

DEVELOPMENT CONSENT AUTHORITY

DARWIN DIVISION

MINUTES

MEETING No. 243 – FRIDAY 7 NOVEMBER 2014

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

MEMBERS PRESENT: Denis Burke (Chairman), Grant Tambling, Ross Baynes and Bob Elix

APOLOGIES: Garry Lambert and Robin Knox

OFFICERS PRESENT: Margaret Macintyre (Secretary), Hanna Stevenson, Adelle Godfrey and Dawn Parkes (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nadia Smith (Item 1 only)

Meeting opened at 9.45 am and closed at 11.50 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 **45 X 3 BEDROOM MULTIPLE DWELLINGS IN 23 SINGLE STOREY BUILDINGS**
PA2014/0130 **SECTION 5695 (47) BOULTER ROAD, HUNDRED OF BAGOT**
APPLICANT **SAVVAS ARCHITECT**

Mr Savvas Savvas (Savvas Architect) and Mr Michael Hatton (engineer) attended.

RESOLVED
270/14

That, the Development Consent Authority vary the requirements of Clause 7.7 (Landscaping of Multiple Dwellings, Hostels and Supporting Accommodation) of the NT Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Section 5695 (47) Boulter Road, Hundred of Bagot for the purpose of 44 x 3 bedroom multiple dwellings in 22 single storey buildings, subject to the following conditions:

CONDITION 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to include:
 - (a) Deletion of the Type 4 dwelling at the front of the site in order for closer compliance with the requirements of Clause 7.7 (Landscaping for Multiple Dwellings, Hostels and Supporting Accommodation) of the NT Planning Scheme to be achieved; and
 - (b) An increase setback for the dividing wall between carports to enable clearer sight lines for pedestrian and vehicles or evidence confirming that the current distance is appropriate.
2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to provide engineered stormwater drainage plans demonstrating all stormwater to be collected on the site and discharged underground to Council's stormwater drainage system, to the requirements of City of Darwin and to the satisfaction of the consent authority.
3. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning and the IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and

the DLRM website: <http://lrm.nt.gov.au/soil/management>

4. Prior to the commencement of works (including site preparation) a waste management plan in accordance with Council's Waste Management Policy is required to be submitted, to the requirements of the City of Darwin, to the satisfaction of the consent authority.
5. Prior to the commencement of works (including site preparation), the applicant is to prepare a traffic impact assessment report prepared in accordance with the Austroads document 'Guide to Traffic Management Part 12: Traffic Impacts of Developments'. The report must outline changes that will be required to the surrounding road network and address vehicular, pedestrian, cyclist and public transport issues and opportunities, and is to include swept paths for waste collection vehicles entering and exiting the site. The report is to be to the approval of the City of Darwin or Department of Transport (whichever relevant), to the satisfaction of the consent authority.
6. Prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental Construction Management Plan (ECMP), to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address how construction will be managed on the site, and is to include details of the haulage of excavated and new materials, traffic management for construction vehicles, fencing and hours of construction.
7. Prior to the commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the road reserve to the requirements of the City of Darwin, to the satisfaction of the consent authority.
8. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must be generally in accordance with the landscape concept details shown in the plans prepared by PA Group Architects P/L but also include:
 - (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - (b) details of surface finishes of pathways and driveways;
 - (c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (d) landscaping and planting within all open areas of the site;
 - (e) provision of an in ground irrigation system to all landscaped areas.All species selected must be to the satisfaction of the consent authority.

GENERAL CONDITIONS

9. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities and telecommunication networks to the development shown on the endorsed plans in accordance with the authorities' requirements and relevant legislation at the time.
11. 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.
12. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created.
13. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority.
14. The owner shall:
 - a) remove disused vehicle and/ or pedestrian crossovers;
 - b) collect stormwater and discharge it to the drainage network; and
 - c) undertake reinstatement works;all to the technical requirements of and at no cost to the City of Darwin, to the satisfaction of the consent authority.
15. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) constructed;
 - b) properly formed to such levels that they can be used in accordance with the plans;
 - c) surfaced with an all-weather-seal coat;
 - d) drained;
 - e) 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.
16. 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/guests.
17. 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.
18. 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.

