



# **Business Papers**

## **Town Planning Committee Meeting**

**Tuesday, 4 August 2015  
5:00pm**



# Notice of Meeting

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To the Lord Mayor and Aldermen

You are invited to attend an Town Planning Committee Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 4 August 2015, commencing at 5.00 pm.

*Diana Leeder*

**DIANA LEEDER**  
**ACTING CHIEF EXECUTIVE OFFICER**

Office Use Only

Placed on Public Notice Board: \_\_\_\_\_

Removed from Public Notice Board: \_\_\_\_\_

# OPEN SECTION

TP8/1

## CITY OF DARWIN

### TOWN PLANNING COMMITTEE

**TUESDAY, 4 AUGUST 2015**

MEMBERS: Member S J Niblock (Chairman); The Right Worshipful, The Lord Mayor, Katrina Fong Lim; Alderman J M Anictomatis; Alderman R K Elix; Alderman H I Galton; Alderman J A Glover; Alderman G J Haslett; Alderman R M Knox; Alderman G Lambrinidis; Alderman G A Lambert; Alderman A R Mitchell; Alderman R Want de Rowe; Alderman K J Worden.

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Infrastructure, Mr L Cercarelli; Executive Manager, Mr M Blackburn; Manager Design, Projects & Planning, Mr D Lelekis; Strategic Town Planner, Ms C Robson; Planning Officer, Mr B Sellars; Town Planner, Ms N Smith; Executive Assistant, Ms A Smit.

**Enquiries and/or Apologies: Arweena Smit**  
**E-mail: [a.smit@darwin.nt.gov.au](mailto:a.smit@darwin.nt.gov.au) - PH: 89300 685**  
**OR Phone Committee Room 1, for Late Apologies - PH: 89300 519**

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### ***Committee's Responsibilities***

- Development Applications referred from the Development Consent Authority
- Town Planning Strategy, Policies and Procedures
- Development and Planning Matters referred to Council from Developers, Community Groups and Individuals
- Signage Applications, Policies and Procedures

*THAT effective as of 16 April 2012 Council, pursuant to Section 32 (2)(b) of the Local Government Act 2008, hereby delegates to the Town Planning Committee the power to make recommendations to Council and decisions relating to Town Planning*

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### **\*\*\* INDEX \*\*\***

### **PAGE**

1.	MEETING DECLARED OPEN .....	3
2.	APOLOGIES AND LEAVE OF ABSENCE .....	3

## OPEN SECTION

TP8/2

3.	ELECTRONIC MEETING ATTENDANCE .....	3
4.	DECLARATION OF INTEREST OF MEMBERS AND STAFF .....	4
5.	CONFIDENTIAL ITEMS .....	4
6.	WITHDRAWAL OF ITEMS FOR DISCUSSION .....	4
7.	CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING	
	• Tuesday, 2 August 2015 .....	5
8.	BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING .....	5
9.	DEPUTATIONS AND BRIEFINGS .....	5
10.	OFFICERS REPORTS	
10.1	Darwin Inner Suburbs Area Plans – Stage 1 Consultation .....	6
10.2	Permeable Land Surfaces .....	43
10.3	Strategic Planning Issues – August 2015 .....	76
11.	INFORMATION ITEMS .....	81
12.	GENERAL BUSINESS .....	81
13.	CLOSURE OF MEETING .....	81

# OPEN SECTION

TP8/3

## Town Planning Committee Meeting – Tuesday, 4 August 2015

### 1. MEETING DECLARED OPEN

The Chairman declared the meeting open at \_\_\_\_\_ p.m.

### 2. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

#### 2.1 Apologies

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THAT the apology from Member \_\_\_\_\_, be received.

DECISION NO.21\() (04/08/15)

#### 2.2 Leave of Absence Granted

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A. THAT it be noted Member R Want de Rowe is an apology due to a Leave of Absence previously granted on 28 July 2015 for the period 2 – 9 August 2015.

DECISION NO.21\() (04/08/15)

### 3. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

#### 3.1 Electronic Meeting Attendance Granted

Nil

# OPEN SECTION

TP8/4

## Town Planning Committee Meeting – Tuesday, 4 August 2015

### 4. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Nil

### 5. CONFIDENTIAL ITEMS

#### 5.1 Closure to the Public for Confidential Items

Common No. 1944604

Nil

### 6. WITHDRAWAL OF ITEMS FOR DISCUSSION

()

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the Town Planning Committee Meeting held on Tuesday, 4 August 2015 be received and considered individually.

DECISION NO.21\()

(04/08/15)

# OPEN SECTION

TP8/5

## Town Planning Committee Meeting – Tuesday, 4 August 2015

### **7. CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING**

( ) COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous Town Planning Committee Meeting held on Tuesday, 2 June 2015, tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\() (04/08/15)

### **8. BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS TOWN PLANNING COMMITTEE MEETING**

#### **8.1 Business Arising**

### **9. DEPUTATIONS AND BRIEFINGS**

Nil

ENCL:  
YES

TOWN PLANNING COMMITTEE/OPEN

AGENDA ITEM: 10.1

## DARWIN INNER SUBURBS AREA PLANS - STAGE 1 CONSULTATION

REPORT No.: 15TS0129 CR:dj

COMMON No.: 2900679

DATE: 04/08/2015

**Presenter:** Manager Design, Planning & Projects, Drosso Lelekis

**Approved:** General Manager Infrastructure, Luccio Cercarelli

### **PURPOSE**

The purpose of this report is to seek Council endorsement on comments prepared, Pursuant to Section 19 of the *Planning Act*, for the Darwin Inner Suburbs Area Plans - Stage 1 Consultation.

### **LINK TO STRATEGIC PLAN**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

#### **Goal**

1. Collaborative, Inclusive and Connected Community

#### **Outcome**

- 1.4 Improved relations with all levels of government and significant stakeholders

#### **Key Strategies**

- 1.4.2 Play an active role in strategic and statutory planning processes

### **KEY ISSUES**

- The Planning Commission has invited comments from the public, to have their say on developing a Darwin Inner Suburbs Area Plan.
- A range of supporting documents are available on the Planning Commission's webpage, as included in **Attachment A**.
- Stage one of consultation is open for comment from 25 June 2015 to 7 August 2015.
- City of Darwin officers have been involved in the Project Control Group and sub-groups.
- Other members of the Project Control Group include the Department of Lands, Planning and the Environment, Department of Transport and Power and Water Corporation.
- Key to the development of any Area Plans is the delivery of social and engineering infrastructure to meet the growing populations' needs.
- Who will fund and deliver the necessary infrastructure and when will it be delivered needs to be clarified prior to the area plans being finalised.



PAGE: 2  
 REPORT NUMBER: 15TS0129 CR:dj  
 SUBJECT: DARWIN INNER SUBURBS AREA PLANS - STAGE 1 CONSULTATION

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## **RECOMMENDATIONS**

THAT the Committee resolve under delegated authority:

- A. THAT Report Number 15TS0129 CR:dj entitled Darwin Inner Suburbs Area Plans - Stage 1 Consultation be received and noted.
- B. THAT Council endorse the submission, dated 7 August 2015, to the Planning Commission, within **Attachment B** to Report Number 15TS0129 CR:dj entitled Darwin Inner Suburbs Area Plans - Stage 1 Consultation.

## **BACKGROUND**

In mid-2014, a Project Control Group was formed to prepare background studies for the development of an Inner Suburbs Area Plan. The Project Control Group members include the Department of Lands, Planning and the Environment (DLPE), Department of Transport (DoT), Power and Water Corporation (P&W) and the City of Darwin. The Project Control Group is chaired by DLPE.

In October 2014, staff from DLPE presented to Council an overview of the study area and background studies to be undertaken.

Background studies have been undertaken for social infrastructure, traffic, transport and power and water capacities.

At the Town Planning Committee Meeting 2 June 2015, the Chairman of the Planning Commissioner, the Hon Gary Nairn, provided Council with an update of the project and outlined the beginning of the consultation process.

## **DISCUSSION**

The Planning Commission has announced the intention to prepare an Inner Suburbs Area Plan and has invited public comment on 'how the inner suburbs can meet the challenges associate with a growing population'.

A range of resources have been provided to inform the discussion, including a document titled 'Darwin Inner Suburbs Area Plans' along with a Chairman's Message, media release outlining the project and accompanying maps of the study area, as included in **Attachment A** and [www.planningcommission.nt.gov.au](http://www.planningcommission.nt.gov.au).

The Area Plan will establish a strategic framework to guide planning decisions for residential development, social infrastructure, transport, economic development and urban growth.

These documents form Stage 1 of the consultation process for the development of an Area Plan for the inner suburbs. The initial comment period is open from 25 June 2015 to 7 August 2015.

PAGE: 3  
 REPORT NUMBER: 15TS0129 CR:dj  
 SUBJECT: DARWIN INNER SUBURBS AREA PLANS - STAGE 1 CONSULTATION

Once Stage 1 concluded, the area planning group will commence Stage 2 - drafting of the Area Plans, which will occur in late 2015. Stage 3 is finalisation of the Area Plans and formal public exhibition of the Plans to amend the Northern Territory Planning Scheme. Stage 3 is expected to occur early in 2016.

The study area includes the following suburbs (and shown below in Figure 1): The Narrows, Ludmilla, Woolner, Parap, Fannie Bay, Bayview, Stuart Park and The Gardens.

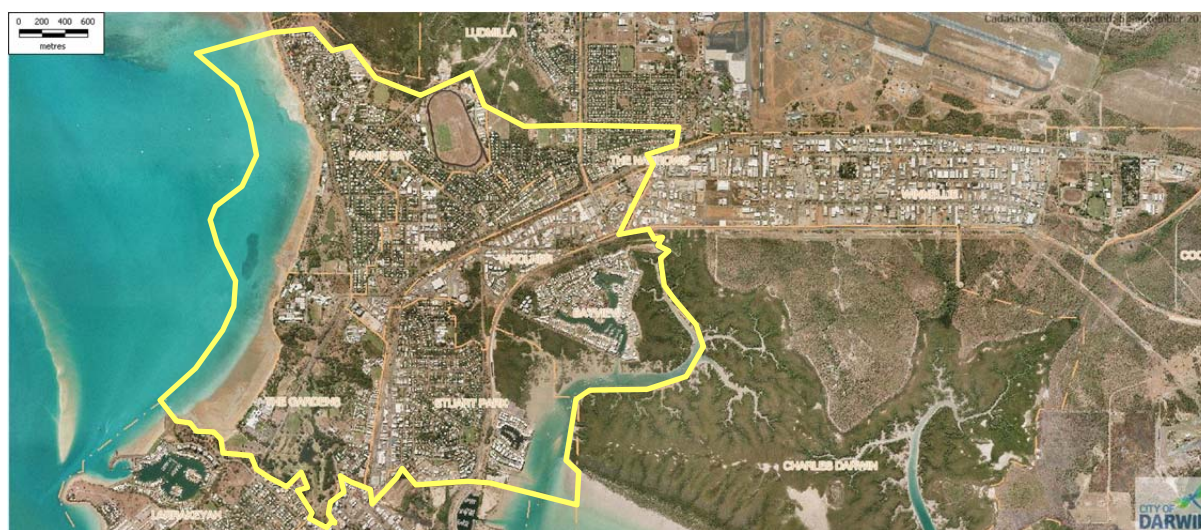


Figure 1 - Study Area.

### What are Area Plans?

Area Plans are included in Part 8 of the Northern Territory Planning Scheme and usually include a plan and accompanying planning principles. The plan outlines how specific land can be best used in the future and the planning principles are used to guide decision makers, developers and the general public to better understand the development objectives of the area. Area Plans also provide service authorities such as Power and Water and local government with an understanding of future likely infrastructure needs.

### Reference materials

The Stage 1 consultation phase coincides with the adoption and introduction into the Planning Scheme of the Compact Urban Growth Policy (CUGP) and the Darwin Regional Land Use Plan 2015.

The Darwin City Centre Master Plan is also included as a reference document as the Master Plan's area of influence includes Stuart Park and The Gardens.

### Population growth

The expected population growth for the study area, as outlined in the Darwin Regional Land Use Plan has been included in the exhibition package, providing a context to the likely density increases required for the study area.

For the Darwin Inner Suburbs, there is an expected demand of 900 additional dwellings by 2025 and 4,490 by 2065.

### **Needs of a Growing Population**

Increased provision of services, commercial, employment opportunities, infrastructure and open space will be required to accommodate the expected population increases.

### Key Council Issues

#### **Community Facilities**

The consultation package includes a series of questions for responders to consider in relation to community facilities, including:

- Is there enough open space in the inner suburbs?
- Should new public open space be made available in sizable developments?
- What types of community facilities do you think need to be considered for the area into the future?

These basic questions also raise further question, including:

- Who will fund any upgrades or new facilities/
- Who will coordinate the works?
- When will this infrastructure be provided?

#### **Open space**

At 16.52%, the inner suburbs have a higher proportion of open space than the required 10% under the Planning Scheme. Open space is generally a fixed commodity in existing residential areas and it's unlikely that any substantial increases in open space will occur in the inner suburbs, although some large redevelopment sites may include new publically accessible open space.

Notwithstanding the relatively high proportion, open space is not evenly distributed in the inner suburbs, with the majority of open space located in the western half of the study area. For areas with existing underutilised open space, the aim should be to improve amenity to make areas safer, more useable and better utilised. This will be particularly important with higher density infill development as less private open space will be provided onsite per person and should be substituted with high quality public places elsewhere.

#### **Roads and stormwater infrastructure**

The Stuart Highway is identified as a significant transport corridor within the study area. Any increased development within the area should consider the capacity of the highway and its intersections to handle additional traffic. Upgrades and the capacity of existing local roads should also be carefully considered, prior to any 'upzoning' occurring. Where additional densities can occur but roads require upgrading, who will undertake these upgrades and when they will occur should be determined prior to rezoning.

PAGE: 5  
 REPORT NUMBER: 15TS0129 CR:dj  
 SUBJECT: DARWIN INNER SUBURBS AREA PLANS - STAGE 1 CONSULTATION

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### **Pedestrian, bicycle and shared pathways**

To promote healthy living and alternative transport, bicycle and pedestrian networks should be reviewed and upgraded as a part of any significant infill or redevelopment proposals. The overall adequacy of path networks should be reviewed as a part of any area plan process.

### **Community Purpose zoned land**

The study area contains a number of CP (Community Purpose) zoned sites. Generally these sites are relatively low density and rezoning them to more intense uses could significantly increase the demand on existing infrastructure. While the overall need for these sites to remain as CP zoned land should be thoroughly investigated, any rezoning should be supported with corresponding and sufficient engineering and social infrastructure.

### **Summary**

The *Darwin Land Use Plan 2015* predicts that the population of the Darwin Region will almost double with an additional 120,000 people in the next 40 to 50 years. With a growing population comes the need to plan for the future needs of the community. This includes housing, employment, social and engineering infrastructure, retail, transport, open space and community facilities to support the growing population.

Strategically planning for this growth is essential but does not stop at preparing Area Plans. Who will pay for new infrastructure, who will coordinate its delivery and when will it occur are also essential for service and infrastructure providers to understand.

## **CONSULTATION PROCESS**

In preparing this report, the following City of Darwin officers were consulted:

- Strategic Town Planner
- Town Planner

## **POLICY IMPLICATIONS**

The preparation of an Area Plan for the Inner Suburbs is expected to require infrastructure upgrades to accommodate future density increases. Appropriate funding for the required infrastructure upgrades should be identified as a part of the Area Planning process. This may involve Government funding and/or the preparation of Developer Contribution Plans.

Contribution Plans for upgrading stormwater, local roads and social and community infrastructure are likely to be administered by the City of Darwin through the development consent process.

PAGE: 6  
 REPORT NUMBER: 15TS0129 CR:dj  
 SUBJECT: DARWIN INNER SUBURBS AREA PLANS - STAGE 1 CONSULTATION

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## **BUDGET AND RESOURCE IMPLICATIONS**

In addition to funding required to prepare the Area Plan, any infrastructure upgrades identified in the Area Planning process should be appropriately funded. As mentioned above, this may be through Government funding or Developer Contribution Plans. The City of Darwin is not in a position to fund extensive infrastructure upgrades to facilitate increased densities identified in the Area Plan, therefore the means to fund the required upgrades need to be determined in the initial stages of the project.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not Assessed.

## **ENVIRONMENTAL IMPLICATIONS**

Increased densities as a result of this area planning process may lead to increased hard surfaces, which could increase stormwater run-off into the City of Darwin's drainage network. This may then require upgrades to drainage networks.

## **COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION**

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

**DROSSO LELEKIS**  
**MANAGER DESIGN, PLANNING & PROJECTS**

**LUCCIO CERCARELLI**  
**GENERAL MANAGER INFRASTRUCTURE**

For enquiries, please contact Cindy Robson on 8930 0528 or email: [c.robson@darwin.nt.gov.au](mailto:c.robson@darwin.nt.gov.au).

### **Attachments:**

- Attachment A:** Darwin Inner Suburbs Area Plans - Stage 1 Consultation  
**Attachment B:** Response letter to the Planning Commission dated 7 August 2015

# Planning for Growth in Darwin's Inner Suburbs

## Chairman's Message



**The Hon. Gary Nairn AO**

Chairman, Northern Territory Planning Commission

The Darwin region is expected to almost double in population with an increase of approximately 120,000 residents over the next 40 to 50 years.

Now is the time to plan for this future growth by establishing a strategic planning framework that balances population growth with the lifestyle aspirations of the community. This strategic planning framework is known as an Area Plan.

