DEVELOPMENT CONSENT AUTHORITY

DARWIN DIVISION

MINUTES

MEETING No. 210 – FRIDAY 3 MAY 2013

BILLABONG ROOM
NOVOTEL DARWIN ATRIUM
100 THE ESPLANADE
DARWIN

MEMBERS PRESENT: Peter McQueen (Chairman), David Hibbert, Grant Tambling, and Robin Knox

APOLOGIES: Jeanette Anictomatis and Garry Lambert

OFFICERS PRESENT: Sarah Mattson (Secretary), Hanna Stevenson and for part of the meeting Michael O’Neill, Tony Brennan, Sally Cunningham and Peter Sdraulig (Development Assessment Services)

COUNCIL REPRESENTATIVE: Nil

Meeting opened at 9.45am and closed at 11.00 am
ITEM 1 1 X 2 AND 1 X 3 BEDROOM MULTIPLE DWELLINGS IN A 2 STOREY BUILDING
PA2013/0160 LOT 10717 (17) TRAINER STREET, TOWN OF NIGHTCLIFF
APPLICANT DPL DEVELOPMENTS

Mr Darron Lyons and Mr Chris Tan attended.

RESOLVED
94/13
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 10717 (17) Trainer Street, Town of Nightcliff for the purpose of 1 x 2 and 1 x 3 bedroom multiple dwellings in a 2 storey building, subject to the following conditions:

CONDITION PRECEDENT

1. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of Darwin’s 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.

GENERAL CONDITIONS

2. The works carried out under this permit shall be in accordance with the drawings numbered 2013/0160/01 through to 2013/0160/11, endorsed as forming part of this permit.

3. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of Darwin, 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, drainage, sewerage and electricity facilities and telecommunication networks to the land shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.

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 kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Darwin, 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, to the satisfaction of the consent authority.

8. Storage for waste disposal bins is to be provided to the requirements of City of Darwin to the satisfaction of the consent authority.

9. 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.

10. 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.

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. 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.

13. 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.

14. Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

15. No polluted and/or sediment laden run-off is to be discharged directly or indirectly to City of Darwin drains or to any watercourse.

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 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.

3. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development is available from the Department of Land Resource Management.

4. 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.

5. Power and Water Corporation has advised that:
   - 24 hour access to the 1 x 1m electricity easement within the property is to be maintained;
   - It is a requirement that the water service to the units be multi-metered; and
   - Water and Sewerage Systems Excision Policy (WASSEP) charges apply for this development; the developer should contact Services Development for further information.

6. The developer will be required to contact “Dial Before You Dig” on 1100 to obtain the 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 proposed development is consistent with the purpose of Zone SD23 (Specific Use Darwin No. 23), being to facilitate the subdivision, use and development of the land as a residential estate that provides for housing choice through a range of lot sizes and housing types.

2. A variation to the setback requirements of Clause 7.3 (Building Setbacks of Residential Buildings) is acceptable given the minor nature of the non-compliance. Considering the articulated façade, the dual frontage of the building, the open-sided nature of the balcony, its location within the site and its integrated skillion roof, the 2.7 metre setback of the western balcony roof eave would not result in the development being incompatible with the streetscape or surrounding development and would be unlikely to have an adverse impact on the amenity of Trainer Street in terms of building massing or compromise breeze penetration through and between buildings. As such, the structure is consistent with the purpose of this clause.

3. City of Darwin advises that it is the sole authority responsible under the Local Government Act and associated by-laws for stormwater drainage, and as such it has requested details of the collection and discharge of stormwater run-off.
ACTION: Notice of Consent and Development Permit

ITEM 2
PA2013/0098
SUBDIVISION AND CONSOLIDATION TO CREATE 2 LOTS (BOUNDARY REALIGNMENT)
LOTS 3656 & 4151 (23 & 25) STOKES STREET, TOWN OF DARWIN
APPLICANT DEPARTMENT OF LANDS, PLANNING AND THE ENVIRONMENT

No one attended.

Chairman resolved that no conflict of interest arose from notification of a members dormant involvement with the Darwin Masonic Lodge.

RESOLVED 95/13
That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Lot 3656 and Lot 4151 (23 and 25) Stokes Street, Town of Darwin for the purpose of a subdivision and consolidation to create 2 lots (boundary realignment), subject to the following conditions:

GENERAL CONDITIONS

1. Works carried out under this permit shall be in accordance with the drawing numbered 2013/0098/1, 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 to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

4. 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 on the plan of subdivision submitted for approval by the Surveyor General.