19. All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.
20. 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.
21. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.
22. The loading and unloading of goods from vehicles during the construction phase must only be carried out on the land.
23. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, upon the advice of the Department of Land Resource Management'.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
 2. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites in the Northern Territory. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
 3. You are advised to contact NBN Co prior to commencing construction to determine if your development is in an NBN-eligible area. This will help identify the relevant telecommunication network servicing requirements for the development.
- To register, please complete the pre-qualification forms located at www.nbnco.com.au/newdevelopments. For more information, please contact the NBN Co New Developments Team on 1800 687 626 or email newdevelopments@nbnco.com.au

4. The developer is required to contact 'Dial Before You Dig' on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.
5. A "Permit to Work Within a Road Reserve" may be required from (insert relevant Council or the Department of Lands, Planning and the Environment) before commencement of any work within the road reserve.

REASONS FOR THE DECISION

1. Pursuant to section 51(a) of the *Planning Act*, the authority must consider any planning scheme that applies to the land to which the application relates.

The proposal to develop Section 5695 Hundred of Bagot for the purpose of 44 x 3 bedroom multiple dwellings in 22 single storey buildings is considered to reflect the intent of Zone MD (Multiple Dwelling Residential) which seeks to provide for a range of housing options to a maximum height of two storeys. The development is considered to be of a scale, character and architectural style that is compatible with existing multiple dwelling development and the type of development and future streetscape reasonably anticipated.

Once the required amendment are made, a variation to Clauses 7.7 (Landscaping of Multiple Dwellings, Hostels and Supporting Accommodation) can be considered appropriate as:

- Deletion of the type 4 dwelling at the front of the site and provision of additional landscaping will increase site landscaping by 380m² taking the overall shortfall to just 384m² across the site (or 8m² per dwelling);
- Provision of additional permeable surfaces as part of the development is likely to have positive impacts on onsite stormwater management and the potential to detain and/or retain stormwater on site.
- Proposed Planning Scheme Amendment PA2014/0598 promotes site responsive designs that take into account natural drainage, including the strategic drainage framework which gives focus to detention of stormwater onsite so that flows do not increase pre-development flow onto adjacent land and do not decrease times of concentration into the drainage system. The provision of additional onsite landscaped areas and reduced impervious surfaces provides added flexibility to the development should the scheme amendment be adopted; and
- Alteration to any other component of the development (e.g. driveway/footpath width) to achieve additional landscaping is likely to result in traffic congestion and reduce the overall amenity of the development with the reduction in one dwelling considered the most practical solution.

2. Pursuant to section 51(n) of the *Planning Act*, the consent authority must take into account the potential impact on the existing and future amenity of the area in which the land is situated. The application is consistent with the primary purpose of Zone MD (Multiple Dwelling) and seeks a

variation for a minor departure from the site landscaping requirements. The level of compliance achieved with other requirements of the Scheme together with the required design amendments are expected to ensure that no undue amenity impact occurs as a result.

3. The conditions of approval have been included to ensure that the development on the site takes place in an orderly manner and limits any adverse impact on surrounding properties.

ACTION: Notice of Consent and Development Permit

**ITEM 2
PA2014/0739**

**CHANGES TO THE DEVELOPMENT APPROVED BY DP13/0785B TO INCREASE THE BUILDING HEIGHT TO 18 STOREYS AND ADD 3 X 4 BEDROOM MULTIPLE DWELLINGS
LOT 7619 (105) MITCHELL STREET, TOWN OF DARWIN
NORTHERN PLANNING CONSULTANTS**

APPLICANT

Mr Brad Cunnington (Northern Planning Consultants) and Mr Robert Kern (Halikos) attended.