It is the role of the Northern Territory Planning Commission to prepare these important, strategic plans that incorporate land use, transport and infrastructure planning, to deliver more sustainable and cost-effective outcomes for the community, while also considering environmental and heritage values.

These Area Plans will take a number of years to complete for the Darwin region.

As a first step, the Planning Commission will now begin to prepare Area Plans for Darwin's Inner Suburbs, including Stuart Park, Parap, Fannie Bay, The Narrows, Woolner, Ludmilla, Bayview and The Gardens.

To commence this planning process, the Planning Commission invites you to have your say on how the Inner Suburbs can meet the challenges associated with a growing population.

This leaflet provides some useful information highlighting the area planning process. More detailed information on Darwin's inner suburbs and other issues for consideration are available on the Planning Commission's website [www.planningcommission.nt.gov.au](http://www.planningcommission.nt.gov.au).

A second, more detailed document produced by the Planning Commission will provide you with information about current land uses in the inner suburbs, including the makeup of housing, green space, community facilities and transport corridors. This document is also available on the Commission's website.

I encourage you to contribute to this important project, and look forward to hearing from you.

## What is an Area Plan?

Area Plans are part of the NT Planning Scheme, and provide strategic planning direction by establishing a long term vision and land use framework for future development in an area.

An Area Plan usually contains a map or plan that determines how land can be best used in the future. These maps or plans are accompanied by planning principles that guide the decision makers and help people understand what the development objectives of the plan are. By clearly identifying these objectives, the area plans can provide the community, including owners, residents, businesses, developers and decision makers with confidence about the direction for future growth and investment.

Area Plans also allow for service authorities, such as the Power and Water Corporation, to plan and manage required infrastructure upgrades.



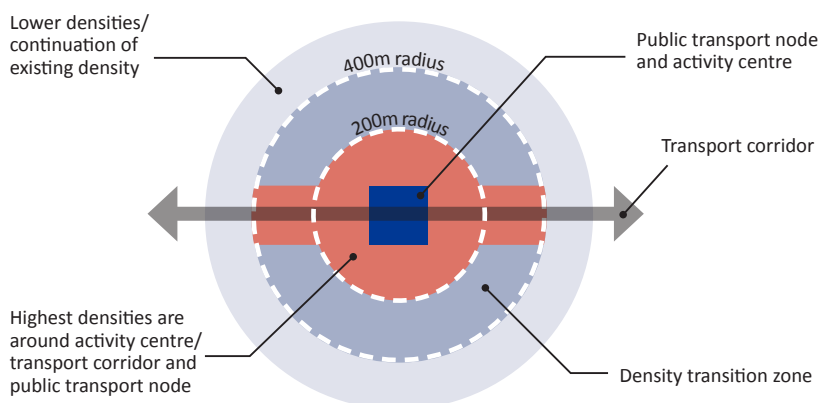
## What Principles will Guide the Development of the Inner Suburbs Area Plans?

The Northern Territory Planning Commission is using the recently adopted Compact Urban Growth Policy to guide the preparation of these area plans (See Figure 1). This means that the plans will aim to:

- identify activity centres and public transport nodes, where higher dwelling and commercial density may be encouraged;
- identify transition areas around these centres and nodes, where dwelling density will become less intense, and will transition to lower densities generally matching the surrounding locality (generally around 400 metres away from the activity centre and public transport node);
- encourage development that is consistent with the predominate housing and building types in the area.

These guiding principles will assist with balancing the demands of a growing population with the lifestyle aspirations of the community.

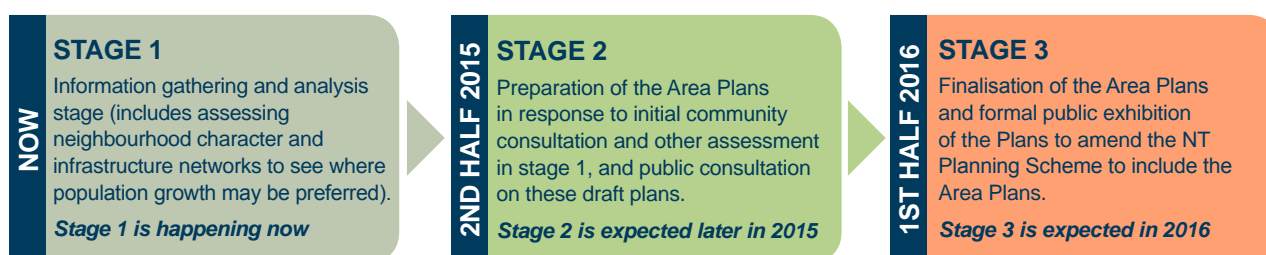
Figure 1. The Compact Urban Growth Model



**Figure 1:**  
Higher densities are encouraged within 400 metres of an activity centres and high frequency public transport corridors.

## How will the Area Plans be Prepared?

The following flowchart represents the three stages of preparation for the inner suburbs area plans.



## How to Get Involved

You can share your thoughts with us by making a submission to [ntpc@nt.gov.au](mailto:ntpc@nt.gov.au) or by telling us what you think at one of our information stalls at Parap markets throughout July or at the Darwin Show on July 23 to July 25. Pop up information stalls will also be at other locations throughout July. Details are available at [www.planningcommission.nt.gov.au](http://www.planningcommission.nt.gov.au) or [f](#) Northern Territory Planning Commission.



## media release

# Community to help plan Darwin Inner Suburbs future

**25 June 2015**

The Northern Territory Planning Commission is inviting residents, businesses, property owners and developers to contribute to the development of a series of Area Plans for Darwin's inner suburbs including Stuart Park, Parap, Fannie Bay, The Narrows, Woolner, Ludmilla, Bayview and The Gardens.

Planning Commission Chairman, Gary Nairn, said the Area Plans will ultimately determine land uses, including residential, transport and traffic, infrastructure, services and community in the inner suburbs over the near term (10 years) and the long term (40 to 50 years).

"Land in this part of Darwin is a precious, limited commodity so it's vital to plan for the future, and we are seeking your input into the early development of these plans. The process will take some time, and there will be a number of opportunities for input, discussion and feedback, commencing this Saturday at our Parap Village Market pop-up stall.

"We have prepared some information to help frame this discussion, which is available online and at the stall. We will also be at the Darwin Show from 23 to 25 July.

"There has been much recent discussion about land use, zoning and housing in the Territory, particularly in Darwin. We hope interested people take this opportunity to learn about the planning process and engage with and contribute to the planning process."

In around six weeks' time, Government planners will start to collate this and other relevant information to prepare draft Area Plans, which we anticipate will be available to the public towards the end of this year. Your feedback will again be sought on the draft plans.

Mr Nairn said the Area Planning process could lead to a much needed revitalisation of some areas.

"The inner suburbs are abundant in green space, iconic tropical homes, essential and necessary services, schools and lifestyle and economic opportunities. I really encourage you to tell us your thoughts about your vision for your neighbourhood," Mr Nairn said.

In coming months, Area Planning will also commence for suburbs from Ludmilla to Rapid Creek.

*The Northern Territory Planning Commission is an independent, advisory statutory authority tasked with setting the strategic framework for better integrated land use, transport and infrastructure planning, delivering more sustainable and cost-effective outcomes for the community, with sensitivity to environmental and heritage values*

**Media contact**  
**Helen Farquhar 0437 458213**



## Frequently Asked Questions

### 1. *How many area plans will there be for the inner suburbs?*

It is envisaged a number of plans will be prepared, covering the entire study area. These Plans in total will form the Inner Suburbs Area Plans.

### 2. *What about the rest of Darwin and the Northern Suburbs?*

The development of Area Plans from Ludmilla Creek to Rapid Creek will commence in the near future, followed by Casuarina and the Northern Suburbs.

Area Plans for these areas will be subject to their own community consultation processes.

### 3. *Where does rezoning fit into all of this?*

The implementation of Area Plans for Darwin's Inner Suburbs will provide the decision making framework to guide future development, including any potential rezoning proposals required to underpin this development. These plans provide the finer grained planning for areas with an objective to provide surety in the direction the Inner Suburbs is heading, for private sector and government alike.

The current use of private land will not change unless land owners apply to rezone for future development. Any rezoning subsequent to the implementation of the Area Plans will be subject to the regular Planning Scheme Amendment process under the *Northern Territory Planning Act*.

### 4. *I've heard reports the housing crisis is over. Why do we have to plan for infill or release even more land when there is already enough housing?*

Today, economic and population growth in the Greater Darwin Region is still occurring, albeit at a slower rate than the last five years. Despite this, the Greater Darwin Region is expected to experience strong economic and population growth in to the future. Over the next 40 – 50 years, Greater Darwin is expected to almost double in population size.

A proactive policy direction is required to sustainably manage the housing demands associated with this population growth, especially when we have a boom period and quick decisions are required.

Therefore, we should plan now for our future so that we are prepared to respond in a proactive and positive way to fluctuating market conditions.

### 5. *This is the first time I've heard of Compact Urban Growth – does that mean that a high rise can go right next door to my troppo house?*

Higher rise development can only occur on land that is zoned to allow for high rise development. So, if your next door neighbours land is not within a high rise zone, then it is not possible for them to construct a high rise development.

## Darwin Inner Suburbs Area Plans – FAQ's

If your neighbour wishes to change their zone so that they can construct a high rise development, they would need to apply to the Minister for Lands and Planning to do so. As part of their application, they would need to demonstrate that they have appropriate responses to the key performance indicators and objectives of the Northern Territory Compact Urban Growth Policy.

This change of zone is called a rezoning, and is regulated by the *Planning Act*. A rezoning can only be approved by the Minister for Lands and Planning, and the Minister must first seek public feedback on a rezoning proposal before he can consider an application for approval.

### 6. *How do I find out more information about rezoning land?*

The following link to the Department of Lands, Planning and the Environment's website provides further information about the rezoning process: <http://www.lands.nt.gov.au/planning/system/planning-scheme-amendments>

### 7. *Isn't there plenty of land in and around Darwin? Wouldn't it make more sense to develop out at Weddell rather than more dwellings in the city?*

Population growth in our urban areas has traditionally been accommodated in new low density urban suburbs or larger rural lots. However, this approach to urban development is becoming unsustainable because:

- new greenfield suburban developments are expensive to establish because of the extensive requirement to provide new services and infrastructure;
- new developments are being located further away from employment locations.

Therefore, as land is a finite resource, we need to ensure that we are not wasteful in the way we use our land resource, as using too much of it now in a wasteful way may be detrimental to future generations and the environment.

### 8. *Will my current land rights be changed?*

No – there will be no change to current land rights afforded to individual land owners by the NT Planning Scheme.

### 9. *Why do we need to provide smaller housing types?*

Nation-wide trends suggest that household sizes are decreasing. This decline is based on an increase in single person households and an increase in the “empty nester” cohort. In response, people are demanding smaller housing products close to places they are familiar with, and the market is seeking to respond to this demand.

### 10. *Is it normal for a city to change as Darwin has?*

As households and demographics of a city change, the way land is used and the type of buildings constructed also change to meet the changing demands of the community. The purpose of a city is to evolve in order to meet the needs of its occupants, and this study area is no exception - cities have changed and evolved on a regular basis throughout history. However, the question is: where and how does the study area grow to cater for the expected population change?

It is also worth noting that change in a city can be a positive thing. Change in city form can remove eye-sores, revitalise run down areas, result in changes that makes a place more user friendly and respond to the needs of its present day occupants. However, the trick is to harness this change and direct it towards locations that will result in the most beneficial outcomes for the city and its occupants.



# DARWIN INNER SUBURBS AREA PLANS



## Contents

<b>1</b>	<b>Introduction: Area Planning for Darwin's Inner Suburbs</b>	<b>2</b>
<b>2</b>	<b>What are Area Plans?</b>	<b>2</b>
<b>3</b>	<b>How will the Area Plans be Prepared?</b>	<b>2</b>
<b>4</b>	<b>What Reference Materials will Guide the Development of the Area Plans?</b>	<b>3</b>
4.1	Northern Territory Compact Urban Growth Policy	3
4.2	Other Reference Materials	4
<b>5</b>	<b>Darwin's Inner Suburbs – the Picture so Far</b>	<b>4</b>
5.1	Darwin's Inner Suburbs - Profile	4
5.2	Residential	5
5.3	Activity Centres/Service Commercial Corridors	8
5.3.1	Activity Centres	8
5.3.2	Service Commercial Corridors	8
5.4	Transport Networks	10
5.4.1	Road Network	10
5.4.2	Pedestrian and Cycle Paths	10
5.4.3	Buses and Public Transport	10
5.5	Community Facilities	12
5.5.1	Open space	12
5.5.2	Recreational Uses	14
5.5.3	Other Community Purposes	14
5.6	Darwin Airport Height Controls	15
<b>6</b>	<b>Further Investigations</b>	<b>15</b>
<b>7</b>	<b>Useful Terms</b>	<b>16</b>

## 1 Introduction: Area Planning for Darwin's Inner Suburbs

Area plans are an opportunity to create a plan for suburbs and neighbourhoods that best reflect the needs of the current and future community.

The purpose of this document is provide you with information about:

- The principles that will guide the development of the area plan
- The process for preparing an area plan
- Darwin's inner suburbs

As you read through the document, you will notice that there are a number of questions asking you to consider certain topics. You may use these questions to assist you with writing a submission or asking for further information on this topic. Your thoughts, comments, questions and feedback will then be used to develop Area Plans for further consultation.

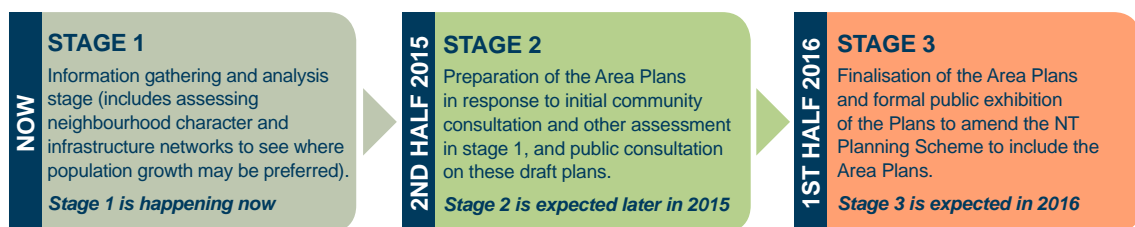
## 2 What are Area Plans?

Area plans are part of the NT Planning Scheme, and provide future strategic planning direction by establishing a long term vision and land use framework for future development in an area.

An area plan usually contains a map or plan that determines how land can be best used in the future. These maps or plans are accompanied by planning principles that guide the decision makers and help people understand what the development objectives of the plan are. By clearly identifying these objectives, the area plans can provide the community, including owners, residents, businesses, developers and decision makers with confidence about the direction for future growth and investment.

Area plans also allow for service authorities, such as the Power and Water Corporation, to plan and manage required infrastructure upgrades.

## 3 How will the Area Plans be Prepared?



**Stage 1** of preparing the Area Plans includes information gathering – this is your opportunity to share your thoughts and ideas on how the inner suburbs can meet the challenges associated with a growing population. Your input will be considered by the Area Planning Team who will commence drafting the Area Plans after stage 1.

## 4 What Reference Materials will Guide the Development of the Area Plans?

### 4.1 Northern Territory Compact Urban Growth Policy

Land is a precious and finite resource in the Darwin region. Using too much of it now, or using it inefficiently may be detrimental to future generations and to the environment. Land that is already being used may need to be used more efficiently, and the utilisation of underdeveloped land needs to be carefully considered.

The Compact Urban Growth Policy is aimed at the efficient use of land, and the efficient use of services and infrastructure that support land use. The Policy also aims to create compact and mixed activity places that play a role in improving people's lifestyle. In most cases, higher density residential buildings in key areas are a component of a compact urban growth locality.

In principle, compact urban growth localities should:

- occur around existing activity centres and public transport nodes, where dwelling and activity density may already be at its highest
- occur along transport corridors that are within a 400 metre walking distance from an activity centre
- include a transition zone, where dwelling and activity density will become less intense, and will begin to matching the density of the surrounding locality (generally occurs 400 metres away from the activity centre and public transport node)

Other noteworthy principles of the Compact Urban Growth Policy include:

- encouraging buildings that are in keeping with changes that are reasonably anticipated around an activity centre/transport corridor
- protecting the existing character of areas that are outside of the compact urban growth locality

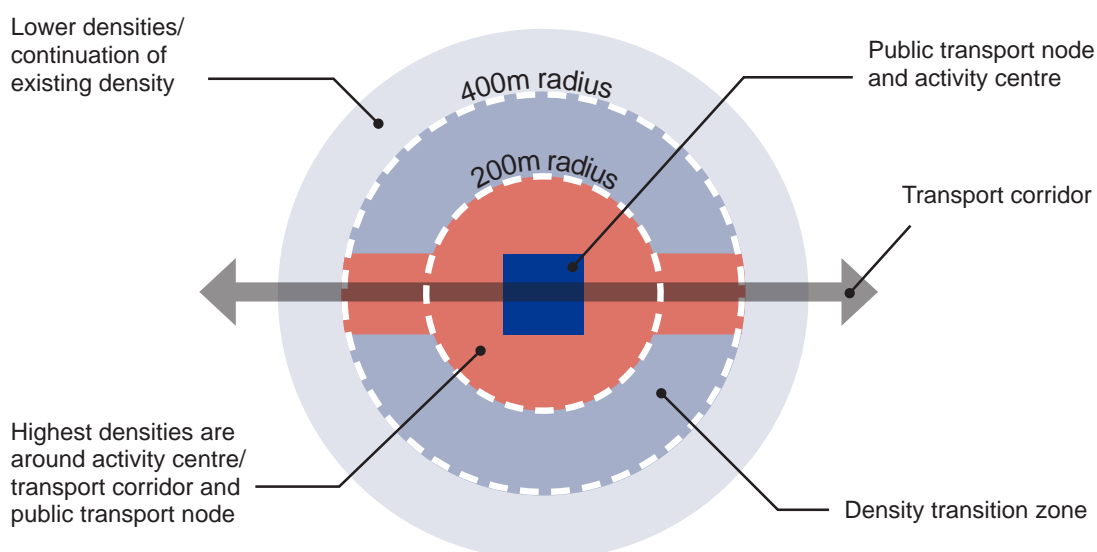


Figure 1: Higher densities are encouraged within 400 metres of an activity centres and high frequency public transport corridors.

