



**DEVELOPMENT CONSENT AUTHORITY**

**DARWIN DIVISION**

**MINUTES**

**MEETING No. 197 – FRIDAY 21 SEPTEMBER 2012**

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

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

**APOLOGIES:** Robin Knox

**OFFICERS PRESENT:** Margaret Macintyre (Secretary), Hanna Stevenson, Victor Oecker and Kate Rogers and for part of the meeting Peter Sdraulig, Israel Kgosiemang, Steven Conn and Michael O'Neill (Development Assessment Services)

**COUNCIL REPRESENTATIVE:** Nil

**Meeting opened at 9.45 am and closed at 12.15 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                    32M HIGH COMMUNICATION FACILITY WITH ASSOCIATED ANTENNAS  
PA2012/0534            PORTION 1630 (110) COONAWARRA ROAD, HUNDRED OF BAGOT  
APPLICANT              CENTRAL COMMUNICATIONS (ALICE SPRINGS) PTY LTD

DAS tabled an addendum – comments from Department of Defence.

Mr Shane Post (Combined Communication Solutions) and Mr Robin Riley (John Holland) attended on behalf of the applicant.

**RESOLVED**  
**225/12**

That, the Development Consent Authority vary the requirements of Clause 6.1 (General Height Control) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Portion 1630 (110) Coonawarra Road, Hundred of Bagot for the purpose of a 30.1 metre high communications facility with associated antennas, subject to the following conditions:

**GENERAL CONDITIONS**

1. The works carried out under this permit shall be in accordance with the drawings numbered 2012/0534/01 through to 2012/0534/03, 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 services to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

**NOTES:**

1. Department of Defence advises that a separate request for assessment and approval under the Defence (Area Control) Regulations must be submitted to the Minister's Delegate at the following address:

Assistant Secretary Estate Planning  
Department of Defence  
BP3-1-B001  
Brindabella Park  
CANBERRA ACT 2609

Until such time as an approval is obtained, the applicant may not construct any structure on the site that exceeds 15m AGL.

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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. The Power and Water Corporation advises that full lot fire coverage cannot be achieved from existing hydrants and internal fire fighting arrangements should be made to the satisfaction of the NT Fire and Rescue Service.

**REASON FOR THE DECISION**

1. A variation to Clause 6.1 (General Height Control) is supported as the nature of the tower and its proposed location within the site would not prevent the redevelopment of the site and the use of adjoining and nearby land in a manner consistent with the purpose of Zone GI (General Industry). The tower's utilitarian nature is consistent with the surrounding industrial development and its lattice design would contribute to minimising its bulk.

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

**ITEM 2  
PA2010/0161**

**VARIATION - ALTERATIONS TO AN EXISTING RESTAURANT AND ALFRESCO DINING AREA INCLUDING THE INSTALLATION OF BI-FOLD DOORS TO AN EXISTING WINDOW OPENING**

**APPLICANT**

**LOT 2781 (14) DASHWOOD CRESCENT, TOWN OF DARWIN  
ABP PERMITS PTY LTD**

Pursuant to section 97 of the *Planning Act*, Mr Peter McQueen, Chairman of the Development Consent Authority declared an interest and absented himself from the meeting for the deliberation of this item.

Pursuant to section 101(3) of the *Planning Act*, in the Chairman's absence the members of the Darwin Division of the Development Consent Authority elect Mr David Hibbert to preside during Item 2 only at the meeting held on 21 September 2012.

Mr Chris Lovewell (ABP Permits Pty Ltd) attended.

**RESOLVED  
226/12**

That, pursuant to Section 57(3) of the *Planning Act*, the Development Consent Authority grant consent to vary condition 2 of Development Permit DP10/0353, for the purpose of installation of bi-fold doors to replace a full length window, in accordance with the drawings numbered 2010/0161/1A through to 2010/0161/4A, endorsed as forming part of this permit, and to include condition 9, for the purpose of managing potential noise impacts associated with the development. In all other respects development permit DP10/0353 remains unchanged.

**ADDITIONAL CONDITION 9.**

9. Amplified live music must not be played within that section of the restaurant directly abutting the outdoor dining deck.

**ACTION:** Variation to Development Permit

**ITEM 3**  
**PA2012/0578**  
**APPLICANT**

**CARPORT AND SHED ADDITION TO AN EXISTING SINGLE DWELLING WITH A REDUCED FRONT SETBACK**  
**LOT 6211 (32) EATON PLACE, TOWN OF SANDERSON**  
**SAMINA LIM**

Ms Samina Lim (owner) and Mr Michael Alakiotis (Architectural Drafter) attended and tabled five photographs of the site.