**RESOLVED
271/14**

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Lot 7619 (105) Mitchell Street, Town of Darwin for the purpose of changes to the development approved by DP13/0785B to increase the building height to 18 storeys and add 3 x 4 bedroom multiple dwellings, subject to the following conditions:

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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to include:
 - The location of the nine parking bays approved to service the drive-through bottle shop approved via Development Permit DP02/0278;
 - Provision of bicycle parking at ground level accessible to staff and guests; and
 - Details of the materials and finishes of the proposed blank walls of tier 1.
2. Prior to the endorsement of plans and prior to commencement of works (including site preparation), the developer must provide evidence of an agreement with the Power and Water Corporation regarding the easement encroachment identified in PWC's comments.
3. Prior to the endorsement of plans and prior to the 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, to the satisfaction of the consent authority.

4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental Construction Management Plan (ECMP), to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address how construction will be managed on the site, and is to include details of the haulage of excavated and new materials, traffic management for construction vehicles, fencing and hours of construction.
5. Prior to the commencement of works (including site preparation) a waste management plan in accordance with Council's Waste Management Policy is required to be submitted, to the requirements of the City of Darwin, to the satisfaction of the consent authority.
6. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a traffic impact assessment report prepared in accordance with the Austroads document 'Guide to Traffic Management Part 12: Traffic Impacts of Developments'. The report must outline changes that will be required to the surrounding road network and address vehicular, pedestrian, cyclist and public transport issues and opportunities, and is to include swept paths for waste collection vehicles entering and exiting the site. The report is to be to the approval of the City of Darwin or Department of Transport (whichever relevant), to the satisfaction of the consent authority.
7. Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The plan must show:
 - (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - (b) details of surface finishes of pathways and driveways;
 - (c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant including planting in the communal open space and enclosed courtyards; All species selected must be to the satisfaction of the consent authority.

GENERAL CONDITIONS

8. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
10. 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.

11. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat;
 - (d) drained;
 - (e) line marked to indicate each car space and all access lanes; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the consent authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
12. 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/guests.
13. Before the use commences the owner must, in accordance with Part 6 of the *Planning Act*, pay a monetary contribution to the City of Darwin for the upgrade of local stormwater infrastructure, in accordance with its Stormwater Contribution Plan.
14. Before the 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.
15. 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.
16. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin to the satisfaction of the consent authority.
17. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.
18. 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 Road Networks Division of the Department of Transport, to the satisfaction of the consent authority.
19. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority.

20. 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.
21. All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view and from view of neighbouring or nearby developments (or developments reasonably anticipated), located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority. The use of angled louvered slats for screening purposes is acceptable, however the slat screening must be designed with a panel to gap ratio, such that the condenser units are not readily visible from any angle.
22. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
23. Each dual key dwelling is to remain within the one unit entity (single ownership/single title) in the event that the development is unit titled.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to the City of Darwin.
3. Notwithstanding the approved plans, any proposed works (including landscaping and structures) within Council's road reserve and Council land is subject to Council's approval and shall meet all Council's requirements, to the satisfaction of the General Manager of Infrastructure, City of Darwin and at no cost to Council.
4. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

5. Approval must be submitted to the Department of Defence for any cranes used during construction that will infringe on either the Obstacle Limitation Surfaces (OLS) or Procedures for Air Navigation – Operations (PAN-OPS) surfaces for Darwin Airport.
6. Separate approval may be required from the Department of Defence under regulation 10 of the Defence (Areas Control) Regulations (DACR). Until such time as an approval is obtained the applicant is not to construct any structure on the site that exceeds 45m above ground level. Please refer to regulation 8 of the DACR, which outlines the application process and the information required. A copy of the regulation can be obtained at <http://www.comlaw.gov.au>.
7. The developer is required to contact 'Dial Before You Dig' on 1100 to obtain a location of the Telstra Network and arrange for any relocation if required. The Telstra contact for relocation work is the Network Integrity and Compliance Group on 1800 810 443.