## 4.2 Other Reference Materials

**Draft Darwin Regional Land Use Plan** proposes a high level policy that will result in better integrated land use, transport, and infrastructure planning at a regional level. It does not provide the finer grain detail required to effectively plan for the districts and suburbs of the Darwin Region. This is the role of the Area Plans.

**Northern Territory Compact Urban Growth Policy** came into effect on 19 June 2015. The aim of the Policy is to create urban hubs that improve lifestyle, health, the economy, the environment and the community as a whole. Where appropriate, higher density residential buildings are encouraged alongside other commercial and community uses, creating localities where people can work, rest and play.

The Policy outlines how to achieve the above through a range of objectives and performance indicators.

**Darwin City Centre Master Plan** is a joint project of the City of Darwin, Northern Territory Government and Australian Government. The Master Plan provides a blueprint to guide the growth of the Darwin City Centre over the next 20 years, with a focus on liveability, connections into the CBD, potential areas for new development and guidance for the private sector on how to get the best returns on investment in the CBD.

The Master Plan's area of influence includes Stuart Park and The Gardens.

# 5 Darwin's Inner Suburbs – the Picture so Far

## 5.1 Darwin's Inner Suburbs - Profile

Darwin's inner suburbs are strategically located on the edge of Darwin CBD, covering the Darwin Peninsula and stretching north to the natural boundaries of Ludmilla Creek and the Darwin International Airport/RAAF Base. The Industrial suburb of Winnellie provides the eastern boundary of the scope area. However, Winnellie is not within the study area for this project.

The inner suburbs include Stuart Park, The Gardens, Parap, Woolner, Fannie Bay, Bayview, The Narrows and parts of Ludmilla Creek.

Population growth projections outline that over the next 40 to 50 years, the Darwin Region is expected to almost double in population with an increase of approximately 120,000 residents. Darwin's inner suburbs are likely to be one of the largest growth areas, with an expected demand for 4,500 extra dwellings likely over this time. (*Draft Darwin Regional Land Use Plan 2014*).

Infill Dwellings	2025	2065
Darwin City	1,060	5,320
<b>Darwin Inner Suburbs</b>	<b>900</b>	<b>4,490</b>
Darwin Northern Suburbs	410	2,490
Darwin Palmerston Corridor		4,180
Palmerston and Litchfield	880	8,500

Figure 2: Extra dwellings required for increase in population.



## 5.2 Residential

Questions for consideration for residential area planning:

*How and where would you accommodate the anticipated population growth within the inner suburbs?*

*How do we achieve a series of more compact neighbourhoods whilst maintaining the tropical character of the inner suburbs?*

*Where should growth be encouraged? What neighbourhoods and precincts have the most potential for change, and what neighbourhoods and precincts shouldn't change?*

*What does your suburb need more or less of?*

*How should buildings, streets and shopping centres look in the inner suburbs?*

Currently, the housing types in Darwin's Inner Suburbs are characterised by:

- flats, units and apartments (39.5 %)
- detached housing (33.5%)
- attached housing such as townhouses (24.1%)

It is likely future population needs will reflect and strengthen this housing trend.

Detached housing is generally distributed throughout the inner suburbs and is usually clustered together, forming residential hinterlands within neighbourhoods. Over time, however, some localities have developed a 'mixed form', containing both single dwellings, attached housing, units and apartments. Therefore, some localities are not pristine detached single dwelling neighbourhoods. Examples of such localities in the study area include: Duke Street and Coronation Drive, Stuart Park; Parap Road; Tipperary Waters and Fannie Bay North.

Some neighbourhoods contain a number of underdeveloped sites that could be developed to cater for future population growth. Investigations have highlighted that under the existing town planning zoning pattern, there is the potential for the development of approximately 1900 dwellings within the inner suburbs.

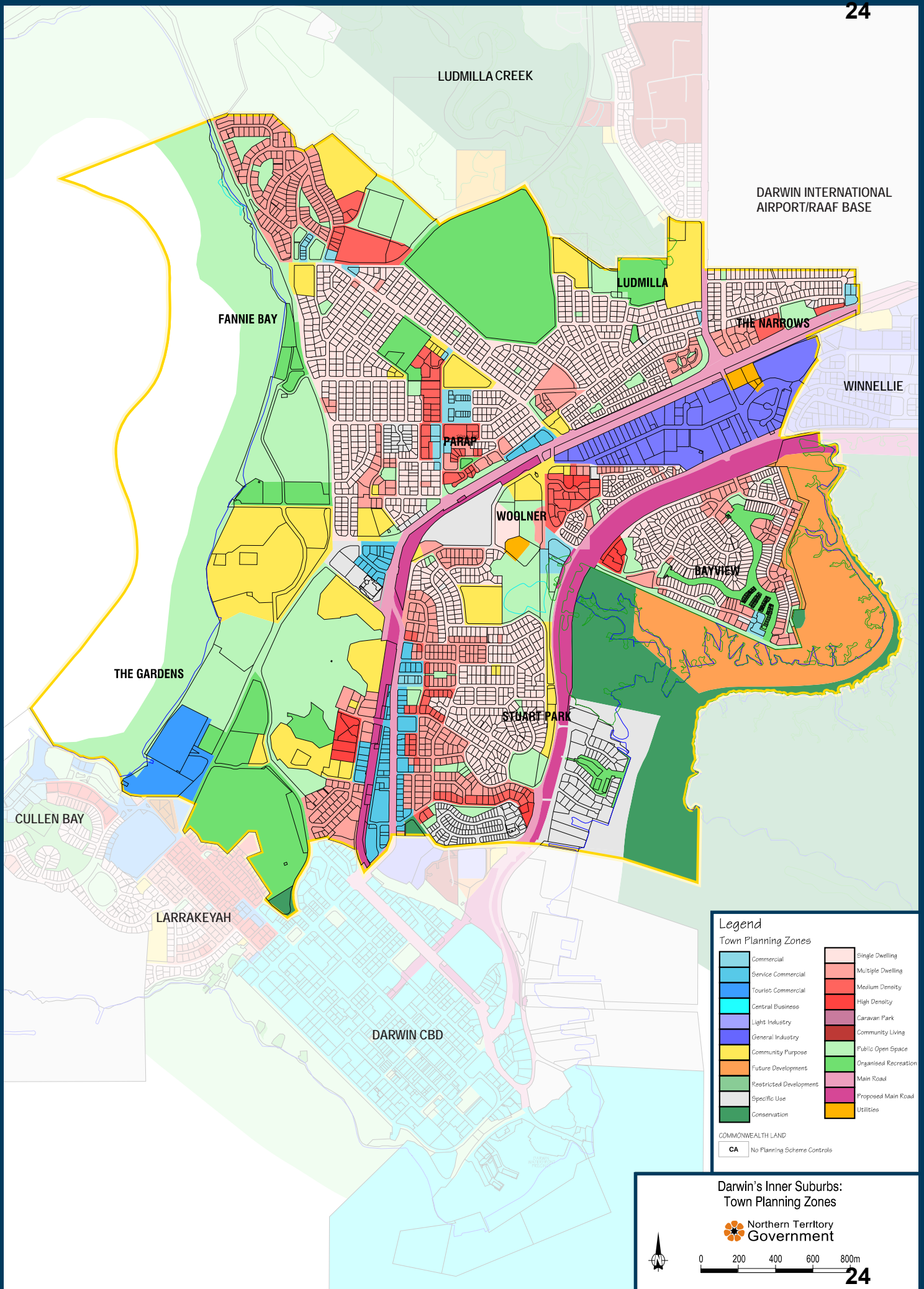




Figure 3. Housing types within Darwin's Inner Suburbs.

The draft Darwin Region Land Use Plan also identifies a number of private and Government owned renewal sites and precincts for potential redevelopment, including:

- Motor Vehicle Registry site in Parap
- The Government Bus Depot site in Stuart Park
- various older public housing sites such as Kurringal Flats at Fannie Bay



### 5.3 Activity Centres/Service Commercial Corridors

Activity Centres and service commercial corridors provide local employment and commerce opportunities. The following information talks about these places in more detail.

#### Questions for Consideration on Activity Centres / Service Commercial Corridors:

*What kind of development would you like to see within Activity Centres?*

*The Stuart Highway is one of the main entrances to Darwin city - how should the entry from Parap to the City look?*

*Should more land in the inner suburbs be made available for other commercial activities, such as shops, showrooms, warehouses etc?*

#### 5.3.1 Activity Centres

Activity Centres are characterised by a mix of shops, offices, community and residential developments, and are usually the central hub of activity within a neighbourhood. Darwin's inner suburbs has the following identified Activity Centres:

- Parap Village, a Secondary Centre servicing the weekly needs of the surrounding community
- Fannie Bay, Winnellie, Tipperary Waters and Stuart Park all comprise smaller local centres for convenience retailing, where the daily needs of the community are provided for. A new local centre is also evolving at the Salonika Street Precinct

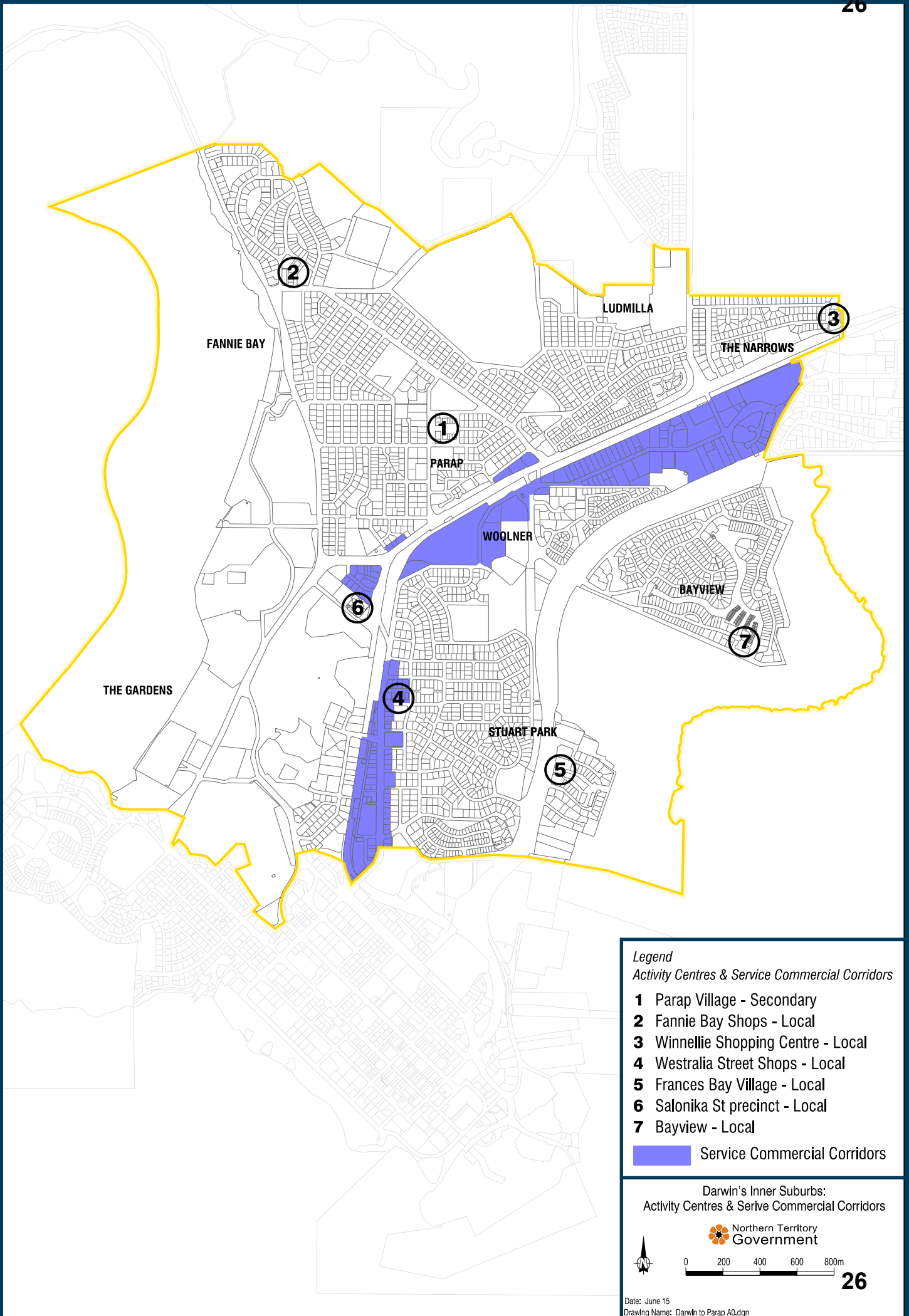
Darwin's inner suburbs do not contain an Activity Centre with a full-line supermarket currently, such as Woolworths or Coles. Instead, those seeking the services of a full-line supermarket travel to Darwin City or Nightcliff.

#### 5.3.2 Service Commercial Corridors

A significant mixed-use service corridor along the Stuart Highway has evolved east from the CBD and extends to areas south of the Darwin Airport. This corridor comprises industrial, road transportation logistics, commercial, warehouse retailing, shopping, motels and accommodation, car/truck/boat sales yards and a variety of other uses which service both Darwin and the Northern Territory. This Corridor can be seen in three parts:

- Stuart Park is a primarily residential area, with retail and commercial services established along the Stuart Highway;
- Parap to Woolner is the transition between Stuart Park and Winnellie. This precinct includes a mix of highway commercial, residential, mixed uses and industrial; and
- Winnellie is clearly distinguished by its significant industrial uses extending east from Woolner along the Stuart Highway, which include highway commercial and retail.





## 5.4 Transport Networks

Questions for consideration on Transport in the inner suburbs:

*What potential implications could future population growth within Darwin's inner suburbs have on the local transport network?*

*What opportunities exist to improve the local transport network, including road networks, and pedestrian and cycling links within the scope area?*

*What other kinds of public transport might be useful in a city like Darwin?*

### 5.4.1 Road Network

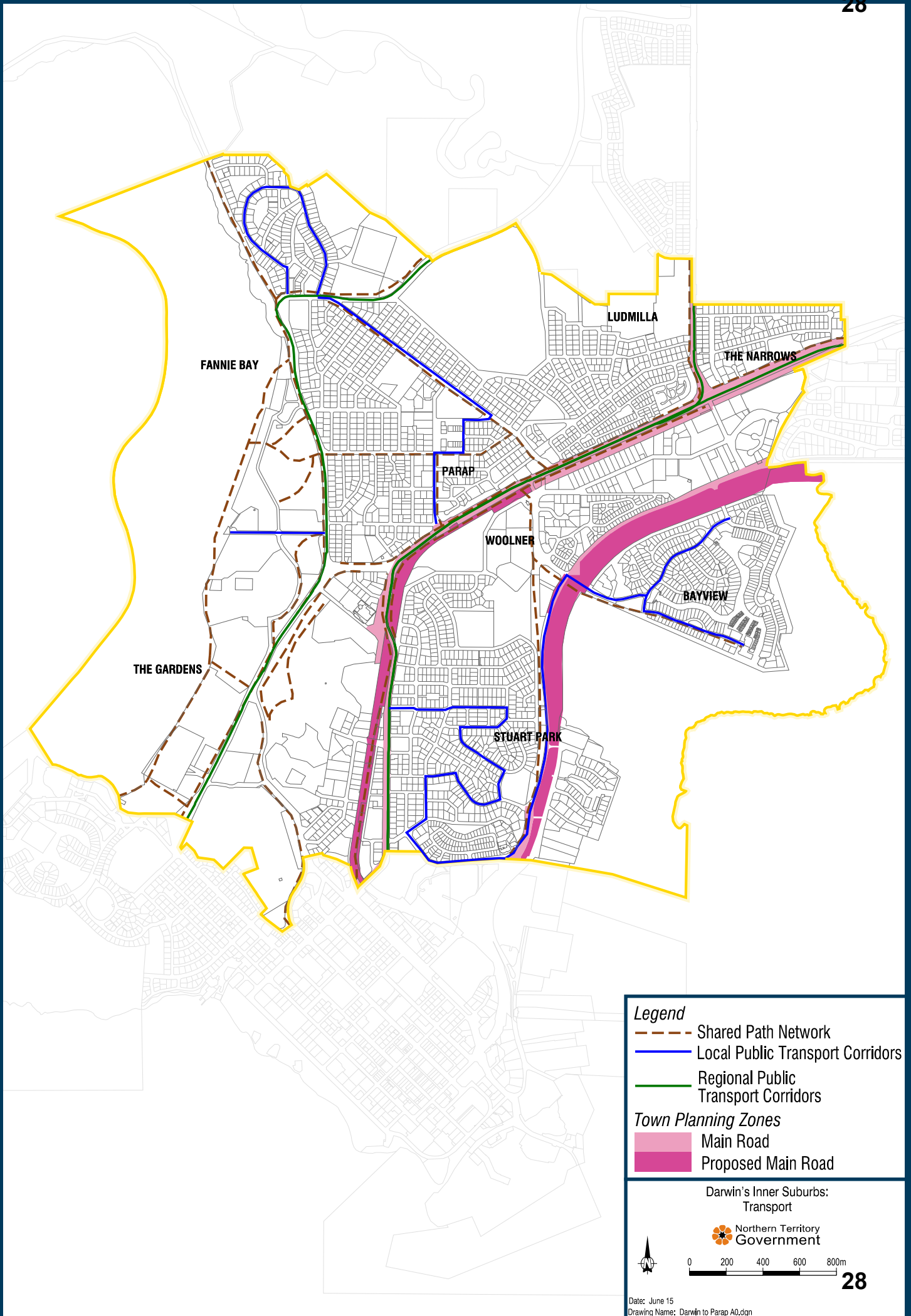
Darwin's inner suburbs comprises a significant transport corridor in the Stuart Highway, which links to other strategically important metropolitan and regional roads such as Dick Ward Drive, Bagot Road and Tiger Brennan Drive.