**RESOLVED**  
**227/12**

That, pursuant to section 53(c) of the *Planning Act*, the Development Consent Authority refuse consent to the application to develop Lot 6211 (32) Eaton Place, Town of Sanderson for the purpose of carport and shed addition to an existing single dwelling with reduced front setbacks.

**REASONS FOR DECISION**

1. The proposal does not achieve the objectives of:
  - Clause 7.3 (Building Setbacks of Residential Buildings) which includes to ensure residential buildings and structures without walls are located so 'they are compatible with the streetscape and surrounding development including residential buildings on the same site'; and
  - Clause 6.11 (Garages and Sheds) of the NT Planning Scheme which is 'to ensure that garages and sheds are sited so they do not detract from the streetscape or the amenity of adjoining land'.

The proposed carport and shed structure will result in a development which is incompatible with the existing streetscape character of the area, and will have adverse impacts on the visual amenity of the immediate and wider surrounding area.

2. In accordance with cause 2.5 (Exercise of Discretion by the Consent Authority) of the NT Planning Scheme, 'the consent authority may consent to the development of the land that does not meet the standard set out in Parts 4 or 5 only if it is satisfied that special circumstances justify the giving of consent'. No special circumstances for the front setback encroachment have been identified which merits the granting of consent by the authority.

**ACTION:** Notice of Refusal

ITEM 4  
PA2012/0590

**CHANGES TO THE DEVELOPMENT APPROVED BY DP12/0456 FOR RECONFIGURING THE 5 STOREY BUILDING (BUILDING 4) TO 12 X 1 AND 6 X 2 BEDROOM MULTIPLE DWELLINGS AND THE 9 STOREY BUILDING (BUILDING 6) TO 43 X 1, 27 X 2 & 1 X 3 BEDROOM MULTIPLE DWELLINGS, DECREASING THE COMMERCIAL FLOOR AREA AND OVERALL BUILDING FOOTPRINT, AND MINOR CHANGES TO THE DESIGN OF THE BUILDINGS**

**APPLICANT**

**TOGA DARWIN NO 1 PTY LTD**

Mr Frank Bagala (Toga Darwin No 1 Pty Ltd) attended.

**RESOLVED**  
**228/12**

That the Development Consent Authority vary the requirements of clauses 7.5 (Private open Space), 7.6 (Communal Open Space) and 14.1.1 (Darwin City Waterfront Planning Principles and Area Plan) of the Northern Territory Planning Scheme, and pursuant to section 53(a) of the *Planning Act*, consent to the application to develop Lot 8025 (2) Stokes Hill Road, Town of Darwin for the purpose of 'a 5 storey building with commercial and education establishment tenancies and 12 x 2 bedroom multiple dwellings (including 2 levels of carparking), a 6 storey building with 24 x 1 bedroom and 24 x 2 bedroom multiple dwellings, a 9 storey building with 26 x 1 bedroom, 33 x 2 bedroom and 6 x 3 bedroom multiple dwellings and ground level commercial tenancies and associated basement carparking, roads and open space in two stages', subject to the following conditions:

#### **CONDITION PRECEDENT**

1. Prior to endorsement of plans and prior to commencement of works (including site preparation), a schematic plan demonstrating all stormwater to be collected on the site and discharged into the local underground stormwater system, to the standards and approval of the Department of Transport where it falls within public road reserves, and to the standards and approval of the Darwin Waterfront Corporation and/ or the Department of Transport outside of the road reserves, to the satisfaction of the consent authority.

#### **GENERAL CONDITIONS**

2. Prior to endorsement of plans and prior to commencement of works (including site preparation), confirmation must be provided to the consent authority that the developer has entered into a written agreement with the Department of Transport with regard to the structures proposed to be located within the New Road and Kitchener road reserves, to the satisfaction of the consent authority.
3. The works carried out under this permit shall be in accordance with drawing numbers endorsed as forming part of this permit.
4. All actions recommended through the Construction Environment Management Plan (CEMP) endorsed through development permit DP09/0760 are to be followed as part of this permit. The CEMP included the following 'sub plans':
  - (a) A Noise Management Plan demonstrating how the applicant will achieve the objective of limiting the impact of noise from construction to acceptable levels

