



## **DEVELOPMENT CONSENT AUTHORITY**

### **DARWIN DIVISION**

### **MINUTES**

**MEETING No. 186 – THURSDAY 5 APRIL 2012**

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

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

**APOLOGIES:** Heather Sjoberg

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Hanna Stevenson and Danna Scott and  
for part of the meeting Steven Conn, Israel Kgosiemang, Jamie Castles,  
Michael O'Neill and Peter Sdraulig (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Drosso Lelekis (Item 7 only)

**Meeting opened at 9.45 am and closed at 1.45 pm**

**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**                    **CHANGES TO CARPARKING, LANDSCAPING AND FENCING TO AN EXISTING**  
**PA2012/0127**            **OFFICE AND LIGHT INDUSTRY COMPLEX**  
                              **LOT 5378 (15) ILIFFE STREET, TOWN OF DARWIN**  
**APPLICANT**            **ELTON CONSULTING**

Ms Wendy Smith (Elton Consulting) attended.

**RESOLVED**  
**71/12**

That pursuant to section 46(4)(b)) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 5378 (15) Iliffe Street, Town of Darwin for the purpose of changes to car parking, landscaping and fencing to existing office and light industry complex to require the applicant to provide the following additional information that the Authority considers necessary in order to enable proper consideration of the application:

- Details explaining the reasons why the proposed fence along Armidale Street is not setback 3m as required in paragraph 4(b) of SD18; and
- Special circumstances which justify the giving of consent for the non-compliances (where relevant) with paragraph 4(b) of SD18.

#### **REASON FOR THE DECISION**

1. The details requested will allow the consent authority to understand the rationale of the application as well as be informed of the special circumstances and justification for the non-compliances as per the requirements of SD18.

**ACTION:**                                    Advice to Applicant

**ITEM 2**                    **3 BEDROOM MULTIPLE DWELLING ADDITION TO AN EXISTING MULTIPLE**  
**PA2012/0082**            **DWELLINGS DEVELOPMENT**  
                              **LOT 4912 (20) GREVILLEA CIRCUIT, TOWN OF NIGHTCLIFF**  
**APPLICANT**            **MEDHAT GABRIEL & ROBERT SMITH**

Mr Medhat Gabriel attended.

**RESOLVED**  
**72/12**

That the Development Consent Authority determine to vary the requirements of clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer than 18m and for Residential Buildings Over 4 Storeys in Height) and clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 4912 (20) Grevillea Circuit, Town of Nightcliff for the purpose of a 3 bedroom multiple dwelling addition to an existing multiple dwelling development, subject to the following conditions:

## CONDITIONS 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 the City of Darwin.
2. 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.

## 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, 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 the 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. 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.
12. 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.
13. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.

**NOTE:**

1. 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 DECISION**

1. The development does not conflict with the primary purpose of Zone MR (Medium Density Residential) of the Northern Territory Planning Scheme, which is to "provide for a range of housing options to a maximum height of two storeys".
2. 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.
3. The requirement for waste bin storage details will ensure this issue is satisfactorily addressed, to the requirements of the City of Darwin, and to ensure that no further planning related impacts will result from this change.
4. A variation to clause 7.3.1 (Additional Setback Requirements for Residential Buildings Longer than 18m and for Residential Buildings Over 4 Storeys in Height) of the Northern Territory Planning Scheme is supported as the non-compliance is minor, being 0.476m short for a

4.57m portion of the first floor addition. This is a direct result of the existing building, which dictates the footprint of the addition. There are large inset areas along the southern façade such that there is minimal impact on nearby buildings with regard to massing or breeze penetration. The development is considered to present special circumstances, as required by clause 2.5 (Exercise of Discretion by the Consent Authority) due to the existing ground floor component, and to satisfy the purpose of clause 7.3 (Building Setbacks of Residential Buildings).

5. A variation to clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme is supported as the development shows consideration of the open space requirements of future tenants by providing private open space that is well in excess of the minimums listed in clause 7.5 (Private Open Space), being within short walking distance of a large public park, and being constrained by the footprint of the existing ground floor component, already occupying the majority of the site. The existing development is seen as a special circumstance, as per clause 2.5 (Exercise of Discretion by the Consent Authority), that otherwise prevents the ability to reach compliance with the prescriptive requirements of clause 7.6, and that the purpose of clause 7.6 is sufficiently addressed through the proximity to a park over Lots 4737, 4833 and 4900 and the provision of greater areas of private open space than ordinarily required by the Planning Scheme.
6. 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 3** 27M HIGH TELECOMMUNICATIONS TOWER WITH ASSOCIATED ANTENNAS  
**PA2012/0060** AND EQUIPMENT SHELTER  
**APPLICANT** PORTION 1427 (370) STUART HWY, HUNDRED OF BAGOT  
OPTUS MOBILE PTY LTD

Mr John Ganter (Aurecon) attended on behalf of the applicant.