### 5.4.2 Pedestrian and Cycle Paths

Darwin's inner suburbs are well served by an established bike and pedestrian network. This network connects Darwin CBD to East Point, Palmerston, Nightcliff, Casuarina and the Northern Suburbs. This network also provides for the passive recreation needs of the community, as it provides a continuous link between Cullen Bay and Fannie Bay via a series of public open spaces along the Mindil Beach/Vesteys Beach/East Point foreshore.

### 5.4.3 Buses and Public Transport

Darwin's inner suburbs are served well by two regional bus corridors, which are the Stuart Highway and the East Point Road/Gilruth Avenue Corridors. These corridors link the inner suburbs to Darwin and Casuarina. The Stuart Highway Corridor also provides links to Palmerston and Darwin's rural area. These regional corridors are also complemented by two local bus corridors that service the inner suburbs exclusively.



## 5.5 Community Facilities

Questions for consideration on community facilities for the inner suburbs (open space, recreational uses, community purpose):

*Is there enough open space provided in the Inner Suburbs?*

*Should new public open space be made available in sizeable developments?*

*What types of community facilities do you think need to be considered for the area into the future?*

### 5.5.1 Open space

Across the inner suburbs as a whole, 16.52% of the land area is within Zone PS (Public Open Space) or Zone OR (Organised Recreation), and is primarily set aside for local use. This figure does not include regional open spaces, such as the Botanic Gardens and foreshore parks, as they serve a purpose beyond that of the local community. If these spaces were included, this figure would be much higher.

The provision of open space is higher than the standard 10% which is applied to new subdivisions by the NT Planning Scheme.

Some of this open space is not usable open space at present, and not all green space within the inner suburbs is distributed equally, as shown in figure 4.

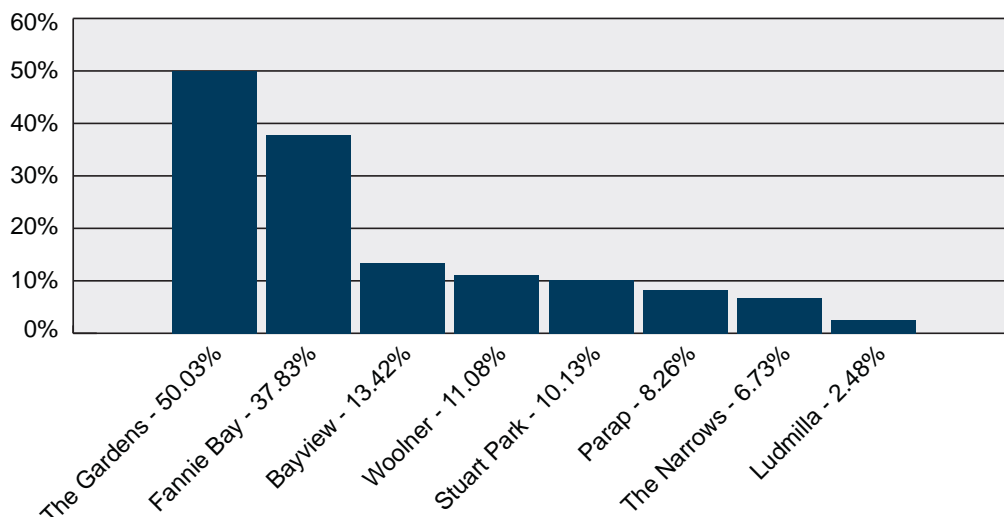
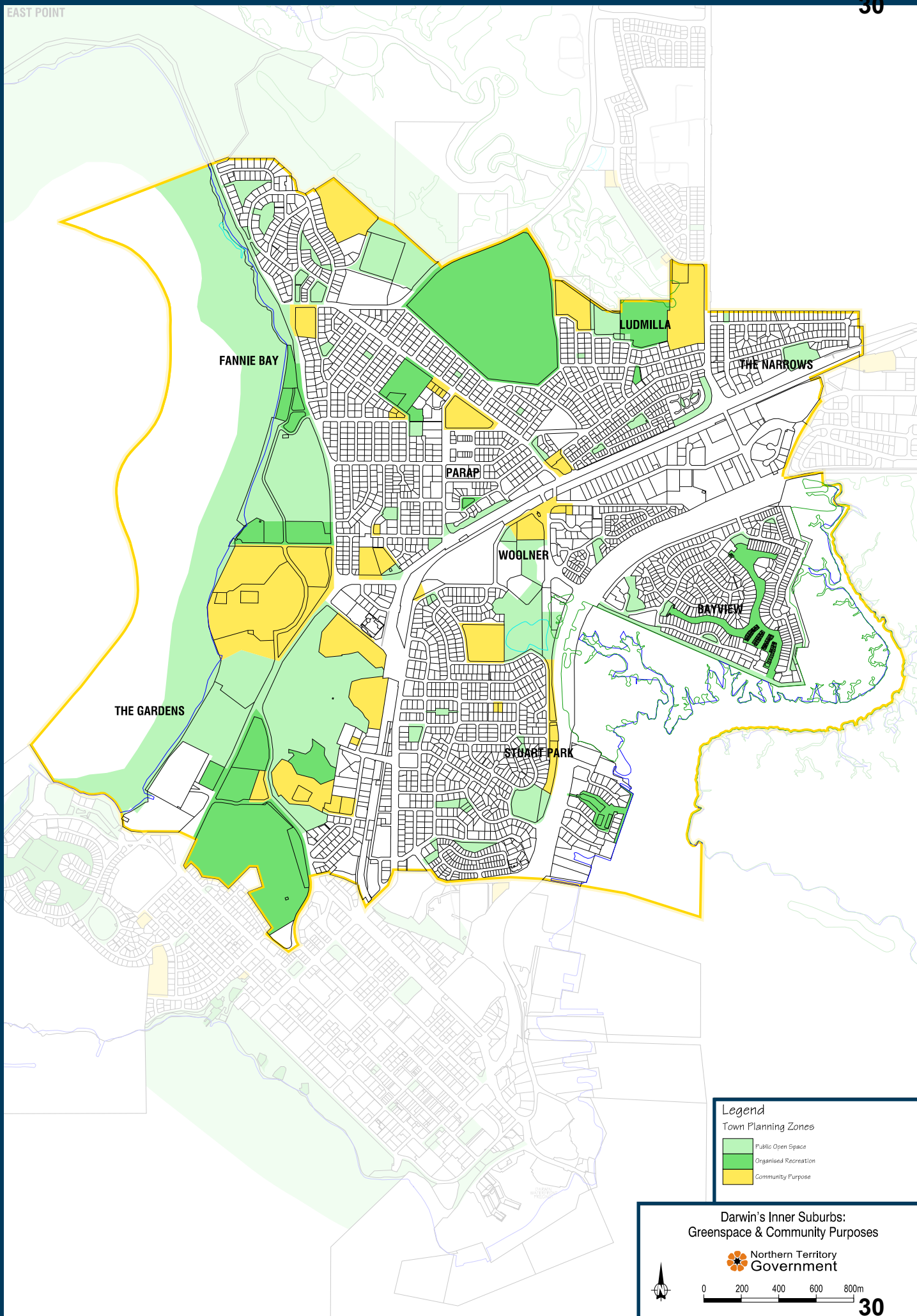


Figure 4: Percentage of open space by suburb.

This open space is often supplemented by the private open space attached to each private dwelling. In the neighbourhoods with a lower percentage of public open space, there is a noticeably higher proportion of single detached dwellings with large back gardens.



EAST POINT





### 5.5.2 Recreational Uses

Passive recreational uses for Darwin's inner suburbs are well provided for by the Botanic Gardens and the series of foreshore parks that link Cullen Bay to Fannie Bay.

Across the City of Darwin, demand for sporting fields is currently outstripping supply and many of the existing sports ovals are operating at full capacity.

Many of the future needs of the population may be met by making better use of the facilities and spaces that are already available in the inner suburbs.

### 5.5.3 Other Community Purposes

The primary purpose of Zone CP (Community Purpose) is to provide for community services and facilities, including facilities for civic and government administration. The land and facilities fixed to the land may be privately or publically owned and operated. There are a total of 41 sites within Zone CP within the study area. Uses accommodated on land within Zone CP (Community Purposes) include the following:

- Educational facilities
- Childcare facilities
- Aged care facilities
- Health service facilities
- Community facilities such as family centres
- Cultural buildings such as art galleries, museums
- Emergency accommodation/refuge
- Clubs
- Charity shops
- Churches and religious organisation offices
- Broadcasting/communications equipment and buildings
- Cemeteries
- Administrative offices for non-profit organisations such as Australian Red Cross
- NT Government Department / Agency offices such as motor vehicle registry, Training and Employment Boards, Power and Water, NT Fire and Rescue Services etc
- Utilities

## 5.6 Darwin Airport Height Controls

In addition to any controls contained in the NT Planning Scheme, airport control legislation applies additional land use controls to the study area. The most notable of these are:

- *Defence (Areas Controls) Regulations 1989 (made under the Defence Act 1903):* Structures exceeding 45 metres above ground level in the study area require consent from the Department of Defence.
- *Airports (Protection of Airspace) Regulations 1996: Obstacle Limitation Surface (made under the Airports Act 1996):* Applies a sliding height limitation to the Inner Suburbs. Generally, this control allows for taller structures in the south, and applies a more restrictive height limit on the north.
- *Airports (Protection of Airspace) Regulations 1996: Procedures for Air Navigation Services – Aircraft Operations (made under the Airports Act 1996):* Applies a sliding building height limit to Darwin's inner suburbs. Generally, this control allows for taller structures in the west, and applies a more restrictive height limit to the east of the study area.

## 6 Further Investigations

In order to inform this Area Plan study, further investigations are required. These investigations will look at:

- Local road networks and the traffic capabilities of these networks
- The provision of public open space and community facilities
- The capabilities of the power, sewer and water networks

More information about the outcome of these studies will be provided during Stage 2 of this project.

## 7 Useful Terms

Activity Centre	A location where a mix of activities occurs, such as shops, banks, offices, restaurants, cafes etc.
Frequent Public Transport	Frequent services, particularly on key trunk routes linking major centres, along with local services reliably operating on exactly the same route, at regular intervals throughout the day.
Higher Density Residential	Usually taller than two storeys in height and a neighbourhood density greater than 20 dwellings per hectare (or one dwelling per 300m <sup>2</sup> of site area or less).
Neighbourhood Character	The combined characteristics of built form, vegetation and topographic characteristics, in both the private and public domains, that make one place different from another.
Public Open Space	Areas of land reserved for the provision of green space and/ or natural environments and intended for use for recreation purposes (active or passive) by the general public.
Public Transport Node	A major stop on a public transport route in an activity centre.
Renewal Site	Usually a small site that is accessed from an existing road and only requires internal circulation driveways to support internal movement.
Service Infrastructure	Includes roads, sewer, water mains, power networks, stormwater or any other essential infrastructure that is required to support the basic living standards of a neighbourhood.
Site Responsive	A design response that ensures a new development responds to the characteristics of the site, and that the site can accommodate the proposed form of development to a standard that does not frustrate the achievement of other objectives.
Social Infrastructure	Infrastructure that supports the social service requirements of a population, and includes infrastructure such as schools, community centres, public open spaces, organised recreation facilities, community health services and child care centres.
Specific Renewal Precinct	Usually a large redevelopment site that requires its own local road network.
Transport Corridor	A road or reservation containing high frequency public transport.
Walkable Catchment	400 metres or a 5 minute walkable catchment is generally considered a comfortable walking distance. A comfortable walking distance varies, and can also be assessed based on: an individual's willingness to walk; the weather conditions; the aesthetics, attractiveness, directness and safety of the walking route; and the facilities at the destination.



EAST POINT

FANNIE BAY

THE NARROWS

PARAP

WOOLNER

BAYVIEW

THE GARDENS

STUART PARK



### For more information:

Email: [ntpc@nt.gov.au](mailto:ntpc@nt.gov.au)

Visit: [www.planningcommission.nt.gov.au](http://www.planningcommission.nt.gov.au)

Facebook: Northern Territory Planning Commission

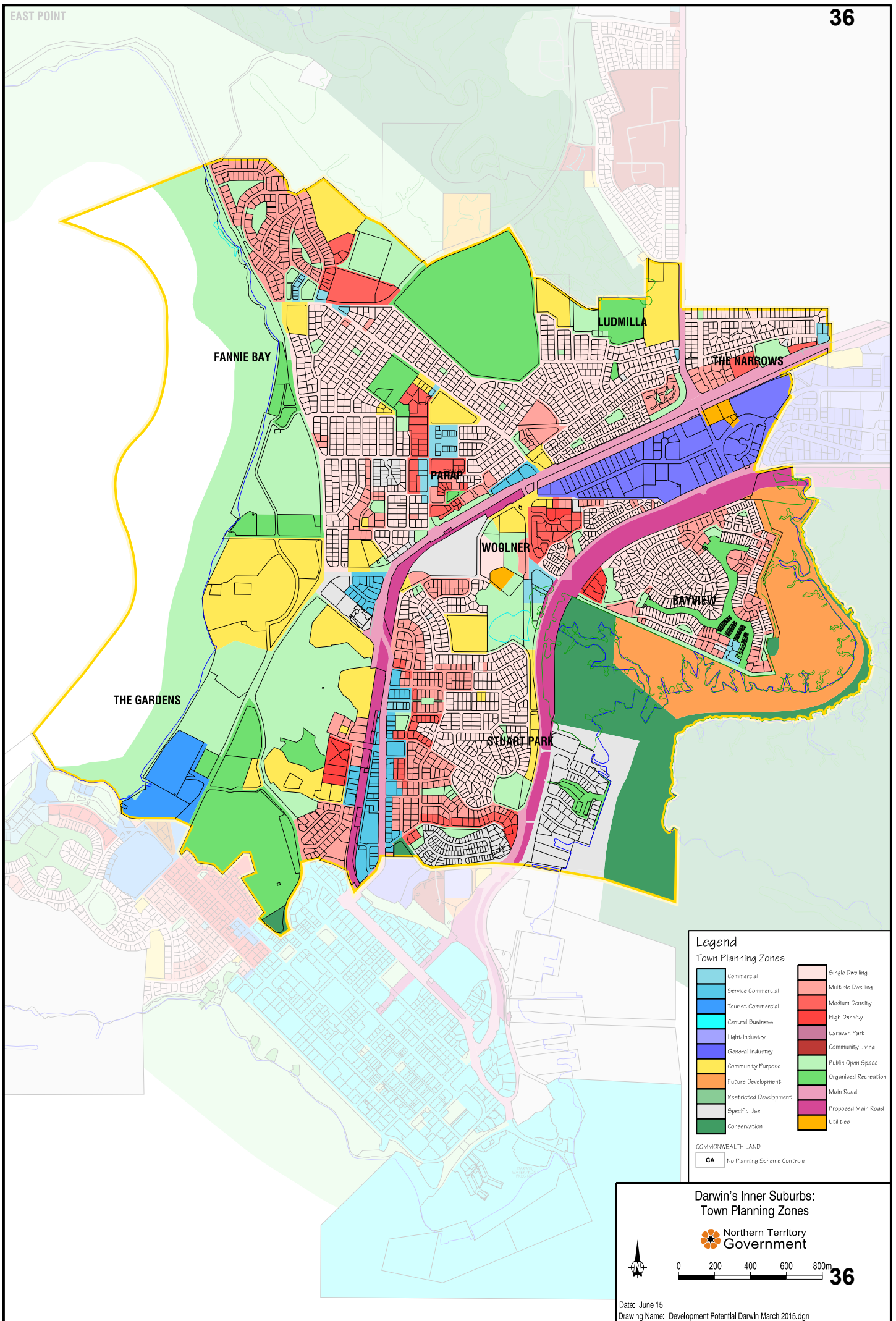
### Say Hello:

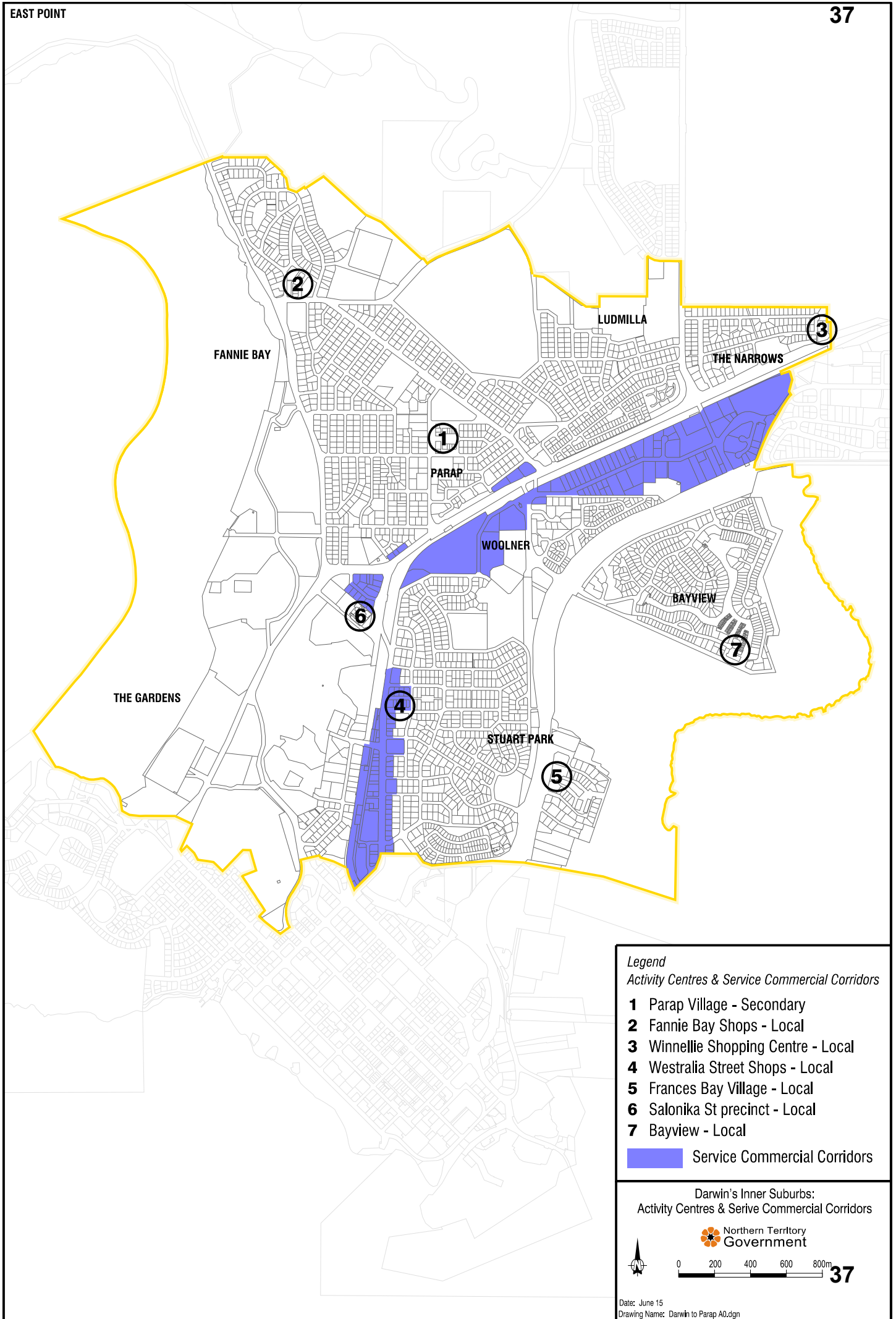
Inner Suburb Pop-up stalls including  
Parap Markets, Stuart Park and Fannie Bay,  
and Darwin Show 23 - 25 July.

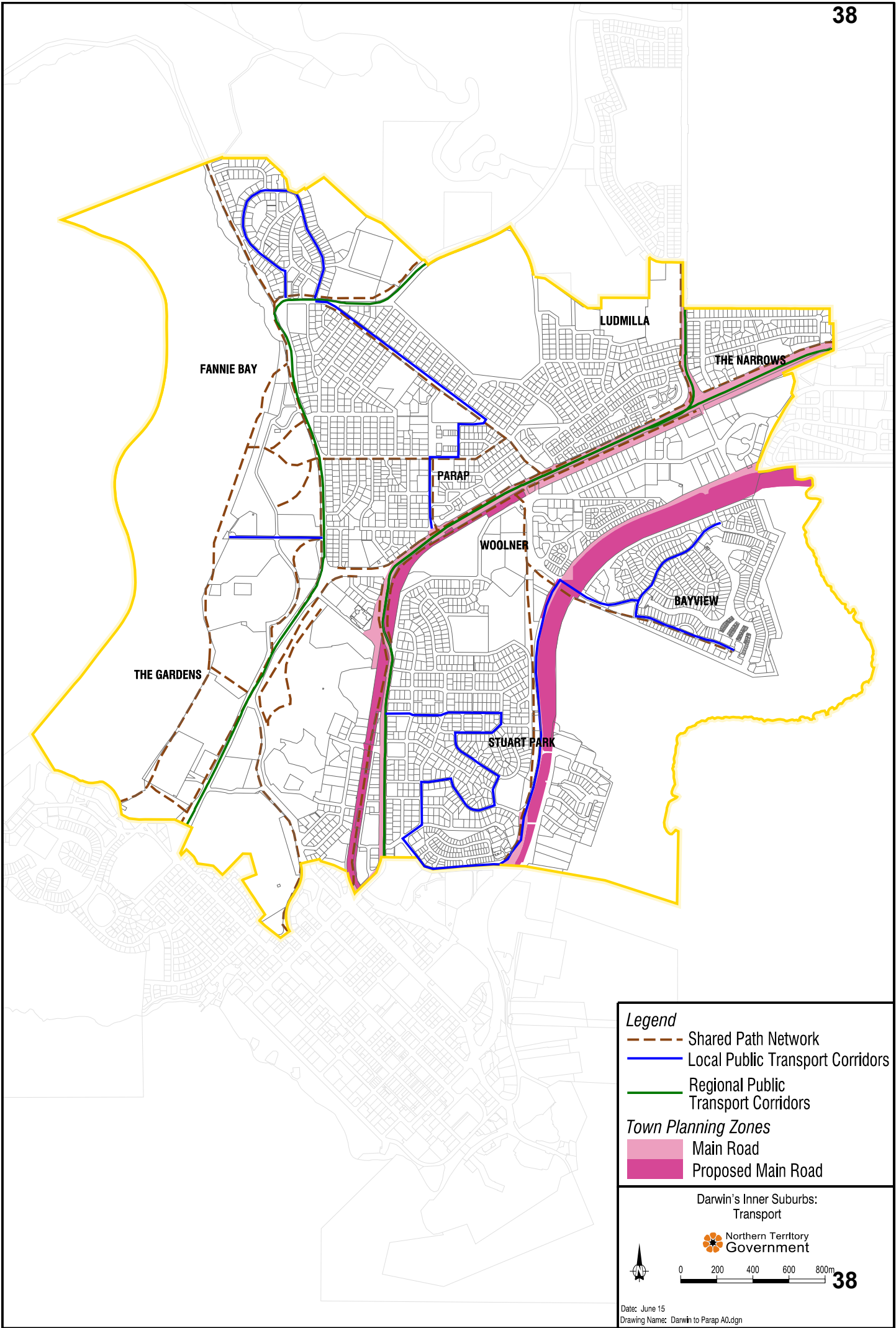


The Northern Territory Planning Commission is an independent and advisory statutory authority that prepares strategic land use plans to manage growth in anticipation rather than in response.

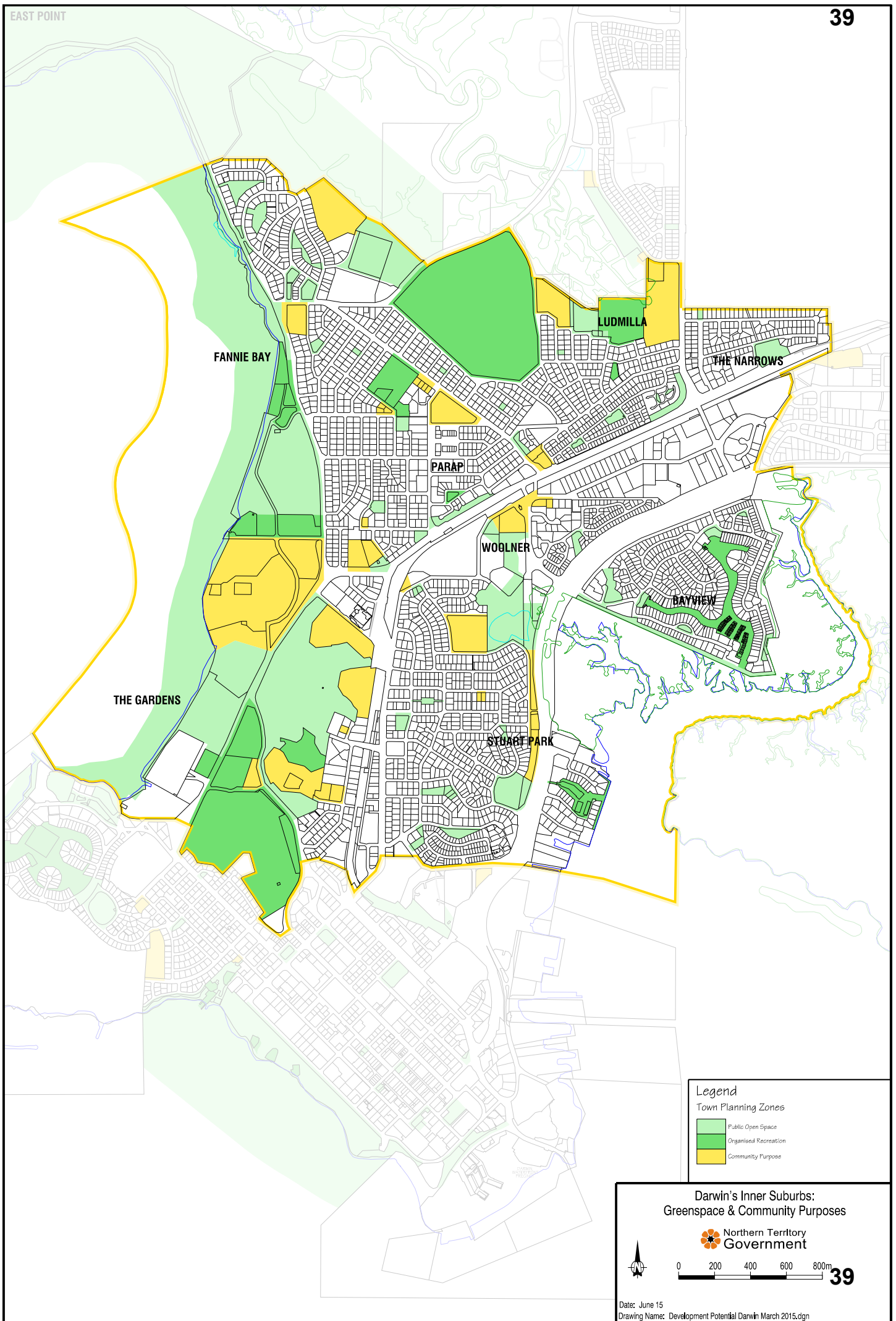
The Planning Commission proactively sets the strategic framework for better integrated land use, transport and infrastructure planning, delivering more sustainable and cost-effective outcomes for the community, with sensitivity to environmental and heritage values.











# ATTACHMENT B

7 August 2015

Please quote: 2900679 CR:dj

The Hon Gary Nairn AO  
Chairman, Northern Territory  
Planning Commission  
GPO BOX 1680  
DARWIN NT 0801

Dear Mr Nairn

## **Darwin Inner Suburbs Area Plans - Stage 1 Public Consultation**

The City of Darwin is pleased to be a part of the Project Control Group preparing this Area Plan and strongly encourages the ongoing and further development of strategic planning instruments such as this.

### **Community Facilities**

The consultation package includes a series of questions for responders to consider in relation to community facilities, including:

- Is there enough open space in the inner suburbs?
- Should new public open space be made available in sizable developments?
- What types of community facilities do you think need to be considered for the area into the future?

Questions such as these are important to ask during the planning process. In addition to these questions, The City of Darwin would also like to ask:

- Who will fund any upgrades or new facilities required as a result of new development?
- Who will coordinate the works, particularly when they are required within infill areas, as a result of multiple unrelated developments?
- When will this infrastructure be provided?

### **Open space**

At 16.52%, the inner suburbs have a higher proportion of open space than the required 10% under the planning scheme. Open space is generally a fixed commodity in existing residential areas and it's unlikely that any substantial increases in open space will occur within the inner suburbs. Although it is

considered that large redevelopment sites should include new publically accessible open space, or make a substantial improvement or contribution towards upgrades of existing open space where sufficient areas are already conveniently located to the site.

Notwithstanding the relatively high proportion, open space is not evenly distributed, with the majority of open space being located in the western half of the study area. For areas with existing underutilised open space, the aim should be to improve the amenity through additional embellishments to make areas safer, more useable and better utilised. This will be particularly important with higher density infill development as less private open space will be provided onsite, per person and should be substituted with high quality public places elsewhere.

#### **Roads and stormwater infrastructure**

The Stuart Highway is identified as a significant transport corridor within the study area. Any increased development within the area should consider the capacity of the highway and its intersections to handle additional traffic. Upgrades and the capacity of existing local roads should also be carefully considered, prior to any 'upzoning' occurring. Where additional densities can occur, subject to road or stormwater upgrading, who will undertake these upgrades and when they will occur should be determined prior to rezoning.

#### **Pedestrian, bicycle and shared pathways**

To promote healthy living and alternative transport, bicycle and pedestrian networks should be reviewed and upgraded as a part of any significant infill or redevelopment proposals. The overall adequacy of path networks should also be reviewed as a part of any area plan process.

#### **Community Purpose zoned land**

The study area contains a number of CP (Community Purpose) zoned sites. Generally these sites are relatively low density and rezoning them to more intense uses could significantly increase the demand on existing infrastructure. While the overall need for these sites to remain as CP zoned land should be thoroughly investigated first, any rezoning should be supported with corresponding and sufficient engineering and social infrastructure.

#### **Summary**

The *Darwin Land Use Plan 2015* predicts that the population of the Darwin Region will almost double with an additional 120,000 people in the next 40 to 50 years.

With a growing population comes the need to plan for the future needs of the community. This includes housing, employment, social and engineering infrastructure, retail, transport, open space and community facilities to support the growing population.

Strategically planning for this growth is essential but does not stop at preparing Area Plans. Who will pay for new infrastructure, who will coordinate its delivery and when will it occur are also essential for service and infrastructure providers to understand.

Infrastructure delivery may involve inter-governmental funding and/or the preparation of Developer Contribution Plans.

The City of Darwin is not in a position to fund extensive infrastructure upgrades to facilitate any increased densities identified in the Area Plan, therefore the means to fund the required upgrades need to be determined in the initial stages of the project.

If you have any further queries please contact Cindy Robson on 8930 0528 or [c.robson@darwin.nt.gov.au](mailto:c.robson@darwin.nt.gov.au).

Yours sincerely

**CINDY ROBSON**  
**STRATEGIC TOWN PLANNER**

**ENCL:  
YES**

**TOWN PLANNING COMMITTEE/OPEN**

**AGENDA ITEM: 10.2**

### **PERMEABLE LAND SURFACES**

**REPORT No.: 15TS0124 NS:dj**

**COMMON No.: 968451**

**DATE: 04/08/2015**

**Presenter: Manager Design, Planning & Projects, Drosso Lelekis**

**Approved: General Manager Infrastructure, Luccio Cercarelli**

### **PURPOSE**

The purpose of this report is to provide Council with further information on permeable land surfaces and relevance to development applications.

### **LINK TO STRATEGIC PLAN**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

#### **Goal**

1. Collaborative, Inclusive and Connected Community

#### **Outcome**

- 1.4 Improved relations with all levels of government and significant stakeholders

#### **Key Strategies**

- 1.4.2 Play an active role in strategic and statutory planning processes

### **KEY ISSUES**

- The Northern Territory Planning Scheme lacks detailed and measurable objectives with regards to permeable land surfaces, quality landscaping and stormwater infiltration.
- It is recommended that City of Darwin write to the Chief Executive Officer of the Department for Lands, Planning and the Environment, requesting that the Department and City of Darwin staff work together to investigate the suitability of additional permeable surface provisions for possible inclusion in the Northern Territory Planning Scheme.

PAGE: 2  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

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## **RECOMMENDATIONS**

THAT the Committee resolve under delegated authority:

- A. THAT Report Number 15TS0124 NS:dj entitled Permeable Land Surfaces and Landscaping be received and noted.
- B. THAT City of Darwin write to the Chief Executive Officer of the Department for Lands, Planning and the Environment, requesting that the Department and City of Darwin staff work together to investigate the suitability of permeable surface provisions for possible inclusion in the Northern Territory Planning Scheme.

## **BACKGROUND**

At the 7 April 2015, Town Planning Committee Meeting, the Committee resolved as follows:

### **10.1 Strategic Planning Issues – April 2015**

*THAT the Committee resolve under delegated authority:-*

- A. *THAT Report Number 15TS0045 NS:dj entitled Strategic Planning Issues – April 2015, be received and noted.*
- B. *THAT the requirement for permeable land surfaces be added to the list of future Strategic Planning Issues.*

*DECISION NO.21\3179 (07/04/15)*

This report has been prepared to inform the Town Planning Committee Meeting on permeable land surfaces in relation to development applications. Other influences that relate to permeable land surfaces have also been included within the discussion to better inform the Committee.