5. Prior to the issuing of Part V Clearance, the existing carport located on Lots 3656, 4151 and 4159 Town of Darwin is to be removed to the satisfaction of the consent authority.

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 to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
2. Telstra advises that the developer is required to contact “Dial Before You Dig” on 1100 to obtain a location of the Telstra network, and arrange for any removal or 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 development complies with the relevant provisions for subdivision and consolidation under the Northern Territory Planning Scheme and is considered unlikely to have any adverse impact on the surrounding area.

2. Condition 5 requiring the removal of the existing carport is required as the carport will be located over proposed boundaries and this presents an issue for building certification.

ACTION: Notice of Consent and Development Permit

ITEM 3 CARPORT ADDITION TO AN EXISTING MULTIPLE DWELLING DEVELOPMENT
PA2013/0144 WITH REDUCED FRONT AND SIDE SETBACKS
LOT 2259 (11) HINKLER CRESCENT, TOWN OF DARWIN
APPLICANT NAC PTY LTD

Mr Michael Kuhn attended.

RESOLVED 96/13 That the Development Consent Authority determine to 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 2259 (11) Hinkler Crescent, Town of Darwin for the purpose of a carport addition to an existing multiple dwelling development with reduced front and side setbacks, 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 the City of Darwin. This plan is to be to the satisfaction of the consent authority and is to be endorsed by this permit.

GENERAL CONDITIONS

2. Works carried out under this permit shall be in accordance t drawing numbers 2013/0144/1 and 2013/0144/2 endorsed as forming part of this permit.

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. 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.

NOTES:

1. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and the 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 servicing requirements of the Corporation, and the need for upgrading of on-site and/or surrounding infrastructure.

2. The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) advises that construction work should be conducted in accordance with the NRETAS 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.

REASONS FOR THE DECISION

1. The proposal to develop the site for the purpose of a carport addition to an existing multiple dwelling development 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 the requirements of clause 7.3 (Building Setbacks of Residential Buildings) of the Northern Territory Planning Scheme is considered acceptable as the location of the existing building and carpark limits the options available to locate the proposed carport. The current building facade presents to the street as a blank wall with an existing open hardstand area for carparking, and the carport is considered to improve the presentation to the street and adjoining land by way of its open design and pitched roof matching the existing building roof line. The carport is an open structure and with a public park directly across the road there will be a minimal impact on breeze penetration through and between buildings.

3. The City of Darwin, as sole authority responsible for stormwater drainage under the Local Government Act and associated bylaws, has requested the inclusion of a condition requiring submission of a schematic stormwater plan for development. As per Council’s request, a condition precedent requiring submission of this plan has been included.
4. 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 4**

**PA2013/0081**

**168 X 2 BEDROOM MULTIPLE DWELLINGS AND RESTAURANTS IN A 18 STOREY BUILDING PLUS 2 LEVELS OF BASEMENT CAR PARKING**

**LOTS 663 & 664 (106) & (108) ESPLANADE, TOWN OF DARWIN**

**APPLICANT**

**JACKMAN GOODEN ARCHITECTS (NT) PTY LTD**

Mr Colin Browne, Mr Boyd Sergeant and Mr George Service (Jackman Gooden Architects) attended

Submitters:- Mr Daryl Manzie and Ms Riarna McCarthy sent their apologies but would like their concerns noted.

An Addendum has been tabled by DAS.

**RESOLVED**

**97/13**

That, the Development Consent Authority vary the requirements of clause 6.3.1 (Building Heights in Central Darwin) and clause 7.5 (Private Open Space) of the NT Planning Scheme, and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lots 663 & 664 (106 & 108) Esplanade, Town of Darwin for the purpose of 168 x 2 bedroom multiple dwellings and restaurants in a 18 storey building plus 2 levels of basement car parking, 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 prepare a traffic impact assessment report prepared in accordance with the Austroads document ‘Guide to Traffic Management Part 12: Traffic Impacts of Developments’, with particular attention to vehicular, pedestrian, cyclist and public transport issues and opportunities. The report is to be to the requirements and approval of the City of Darwin, to the satisfaction of the consent authority.

2. Prior to endorsement of the plans and prior to the commencement of works (including site preparation), the applicant is to obtain written confirmation from Power & Water Corporation that the indoor electrical substation is located and designed to its requirements, to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and prior to commencement of works (including site preparation), the applicant is to prepare a Construction Environmental Management Plan (CEMP), to the requirements of the City of Darwin. The CEMP is to address how construction will be managed on the site, including (but not necessarily limited to): waste management; traffic management; haulage routes; storm water drainage; use of City of Darwin
land; and how the land will be managed during the construction stage, to the
satisfaction of the consent authority.