**RESOLVED** That, pursuant to section 53(a) of the *Planning Act*, the Development Consent  
**73/12** Authority consent to the application to develop Portion 1427 (370) Stuart Highway,  
Hundred of Bagot for the purpose of a 27m telecommunications tower with  
associated antennas and equipment shelter, subject to the following conditions:

**GENERAL CONDITIONS**

1. Works carried out under this permit shall be in accordance with drawing numbers 2011/0323/1 and 2011/0323/2, endorsed as forming part of this permit.

2. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
3. 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.
4. Prior to the commencement of works (including site preparation) a schematic plan is to be provided, demonstrating that all stormwater can be collected on the site and discharged to the requirements of the City of Darwin.
5. The facility must satisfy the controls of sections 8.10 and 9.4 of the Civil Aviation Safety Authority's Manual of Standards Part 139 for obstacle markings and lighting, to the requirements of Darwin International Airport, to the satisfaction of the consent authority.

#### NOTES:

1. Darwin International Airport and the Department of Defence advise that separate requests for assessment and approval must be submitted to Darwin International Airport and 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 Services – Operations (PANS-OPS) surfaces for Darwin Airport.
2. The owner shall provide RAAF Aeronautical Information Service (AIS) with 'as constructed' details. RAAF AIS has a web site with a Vertical Obstruction Report Form [www.raafais.gov.au/obstr\\_form.htm](http://www.raafais.gov.au/obstr_form.htm) which can be used to enter the location and height details of tall structures.

#### REASONS FOR DECISION

1. The proposed monopole will not impinge on the primary purpose of Zone SC (Service Commercial), being "to provide for commercial activities which, because of their business or size of the population catchment, require large sites".
2. The proposal is consistent with the purpose of Clause 13.5 (Mobile Telephone Communications Towers etc) of the Northern Territory Planning Scheme, being to ensure that "the erection of mobile telecommunications towers and infrastructure do not unreasonably detract from the amenity of the locality".
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. Compliance with the Civil Aviation Safety Authority's Manual of Standards Part 139 shall ensure that there is no resultant safety impact for aircraft accessing the Darwin International Airport.
5. The facility will not unduly impact on the existing and future amenity of the area, as encouraged by section 51(n) of the *Planning Act*. The site is not located in proximity to any permanent residential premises, will not be of any detriment to the operation of the service commercial premises contained on the site, and has shown consideration of views from the surrounding area and potential for co-location.
6. In line with section 51(p) of the *Planning Act*, the development will not impact on community safety, water safety or access for persons with disabilities. It has been confirmed that the level of electromagnetic emissions (EME) emitted by the proposed facility, as monitored by the Australian Communication and Media Authority (ACMA), will not exceed the regulated levels in any way.

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

**ITEM 4**  
**PA2012/0075**

**DEPENDANT UNIT AND CARPORT ADDITIONS TO AN EXISTING SINGLE DWELLING WITH REDUCED FRONT SETBACKS**  
**LOT 1320 (58) RYLAND ROAD, TOWN OF NIGHTCLIFF**  
**APPLICANT**  
**FRANK LUTZ**

Mr Frank Lutz attended.

**RESOLVED**  
**74/12**

That the Development Consent Authority vary the requirements of Clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 1320 (58) Ryland Road, Town of Nightcliff for the purpose of dependant unit and carport additions to an existing single dwelling with reduced front setbacks, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawing numbered 2012/0075/1, endorsed as forming part of this permit.
2. 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 the City of Darwin's stormwater drainage system, to the requirements of the City of Darwin and to the satisfaction of the consent authority.
3. 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. 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 plan in accordance with the authorities' requirements and relevant legislation at the time.
5. 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.
6. 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.
7. The dependant unit is to be used only for the purpose of providing accommodation for a dependant of a resident of the existing single dwelling.