REASONS FOR THE DECISION

1. The proposal is consistent with the primary purpose of zone CB (Central Business), being "to provide for a diversity of activities including administrative, judicial, professional, office, entertainment, cultural, residential, retail and other business activities, with a commitment to the separation of incompatible activities". The proposed changes do not alter the overall use of the site and the development is still considered to generally accord with the purpose of the zone.
2. A variation to the requirements of clause 6.3.2 (Volumetric Control in Central Darwin) of the Northern Territory Planning Scheme to allow a building length to the eastern side boundary that covers 76% of the boundary instead of the permitted 75% is considered appropriate. The margin of non-compliance is very small and is unlikely to be noticeable to any occupant of the adjoining building. Reducing the length of the building by 0.77m which the non-compliant part, is not considered to have any greater benefit on adjacent neighbours in terms of what the clause seeks to achieve and would be inconsistent with the remaining sections of the tower which have the same length.
3. The design amendments proposed do not alter the level of compliance achieved with the relevant requirements of the NT Planning Scheme. Adequate additional car parking and private open space is provided to cater for the needs of future residents of the additional dwellings. As a result, the site is considered to be capable of accommodating the changes proposed including an adjusted building height, an additional 3 x 4 bedroom dwellings (one of which with a dual-key arrangement) and other minor alterations to the ground level layout.

4. The adjusted building height as a result of the additional residential storey complies with the building height limits imposed by Clauses 6.3.1 (Building Heights in Central Darwin) and Clause 6.3.2 (Volumetric Control in Central Darwin) of the NT Planning Scheme.

ACTION: Notice of Consent and Development Permit

ITEM 3
PA2014/0746
APPLICANT

12 X 2 BEDROOM MULTIPLE DWELLINGS IN A 4 STOREY BUILDING
LOT 4686 (40) GOTHENBURG CRESCENT, TOWN OF DARWIN
MATAGUHA HOLDINGS PTY LTD & AMANDANDY PTY LTD

DAS tabled further comments from submitter Mr Barnes.

Ms Tatiane Kelly (on behalf of the applicants) and Mr Paul Winter (Habitat) attended.

Submitter Mr Kevin Barnes sent his apologies.

RESOLVED
272/14

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 4686 (40) Gothenburg Crescent, Town of Darwin for the purpose of 12 x 2 bedroom multiple dwellings in a 4 storey building 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:

- Amended plans that demonstrate greater compliance with the minimum standards of the relevant sections of the NT Planning Scheme.

REASON FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority may defer consideration of a proposal to allow the applicant to provide additional information it considers necessary to enable the proper consideration of the proposal and its impact on the site and surrounding area.

ACTION: Advice to Applicant

ITEM 4
PA2014/0732

CHANGE OF USE FROM SHOWROOM/OFFICE TO LEISURE AND RECREATION
(TENANCY 3)
LOT 2836 (3) NYLANDER STREET & LOT 2828 (133) STUART HIGHWAY, TOWN
OF DARWIN
TOWN PLANNING ALLIANCE

APPLICANT

Mr Vu Nguyen (Town Plan Alliance), Mr Simon Crank (Traffic Engineer) and Mr Griff Davies (Snap Fitness) attended.

RESOLVED
273/14

That the Development Consent Authority vary the requirements of Clause 6.5.1 (Parking Requirements) of the NT Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 2836 (3) Nylander Street

and Lot 2838 (133) Stuart Highway, Town of Darwin, for the purpose of a change of use from showroom/office to leisure and recreation (tenancy 3) subject to the following conditions:

CONDITION 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 plan submitted with the application but modified to show:
 - (a) the net floor area of the proposed use not exceeding 240m².

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
3. The use as shown on the endorsed plans must not be altered without the further consent of the consent authority, including that no group classes take place within the facility.
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 and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. City of Darwin advises that waste bin storage and pick-up shall be provided in accordance with City of Darwin Policy Number 54 – Waste Management.
3. City of Darwin advises that any works on/over City of Darwin property shall be subject to a separate application to the City of Darwin.
4. Notwithstanding the approved plans, all signage is subject to City of Darwin approval, at no cost to Council.