- and contains the organisation structure, responsibilities, practices, procedures, processes and resources required for implementation.
- (b) An Acid Sulphate Soil Management Plan detailing a soil testing regime consistent with the New South Wales Environmental Protection Authority's Environmental Guideline Assessing and Managing Acid Sulphate Soil or equivalent and includes details of management and disposal options for acid sulphate soils.
  - (c) An Archaeological and Heritage Management Plan detailing procedures to be followed in the event that items of archaeological or heritage interest are discovered during construction activity, and contains the organisation structure, responsibilities, practices, processes and resources required for implementation.
  - (d) A Soil Erosion and Sediment Control Management Plan detailing measures to be implemented, maintenance requirements and the organisation structure, responsibilities, practices, processes and resources required for implementation.
  - (e) A Weed Management Plan detailing strategies to be implemented to minimise the introduction of weeds to the site and spread of weeds from the site.
  - (f) A Lighting Management Plan demonstrating how the permit holder will avoid any adverse impact of lighting from construction activities on shipping navigation requirements and residential amenity and contains the organisation structure, responsibilities, practices, processes and resources required for implementation.
  - (g) A Waste Management Plan specifying measures to minimise the impact of all soil, air and water wastes to be excavated, dredged, pumped, generated, handled, treated, transported and disposed of during development. The Waste Management Plan:
    - Listed all wastes (liquid and non-liquid) that may be generated at the site including building or demolition or excavated materials.
    - Detailed the intended manner of handling, storing, tracking and transport of wastes.
    - Included procedures for the disposal of all wastes to a licensed facility or location in accordance with the *Water Act* and the *Waste Management and Pollution Control Act* and their respective classifications at that facility.
    - Designated waste storage areas, including stockpiles and bins and areas for segregation and storage of recyclable materials.
    - Contained the organisation structure, responsibilities, practices, processes and resources required for implementation.
5. All remediation works shall be carried out to the requirements of the Remediation Action Plan (RAP) prepared by URS, Version 6 – Volumes 1 and 2, dated 9 August 2005, as endorsed through DP09/0760.
6. Upon completion of all remediation works required by the Remediation Action Plan (RAP) and prior to the commencement of the use, an independent environmental auditor appointed under the *Environmental Protection Act (Victoria)* is to provide to the consent authority a Statement of Environmental Audit. The Statement is to verify that the site has been remediated in such a way that it is suitable for its intended use(s), giving proper consideration to land fill, unexploded ordnances, groundwater, fill and soil contamination. All recommendations of the Statement of Environmental Audit are to be complied with in full.

7. The actions of the Site Management Plan (SMP) endorsed through DP09/0760 are to be followed as required for this development.
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 owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication networks to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
10. Engineering design and specifications for stormwater drainage and vehicular access are to be to the technical requirements of the City of Darwin or the Department of Transport, as the case may be, to the satisfaction of the consent authority and all approved works constructed at the permit holder's expense.
11. The road works and/ or all proposed works impacting affecting existing roads are to be designed, supervised and certified on completion by a Chartered Professional Civil Engineer in accordance with the standards and specifications of the Department of Transport, to the satisfaction of the consent authority.
12. The permit holder shall at all times during the construction of the works ensure continuity of vehicular and pedestrian access and reticulated services to all existing businesses and uses accessed from Kitchener Drive or Stokes Hill Road.
13. 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 and/ or the Department of Transport, as the case may be, to the satisfaction of the consent authority.
14. The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) provide footpaths/ cycleways;
  - (c) collect stormwater and discharge it to the drainage network; and
  - (d) undertake reinstatement works;All to the technical requirements of, and at no cost to, the City of Darwin and/ or the Department of Transport, as the case may be, to the satisfaction of the consent authority.
15. 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.

16. 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.
17. Before the use 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 landscape plan must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.
19. All roads, storage areas, external stockpiles, or vacant areas must be maintained to avoid dust nuisance to any residential area to the satisfaction of the consent authority.
20. Storage for waste disposal bins is to be provided to the requirements of the City of Darwin and/or the Department of Transport, as the case may be, to the satisfaction of the consent authority.
21. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the consent authority.
22. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s).
23. 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.
24. 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.
25. 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.
26. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land and on the operations of the Darwin port.
27. The ground floor, finished floor levels of the buildings must be at a minimum of 6.5 metres Australian Height Datum (AHD).