#### **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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that any structure within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. A "Permit to Work Within a Road Reserve" may be required from the City of Darwin before commencement of any work within the road reserve.
4. Power and Water Corporation has essential infrastructure within the Ryland Road reserve, and should be approached prior to the commencement of any work within the road reserve.

#### **REASONS FOR DECISION**

1. The proposed carport and dependant unit are consistent with the primary purpose of Zone SD (Single Dwelling Residential) to provide for single dwellings on individual lots.
2. A variation to the requirements of clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is supported as the setback reductions would be unlikely to result in an adverse effect in terms of massing when viewed from the street, lead to instances of undue overlooking of the adjacent property or compromise



breeze penetration between buildings. As such the proposal is in keeping with the purpose of the clause.

3. City of Darwin advises 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 run-off created by the proposed development.
4. Retention and maintenance of the existing and proposed landscaping is required to minimise any adverse effects the structures would have when viewed from adjoining land and the street.

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

**ITEM 5**  
**PA2012/0083**  
**APPLICANT**

**6 X 3 BEDROOM MULTIPLE DWELLINGS IN 3 X 1 STOREY BUILDINGS**  
**LOT 9580 (29) FRANCIS STREET, TOWN OF NIGHTCLIFF**  
**YELLOWCITY PTY LTD**

Mr John Berryman (Group 1 Consulting) attended on behalf of the applicant and tabled an amended layout for Unit 1 enabling easier egress for cars.

**RESOLVED**  
**75/12**

That, pursuant to section 46(4)(b) of the *Planning Act*, the Development Consent Authority defer consideration of the application to develop Lot 9580 (29) Francis Street, Town of Nightcliff for the purpose of 6 x 3 bedroom multiple dwellings 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 detailing:

- Changes to the driveway and car park layout to incorporate suitable car access and manoeuvring space for Units 1 and 2;
- Changes to the site layout, driveway configuration and fencing to incorporate suitable manoeuvring space, landscaping between Francis Street and the car parking area, and greater use of timber feature panels within the proposed 1.8 metre high blockwork wall, in order to soften the development's presentation to the street; and
- Relocation of the building containing Units 4 to 6 so that no part of the structure is located on or over the sewerage easement along the southern boundary, to the requirements of Power and Water Corporation and the satisfaction of the Authority, or approval from the Power and Water Corporation for the encroachment.

#### **REASONS FOR THE DECISION**

1. A variation to the clause is not supported as the poor functionality of car parking for Units 1 and 2 and the lack of landscaped buffer between the front boundary and car parking area are inconsistent with the purpose of this clause. Amended plans demonstrating greater compliance with

Clause 6.5.3 and a better presentation to the street is required to allow more favourable consideration of the proposal.

2. Power and Water Corporation has advised that structures shall not be located on or over a water supply or sewerage easement without obtaining the prior written approval of Power and Water.

**ACTION:** Advice to Applicant

**ITEM 6**  
**PA2012/0100**

**4 X WAREHOUSES IN A SINGLE STOREY BUILDING INCLUDING MEZZANINE FLOORS AND A CARETAKERS RESIDENCE**

**APPLICANT**

**LOT 8914 (2) TANG STREET, TOWN OF NIGHTCLIFF**  
**ALBERTONI FAMILY TRUST**

Mr Mirto Albertoni and Mr Lanson Ip (Bennett Design) attended.

Mr Albertoni tabled a previous compliance check for the same lot.

**RESOLVED**  
**76/12**

That, the Development Consent Authority vary the requirements of clauses 6.5.3 (Parking Layout), 7.3 (Building Setbacks of Residential Buildings), 7.10.3 (Caretaker's Residence) and 9.1.1 (Industrial Setbacks) 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 Lot 8914 (2) Tang Street, Town of Nightcliff for the purpose of 4 x warehouses in a single storey building including mezzanine floors and a caretaker's residence, 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 show:
  - (a) the conversion of car park No. 11 into a turning bay to permit a car to enter from and exit to Tang Street in a forward gear in the event that the car park is full;
  - (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 (all species selected must be to the satisfaction of the consent authority); and
  - (d) provision of an in ground irrigation system to all landscaped areas.

**GENERAL CONDITIONS**

2. 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 the City of Darwin's stormwater drainage system, to

the requirements of the City of Darwin and to the satisfaction of the consent authority.