GENERAL CONDITIONS

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

5. Before the use/ occupation of the development starts, all works identified
   within the Traffic Impact Assessment and any other works as required by City of
   Darwin are to be undertaken to the requirements of, and at no cost to, City of
   Darwin City Council, to the satisfaction of the consent authority.

6. Pursuant to Part 6 of the Planning Act, ‘Developer Contributions’, a monetary
   contribution shall be paid to City of Darwin in accordance with Council’s
   ‘Developer Contribution Plans for Stormwater Drainage Works’.

7. The owner of the land must enter into agreements with the relevant authorities
   for the provision of water supply, drainage, sewerage, electricity facilities, and
   telecommunication networks 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 service 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 City of Darwin, to the satisfaction of the
   consent authority.

10. 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 to the
    satisfaction of the consent authority.

11. 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;
    (f) clearly marked to show the direction of traffic along access lanes and
        driveways; and
    (g) appropriately signposted to direct customers to designated customer
        parking;

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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.

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. 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.

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. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

17. 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.

18. 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.

19. Storage and collection of waste disposal bins is to be provided to the requirements of City of Darwin to the satisfaction of the consent authority.

20. Prior to the issuance of an Occupancy Permit under the Building Act, an energy efficiency report is to be submitted to the Development Consent Authority for approval. This report is to be prepared by a suitably qualified professional and is to demonstrate that the development will exceed the minimum energy efficiency requirements imposed by the Building Code of Australia for the Northern Territory for an average of the residential units, to the satisfaction of the consent authority.

21. An Occupancy Permit under the Building Act shall not be granted until such time as Lots 633 & 664, Town of Darwin have been consolidated and a new title issued in respect of that consolidated allotment.

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 to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. Power and Water Corporation advises that WASSEP charges apply for this development, and the developer should contact Services Development for further information.

3. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre-ready telecommunication facilities.

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. Notwithstanding the approved plans, any proposed works (including landscaping) within Council’s road reserve 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.

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

7. The development and use hereby permitted should be designed, constructed, registered and operate in accordance with the Building Code of Australia, the NT Public Health Act and Regulations, the NT Food Act and National Safety Standards.

8. The Department of Lands, Planning and the Environment’s ‘Environment Protection Agency’ advises that construction work should be conducted in accordance with the Department’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.

**REASONS FOR THE RECOMMENDATION**

1. The proposal is consistent with the primary purpose of Zone CB (Central Business), which is 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.

2. A variation to clause 6.3.1 (Building Heights in Central Darwin) of the NT Planning Scheme for the provision of publicly accessible open space in the form of alfresco dining is considered to have merit in this instance based on:
the site’s specific relationship with the public open space area on the opposite side of the Esplanade, and where the alfresco area is likely to be better utilised by the public than any other form of publicly accessible open space due to this specific relationship; and
the proposal being in keeping with the purpose of Part 3(b) of the clause which is to provide amenity for adjacent streets and is attractive, interesting, comfortable, safe and functional for pedestrians.

3. A variation to clause 7.5 (Private Open Space) of the NT Planning Scheme for dwelling type B balconies (above podium level) is based on the provision of bi-fold door between living rooms and balconies which provide exceptional connection between the these 2 areas result in an extension of the open space into the adjacent living rooms.

ACTION: Notice of Consent and Development Permit

ITEM 5
PA2013/0080
APPLICANT
VLADIMIR BOSKOVSKI

Portion 2368 (107) Winnellie Road, Hundred of Bagot

Mr Vladimir Boskovski attended.

RESOLVED
98/13

That, pursuant to section 53(a) of the Planning Act, the Development Consent Authority consent to the application to develop Portion 2368 (107) Winnellie Road, Hundred of Bagot, for the purpose of additions to existing buildings for use as warehouses, subject to the following conditions:

CONDITIONS PRECEDENT

1. 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 underground to Council’s stormwater drainage system, to the requirements of City of Darwin, to the satisfaction of the consent authority.

2. Prior to the commencement of works (including site preparation), the current uses on the site for ‘light industry’ and ‘motor repair station’ must permanently cease operations, or separate development consent(s) granted.