## 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 Health advises that the proposed enclosed refuse storage area should include a floor that is smooth, impervious, non-slip, a minimum of 75mm thick and evenly graded to the sewerage or applicable drainage system, and the enclosure should be provided with a tap connected to an adequate water supply.
3. In the event that food is provided for customers, the business must be registered with the Department of Health and must comply with the NT Food Act 2004 and the national food safety standards: Standard 3.1.1 Interpretation and Application, Standard 3.2.2 Food Safety Practices and General Requirements and Standard 3.2.3 Food Premises and Equipment.
4. The design and construction of the food premises must comply with the NT Food Act 2004 and the national food safety standards: Standard 3.2.3 Food Premises and Equipment and the Building Code of Australia.
5. Detailed plans must be submitted to the Department of Health via a building certifier for approval prior to the construction of building works. Following approval the premises is required to be registered as a Food Business with the Department of Health prior to the use being undertaken.
6. It is an offence to cause an environmental nuisance under section 83(5) of the *Waste Management and Pollution Control Act*.
7. The proponent must ensure that only uncontaminated fill is accepted and that the fill has been adequately assessed as being suitable for its intended use. Polluting a site with contaminated fill may constitute an offence under section 83 of the *Waste Management and Pollution Control Act*.
8. The developer is to contact Telstra via the following website prior to any work commencing to facilitate the installation of the Telstra network: <http://www.telstrasmartcommunity.com/>, and is to register the development with NBN Co at <http://www.nbnco.com.au/getting-connected/new-developments.html>.
9. 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.
10. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e.

not flashing or variable message). The sign shall be positioned so as not to create sun or headlight reflection to motorists, and be located entirely (including foundations and aerially) within the subject lot.

11. All proposed work (including the provision of services) within, or impacting upon the Kitchener Drive road reserve shall be designed, supervised and certified on completion by a practicing and registered civil engineer, and shall be in accordance with the standards and specifications of the Chief Executive of the Department of Transport. Design drawings, together with a copy of the relevant development permit, must be submitted to the Director of Roads for Road Agency approval irrespective of approvals granted by other authorities. No works within, or impacting upon, the NT Government road reserve are to commence prior to gaining Road Agency approval.
12. The Department of Transport advises that during the construction period, all trucks entering or leaving the site should have loads constrained in such a manner as to prevent the dropping or tracking of materials onto the road reserve. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering the sealed road network. Where tracked material on the road pavement becomes a potential safety issue, the developer will be obliged to clean material off the road.
13. It is advised that, notwithstanding the approved plans, any proposed awnings and landscaping works within, or over, the New Road or Kitchener Drive road reserves shall be to the standards and approval of the Department of Transport.
14. Any damage sustained to the footpath through the course of works shall be reinstated in accordance with the standards and requirements of the Department of Transport.
15. It is advised that any works within the Kitchener Drive road reserve will require a 'permit to work within a road reserve' from the Department of Infrastructure.
16. 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 development 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 and retail and other business activities, with a commitment to the separation of incompatible activities".
2. A variation to the requirements of subclause 2 of clause 7.5 (Private open Space) of the Northern Territory Planning Scheme is supported as 135 of the 137 proposed multiple dwellings comply with the controls and the two non-compliant units are still provided with areas of private open

space, of 39.7m<sup>2</sup>, that is suitable for recreational and amenity purposes. In line with the purpose of clause 7.5, "each dwelling has private open space that is appropriately sited and of an adequate size to provide for domestic purposes", and the development is inclusive of a high level of quality commonly accessible open space that is landscaped, provides for a range of recreational activities, and is within walking distance of other facilities within the Waterfront precinct and the Darwin central business area.

3. A variation to the requirements of subclause 2 of clause 7.6 (Communal Open Space) of the Northern Territory Planning Scheme is supported as the development is providing a significant amount of high quality and commonly accessible space that is thoughtfully landscaped and integrated with the other aspects of the Waterfront precinct. The majority of this space is publicly accessible, providing an amenity for the locality and city as a whole, accords with the open space being sought by the Darwin City Waterfront Area Plan given in clause 14.1.1 of the Planning Scheme, and is in excess of that previously approved through development permit DP09/0760 for stage 2A works. The communal open space that is provided for the sole benefit of the residents of the subject development is also seen as being of an appropriate size to provide for the recreational and amenity requirements of these tenants, while the proximity to other open space areas within the Waterfront precinct is also seen as resulting in a level of open space that is of a high quality and appropriate for the site and surrounding locality.
4. The development's departure from the principles of clause 14.1.1 (Waterfront Planning Principles and Area Plan) of the Northern Territory Planning Scheme for a primarily commercial development, comprising offices, commercial uses and an education establishment, within building 4 is supported as:
  - The separation of the residential and commercial uses reduces potential for conflict between the 2 uses which still maintaining the mixed use character of the development and Waterfront precinct.
  - The use of building 4 for primarily commercial, instead of residential, purposes recognises the primary collector road nature of Kitchener Drive and its potential to adversely impact on a more sensitive residential use.
  - The introduction of an education establishment use should see a level of vitality and diversity of uses come to the site while not impacting on the amenity of residences.
5. All matters of environmental concern are to be addressed through the Construction Environment Management Plan, Remediation Action Plan, Site Management Plan, and related sub-plans, as was also required in the two previous permits granted for stage 2A works, development permits DP09/0760 and DP12/0467.
6. The proposed development is similar in scale and built form to previous approvals granted over the land, as given through DP9/0760 and DP12/0467. The subject proposal is not expected to result in impacts

beyond that previously approved, and is consistent with development anticipated in zone CB (Central Business) and the Waterfront precinct.