3. Prior to the commencement of works (including site preparation), the applicant is to prepare a Waste Management Plan demonstrating waste disposal, storage and removal, to the requirements of the City of Darwin and to the satisfaction of the consent authority.
4. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity and telecommunications services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. 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 of to ground level in a controlled manner to the satisfaction of the consent authority.
8. 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.
9. Before the use or occupation of the development starts, the area 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;
  - (g) to the satisfaction of the consent authority.
  - (h) Car spaces, access lanes and driveways must be kept available for these purposes at all times.
10. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land.

11. 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.
12. 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.
13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
14. The caretaker's residence is only to be used by a bona fide caretaker of the land.

#### **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. This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that any structure within 900mm of a boundary meets minimum fire resistance level requirements and you are advised to contact a registered private Building Certifier to ensure that you have attained all necessary approvals before commencing demolition or construction works.
3. A "Permit to Work Within a Road Reserve" may be required from the City of Darwin before commencement of any work within the road reserve.

#### **REASONS FOR DECISION**

1. The proposed warehouses and caretaker's residence are consistent with the primary purpose of Zone LI (Light Industry) to provide for light industry uses or development activities that will not by the nature of their operations, detrimentally affect adjoining or nearby land.
2. A variation to Clause 6.5.3 (Parking Layout) in regard to the requirement for landscaping between the road reserve and car parking area is supported as the parking areas will be screened from view by the proposed 1.8 metre high screening around the waste bin storage area and along the length of car park No. 12, which would lessen the visual impact of these areas when viewed from the street in a manner consistent with the purpose of this clause.

3. A variation to Clause 7.10.3 (Caretaker's Residence) in regard to the required 50m<sup>2</sup> maximum floor area is supported as the proposed residence is of a design and scale appropriate to the site and would be unlikely to have an adverse impact upon the surrounding light industrial, conservation and community purpose uses.
4. A variation to clauses 7.3 (Building Setbacks of Residential Buildings) and 9.1.1 (Industrial Setbacks) is supported as the site is located on a corner with limited potential for access from Dick Ward Drive, restricting the configuration of buildings and car parking areas within the site. Therefore the most desirable location for car parking is in the eastern portion of the site which restricts the building to be located towards Dick Ward Drive. The application proposes a contemporary building design with façade treatments and glazing which adds a degree of visual and functional amenity to the Dick Ward Drive in a manner consistent with the purpose of clauses 7.3 and 9.1.1. The provided setback and landscaping is considered sufficient to suitably mitigate any adverse impact on the visual amenity of the locality.
5. Clause 9.1.1 (Industrial Setbacks) requires all street frontages be landscaped to a minimum depth of 3 metres, to ensure that buildings provide an adequate level of visual amenity in industrial zones. Details of the proposed landscaping is required to ensure that the landscaping of the site is consistent with the purpose of clause 9.1.1.
6. City of Darwin advises it is the sole authority responsible under the *Local Government Act* and associated by-laws for stormwater drainage and waste management and as such has requested details of the collection and discharge of stormwater run-off and waste storage and removal.

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

**ITEM 7**  
**PA2012/0076**  
**APPLICANT**

**SEASONAL CARAVAN PARK ANCILLARY TO AN EXISTING TURF CLUB**  
**LOT 5298 (20) DICK WARD DRIVE, TOWN OF DARWIN**  
**MASTERPLAN**

Mr Brad Cunnington (MasterPlan), Mr Brett Dixon (Chairman, Darwin Turf Club), Mr Keith Stacy (Chief Operation Officer, Darwin Turf Club), Mr Rob Longuet (Committee Member, Darwin Turf Club) attended.

Mr Cunnington tabled a before and after site comparison of the proposed Darwin Cup Carnival Caravan & Camping Site.

Submitters:- Mr John Gilbert, Ms Jenny Hagan, Mr Angus Fleming, Mr Brant and Mrs Francess De Zylva, Mrs Michaela Richardson and Mr Jordi Duffy attended.

Interested parties in attendance:- Mr Dale Bicheno, Ms Adele Godfrey (MasterPlan), and Ms Robyn Knox and Ms Kate Warden (Councillors) attended.