## **DISCUSSION**

### **What is stormwater infiltration?**

Stormwater infiltration occurs when stormwater permeates the ground's surface into sub-surface layers. Stormwater infiltration can recharge underground aquifers.

PAGE: 3  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

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### What are permeable surfaces?

Permeable surfaces (also known as pervious surfaces) allow for stormwater infiltration to occur. Permeable surfaces can consist of, but are not limited to; grass, soil, garden beds, gravel/crushed rock and permeable pavers.

The degree of permeability depends on the degree of porosity (i.e. pavers can be a hard surface - depending on the material), or they can be specifically designed and installed so they provide some degree of stormwater infiltration. Hard surfaces such as asphalt, concrete and landscaping features such as swimming pools allow very little to no stormwater to filter through into the ground, these are known as impermeable surfaces.

Typically, permeable surfaces on a development site will be included within open space or landscaping areas that are required through specific clauses of the Northern Territory Planning Scheme. The amount of permeable surface may also be affected by the maximum plot ratio or setbacks for a particular use or zone.

### Landscaping

There is no definition of landscaping within the Northern Territory Planning Scheme. However, landscaping may be considered an activity that improves the aesthetic appearance of an area. This can be achieved by; planting of trees and shrubs, providing ornamental features, bodies of water, altering the contours of the land or more abstract elements can include lighting. These elements create an 'environment' and contribute to streetscape/neighbourhood character and amenity.

### What are site coverage/plot ratio requirements?

Site coverage and plot ratio measure the area of buildings on a site against the total lot area. Site coverage is generally represented as a nominal percentage, such as 30%, whilst plot ratio is generally represented as a ratio, such as 0.5:1.

### What consideration does the Northern Territory Planning Scheme make to permeable surfaces?

*Clause 7.7 Landscaping for Multiple dwellings, Hostels and Supporting Accommodation* provides the following consideration:

1. The purpose of this clause is to ensure that landscaping for **hostels, multiple dwellings, and supporting accommodation** complements and enhances the streetscape, is attractive and pleasant and contributes to a safe environment.
2. Other than in Zones CB, C and TC, not less than 30% (which may include communal open space) of a **site** that is used for **hostels, multiple dwellings and supporting accommodation** is to be landscaped.



PAGE: 4  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

Note that sub-clause 2. requires that not less than 30% of a site used for multiple dwellings, hostels and supporting accommodation in Zones other than Zone CB (Central Business), Zone C (Commercial) and Zone TC (Tourist Commercial) is to be landscaped. Landscaping may include impermeable surfaces such as impermeable pavers, swimming pools and concrete. In some instances these hard surfaces form a part of the overall stormwater drainage system for the site.

Hard landscaping including concrete, asphalt and pavers creates a significant heat sink in comparison to softer landscaping such as grass and native and non-native plants.

*Clause 6.12 Landscaping*, provides the following consideration:

1. The purpose of this clause is to ensure that landscaping on a site complements and enhances the streetscape, is attractive, water efficient and contributes to a safe environment.
2. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
3. Landscaping should be designed so that:
  - (a) planting is focussed on the area within the street frontage setbacks and communal open space areas and uncovered **car parking areas**;
  - (b) it maximises efficient use of water and is appropriate to the local climate;
  - (c) it takes into account the existing streetscape, or any landscape strategy in relation to the area;
  - (d) significant trees and vegetation that contribute to the character and **amenity** of the **site** and the streetscape are retained;
  - (e) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;
  - (f) the layout and choice of plants permits surveillance of public and communal areas; and
  - (g) it facilitates on-site infiltration of stormwater run-off.
4. The quality and extent of the landscaping consented to should be maintained for the life of the development.

Note that sub-clause 2. includes “paved areas and areas for entertainment and recreational activities” and that sub-clause 3.(g) requires that landscaping should be designed to facilitate “on-site infiltration of stormwater run-off”.

While the specific landscaping provisions of the Northern Territory Planning Scheme support the inclusion of on-site stormwater infiltration, it does not quantify a minimum area that should be dedicated to achieve this.

PAGE: 5  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

### Other provisions

The recent Northern Territory Planning Scheme Amendment exhibited by the Minister for Lands and Planning proposes to introduce provisions for small lots in Zone SD (Single Dwelling Residential) in Greenfield Areas (Report Number 15TS0101 NS:dj). The Amendment proposed to introduce some considerations relating to stormwater infiltration, shade tree planting and landscaping; refer below (proposed changes are highlighted in red) to the *Clause 7.5 Private Open Space*:

1. The purpose of this clause is to ensure that each dwelling has private open space that is:
  - (a) of an adequate size to provide for domestic purposes;
  - (b) appropriately sited; and
  - (c) inclusive of permeable areas for shade tree planting and landscaping.
2. Private open space areas should:
  - (a) satisfy the minimum area and dimensions contained in the table to this clause; and
  - (b) be directly accessible from the dwelling and enable an extension of the function of the dwelling.
3. Private open space on lots less than 600m<sup>2</sup> should:
  - (a) for its greater part, be permeable to allow stormwater infiltration and lessen stormwater runoff from the site;
  - (b) include at least one area of approximately 5m<sup>2</sup> for the planting of a deep rooted shade tree; and
  - (c) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.
4. Where the private open space is at ground level and other than for a single dwelling, or a single dwelling and associated independent unit it should be:
  - (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or
  - (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.
5. The location of the private open space should take into account views from the site, the natural features of the site and the location of any private open space or habitable room associated with neighbouring dwellings.  
 (rest of clause omitted for clarity)

Small lots are typically less likely to include soft landscaping. The above clause 3 introduces an approximate minimum requirement for deep soil planting. Similar controls could be considered for all residential development, with proportionally larger areas set aside for increasing lot sizes.

PAGE: 6  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

*Clause 8.2* of the Northern Territory Planning Scheme provides broad performance criteria considerations for commercial uses and development:

1. The purpose of this clause is to promote site-responsive designs of commercial, civic, community, recreational, tourist and mixed use developments which are attractive and pleasant and contribute to a safe environment.
2. The design of buildings in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T should:
  - (a) preserve vistas along streets to buildings and places of architectural, landscape or cultural significance;
  - (b) be sympathetic to the character of buildings in the immediate vicinity;
  - (c) minimise expanses of blank walls;
  - (d) add variety and interest at street level and allow passive surveillance of public spaces;
  - (e) maximise energy efficiency through passive climate control measures;
  - (f) control on-site noise sources and minimise noise intrusion;
  - (g) conceal service ducts, pipes, air conditioners, air conditioning plants etc;
  - (h) minimise use of reflective surfaces;
  - (i) provide safe and convenient movement of vehicles and pedestrians to and from the **site**;
  - (j) provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces;
  - (k) provide protection for pedestrians from sun and rain;
  - (l) provide for loading and unloading of delivery vehicles and for refuse collection;
  - (m) provide landscaping to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;
  - (n) provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities; and
  - (o) provide bicycle access, storage facilities and shower facilities.
3. A development application must in addition to the matters described in sub-clause 2, demonstrate consideration of and the consent authority is to have regard to the *Community Safety Design Guide* (as amended from time to time) produced by the Department of Lands and Planning.

PAGE: 7  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

*Clause 8.2* is quite broad and open for interpretation and can result in inconsistent decision making given that there are no nominal percentages or dimensions included within the performance criteria to guide minimum landscaping requirements. There is no requirement for surfaces to allow for stormwater infiltration. This may result in 100% site coverage for commercial developments and the like. Due to the nature of commercial development and the ability to develop 100% of the site, no permeable surface requirements are specifically mentioned.

*Clause 9.1.1 Industrial Setbacks* provides broad performance criteria considerations for industrial uses and development:

1. The purpose of this clause is to ensure that buildings are sited to provide an adequate level of visual **amenity** in industrial zones.
2. Buildings in Zones LI, GI and DV are to be sited in accordance with the table to this clause.
3. All street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.
4. The quality and extent of landscaping is to be maintained for the life of the development.

*Sub Clause 3. of Clause 9.1.1* provides considerations for industrial uses and development and additionally calls upon *Clause 6.12 Landscaping* to be referenced. All new industrial development requires a minimum 3 metre deep landscaped area to the street frontage, the City of Darwin always encourages more substantial landscaping within this setback area.

The standard Development Assessment Services (DAS) conditions have been included in **Attachment A**, to provide Council with knowledge of the typical conditions that DAS may impose when issuing a Notice of Consent.

#### What is the impact of surfaces on the environment and infrastructure?

Permeable and impermeable surfaces have the ability to affect the environment and infrastructure. Although some landscaping surfaces allow for water to permeate the ground, during high intensity storm events in Darwin, the ground surface quickly becomes saturated and the ability for the ground to absorb water is greatly reduced. This results in large quantities of surface runoff to City of Darwin infrastructure. The rate of surface runoff can be reduced through the use of quality landscaping as it interrupts the direct flow of the water. This will also increase the amount of water that infiltrates the surface.

The Northern Territory Department of Health (Medical Entomology) advised that; “we tend to see greater ponding issues in coastal low lying areas (i.e. Vestey's, Lake Alexander, Mindil Beach etc.), where wet season infiltration can be slow due to high water tables. The end point of stormwater pipe drains is also a potential problem area for mosquito breeding, when continual low flows cause algal/vegetation growth that prevents infiltration. The historic discharge of urban stormwater to the natural

PAGE: 8  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

surface at the boundary of urban development was the main issue that led to the creation of the City of Darwin: Medical Entomology mosquito engineering program in 1983, which was tasked to fix the problem”.

### What considerations do Planning Schemes across Australia provide?

#### **Victoria**

The Particular Provisions of the Victorian Planning Provisions (state-wide) provide guidance for *site layout and building massing* considerations for the development of *One dwelling on a lot (Clause 54)* and *Two or more dwellings on a lot and residential buildings (Clause 55)*.

Clause 54 and 55 objectives are summarised below in Table 1:

	<b>Clause 54</b>		<b>Clause 55</b>	
<b>Site coverage</b> should not exceed:	The maximum site coverage specified in a schedule to the zone, or	If no maximum site coverage is specified in a schedule to the zone, 60%	The maximum site coverage specified in a schedule to the zone, or	If no maximum site coverage is specified in a schedule to the zone, 60%
<b>Permeability</b> should be at least:	The minimum area specified in a schedule to the zone; or	If no minimum area is specified in a schedule to the zone, 20% of the site.	The minimum area specified in a schedule to the zone; or	If no minimum area is specified in a schedule to the zone, 20% of the site.

*Table 1*

The objectives of these clauses are to ensure that development reduces the “impact of increased stormwater run-off on the drainage system”, “to facilitate on-site stormwater infiltration” and “ensure that site coverage respects the existing or preferred neighbourhood character and responds to the features of the site”.

Victoria has strong environmental objectives, considerations and decision guidelines within the Victorian Planning Provisions (VPPs); however changes to their scheme over recent years to address bushfire risk, have resulted in more ‘relaxed’ landscaping requirements to ensure that defensible spaces are incorporated in development. However, where there is no bushfire threat, the local council typically has ‘in-house’ standards.

The VPPs have multiple Zones as does the Northern Territory Planning Scheme. The VPPs provide Decision Guidelines which “before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate”. These Decision Guidelines refer to considerations such as, but not limited to, streetscape character, built form, landscape treatment and stormwater discharge for development other than residential.

PAGE: 9  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

### **Western Australia**

The *Residential Design Codes (R-Codes)* of the *Western Australia State Planning Policy 3.1* contain standards for residential development which have site areas of a minimum size of 100m<sup>2</sup> to a minimum of 5,000m<sup>2</sup>. The R-Codes are defined by the average number of lots per hectare, for example R30 allows for a single house or grouped dwelling with a minimum lot size of 260m<sup>2</sup> and an average lot size of 300m<sup>2</sup>.

The R-Codes provide performance criteria for single houses, grouped dwellings and multiple dwelling developments in areas coded less than R30 or coded greater than R30. The performance criterion provides the following considerations (refer to Table 2):

	<b>Coded less than R30</b>	<b>Coded R30 or greater</b>
<b>Landscaping</b>	The street setback area developed without car parking, except for visitors' bays, and with a maximum of 50 per cent hard surface.	The street setback area developed without car parking, except for visitors' bays, and with a maximum of 50 per cent hard surface.
<b>Open space</b>	Table 1 of the R-Codes provides a minimum total % of the site that is to be open space, this % varies depending on the R value i.e. R30 requires a minimum of 45% of the site area as open space. The minimum % increases as the number of lots per hectare decreases e.g. R2 (minimum of 5,000m <sup>2</sup> lots) requires a minimum of 80% open space.	Again, Table 1 of the R-Codes provides a minimum total % of the site that is to be open space, this % varies depending on the R value i.e. R30 requires a minimum of 45% of the site area as open space. The minimum % decreases as the number of lots per hectare increases e.g. R80 (minimum of 100m <sup>2</sup> lots) requires a minimum of 30% open space.
<b>Plot ratio</b>	N/A	R30 has a maximum plot ratio of 0.5 whilst R80 has a maximum plot ratio of 1.0
<b>Stormwater</b>	Water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions allow for the effective retention of stormwater on-site.	Water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions allow for the effective retention of stormwater on-site.

*Table 2*

The definition of "Landscape, landscaping or landscaped" of the R-Codes states that;

PAGE: 10  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

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“land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries, ornamental ponds, swimming pools, barbecue areas or playgrounds and any other such area approved of by the decision-maker as landscaped area”.

The definition of “Open Space” of the R-Codes states that “Generally that area of a lot not occupied by any building and includes” areas that are covered by a roof or eaves, verandahs, unroofed structures, uncovered driveways”.

The objectives of these performance criteria encourages “landscape design should optimise function, useability, privacy and social opportunity, equitable access, respect neighbours’ amenity and provide for practical establishment and maintenance” and “design buildings and landscape to minimise adverse impact on the privacy of adjoining dwellings and private open space”.

### ***Cairns***

From discussions with planning staff at the Cairns Regional Council it was confirmed that:

- The Cairns Region Planning Scheme doesn’t have any particular minimum percentage requirements for permeable land surfaces within the Cairns Region Planning Scheme;
- The Cairns Region Planning Scheme has a minimum 10% landscaping requirement. This can be varied however with consideration to the quality of the landscaping, site constraints (if any) and the proposed use. Variations are considered by an in-house Landscape Architect, whom makes an informed decision;
- The Cairns Regional Council accept 100% site coverage for development within the City Centre (i.e. no minimum landscaping requirements); and
- Cairns Regional Council has a Flood Management Overlay that guides development requirements, similarly to when developing in storm surge zones in Darwin.

### **Summary**

This report provides the Town Planning Committee with initial information on permeable land surfaces and provides context to the Committee on the complexity of the matter given that it correlates with other issues, it also raises the effectiveness of including minimum permeable surface requirements in the Northern Territory Planning Scheme.

Investigations into other jurisdictions around Australia revealed that many southern states include minimum permeable surface requirements, while more tropical areas (i.e. Cairns) appear to be less stringent. This may be a result of differing styles of planning instruments or it may be an indication of the effectiveness of this type of control in high rainfall areas.



PAGE: 11  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

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For this reason, City of Darwin officers recommend further work be undertaken with the Department of Lands, Planning and the Environment to ensure that both an investigative and collaborative approach is undertaken, ensuring a better outcome for the Darwin municipality and the entire Northern Territory, given that the Northern Territory Planning Scheme is Territory wide.

### **CONSULTATION PROCESS**

In preparing this report, the following City of Darwin officers were consulted:

- Town Planner
- Team Leader Development
- Manager Climate Change and Environment
- Strategic Town Planner

In preparing this report, the following External Parties were consulted:

- Director Development Assessment Services, Douglas Lesh
- Advice and Control Officer, Medical Entomology, Allan Warchot

The following online references were used:

- Department of Environment, Land, Water and Planning (Victoria):  
<http://planningschemes.dpcd.vic.gov.au/schemes/vpps>
- R-Codes State Planning Policy 3.1, Residential Design Codes, WA:  
[http://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB0QFjAAahUKEwjN0Nj0v9nGAhXkl6YKHTtoDaY&url=http%3A%2F%2Fwww.planning.wa.gov.au%2Fdop\\_publications%2FState\\_Planning\\_Policy\\_3.1-Residential\\_Design\\_Codes.pdf&ei=v2mkVY31HeTHmAW70LWwCg&usq=AFQjCNHdQxo9Jt2h-daT0vDukLat-g0FeQ&sig2=bSBiOWSHN0xo-uBdMW0FkQ&bvm=bv.97653015,d.dGY](http://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB0QFjAAahUKEwjN0Nj0v9nGAhXkl6YKHTtoDaY&url=http%3A%2F%2Fwww.planning.wa.gov.au%2Fdop_publications%2FState_Planning_Policy_3.1-Residential_Design_Codes.pdf&ei=v2mkVY31HeTHmAW70LWwCg&usq=AFQjCNHdQxo9Jt2h-daT0vDukLat-g0FeQ&sig2=bSBiOWSHN0xo-uBdMW0FkQ&bvm=bv.97653015,d.dGY)
- Northern Territory Planning Scheme:  
<http://www.lands.nt.gov.au/planning/planning-scheme>

### **POLICY IMPLICATIONS**

Not assessed.