7. 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 the appropriate stormwater drainage system, and to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.
8. Confirmation that the developer has obtained consent from the Department of Transport for all works affecting the New Road and Kitchener Drive road reserves is necessary as the Department of Transport will become the responsible authority for maintaining the road reserves described.
9. In accordance with the requirements of section 51(m) of the *Planning Act*, consideration has been given to all comments received from service authorities, with these to be addressed to ensure an appropriate level of service is maintained for the site and surrounding locality.

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

**ITEM 5**                    **VARIATION - RECONFIGURATION OF INTERNAL LAYOUT**  
**PA2010/0575**        **LOTS 7466 & 7468 (129) STUART HIGHWAY & (10) SALONIKA STREET, TOWN**  
                                 **OF DARWIN**  
**APPLICANT**        **OSBORNE FAMILY HOLDINGS**

Mr Kerry Osborne and Mr Dean Osborne (Osborne Family Holdings) attended.

**RESOLVED**            That, pursuant to section 57(3) of the *Planning Act*, the Development Consent  
**229/12**                    Authority grant consent to vary condition 2 of development permit DP10/0494, for  
the purpose of reconfiguring the internal layout to see 20 x 2 bedroom and 6 x 3  
bedroom multiple dwellings operate as dual key units, in accordance with the  
drawings numbered 2010/0575/1-A through to 2010/0575/8-A, endorsed as forming  
part of this permit, and to include condition 24, for the purpose of ensuring that the  
units altered through this permit remain on a single title. In all other respects  
development permit DP10/0494 remains unchanged.

**ADDITIONAL CONDITION 24:**

24. Should the development be unit titled, each dual key unit is to remain under a single title.

**ACTION:** Variation to Development Permit

ITEM 6  
PA2012/0589

**CHANGE OF USE FROM WAREHOUSE AND SHOWROOM SALES TO OFFICE  
(TENANCY 1)**

APPLICANT

**PORTION 1205 (14) WINNELLIE ROAD, HUNDRED OF BAGOT  
MKEA ARCHITECTS PTY LTD**

Mr Steven Ehrlich (MKEA Architects), Mr Malcolm Uhe (Veteran's Affairs) and Ms Nicole Wheeler (Interior Designer) attended.

RESOLVED  
230/12

That, pursuant to section 53(a) of the *Planning Act*, the Development Consent Authority consent to the application to develop Portion 1205 (14) Winnellie Road, Hundred of Bagot for the purpose of change of use from showroom sales to office (tenancy 1) subject to the following conditions:

1. Works carried out under this permit shall be in accordance with drawings numbered 2012/0589/1 through to 2012/0589/3, 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, sewerage facilities, and electricity to the land shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
4. The use and/or development as shown on the endorsed plans must not be altered without the further consent of the consent authority.
5. Storage for waste disposal bins is to be provided to the requirements of City of Darwin to the satisfaction of the consent authority.

**NOTES:**

1. Notwithstanding the approved plans, all signage is subject to Council's approval and shall meet all Council's requirements to the satisfaction of the Director of Technical Services, City of Darwin at no cost to Council.
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 in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
3. When/if future unit titling is applied for, it is considered necessary by the Development Consent Authority that all car parking on the site will need to be provided within common property, rather than allocated to individual units. This will ensure all car parking is freely available to all users of the site and facilitate the cross-utilisation.

## REASONS FOR THE DECISION

1. The location of the office in this zone is considered appropriate as the office use is compatible with other uses in the immediate area (which is characterised by generally commercial development) and is considered unlikely to detrimentally affect the adjoining or nearby land as the use is contained within the building. Furthermore, the proposed component of office (tenancy 1) represents only 13.8% of the net floor area on the entire site and is therefore considered to be of a comparatively small scale.
2. The requirement to provide all car parking within a common area when/if the development is unit titled will ensure that all car parking is freely available to all users of the site and facilitate the cross-utilisation as per the requirement of the previous Development Permit (DP11/0719).

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

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



**DAVID HIBBERT**  
Delegate

25/9/12