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 owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage, electricity facilities, and telecommunication networks to the land shown on the endorsed plan in accordance with the authorities’ requirements and relevant legislation at the time.
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. 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; and
   (e) line marked to indicate each car space and all access lanes; and to the satisfaction of the consent authority.
   Car spaces, access lanes and driveways must be kept available for these purposes at all times.

7. 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.

8. 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.

9. 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.

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. The loading and unloading of goods must only be carried out on the land.

12. No goods are to be stored or left exposed outside the buildings so as to be visible from any public street.

13. Storage and collection of waste disposal bins is to be provided to the requirements of City of Darwin to the satisfaction of the consent authority.

14. Soil erosion and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

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 to determine the Corporation’s servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

2. You are advised to contact the relevant service provider prior to construction works commencing in order to determine the relevant telecommunication network servicing requirements for the development, including the potential requirement to provide fibre ready telecommunication facilities.

3. Notwithstanding the approved plans, any proposed works (including landscaping) within Council’s road reserve 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.

REASONS FOR THE DECISION

1. The proposal is generally consistent with the purpose of Zone SC (Service Commercial) which is ‘to provide for commercial activities which, because of the nature of their business or size of the population catchment, require larger sites’.

2. Darwin City Council advises it is the sole authority responsible under the Local Government Act and associated by-laws for stormwater drainage and as such, have requested details of the collection and discharge of stormwater for this proposal.

3. The requirement that the current uses cease operations before commencement of works is based on there being no record of consent for the current uses, and the development application being for warehouse use only.

ACTION: Notice of Consent and Development Permit

ITEM 6

PA2013/0205

CHANGES TO THE DEVELOPMENT APPROVED BY DP12/0451 INCLUDING AN INCREASE IN HEIGHT, ALTERATION OF THE FLOOR LAYOUTS AND THE ADDITION OF A SHOP PORTIONS 1138 & 1318 (62) & (58) WINNELLIE ROAD, HUNDRED OF BAGOT

APPLICANT

ARROW PROPERTIES (NT) PTY LTD

Mr John Berryman and Mr Mathew Leigh attended.

RESOLVED

99/13

That, the Development Consent Authority vary the requirements of Clause 6.5.3 (Parking Layout) and Clause 9.1.1 (Industrial Setbacks) of the NT Planning Scheme and pursuant to section 53(a) of the Planning Act, consent to the application to develop Lot 1318 & 1138 (58 & 62) Winnellie Road, Hundred of Bagot for the purpose of changes to the development approved by DP12/0451 including an increase in height, alteration of the floor layouts and the addition of a shop, subject to the following conditions:
GENERAL CONDITIONS

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

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

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 kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of City of Darwin, to the satisfaction of the consent authority.

5. 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 to the satisfaction of the consent authority.

6. 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.

7. 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.

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

9. 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.

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These minutes record persons in attendance at the meeting and the resolutions of the Development Consent Authority on applications before it. Reliance on these minutes should be limited to exclude uses of an evidentiary nature.
10. 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.

11. 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.

12. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.

13. Storage and collection for waste disposal bins is to be provided to the requirements of City of Darwin to the satisfaction of the consent authority.

14. An Occupancy Permit under the Building Act shall not be granted until such time as Lots 1138 and 1318, Hundred of Bagot have been consolidated and a new title issued in respect of that consolidated allotment.

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 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 Council.

3. Notwithstanding the approved plans, proposed landscaping, footpaths and other works within the road reserve are subject to Council's approval and shall meet all Council's requirements to the satisfaction of the City of Darwin and at no cost to Council.

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.

REASONS FOR THE DECISION

1. The proposed development is consistent with the purpose of Zone LI (Light Industry) where ‘offices are expected to primarily provide a service to the general industry in the zone and be of a size commensurate with the service provided’, due to the design and size of the building and resulting flexibility of use. The proposal is also consistent with the zone purpose as the shop is limited in size and will service the needs of the occupants of the building and needs of the surrounding industrial area.

2. Having considered the zoning of the land, the provision of car parking spaces in the vicinity and the availability of public transport in the area as required by
Clause 6.5.2 (Reduction in Parking Requirements), the Development Consent Authority considers that the provision of 81 on-site spaces and 22 on street spaces is sufficient to support the proposed development.

3. A variation to Clauses 6.5.3 (Parking Layout) and 9.1.1 (Industrial Setbacks) is considered appropriate in this instance as the landscaping provided within the road reserve and the distance between Winnellie Road and the boundary of the site is expected to provide sufficient separation to aid in lessening any visual impact caused by vehicle parking located on the development site.

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

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

[Signature]

PETER MCQUEEN  
Chairman

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