwin] region that maximises existing development options, including urban infill".
3. A schematic stormwater plan is required in order for the development to demonstrate that it is technically feasible to collect stormwater on the site and dispose of it into Council's stormwater drainage system, and to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.
4. A detailed landscaping plan is required to ensure that the impact on the surrounding lots is acceptable, with particular consideration given to the properties in Zone SD (Single Dwelling Residential) that adjoin the site.

5. The proposed development is largely compliant with the relevant controls, is appropriate for the site and locality, and is not considered to result in any detrimental amenity impact on the surrounding area. Consideration has been given to the streetscape and existing developments in the locality.

**ACTION:** Notice of Consent and Development Permit

**ITEM 2**  
**PA2012/0039**  
**APPLICANT**

**ADDITIONS TO AN EXISTING VEHICLE SALES**  
**PORTION 1428 (364) STUART HWY, HUNDRED OF BAGOT**  
**AHRENS GROUP PTY LTD**

Mr David Lester and Mr David Paige (Allbuilt) attended.

**RESOLVED**  
**49/12**

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) of the NT Planning Scheme, and pursuant to section 53(b) of the *Planning Act*, alter the proposed development and consent to the proposed development as altered, to develop Portion 1428 (364) Stuart Highway and Portion 1566 (17) Sadgroves Crescent, Hundred of Bagot for the purpose of alterations to existing vehicle sales, subject to the following conditions:

#### **CONDITIONS PRECEDENT**

1. Prior to the commencement of works (including site preparation) a full set of 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - (a) a minimum access way width of 6m between car parking bays 56-64 & 68-82; and
  - (b) a corresponding decrease in the length of car parking bays 68-82, but maintaining minimum lengths of 5.5m.
2. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a schematic plan demonstrating all stormwater to be collected on the site and discharged to Council's and/or Road Network Divisions stormwater drainage system, to the requirements of City of Darwin and/or Road Network Division of the Department of Lands and Planning as the case may be, to the satisfaction of the consent authority.

#### **GENERAL CONDITIONS**

3. Works carried out under this permit shall be in accordance with the plans endorsed as forming part of this permit.

4. The use and development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities and electricity services to the land shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
6. 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.
7. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Darwin and/or the Department of Lands and Planning, to the satisfaction of the consent authority.
8. Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat;
  - (d) drained,
  - (e) line marked to indicate each car space and all access lanes; and
  - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
9. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their visitors.
10. Before the use/ occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
12. The loading and unloading of goods from vehicles must only be carried out on the land.

13. The finish of any Prime Identification signs, if erected, shall be such that, if illuminated, day and night readability is the same and is of a constant display (ie. not flashing or variable message). The sign shall be positioned:
  - (a) so as not to create sun or headlight reflection to motorists; and
  - (b) be located entirely (including foundations and aerially) within the subject lot.

Advertising signage, either permanent or temporary ie. 'A' frame, vehicle or trailer mounted etc. shall not be erected or located within the Stuart Highway road reserve.
14. All proposed works (including provision of services) within, or impacting upon, the Stuart Highway road reserve shall be to the standards and specifications of the Department of Lands and Planning.
15. An Occupancy Permit under the *Building Act* shall not be granted until such time as Portion 1428 & Portion 1566, Hundred of Bagot have been consolidated and a new title issued in respect of that consolidated allotment.

**NOTE:**

Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to Council.

**REASONS FOR THE DECISION**

1. The proposal is consistent with the existing use of the land and will not adversely impact of the amenity of the area.
2. A variation to Clause 6.5.3 (Parking Layout) of the NT Planning Scheme is considered warranted in this instance as the 3 proposed car parking spaces along the Sadgroves Crescent property frontage are already informally used for car parking, and that the area is already sealed such that there would be no discernable difference to the visual amenity of the area as a result of these 3 bays being formally provided.
3. The requirement for amended plans showing changes to car parking spaces 68-82 and abutting vehicle accessway will ensures that car parking is functional as required by Clause 6.5.3 (Parking Layout) of the NT Planning Scheme.

**ACTION:** Notice of Consent and Development Permit

ITEM 3  
PA2012/0010

**SUBDIVISION AND CONSOLIDATION TO CREATE 1 LOT  
LOT 8028 STUART PARK & LOT 5629 (216) TIGER BRENNAN DRIVE, TOWN OF  
DARWIN**

APPLICANT

**DEPARTMENT OF LANDS AND PLANNING**

Mr Joe Sheridan (Land Administration, DLP) attended.

**RESOLVED  
50/12**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 8028 and Lot 5629 (216) Tiger Brennan Drive, Town of Darwin for the purpose of subdivision and consolidation to create 1 lot to require the applicant to provide the following additional information that the Authority considers necessary in order to enable the proper consideration of the application:

- a) Justification for the encroachment of the proposed lot boundaries into Zone CN (Conservation) land;
- b) Justification for the encroachment of the proposed lot boundaries into Zone PM (Proposed Main Road) land;
- c) A dimensioned subdivision plan showing all existing buildings and above ground infrastructure on the site and setbacks from these structures to the proposed lot boundaries;
- d) Justification for the creation of an access leg as opposed to the creation of a right of way; and
- e) A traffic analysis or similar assessment to the requirements of City of Darwin demonstrating that the proposed access road location from Gonzales Road and upgraded Tiger Brennan Drive intersection can co-exist safely.

**REASONS FOR THE DECISION**

1. Justification for the encroachment of the proposed lot boundaries into Zone CN (Conservation) and Zone PM (Proposed Main Road) will ensure that the proposed subdivision will not unnecessarily impinge upon the development of the land in the future in accordance with the purpose of the relevant zoning.
2. Justification for the creation of an access leg as opposed to the creation of a right of way will ensure that access to the land to the north and east of the proposed subdivision is not constrained; and



3. A traffic analysis or similar assessment to the requirements of City of Darwin will ensure that access to the proposed lot and the Gonzales Road and Tiger Brennan Drive intersection can co-exist safely.

**ACTION:** Advice to Applicant

**RATIFIED AS A RECORD OF ATTENDANCE AND DETERMINATIONS MADE AT THE MEETING**



**PETER MCQUEEN**  
Chairman

9/3/12