### **BUDGET AND RESOURCE IMPLICATIONS**

Reducing the rate of overland flow through quality landscaping can decrease the size and cost of stormwater infrastructure required to cater for the runoff.

PAGE: 12  
 REPORT NUMBER: 15TS0124 NS:dj  
 SUBJECT: PERMEABLE LAND SURFACES

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### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Any changes made to the Northern Territory Planning Scheme may have implications on other municipalities in the Northern Territory given that the Northern Territory Planning Scheme is Territory wide. For this reason, City of Darwin officers recommend that City of Darwin write to the Chief Executive Officer of the Department for Lands, Planning and the Environment, requesting that the Department and City of Darwin staff work together to investigate the suitability of additional permeable surface provisions for possible inclusion in the Northern Territory Planning Scheme. This is to ensure that both an investigative and collaborative approach is undertaken to ensure a better outcome.

### **ENVIRONMENTAL IMPLICATIONS**

Issues such as, but not limited to permeable surfaces, stormwater infiltration, heat sink, landscaping have been discussed within the subject report.

### **COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION**

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

**DROSSO LELEKIS**  
**MANAGER DESIGN, PLANNING &**  
**PROJECTS**

**LUCCIO CERCARELLI**  
**GENERAL MANAGER**  
**INFRASTRUCTURE**

For enquiries, please contact Cindy Robson on 8930 0528 or email:  
[c.robson@darwin.nt.gov.au](mailto:c.robson@darwin.nt.gov.au).

### **Attachments:**

**Attachment A:** Development Assessment Services - conditions

# ATTACHMENT A

## *Development Permit Conditions*

## PURPOSE OF THE PLANNING ACT

An Act to provide for appropriate and orderly planning and control of the use and development of land, and for related purposes

### 2A OBJECTS

- (1) The objects of this Act are to plan for, and provide a framework of controls for, the orderly use and development of land.
- (2) The objects are to be achieved by:
  - (a) strategic planning of land use and development and for the sustainable use of resources;
  - (b) strategic planning of transport corridors and other public infrastructure;
  - (c) effective controls and guidelines for the appropriate use of land, having regard to its capabilities and limitations;
  - (d) control of development to provide protection of the natural environment, including by sustainable use of land and water resources;
  - (e) minimising adverse impacts of development on existing amenity and, wherever possible, ensuring that amenity is enhanced as a result of development;
  - (f) ensuring, as far as possible, that planning reflects the wishes and needs of the community through appropriate public consultation and input in both the formulation and implementation of planning schemes; and
  - (g) fair and open decision making and appeals processes.

### Section 55 of the NT Planning Act

*"A consent authority may impose on a development the conditions it thinks fit and specifies in the development permit, including a provision for the permit to lapse on a specified date."*

The power of section 55 is not unlimited as various appeal tribunals and review boards established a number of matters bearing on the validity of conditions. The general objective in preparing conditions is to achieve a cohesive and ordered set of relevant and effective requirements upon the permitted uses, development or other matter(s). Observation of the following principles will assist in achieving that objective.

#### **Relevance**

A condition must fairly and reasonably relate to the permitted development. This means that there must be a connection between the approval granted and the Act or the Scheme – provided that the policy applies to the land or the use or development in question. Conditions must also be consistent with other requirements of the permit including any endorsed plans. A condition must serve a planning purpose and not be imposed in order to achieve an ulterior purpose, however worthy that purpose

may seem to be. It must implement a stated policy, rather than be 'just a good idea' in general planning terms.

### **Reasonableness**

Even if a condition properly relates to the permission granted, it must meet the test of reasonableness. A condition is invalid if it is so unreasonable that no reasonable responsible authority would have imposed it. It is also inappropriate to include superfluous or unnecessary conditions. Excessive use of unnecessary conditions could be found to be unreasonable.

### **Certainty**

A condition will also be found to be void or invalid if it is overly vague or uncertain. A permit holder is entitled to know what obligations arise from the permit. The permit must also represent the end of the decision-making process for the permit application. It should not leave open an uncertain future process. A condition, which, if complied with, would legally transform the use or development applied for, is also invalid. Without sufficient clarity, it may also be difficult to enforce the condition requirements. To this end time frames for compliance with all requirements should generally be included and 'plain English' drafting should be adopted.

Inevitably we standardise repetitive tasks and standard conditions are an example. These can be applied thoughtlessly and when evaluated by others can lack credibility. Each condition should therefore be carefully validated against the above criteria. A condition that fails any of the above should not be imposed.

### **Drafting conditions**

Conditions requiring immediate action by the operator under the permit, such as the submission of amended plans should be placed at the start of the permit.

Related conditions should be grouped, so that the full extent of requirements in relation to a particular topic or aspect of the proposal can be readily understood. Headings may be useful.

When drafting conditions it is also important to:

- determine whether it is necessary to identify the person on whom the obligation of a condition falls; (*refer to the applicant*)
- identify an action (a verb) to be taken which must be limited in time to ensure certainty and preclude excessive imposition on the owner; (*impossible to do*).
- describe circumstances that trigger the condition. Generally such circumstances would be introduced with the words "where" if the action may be repeated or "when" if it will happen only once; and

- consider the action that causes the obligations to apply. For examples where charges against the development may continue to accrue over the period between the issue of the permit and a specified event like the issue of title.

Conditions can require certain things to be done before the permission is activated such as for example the submission of amended plans. In those cases the permit is effectively one in principle and the condition is referred to as a condition precedent. Development changes or other development requirements should be incorporated in a condition requiring plans to be amended before they are endorsed, rather than by separate condition.

### **Other considerations in the preparation of conditions**

Particular care should be taken to avoid unnecessary words and information; to use defined terms and accepted forms of expression; and to distinguish between the use of 'and' and 'or', and 'may' and 'must'. 'Shall' should not be used. 'Must' is the plain English equivalent. 'Should' is also inappropriate in conditions as it does not impose a definite obligation.

Where possible, referral authority requirements should be identified by the appropriate authority name. When works are to be done to the technical requirements of another authority, consideration should also be made whether that authority has its own legislative capacity to enforce its requirements as it is not generally appropriate for the consent authority to enforce legislation under the control of other authority.

## CONDITIONS PRECEDENT

### Amended plans required

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) *development changes (to be specified)*
- (b) *landscaping changes (to be specified)*
- (c) *other requirements (to be specified).*

**Note:** The following standard condition also needs to be included when using this Condition Precedent: 'The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.'

### Awnings in Darwin CBD (and active interface)

Prior to the endorsement of plans and prior to the commencement of works, in principle approval is required for the provision of awnings to the street frontages to the requirements of the City of Darwin and Power and Water Corporation, to the satisfaction of the consent authority. The awnings shall not reduce the achievement of active frontages below 75% of the total length of the site boundary to the street. (75% may need to be adjusted in as appropriate instances where less than 75% active frontages are achieved and this is deemed acceptable by the consent authority).

### Erosion and Sediment Control

The Department of Land Resource Management (DLRM) will specify when an erosion and sediment control plan is required to be developed and endorsed by the DCA.

If DLRM do not ask for an ESCP to be developed - do not require the development of an ESCP to the requirements of DLRM (as they will not be in a position to sign off on it).

You can still however apply the standard condition that "*Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.*" This will need to be enforced by us and DLRM will then assist with ongoing compliance in relation to this condition if they believe there to be non-compliance with the condition or when a complaint is received.

Please note the following "options" will be utilised by DLRM when providing comments and DAS should either "copy" the wording straight from the DLRM comment (which is recommended) or if they are "copied" from the below standard options, DAS officers MUST check to see the wording is exactly the same as the DLRM comment provided as depending on the development, the wording may be slightly altered to address a specific site related risk or issue. Please note that these



are for conditions precedent only and are only to be applied when specifically asked for by DLRM.

Options for conditions precedent in relation to Erosion and Sediment Control are as follows:

Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. (Plug in the correct below option here – ie - Option A, B, C or D - or preferably just copy the wording from the comments provided from DLRM directly)

- Option A- Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of DLRM. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the DLRM website: <http://lrm.nt.gov.au/soil/management>.
- Option B- Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of DLRM. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning and the IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in the ESCP. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the DLRM website: <http://lrm.nt.gov.au/soil/management>.
- Option C- Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of DLRM. The ESCP is to be developed by a suitably qualified and experienced professional in erosion and sediment control planning, and in accordance with the IECA Best Practice Erosion and Sediment Control Guidelines 2008. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. Information regarding ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au).
- Option D- Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of DLRM. The plan should detail

methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases. Erosion and sediment control information can be located on the DLRM website at <http://lrm.nt.gov.au/soil/management>.

### **Schematic stormwater management plan**

'Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the City of (*insert Council*) stormwater drainage system shall be submitted to and approved by the City of (*insert Council*), to the satisfaction of the consent authority. The plan shall include details of site levels and Council's stormwater drain connection point/s. The plan shall also indicate how stormwater will be collected on the site and connected underground to Council's system. '

### **Construction Noise Management Plan**

Prior to commencement of works (including site preparation), a construction noise management plan addressing the NT Environmental Protection Authority's (NT EPA) Noise Guidelines for Development Sites, must be registered with the EPA, to the satisfaction of the consent authority.

### **Construction Environmental Management Plan**

Prior to the commencement of works, a Construction Environmental Management Plan (CEMP) for the management and operation of the use must be prepared to the requirements of an independent suitably qualified professional and submitted to and approved by the consent authority upon the advice of [input agency or agencies that requested the CEMP here]. When approved, the CEMP 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 CEMP must include:

- (a) overall environmental objectives for the operation of the use and techniques for their achievement;
- (b) procedures to ensure that no significant adverse environmental impacts occur as a result of the use;
- (c) proposed monitoring systems;
- (d) identification of possible risks of operational failure and response measures to be implemented; and
- (e) day to day management requirements for the use.

### **Air Conditioning Screening**

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 the locations of all air-conditioning condenser units and provide details of the screening to be utilised to ensure the condenser units are appropriately screened from public view and from view of neighbouring or nearby developments (or developments reasonably anticipated). The locations of all condenser units must allow convenient

access for ongoing repair and maintenance. The use of angled louvered slats for screening purposes is acceptable, however the slat screening must be designed with an acceptable panel to gap ratio, such that the condenser units are not readily visible from any angle.

### **Roof Top Plant Equipment (CBD)**

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 the locations of all roof top plant equipment, equipment relating to the operation of the lift, aerials, ventilation equipment and ducting and any other equipment that will be placed on the rooftop of the development. The equipment shall be appropriately screened or designed to soften the visual impact of such equipment from view from neighbouring or nearby developments (or developments reasonably anticipated). When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions provided.

## **STANDARD CONDITIONS - DEVELOPMENT**

### **ENDORSED PLANS**

The works carried out under this permit shall be in accordance with the drawings numbered (*insert number*) endorsed as forming part of this permit.

### **Layout not altered**

The *use and/or development* as shown on the endorsed plans must not be altered without the further consent of the consent authority.

### **Staged development**

The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

### **Time limited permits**

The use of the land for the purpose of (*insert permitted use*) must cease on (*insert relevant date*).

**Note** *Base Period of the Permit also needs to be changed to include the following; In accordance with section 55 of the Planning Act this permit will expire on ---*

## **EASEMENTS**

### **Works within and adjacent to easements**

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.

**Provide easements** (this condition should be included on all development permits that potentially could be unit titled in the future)

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.

## **CAR PARKING, LOADING AND ACCESS**

### **Car park construction**

Before the *use or occupation of the development* starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

- (a) constructed;
- (b) properly formed to such levels that they can be used in accordance with the plans;
- (c) surfaced with an all-weather-seal coat;
- (d) drained;
- (e) line marked to indicate each car space and all access lanes; and
- (f) clearly marked to show the direction of traffic along access lanes and driveways;

to the satisfaction of the consent authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

### **Security gate**

Any security boom, barrier or similar device controlling vehicular access to the premises must be located a minimum of six metres inside the property to allow vehicles to stand clear of (*specify road*) pavement and footpath.

### **Sight Lines**

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.

### **Parking to be available for the use**

The car parking shown on the endorsed plan(s) must be available at all times for the exclusive use of the occupants of the development and their (*visitors/ clients*).

### **Payment in lieu of parking**

Before the use commences the owner/developer must, in accordance with section 70(3) of the *Planning Act*, provide --- car parking bays. In accordance with section 70(5) of the *Planning Act*, --- of the required parking bays may be provided through the payment of a monetary contribution to the (insert relevant Council). The contribution is to be calculated in accordance with the requirements of section 70(6) of the *Planning Act*.

### **Parking signs**

"No entry/no exit" signs and arrows directing the internal traffic movement on site shall be provided at completion of building to the requirements and satisfaction of the consent authority.

**Protective kerbs**

Protective kerbs (*of a minimum height of 150mm*) must be provided to the satisfaction of the consent authority to prevent damage to fences or landscaped areas.

**Access roads**

Access to and egress from the site for all commercial vehicles (including waste collection vehicles) must only be from (*nominate the roads*).

**Loading/unloading**

The loading and unloading of goods from vehicles must only be carried out on the land (*within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land*).

**Traffic and parking management (for bus / taxi drop-off and pick-up)**

Prior to the commencement of use, a traffic and parking management plan must be submitted to and approved by the consent authority addressing the use of the property for the purpose of (e.g. serviced apartments). When approved, the plan will be endorsed and will form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. Two copies of the plan must be submitted. The plan must be developed involving consultation with (insert relevant Council/Department of Transport), and include specific measures to restrict buses/ taxis associated with the serviced apartment component of the development from utilising the abutting (insert relevant Council/Dept.), road reserve for the purpose of loading and unloading of passengers or goods (luggage), to the satisfaction of the consent authority.

**OPEN SPACE****Screen Fencing of Open Space Areas**

The private open space areas of each dwelling shall be screened on each boundary by:

- (a) the erection of a solid wall or screen fence not less than 1.8 metres high: or
- (b) fenced to a height not less than 1.8 metres high and planted with dense vegetation.

**LANDSCAPING****Landscape plan required**

Before the development starts, a landscape plan to the satisfaction of the consent authority must be submitted to and approved by the consent authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. *The landscaping plan must be generally in accordance with the landscape concept plan dated (insert date) prepared by (specify consultant), except that the plan must show / The plan must show:*



- (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
- (b) details of surface finishes of pathways and driveways;
- (c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
- (d) landscaping and planting within all open areas of the site;
- (e) (specify number) canopy trees (minimum two metres tall when planted) in the following areas: (specify location); and
- (f) provision of an in ground irrigation system to all landscaped areas.

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

### **Completion of landscaping**

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.

### **Landscaping maintenance**

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.*

## **INFRASTRUCTURE**

### **Reticulated Services**

The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities, gas and telecommunication networks to *the development/each lot* shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

### **Accesses**

The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of *(insert relevant Council or the Department of Lands, Planning and the Environment)*, to the satisfaction of the consent authority.

### **and**

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 , *(insert relevant Council or the Department of Lands, Planning and the Environment)*, to the satisfaction of the consent authority.

### **Specific Stormwater only**

Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to City of *(Insert relevant Council)* to the satisfaction of the consent authority.

### **Fencing of Road Reserve**

Where unfenced, the (*Insert Relevant Road*) Road frontage is to be appropriately fenced in accordance with the Department of Transport's standards and requirements to the satisfaction to the consent authority.

### **Work within Road Reserves**

All proposed works impacting on (*Insert Name*) Road are to 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 (*insert Council or Department of Transport*). Drawings must be submitted to the (*Council or Senior Director, Road Network Division of the Department of Transport*) for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

## **AMENITY - WASTE MANAGEMENT**

### **Effluent disposal**

An approved effluent disposal system to the requirements of the Department of Health and to the satisfaction of the consent authority must be installed concurrently with the erection of the (*insert development type eg dwelling*) and all waste must be disposed of within the curtilage of the property.

### **Adequacy of Existing Effluent Disposal**

Before the use commences the owner is to provide documentary evidence to the satisfaction of the consent authority upon the advice of the Department of Health that the existing effluent disposal system is of sufficient capacity to cope with the projected increased loading.

### **Waste Bin Storage**

Storage for waste disposal bins is to be provided to the requirements of (*insert Council*) to the satisfaction of the consent authority.

OR

Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.

### **Regular waste removal**

All waste material not required for further on-site processing must be regularly removed from the site to an approved facility. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the consent authority.

## **GENERAL AMENITY**

### **General amenity provision**

The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

- (a) *transport of materials, goods or commodities to or from the land*

- (b) appearance of any building, works or materials
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
  - (d) presence of vermin
- others as appropriate.

#### **Air conditioning screening (General)**

All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view, located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority.

#### **Air conditioning screening (CBD and other residential buildings taller than 2 storeys)**

All air conditioning condensers (including any condenser units required to be added or replaced in the future) are to be appropriately screened from public view and from view of neighbouring or nearby developments (or developments reasonably anticipated), located so as to minimise thermal and acoustic impacts on neighbouring properties and condensate disposed of to ground level in a controlled manner to the satisfaction of the consent authority. The use of angled louvered slats for screening purposes is acceptable, however the slat screening must be designed with a panel to gap ratio, such that the condenser units are not readily visible from any angle.

#### **Roof Top Plant Equipment (CBD)**

All roof top plant equipment, equipment relating to the operation of the lift and any other equipment (such as any vents and ducting associated with requirements for stairwell pressurisation or other such ventilation purposes or similar) that will be placed on the rooftop of the development shall be appropriately screened, or designed to soften the visual impact of such equipment from view from neighbouring or nearby developments (or developments reasonably anticipated).