**RESOLVED  
77/12**

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) of the Northern Territory Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 5298 (20) Dick Ward Drive, Town of Darwin, for the purpose of a seasonal caravan park ancillary to an existing turf club, subject to the following conditions:

**CONDITIONS PRECEDENT**

1. Prior to endorsement of plans and prior to commencement of works (including site preparation), an Operational Environmental Management Plan (OEMP) prepared by a suitably experienced and qualified person is to be submitted to and approved by the consent authority on the advice of Department of Natural Resources, Environment, the Arts and Sport and Department of Health. When approved, the plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan. The OEMP must include, but not necessarily be limited to:
  - (a) environmental objectives and measures to achieve them;
  - (b) measures to avoid any adverse impact of lighting on nearby residential areas;
  - (c) measures to monitor and minimise emissions (noise, odours, smoke, etc.) to the surrounding area;
  - (d) measures to prevent/ suppress the generation of dust;
  - (e) a cleaning schedule and connection/ disconnection procedures for the ablutions block; and
  - (f) procedures to receive and address complaints including the name and contact details of the Manager (or other nominated person), recording mechanisms of complaints received and actions undertaken.
  
2. Prior to endorsement of plans and prior to commencement of works (including site preparation), a Behaviour Operation Management Plan (BOMP) prepared by a suitably experienced and qualified person is to 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 use must at all times be conducted in accordance with the endorsed plan. The (BOMP) must include, but not necessarily be limited to:
  - (a) Rules and behavioural expectations of guests and visitors to avoid any adverse impacts on nearby residential areas;
  - (b) procedures to receive and address complaints including the name and contact details of the Manager (or other nominated person), recording mechanisms of complaints received and actions undertaken;
  - (c) details of who is responsible for guest and visitor induction;
  - (d) details of how guests and visitors will be made aware of rules and behavioural expectations; and
  - (e) Details of how rules and behavioural expectations will be enforced.

3. 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 stormwater drainage system, to the requirements of City of Darwin, to the satisfaction of the consent authority.
4. Prior to endorsement of plans and prior to the commencement of works (including site preparation), the applicant must prepare a waste management plan for the storage, collection and disposal of all waste from the site, including liquid wastes (other than sewage and grey water), to the requirements of Environmental Health Top End of the Department of Health and the City of Darwin, to the satisfaction of the consent authority.
5. Prior to endorsement of plans and prior to the commencement of works (including site preparation), a landscape plan (consistent with the landscaping approved under DP10/0324) 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 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;
  - (b) landscaping and planting along the Douglas Street Boundary and in the vicinity of the proposed use.
  - (c) fencing details of the Douglas Street boundary; and
  - (d) timetable for planting and landscape works to occur.

All species selected must be to the satisfaction of the consent authority.

#### **GENERAL CONDITIONS**

5. The works carried out under this permit shall be in accordance with drawings endorsed as forming part of this permit.
6. No more than 20 caravans/ motor homes/ tents may be accommodated on the site (being Lot 5298 Town of Darwin) at any one time.
7. The ancillary caravan park approved by this permit may only be sited and used between 1 May and 30 September of any year.
8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, 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.
9. 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.

10. 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.
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. External lights must be designed, baffled and located to the satisfaction of the consent authority to prevent any adverse effect on adjoining land and on RAAF aircraft operations.

#### **NOTES:**

1. The Power and Water Corporation advises that the current local infrastructure cannot sustain standard fire fighting flows of 45L/s applicable to caravan parks. Since the application is for a seasonal caravan park, not a permanent one, Power and Water will require written confirmation from Northern Territory Fire and Rescue Service (NTFRS) that a fire fighting flow of 25l/s is acceptable. If 25l/s is found to be acceptable the developer will not be required to upgrade the water system for fire fighting purposes.
2. The Department of Health advises that the caravan park must be built in accordance with the Northern Territory Public Health Legislation and may require to be registered with the Department of Health.

#### **REASONS FOR DECISION**

1. The proposal is a seasonal ancillary use to the primary use of the land as leisure and recreation and consistent with the purpose of Zone OR (Organised Recreation) which is to provide areas for organised recreation.
2. Providing that the use is properly managed and all management plans and conditions of the development permit are properly complied with, submitters concerns can be appropriately addressed and the proposed seasonal caravan park ancillary to the existing turf club can be implemented without significant adverse amenity impacts.



3. The proposal will not adversely affect the visual amenity of the area due to:
- the low intensity of the caravan park use and temporary seasonal nature;
  - the orderly establishment within designated areas which are not located directly opposite residential land; and
  - existing mature and recently established landscaping along the Douglas Street property boundary.

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

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



**PETER MCQUEEN**  
Chairman

16/4/12