REASONS FOR THE DECISION

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

A variation to Clause 6.5.1 (Parking Requirements), pursuant to Clause 6.5.2 (Reduction in Parking Requirements) is supported as it is considered that sufficient off-street car parking is provided to service the proposed use and for the additional reasons detailed below:

- Current uses on site generate a reasonably low parking demand which results in a number of vacant car parking spaces throughout the day;
- The 'peak period' for the proposed use is considered to be outside of the business hours of the majority of surrounding tenancies, which results in even more parking spaces being made available on site;
- The exclusion of group classes means that there is unlikely to be any particular time of the day when a large number of customers will be arriving at the site at the same time, instead the demand for parking is likely to be sporadic; and
- Should the on-site parking become full, there is considerable on-street parking in the immediate vicinity which would not impede surrounding businesses or residences.

2. Pursuant to Section 51(j) of the *Planning Act*, 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.

There is no reason to suggest that the land is not capable of supporting the proposed development. The building already exists and just the use of tenancy 3 is changing. Sufficient off-street car parking is provided to service the proposed use of the site and it is not envisaged that there will be any detrimental effects on the land or on any other land.

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

The change of use from Office to Leisure and Recreation is expected to have little noticeable effect on the existing or future amenity of the area. It will provide the surrounding area with a new leisure facility and potentially provide a degree of passive surveillance to the immediate area.

ACTION: Notice of Consent and Development Permit

ITEM 5
PA2014/0694

**ADDITIONS TO AN EXISTING WAREHOUSE, INCLUDING SHOWROOM SALES
AND OFFICE ADDITIONS**

LOT 1828 (9) BISHOP STREET, TOWN OF DARWIN

APPLICANT

RAW DESIGN

Mr Israel Kgosiemang (One Planning Consult) attended on behalf of the applicant.

**RESOLVED
274**

That, the Development Consent Authority vary the requirements of Clauses 6.1 (General Height Control), 6.5.3 (Parking Layout), 6.6 (Loading Bays), and 9.1.1 (Industrial Setbacks) of the Northern Territory Planning Scheme, and pursuant to Section 53(a) of the *Planning Act*, consent to the application to develop Lot 1828 (9) Bishop Street, Town of Darwin for the purpose of additions to an existing warehouse, including showroom sales and office additions, subject to the following conditions:

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to provide a Traffic Report prepared by a suitably qualified traffic engineer to the requirements of the City of Darwin. The Report should detail traffic movements internal to the site with particular reference to sight lines, swept paths, turning circles and vehicle clearance to provide functional access to loading bays and for waste collection.
2. Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system shall be submitted to and approved by the City of Darwin, to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system.
3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the applicant is to prepare a waste management plan to the requirements of the City of Darwin, to the satisfaction of the consent authority.

GENERAL CONDITIONS

4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. Prior to the commencement of works (including site preparation), the applicant is to prepare an Environmental Construction Management Plan (ECMP) to the requirements of the City of Darwin, to the satisfaction of the consent authority. The ECMP is to address how construction will be managed on the site, and is to include details of waste management, traffic control and haulage routes, stormwater drainage and the use of City of Darwin land.
6. Prior to the commencement of works (including site preparation), the applicant is to prepare a dilapidation report covering infrastructure within the road

reserve to the requirements of the City of Darwin, to the satisfaction of the consent authority.

7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
8. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant authority to the satisfaction of the consent authority.
9. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of the City of Darwin, to the satisfaction of the consent authority.

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, to the satisfaction of the consent authority.

10. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to the City of Darwin to the satisfaction of the consent authority.
11. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin to the satisfaction of the consent authority.
12. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
13. 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.
14. The car parking shown on the endorsed plan(s) must be available at all times for the exclusive use of the occupants of the development and their visitors.
15. Before the 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.
16. 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.
17. All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public

view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

18. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the consent authority.
19. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings.
20. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.
21. All balconies are to be internally drained and discharged 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.