#### **Balconies are to be internally drained**

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.

#### **Hours of operation**

The use may operate only between the hours of *(insert operating times and days)*.

#### **Regulation of delivery times**

Deliveries to and from the site (including waste collection) must only take place between:

- \_\_\_ a.m. and \_\_\_ p.m. Monday to Friday
- \_\_\_ a.m. and \_\_\_ p.m. Saturday
- \_\_\_ a.m. and \_\_\_ p.m. Sunday or public holiday.

#### **Maximum seating**

No more than (*specify number*) seats may be made available at any one time to patrons on the premises without the further consent of the consent authority. (Used for Indoor Recreation permits)

### **Loudspeakers**

No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.

### **Soundproofing of plant and equipment**

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.

### **Concealment of pipes, etc.**

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.

### **Plant/equipment or features on roof**

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).

### **Substations and Boosters**

All substation, fire booster and water meter arrangements are to be appropriately screened to soften the visual impact of such infrastructure on the streetscape, to ensure that the infrastructure is sympathetic to and blends in with the design of the building. Details will need to be resolved to the satisfaction of the consent authority in consultation with the Power and Water Corporation, and NT Fire and Emergency Services.

### **Control of light spill**

External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the consent authority.

### **Storage of Goods**

No goods are to be stored or left exposed outside the building(s) so as to be visible from any public street

### **Advertising Signs**

The location and details of the sign(s), *including those of the supporting structure*, as shown on the endorsed plans, must not be altered without the further consent of the consent authority.

### **Acoustic fencing**

The developer shall have carried out, as part of stage \_\_ works, and in accordance with AS3671-1989, "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction" an assessment by a suitably qualified person of the development's present and predicted future exposure to road traffic noise levels, and where required provide appropriate noise attenuation measures to the satisfaction of the Authority. All noise attenuation works deemed necessary shall be carried out by and at the full

cost of the developer and shall be wholly contained (including foundations) within the subject lot.

## **ENVIRONMENTAL CONSIDERATIONS**

### **Environmental management plan**

Before the use starts, an environmental management plan for the management and operation of the use must be prepared to the requirements of an independent suitably qualified professional and approved by the consent authority on the advice of (*specify authority eg the NT EPA, DLRM or the Department of Lands, Planning and the Environment – based on which agency asked for the EMP*). 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 environmental management plan must include:

- (a) *overall environmental objectives for the operation of the use and techniques for their achievement;*
- (b) *procedures to ensure that no significant adverse environmental impacts occur as a result of the use;*
- (c) *proposed monitoring systems;*
- (d) *identification of possible risks of operational failure and response measures to be implemented;*
- (e) *day to day management requirements for the use; and*
- (f) *(specify other requirements).*

### **Control of erosion and dust during construction**

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

Or if an ESCP was required to be developed and endorsed as a condition precedent:

All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, upon the advice of the Department of Land Resource Management'.

### **Minimum floor levels if flood or storm surge affected**

The finished floor levels of the *dwelling/other structure* must be minimum of *300mm/other specified height* above the applicable flood level for the property which is (*specify number*) metres AHD.

Note: The applicable flood level for this property is (*specify number*) metres AHD.

### **Run-off control**

No polluted and/or sediment laden run-off is to be discharged directly or indirectly into (*insert relevant Council or the Department of Lands, Planning and the Environment*) drains or to any watercourse.

### **Wheel-wash**

A truck wheel-wash must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways to the satisfaction of the consent authority.

## **CLEARING OF NATIVE VEGETATION**

The clearing of native vegetation is to be undertaken only in the areas identified on the endorsed drawing as "Permitted Clearing". All remaining native vegetation is to be maintained to the satisfaction of the consent authority.

The permit holder must ensure that the clearing operator has a copy of the permit, including the endorsed drawing, at all times during the clearing operation.

Before the vegetation removal starts, the boundaries of all vegetation stands to be removed and retained must be clearly marked on the ground or marked with tape or temporary fencing to the satisfaction of the consent authority.

## **SUBDIVISION**

### **Easements**

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.

### **Roads**

All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.

### **Reticulated services**

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

### **Staged subdivision**

The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

### **Occupancy Permit**

An Occupancy Permit under the *Building Act* must not be issued until Lots (*insert lot numbers*), Town of (*insert town name*) have been consolidated and a new title issued for the consolidated lot.

OR

An Occupancy Permit under the *Building Act* must not be issued until title to Lot (*insert lot number*) has been issued.

### **Engineering Standards**

Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of (*insert relevant Council or the Department of Lands, Planning and the Environment*) to the satisfaction of the consent authority and all approved works constructed at the owner's expense.



### **Provision of firebreaks**

Before *the use commences/occupation of the development/issue of titles*, firebreaks along boundaries or at appropriate locations shall be provided to the satisfaction of the consent authority on advice from the *Bushfires NT (Department of Land Resource Management/ Northern Territory Fire and Rescue Services)*.

### **SUBDIVISION FOR THE PURPOSE OF A UNIT TITLES SCHEME**

Works carried out under this permit shall be in accordance with drawings numbered -- through --- inclusive endorsed as forming part of this permit.

Prior to new titles being issued for the units shown on the endorsed drawings, a Scheme Statement meeting the requirements of the *Unit Title Schemes Act* (as confirmed by the Land Titles Office) shall be submitted for endorsement by the consent authority.

Part V Clearance for subdivision into units under the *Unit Titles Scheme Act* will not be granted until the relevant Certificate of Compliance has been issued for the development as shown on development permit ---.

Prior to new titles being issued for the units shown on the endorsed drawings, confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) demonstrating that the Power and Water Corporation has been provided with a copy of the survey plan with the new lot numbers. This is for the purpose of ensuring the relevant Power and Water Information and Billing System is updated. Please provide a copy of an email addressed to both [landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au) and [powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)

Prior to new titles being issued for the units shown on the endorsed drawings, confirmation shall be provided to Development Assessment Services (in the form of an email addressed to the Power and Water Corporation) from a suitable qualified professional (being the Licensed Surveyor in most instances) confirming that all new UTS number labels have been correctly installed at the Customer's Metering Panel(s). Please provide a copy of an email addressed to both [landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au) and [powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)

Prior to new titles being issued, it shall be confirmed by the consent authority that all areas shown on the plans endorsed by the consent authority through Development Permit DP\_\_\_/\_\_\_ as service authority easements, communal open space, shared driveways, or areas set aside for the communal storage and collection of garbage or other solid waste, or other shared amenities are shown of the survey plan as Common Property.

### **Caution Notice on titles**

Before issue of titles and pursuant to section 34 of the *Land Title Act*, a Caution Notice shall be lodged with the Registrar-General on the parent parcel to include the following advice on all proposed lots indicated on the endorsed drawings. The Caution Notice is to state that: *"This allotment is subject to prolonged periods of waterlogging and inundation"*. Evidence of lodgement on the parent parcel shall be provided to the satisfaction of the consent authority.

### **Restrictive Covenant on titles**

Before issue of titles and pursuant to section 55 of the *Planning Act* and division 5 of the *Land Titles Act*, a restrictive covenant shall be lodged with the Registrar-General for notation on the titles of all lots shown on the endorsed drawings with a drainage easement. The restrictive covenant shall state that: *"No clearing or excavation is to take place within any drainage easement on this property without the written approval of the Executive officer of the Department of Lands, Planning and the Environment)."*

## **NOTES**

### **Expiry Of A Permit**

This permit will expire if one of the following circumstances applies:

- (a) the development *and use is/are* not started within *two* years of the date of this permit; or
  - (b) the development is not completed within *four* years of the date of this permit.
- The consent authority may extend the periods referred to if a request is made in writing before the permit expires.

### **Works within a Road Reserve**

A "Permit to Work Within a Road Reserve" may be required from (*insert relevant Council or the Department of Lands, Planning and the Environment*)) before commencement of any work within the road reserve.

### **Active Interface (Darwin CBD)**

This development as approved by the Development Consent Authority (DCA) achieves a level of active interface deemed by the authority to provide   % of the length of the site boundary at ground level as active street frontage. Retaining this level of active frontage is considered by the DCA to be essential to this development achieving the purpose of clause 6.3.3 (Urban Design Requirements in Central Darwin). Any reduction in the percentage of active street frontage is unlikely to be supported, and will require full consideration by the DCA at a meeting of the authority. Refer to "Design guidance to achieve active frontages and provide for services" for advice to active street frontages in relation to service authority requirements.

### **Clearing of Native Vegetation**

A permit to burn is required from the Regional Fire Control Officer, Department of Land Resource Management, prior to the ignition of any felled vegetation on the property. Fire prevention measures are to be implemented in accordance with the requirements of the *Bushfires Act*.

### **Weeds**

There are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.

### **Groundwater**

A groundwater extraction licence is required under the *Water Act* for any bore equipped to supply over 15 litres per second. For advice on water extraction licences please contact the Water Management branch of the Department of Land Resource Management.

### **Heritage**

The permit holder is advised that it is an offence to disturb or destroy prescribed archaeological places without consent under the *Heritage Act*. Should any heritage or archaeological material be discovered during the clearing operation, cease operation and please phone Heritage Branch of the Department of Lands, Planning and the Environment.

### **Aboriginal Areas Protection Authority**

The Aboriginal Areas Protection Authority recommends that the permit holder obtain an Authority Certificate to indemnify against prosecution under the *Aboriginal Sacred Sites Act*. For advice on how to obtain a certificate please contact the Aboriginal Areas Protection Authority.

### **Environment Protection and Biodiversity Conservation Act**

The permit holder is advised that the proposal may have assessment implications under the Commonwealth *Environment Protection and Biodiversity Conservation Act*, contact the Commonwealth Department of Environment, Water, Heritage and the Arts on (02) 6274 1111

### **Reduced Building setbacks**

This development permit does not grant "building approval" for the proposed structure. The Building Code of Australia requires that certain structures 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.

### **Existing structures and Compliance with the Building Code**

The applicant is advised to engage a building certifier, within the meaning of the *Building Act*, as to whether the building/s comply with the *Building Act* and associated Regulations.

### **Accommodation and Food Providers**

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

### **Signage**

Notwithstanding the approved plans, all signage is subject to *(insert name)* Council approval, at no cost to Council.

### **Awnings**

Notwithstanding the approved plans, the demonstrated awning in *(insert name)* Council's road reserve is subject to Council approval at no cost to Council.

### **Advice on Erosion and Sediment Control**

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

### **Signs**

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:

- (a) so as not to create sun or headlight reflection to motorists; and
- (b) be located entirely (including foundations and aerially) within the subject lot.

### **Floodlighting**

Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to --- Road traffic.

### **Power and Water Corporation**

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

### **Construction Noise**

The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites in the Northern Territory. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

### **Place Names**

"All new roads, including alterations and extensions to existing roads, are required to be named under the Place Names Act. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 8995 5333 or [place.names@nt.gov.au](mailto:place.names@nt.gov.au). Further information can be found at [www.placenames.nt.gov.au](http://www.placenames.nt.gov.au)"

**NT Build** (to be placed on all development permits for all projects over \$1 million excluding single dwellings, and ancillary buildings such as private garages, carports, sheds or the like.

Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email ([info@ntbuild.com.au](mailto:info@ntbuild.com.au)) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

**Addressing (for all subdivision – including unit titling)**

As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011)

For more information contact Survey and Land Records [surveylandrecords@nt.gov.au](mailto:surveylandrecords@nt.gov.au) 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

**ENCL:** TOWN PLANNING COMMITTEE/OPEN  
**NO**

**AGENDA ITEM: 10.3**

### **STRATEGIC PLANNING ISSUES – AUGUST 2015**

**REPORT No.: 15TS0126 NS:dj**

**COMMON No.: 2481144**

**DATE: 04/08/2015**

**Presenter: Manager Design, Planning & Projects, Drosso Lelekis**

**Approved: General Manager Infrastructure, Luccio Cercarelli**

### **PURPOSE**

The purpose of this report is to provide an updated schedule of identified strategic Town Planning matters for referral to Town Planning Committee meetings

### **LINK TO STRATEGIC PLAN**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

#### **Goal**

1. Collaborative, Inclusive and Connected Community

#### **Outcome**

- 1.4 Improved relations with all levels of government and significant stakeholders

#### **Key Strategies**

- 1.4.2 Play an active role in strategic and statutory planning processes

### **KEY ISSUES**

- The Town Planning Committee focuses on strategic planning issues.
- This report presents an updated schedule of previously identified and known strategic town planning matters and the timeframes for reporting on these matters.
- The schedule is of known current issues and will be influenced by unforeseen strategic matters requiring consideration either directly raised by Council or via external parties such as the Northern Territory Planning Commission.
- Progress and update of the schedule will be reported at Town Planning Committee meetings.

### **RECOMMENDATIONS**

THAT the Committee resolve under delegated authority:

THAT Report Number 15TS0126 NS:dj entitled Strategic Planning Issues - August 2015 be received and noted.



PAGE: 2  
 REPORT NUMBER: 15TS0126 NS:dj  
 SUBJECT: STRATEGIC PLANNING ISSUES - AUGUST 2015

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## **BACKGROUND**

Council has resolved that Town Planning Committee Meetings will be held once every two months, with a focus on strategic town planning matters.

This report provides an updated schedule of previously identified strategic town planning matters and time frames for addressing these matters.

## **DISCUSSION**

The following table provides a list of new strategic matters that have been raised by Elected Members since the previous update report was presented to the Town Planning Committee

<b>Issue</b>	<b>Issue Source</b>	<b>Comment</b>
Tree Planting in car park areas with a view to increasing the amount of shaded land area and improving public amenity and air purification taking into account the requirements of the Planning Scheme in relation to shading parking areas.	City of Darwin	This work has been added to the report schedule and a report will be presented in February 2016, based on current issues.

The following table provides a list of strategic planning issues in which City of Darwin staff are currently working on, updates are as follows:

<b>Issue</b>	<b>Issue Source</b>	<b>Date</b>	<b>Comment</b>
Permeable Land Surfaces	City of Darwin	August 2015	Refer to Report Number 15TS0126 NS:dj within the Town Planning Committee Meeting August 2015 Agenda.
Assessment criteria and definition for Serviced Apartments in the Northern Territory Planning Scheme	City of Darwin	October 2015	A report will be prepared for consideration by the Town Planning Committee.

PAGE: 3  
 REPORT NUMBER: 15TS0126 NS:dj  
 SUBJECT: STRATEGIC PLANNING ISSUES - AUGUST 2015

Issue	Issue Source	Date	Comment
Car parking on the podium level	City of Darwin	December 2015	A report will be prepared for consideration by the Town Planning Committee.
Universal Design Principles in planning and construction of new buildings	City of Darwin	December 2015	This report will be combined with the Development of an Age Friendly City report.
Development of an Age Friendly City	City of Darwin	December 2015	This report will be combined with the Universal Design Principles in Planning and Construction of New Buildings report.
Funding for Social Infrastructure	City of Darwin	December 2015	This is a complex issue and investigations are still being conducted.
Urban infill and densification	Northern Territory Government	Ongoing	Area plans are currently being developed through a Project Control Group with the Northern Territory Government. The Planning Commission are presenting to the Town Planning Committee Meeting regarding the Community Engagement Plan.
Car parking, Public Transport and alternative transport arrangements	City of Darwin	Ongoing	To be considered in light of the Darwin CBD Parking Strategy Review, CBD Traffic Study and City Centre Master Plan both during these projects and after their completion.
The height, bulk and over development of land in the Darwin CBD Zone	City of Darwin	Ongoing	To be considered in light of the combined outcomes of the Darwin City Centre Master Plan, Greater Darwin Regional Land Use Plan and the Northern Territory Planning Scheme Amendment to Clause 6.3 – Building Heights in Central Darwin.

PAGE: 4  
 REPORT NUMBER: 15TS0126 NS:dj  
 SUBJECT: STRATEGIC PLANNING ISSUES - AUGUST 2015

The following table provides identified strategic planning issues which will be considered by Council at an Ordinary Council Meeting.

Issue	Issue Source	Comment
Sea containers in residential zones	City of Darwin	This issue will be dealt with in the review of City of Darwin Policy No. 041 – Land Use Planning – General, that will be considered by the Environment and Infrastructure Committee.
Creation of Urban Development Policy and Strategy	City of Darwin	A Report is being prepared for an Ordinary Council Meeting in September 2015.

### **CONSULTATION PROCESS**

In preparing this report, the following City of Darwin officers were consulted:

- Town Planner
- Planning Officer

### **POLICY IMPLICATIONS**

Not assessed.

### **BUDGET AND RESOURCE IMPLICATIONS**

Not assessed.

### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not assessed.

### **ENVIRONMENTAL IMPLICATIONS**

Not assessed.

PAGE: 5  
REPORT NUMBER: 15TS0126 NS:dj  
SUBJECT: STRATEGIC PLANNING ISSUES - AUGUST 2015

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### **COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION**

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

**DROSSO LELEKIS**  
**MANAGER DESIGN, PLANNING &**  
**PROJECTS**

**LUCCIO CERCARELLI**  
**GENERAL MANAGER**  
**INFRASTRUCTURE**

For enquiries, please contact Cindy Robson on 89300 528 or email:  
[c.robson@darwin.nt.gov.au](mailto:c.robson@darwin.nt.gov.au).

# OPEN SECTION

TP8/6

## Town Planning Committee Meeting – Tuesday, 4 August 2015

### **11. INFORMATION ITEMS**

Nil

### **12. GENERAL BUSINESS**

### **13. CLOSURE OF MEETING**