NOTES:

1. This development permit does not grant building approval. You are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing construction works.
2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. A permit to work within a road reserve will be required from the City of Darwin before commencement of any work within the road reserve.
4. The Environment Protection Agency of the Department of Lands, Planning and the Environment advises that construction work should be conducted in accordance with the Agency's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.
5. You are advised to contact NBN Co prior to commencing construction to determine if you development is in an NBN-eligible area. This will help identify the relevant telecommunication network servicing requirements for the development. To register, please complete the pre-qualification forms located at www.nbnco.com.au/newdevelopments. For more information, please contact the NBN Co New Developments Team on 1800 687 626 or email newdevelopments@nbnco.com.au.

6. Notwithstanding the approved plans, the demonstrated awning in City of Darwin's road reserve is subject to Council approval at no cost to Council.

REASONS FOR THE DECISION

1. Pursuant to Section 51(a) of the *Planning Act*, the consent authority must take into consideration the planning scheme that applies to the land to which the application relates. The proposal is generally consistent with the primary purpose of Zone GI which is to provide for general industry, and for offices to provide a service to the general industry in the zone and be of a size commensurate with the service provided.
2. A traffic report is required to be prepared to demonstrate functional access on site to loading bays and for waste collection areas.
3. The City of Darwin advised that it is the sole authority responsible under the Local Government Act and associated by-laws for stormwater drainage and as such has requested details of the collection and discharge of stormwater for this proposal.
4. Variations to Clauses 6.1 (General Height Control) and 9.1.1 (Industrial Setbacks) are considered appropriate in this instance as the development will provide a compatible streetscape character with existing development including lots to the south west, and as the additional storey and building components including glazing and awnings over the footpath are expected to provide for improved passive surveillance and pedestrian amenity. The reduced side setbacks are unlikely to result in any undue impact to adjacent uses. Variations to the landscaping requirements along Bishop Street are considered acceptable as the building design is anticipated to provide for an adequate level of visual and pedestrian amenity, and to the Stuart Highway frontage given the width of the road reserve, and the existing mature landscaping which provides adequate screening.
5. A reduction to the car parking required by Clause 6.5.1 (Parking Requirements) pursuant to Clause 6.5.2 (Reduction to Parking Requirements) is considered acceptable in this instance as the shortfall is unlikely to create an additional, unreasonable demand for parking, and since sufficient on-street parking is available along Bishop Street and will be directly adjacent the entrance to the site and it is reasonable to anticipate that additional visitors resulting from the development can utilise this parking.

ACTION: Notice of Consent and Development Permit

ITEM 6
PA2014/0716

**CARPORT ADDITION TO AN EXISTING SINGLE DWELLING WITH A
REDUCED FRONT SETBACK
LOT 194 (7) TOLMER STREET, TOWN OF SANDERSON
HEINER STRUCTURAL ENGINEERING CONSULTANTS PTY LTD**

APPLICANT

Ms Annette Joseland (Heiner Structural Engineering Consultants Pty Ltd) and Mr Dean Wheldon (owner) attended.

Ms Joseland tabled an amended site plans.

**RESOLVED
275/14**

That, pursuant to Section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 194 (7) Tolmer Street, Town of Sanderson for the purpose of a carport addition to an existing single dwelling with a reduced front setback to require the applicant to provide the following additional information that the authority considers necessary to enable proper consideration of the application:

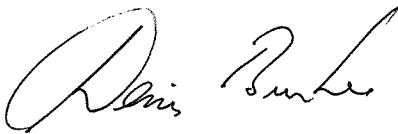
1. Amended plans that demonstrate changes to the design of the carport to increase compatibility with the streetscape and surrounding development, and to minimise adverse effects of building massing when viewed from the street. This may occur by providing increased setbacks to the carport roof, reducing the overall bulk or height of the structure adjacent the Tolmer Street frontage, or by a combination of changes to enable a carport which achieves the objectives of Clause 7.3 (Building Setbacks of Residential Buildings).

REASON FOR THE DECISION

1. Pursuant to section 46(4)(b) of the *Planning Act*, the consent authority may defer consideration of a proposal to allow the applicant to provide additional information it considers necessary to enable proper consideration of the proposal and its impact on the site and surrounding area.

ACTION: Advice to Applicant

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



DENIS BURKE
Delegate

10/11/14

